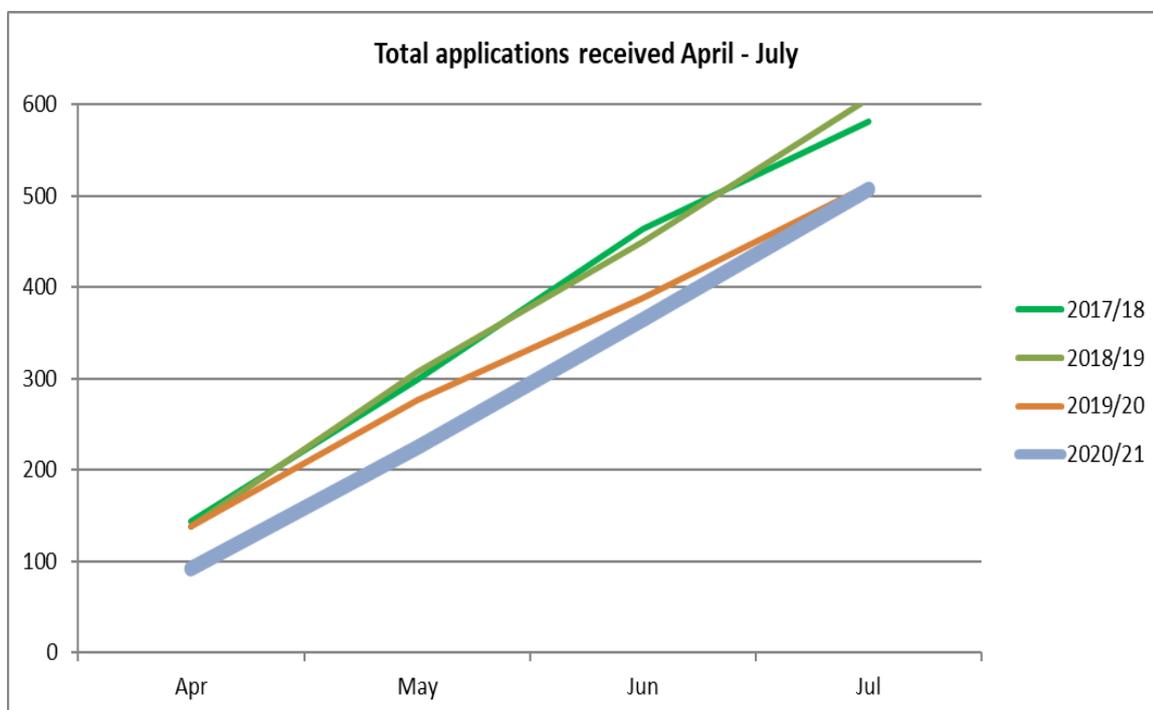


Committee: Ordinary Council	Date: 16 th September 2020
Subject: Chairs report for Planning and Licensing Committee	Wards Affected: All
Committee Chair: Cllr Olivia Sanders	
Report of: Phil Drane, Director of Planning and Economy	Public
Report Author/s: Name: Phil Drane, Director of Planning and Economy Telephone: 01277312500 E-mail: philip.drane@brentwood.gov.uk	FOR INFORMATION

