

## **Planning Committee**

Tuesday, 10th September 2024, 6.30 pm

Council Chamber, Town Hall, Chorley and [YouTube](#)

### **Supplementary Agenda**

**Agenda No    Item**

**5      Any urgent business previously agreed with the Chair**

**6      Planning Performance Report**

In agreement with the Chair, the report of the Head of Planning and Enforcement has been added to the agenda.

(Pages 69 - 78)

Chris Sinnott  
Chief Executive

Electronic agendas sent to Members of the Planning Committee

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Report of	Meeting	Date
Head of Planning and Enforcement	Planning Committee	Tuesday, 10 September 2024

**Designation Action Plan**

Is this report confidential?	No
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Is this decision key?	No
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**Purpose Of The Report**

1. The purpose of this report is to make Planning Committee aware of the current status of the Performance Improvement Action Plan (Appendix A) and the latest trends in decision making for Major planning applications (Appendix B).

**Recommendations**

2. That Members note the progress made with the Performance Improvement Action Plan and the latest trends in Major decision making.

**Reasons For Recommendations**

3. Keeping Members updated of progress on these matters is a requirement of the Performance Improvement Action Plan.

**Other Options Considered And Rejected**

4. No other options were considered as the Action Plan is a requirement of the designation, and necessary for de-designation.

**Corporate Priorities**

5. The report relates to the following corporate priorities:

<b>Housing where residents can live well</b>	A green and sustainable borough
<b>An enterprising economy with vibrant local centres in urban and rural areas</b>	Healthy, safe and engaged communities

## Background To The Report

6. As Members are aware, the Secretary of State announced on 19 December 2023 the decision to designate Chorley for poor performance in decision making on Major planning applications.

## How we become de-designated

7. The Secretary of State will decide once each year whether any designations should be lifted, at around the same time as deciding whether any new designations are to be made. We understand that on exception, de-designations may be made at other times, and presume that these would be linked to the quarterly release of data.
8. In assessing whether a designation should be lifted, consideration is given to:
  - (a) the potential capability of the designated local planning authority to deal effectively with applications for major or non-major development, as appropriate, in the future; and
  - (b) the effectiveness of the designated local planning authority in dealing with the relevant category of applications during the period of its designation.
9. Soon after a designation is made the local planning authority is expected to prepare an action plan addressing areas of weakness that it identifies as having contributed to its under-performance. In doing so the authority should draw upon sector support, particularly any support that is available through programmes funded by the Ministry of Housing, Communities and Local Government (MHCLG), (previously Department for Levelling up, Housing and Communities).
10. An action plan has, therefore, been drafted, see Appendix A, which identifies areas of weakness which have contributed to the Council's designation and associated actions for improving these areas. The Action Plan has been approved by full Council earlier this year and sent to MHCLG.
11. The figures assessed by the government lag behind current performance. As can be seen from the figures highlighted in Appendix B, the number of appeals lost on Major planning applications in the rolling two year periods between April 2020 and March 2023 dropped. Further, the current figure for the rolling two year period to March 2024 is estimated to be 7.7% (not yet published). It is clear that performance is improving since the period of designation, returning to previous levels below 10%. It is, therefore, hoped that the designation will be removed during the government's next review of figures (likely to be in Autumn 2024) and with the implementation of the Council's Action Plan. It is not possible to make any projections further into the future as we cannot predict the number of applications the Council will determine nor the outcome of those applications.
12. It is also worth noting that the Council is awaiting the outcome of an appeal decision for a proposed new prison at HMP Wymott in Ulnes Walton. MHCLG has confirmed, via the Planning Advisory Service, that the final outcome of the appeal will not impact on the Council's performance figures should the appeal be allowed.

## Climate Change And Air Quality

13. The work noted in this report has no impact on the Councils Carbon emissions and the wider Climate Emergency and sustainability targets of the Council.

**Equality And Diversity**

14. There are no equality implications or considerations to be documented.

**RISK**

15. The risk of not implementing an action plan is that the Council will remain in designation for a longer period.

**Comments Of The Statutory Finance Officer**

16. This is a progress update report for noting by the Planning Committee; there are no direct financial implications arising from this report.

**Comments Of The Monitoring Officer**

17. This is a progress update report as noted above. At this stage there are no direct legal implications for the Council other than to note the decision-making trends which have been undertaken.

**Appendices**


Appendix A – Performance Improvement Action Plan

Appendix B – Criteria for Designation

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**Appendix A - Performance Improvement Action Plan**

Area for improvement	Action	Lead Officer	Target Date	Progress	Status
<p>Out of date development plan – lack of sufficient supply of housing land</p>	<p>Progress the emerging Central Lancashire Local Plan to adoption</p>	<p><b><u>Director Property &amp; Planning</u></b>  <b><u>Cabinet/Council</u></b></p>	<p><b><u>Present to Jan 2025</u></b>  <b><u>Feb – March 2025</u></b>  <b><u>June 2025</u></b>  <b><u>Dec 2025 – June 2026</u></b>  <b><u>December 2026</u></b></p>	<p>Chorley Council is working with Preston and South Ribble Councils to produce a Central Lancashire Local Plan (CLLP). Once adopted, this will replace the existing joint Core Strategy and Chorley Local Plan.</p> <p>Despite delays against the original programme, progress continues to be made in developing a new local plan.</p> <p>This has recently included site assessment work.</p> <p>An updated Local Development Scheme has been approved by each of the three councils for agreement in April 2024. This sets a new delivery timeline for the local plan and enable it to be brought back on-track.</p> <p>Prepare Pre-submission version</p> <p>Regulation 19 consultation</p> <p>Submission stage (Regulation 22)</p> <p>Examination in Public</p> <p>Adoption</p>	

