

Development Management Division

Workloads and Resourcing

1. Contacts

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2. Executive Summary

This report outlines the need to provide further temporary resourcing, principally in order to defend planning appeals arising from the Council's refusal of a number of major planning applications, but also to address temporary vacancies within the Development Management Division, which if unfilled, will have an impact on the delivery of timely decision making.

3. Recommendation

3.1 That Cabinet approves:

- i) The release of £60,000 from reserves to cover the cost of engaging specialist professional services to support the local planning authority in defending a planning appeal.**
- ii) The release of £30,000 from reserves to cover the cost of retaining temporary agency staff to address current staff vacancies and enable the existing applications backlog to be removed.**

4. Background

4.1 Prior to the worldwide spread of Covid-19 the Development Management Division was operating with a number of vacancies in its professional planning staff, due to difficulties recruiting in what was a 'candidate dry' market. The number of applications received between April 2021 and December 2021 is approximately 7.7% higher than the same period in 2020 and 31% higher than the same period in 2019. The high number of applications combined with vacancies within the division has resulted in a backlog of applications.

- 4.2 Where major applications have been refused permission it is often necessary for the Council to defend its case at appeal through costly and time-consuming Public Inquiries and complex Hearings. A significant and complex appeal taking place early in 2022 is for 140 dwellings on land at Field South of Raughmere Drive, Lavant. The appeal requires input from a range of specialist planning and related professionals. This appeal is expected to take 8 days and requires a number of specialist witnesses in defence of the Council's case. In addition to the cost of the Council's appointed barrister, the cost of defending this appeal will be approximately £60,000, which is beyond the budget for 2021/22.
- 4.3 In September 2021, Cabinet approved additional resources for Development Management including the creation of 2 new posts (1 x Senior Planning Officer (Majors) and 1 x Assistant Planner (Applications)) plus the use of reserves to cover the cost of temporary agency staff. The Senior Planning Officer post remains vacant, whilst the Assistant Planner post was filled. However, as a result of staff turnover, changes to working patterns and internal promotion 2 Assistant Planner posts (2 FTE) and a further Senior Planner post (0.5 FTE) remain vacant. Efforts to recruit to the posts are ongoing; however it remains a difficult market.
- 4.4 Further, with effect from 20 December 2021 the Manager of the Applications Team has been seconded to the position of Divisional Manager for Development Management for a period of 6 months. In order to ensure continued effective management of the Applications Team it is necessary to ensure that the vacant position is re-filled. However, due to the short period of time the post is currently available and the need to fill it as soon as possible, it is anticipated the post will need to be filled by an agency planner.
- 4.5 As a result, there is a need to retain existing agency staff for the near-future, to create capacity in dealing with application workloads, but also a need to continue to deal with a significant 'backlog' of applications and to assist with the ongoing planning appeals.

5. Outcomes to be achieved

- 5.1 To ensure the necessary resources can be secured to engage appropriate specialist professional services to assist in the defence of planning appeals.
- 5.2 To secure temporary cover for existing vacant posts in the Development Management Teams to deal with the backlog of applications that has arisen and the increase in applications being submitted to the Council.

6. Proposal

- 6.1 It is proposed that £60,000 is released from reserves to ensure that the local planning authority is in a position to robustly defend the Raughmere appeal, for which specialist services are required including legal, housing supply, landscape, and noise specialists.

- 6.2 It is proposed that £30,000 is released from reserves to extend the contracts of three agency planners until April 2022, to assist with the determination of the backlog of applications in the Majors and Applications Teams.

7. Alternatives Considered

- 7.1 Consideration has been given to dealing with all of the existing planning appeals using in house resources only. Public Inquiries require the engagement of a barrister to act on the local planning authority's behalf and specialists are required to give evidence on some of the complex matters that the Planning Inspector will consider, for which expertise needs to be sought externally. Failure to engage these specialist services will significantly reduce the Authority's prospects of winning forthcoming appeals.
- 7.2 Consideration has been given to attempting to deal with the current backlog of planning applications within existing resources, without extending contracts with agency planners. There is no capacity in the applications teams to deal with the backlog of cases expediently alongside more recently submitted applications. The repercussions of this are not only dissatisfaction by applicants, but also poor staff morale, and possibly greater staff turnover in positions that may be difficult to refill, and a greater number of appeals against non-determination, with the added cost that will arise as a result.
- 7.3 Consideration has also been given to advertising the temporary Development Manager post rather than the use of a more expensive agency planner, however it is unlikely to be possible to fill the post with a suitable candidate without them needing to fulfil a lengthy notice period, and a short 6 month contract would not likely be attractive to planners not working through an agency agreement.

8. Resource and Legal Implications

- 8.1 There are no further resource or legal implications, beyond those set out in the body of the report. There may be an impact on legal team workloads and this will be monitored going forward.

9. Consultation

- 9.1 No consultation has taken place or is necessary.

10. Community Impact and Corporate Risks

- 10.1 The recommendations in this report are important to reducing the risks associated with the ability of the Council to deal with the planning applications submitted to it, and to be able to maintain a position where it is able to demonstrate a 5-year housing land supply.

10.2 Delays in the determination of planning applications can affect the viability of business as well as people's choices of how and where they live. It is therefore important that the Council deals with the determination of applications in an expedient manner.

11. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		x
Biodiversity and Climate Change Mitigation - Further resources will ensure proper consideration of these matters as part of the application determination process	x	
Human Rights and Equality Impact		x
Safeguarding and Early Help		x
General Data Protection Regulations (GDPR)		x
Health and Wellbeing – Workload levels are currently unsustainable for case officers. The proposed measures will reduce the risk of stress related illness.	x	

12. Appendices

12.1 None

13. Background Papers

13.1 None