Planning Development Management

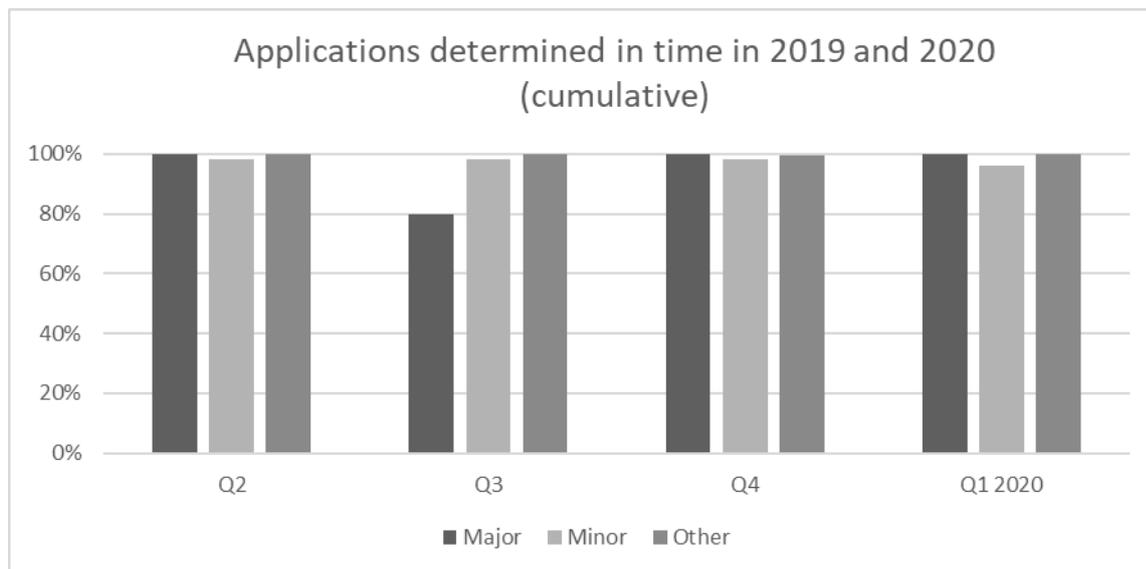
Applications

The effects of the COVID-19 pandemic have been felt by the authority, for example in the number of applications received which reduced significantly in April and May 2020. However, using the broadest measure, i.e. relating to all types of applications, levels rebounded by the end of July to within five applications of the number received to the end of July last year (see chart below). The number of applications in the narrower measure of applications (FUL, LBC etc) is now only 7% down on the same period last year.



For several years now, the percentage of planning applications decided within the statutory time periods has remained at around the highest levels recorded for the

department (see chart below). Despite coronavirus the Government expects planning authorities to continue to meet the normal determination periods and this is being achieved at Brentwood.



New ways of working due to the COVID-19 pandemic

Officers have continued to work from home in the main since mid-March due to the coronavirus with limited entry to the office. Pre application and other meetings have been held using Microsoft Teams or more recently on site when necessary and where safety can be assured. Site notices have been placed on site through a mixture of officer visits and being put up by applicants. The Planning and Licensing Committee has so far held three meetings via Microsoft Teams (broadcast online to the public), which worked well.

Appeals

As well as monitoring the speed of determining applications, the Secretary of State also operates a 'quality' assessment of decisions. Like the measures for speed, these are assessed as two types – Majors and non-Majors. The measure assesses the number of allowed appeals as a percentage of all applications of that type of application determined by the planning authority in the previous two years. Effectively this assesses the decision failure rate, what the Government may consider to be poor or bad decisions. The threshold for concern is 10 percent, i.e. the loss rate should not exceed this level.

The large number of non-Major applications determined in Brentwood Borough and the few non major appeals submitted or lost means this measure is not of concern for that category of decision. However, as Brentwood determines just over forty Major applications in a two-year period, the threshold is that no more than four appeals can be allowed without breaching the 10% limit. Since April 2019, the authority has lost three Major appeals – Ewing House, Regent House and the Blood Bank (Crescent Drive). If more than one Major appeal is lost before the qualifying period ends in December 2020, the authority will have breached its quality threshold.

This is a cause for concern as it would be likely to involve some degree of scrutiny and oversight from the Secretary of State, possibly including action plans etc, plus the potentially developers would be able to make applications direct to the Secretary of State, bypassing the Council as planning authority.

Looking at appeals on a more basic allowed/dismissed level the number and percentage of appeals lost were lower than in previous years, despite a rise in appeal cases. However, this is not the measure that the Government considers to be important.

Regular reports are to be brought to committee at least each quarter to report on performance and areas of update, such as Planning Enforcement. It is hoped this will provide members with a more rounded update on the work of the Planning Service.

Telecoms Masts

At the Planning and Licensing Committee in June, prior approval was refused for the erection of telecommunication equipment on the Coptfold Road multi storey car park for Vodafone/O2. The applicant is intending to appeal the decision and the previous refusals for equipment within Coptfold Road and at Pastoral Way refused in January.

At the July committee prior approval was refused for the erection of telecommunication equipment on Masefield Court for EE/Three (BT). The applicant has not indicated whether the decision will be appealed but has contacted officers to discuss matters.

Both sets of telecommunication companies have indicated that they wish to use their emergency powers to erect temporary equipment, but no recent information has been provided on when this might happen. These four refusals relate to particularly harmful schemes, and since last year four other prior notifications have been permitted in town centre, suburban and rural locations, with others being granted full planning permission. This indicates the planning authority's positive support for maintaining and enhancing the boroughs telecommunications infrastructure while protecting the environment from particularly damaging proposals. We recognise the social and economic benefits provided by good network coverage.

The Council is aware of the inconvenience caused to customers on affected networks and so we are doing what we can to engage with the relevant telecoms providers to help identify alternative locations and/or ways forward. The network providers are responsible for maintaining services for their customers, including consideration of the planning process, related timescales, and proposing suitable locations for physical infrastructure.

Planning Policy

A strategic planning update is provided as part of the Policy, Resources and Economic Development chairs report, focussing on corporate priorities (delivery of a Local Development Plan and growth at Dunton Hills Garden Village). In addition,

Licensing

From a licensing perspective we have seen a rise in the number of applications that are being received under the Licensing Act 2003 after the lull during the business shutdown due to lockdown provisions of the COVID-19 pandemic. This is in contrast with the applications to renew Hackney Carriage and Private Hire licences that have seen a decrease since lockdown. The government has now introduced the long awaited Guidance for Taxi Licensing which will impact on the councils policies, which are in the process of being updated and will go out for consultation soon. We have also last week successfully defended an appeal in the magistrates court the licensing sub committees decision to revoke a taxi drivers licence based on complaints and behaviour.