INCREASE OFFICER AND MEMBER AWARENESS OF PLANNING APPEAL DECISIONS AND PERFORMANCE STATS					
Identifying trends in Council's decisions on Major applications and rectifying any issues	Ensure that a spreadsheet is maintained which records the Council's quality of decision making on Major applications on a quarterly and 2 yearly basis and reported to Officers and Planning Committee Members, along with recommended actions, on a quarterly basis.	<u>Head of P&amp;E</u>	<u>By September 2024</u>	Spreadsheet has been produced, and template Committee report prepared. Reported to Planning Committee 10 <sup>th</sup> Sept 2024	
Identifying trends in appeal decisions on Major applications and rectifying any issues	Ensure that planning appeal decisions are monitored on a monthly basis by Senior Officers within the Planning Service and any trends are highlighted to Officers and Planning Committee Members, along with recommended actions, on a quarterly basis.	<u>Head of P&amp;E</u>	<u>Ongoing</u>	In hand. Recognised by PAS as a common practice reflecting best practice. Low numbers of outstanding appeals. Reported to Planning Committee 10 <sup>th</sup> Sept 2024.	
Lack of awareness of current performance in decision making against government targets	Quarterly reporting to the Planning Committee, using the MHCLG performance statistics to monitor against national government targets	<u>Head of P&amp;E</u> <u>Planning Cttee</u>	<u>By September 2024</u>	Reported to Planning Committee 10 <sup>th</sup> Sept 2024. Template in place for quarterly updates.	
ENCOURAGING EARLY ENGAGEMENT IN PLANNING MATTERS					
Lack of Member involvement early in a Major proposal's development	Review Council's pre-application service to increase opportunity for Member involvement in Major proposals.	<u>Head of P&amp;E</u>	<u>By end of 2024</u>	Pre app process to be reviewed as part of annual fees and charges. Work has begun.	
Lack of Member training that specifically focusses on housing need	Provide supplementary Member training in addition to compulsory training	<u>Head of P&amp;E</u> <u>Planning Cttee</u>	<u>By end of 2024</u>	New Planning Committee members joined in May 2024 and have received some training. Training is an ongoing requirement.  PAS training session on taking defensible decisions took place on 4 <sup>th</sup> September 2024. Mandatory for Planning Committee members.	
Lack of Member contact throughout	Arrange for a Member briefing session prior to the committee date for Major applications to give an	<u>Head of P&amp;E</u>	<u>By September 2024</u>	In hand. Briefings to be arranged.	



determination of applications	opportunity for Members to ask questions and issues to be noted and relayed to the applicant.				
<b>ONGOING REVIEW OF THE ACTION PLAN</b>					
Improve performance of Major decision making	<p>Head of Planning and Enforcement to review progress against all actions in the Action Plan on a monthly basis.</p> <p>Formal report setting out progress against the actions in the Action Plan, presented to the Planning Committee on a quarterly basis, alongside continuation of regular performance reviews to Scrutiny Panel and Cabinet.</p> <p>Formal reviews to commence upon approval of the Action Plan.</p>	<p><b><u>Head of P&amp;E</u></b></p> <p><b><u>Planning Cttee</u></b></p> <p><b><u>Cabinet (review of Action plan)</u></b></p>	<p><b><u>Until Council is de-designated</u></b></p>	In hand. First revision prepared and received by planning cttee in September 2024. Programmed in for January 2025.	
Seek clarity on the statistical process	Seek confirmation from MHCLG that the prison appeal will not count towards the statistics	<b><u>Head of P&amp;E</u></b>		Confirmation received from Planning Advisory Service in June 2024 that a called-in decision will not count towards the Council's statistics.	

**Status Key**

**Green** – Complete and ongoing

**Orange** – Partially implemented

**Red** – Not yet implemented

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**Appendix B - Monitoring Figures - Criteria for Designation – Speed and Quality**

**Speed of planning decisions**

Measure and type of Application	Number of applications determined. October 2019 to September 2021	Number determined out of time. October 2019 to September 2021	Threshold and assessment period. October 2019 to September 2021	Number of applications determined. October 2020 to September 2022	Number determined out of time. October 2020 to September 2022	Threshold and assessment period. October 2020 to September 2022	Number of applications determined. October 2021 to September 2023	Number determined out of time. October 2021 to September 2023	Threshold and assessment period. October 2021 to September 2023
Speed of major Development	51	4	60% (92.16%)	44	6	60% (86.36%)	38	4	60% (89.47%)
Speed of non-major Development	1443	5	70% (99.79%)	1476	4	70% (99.73%)	1316	9	70% (99.32%)

Percentage figures represent the Government's minimum threshold figure with the figures in brackets showing the Council's actual performance figure. Green = performed well. Red = missed the target.

**Quality – Appeals**

Measure and type of Application	Number of applications determined. April 2018 - March 2020	Number lost on appeal.	Threshold and assessment period. April 2018 - March 2020 (appeal decisions to end December 2020)	Number of applications determined. April 2019 to March 2021	Number lost on appeal.	Threshold and assessment period. April 2019 to March 2021 (appeal decisions to end December 2021)	Number of applications determined. April 2020 to March 2022	Number lost on appeal.	Threshold and assessment period. April 2020 to March 2022 (appeal decisions to end December 2022)	Number of applications determined. April 2021 to March 2023	Number lost on appeal.	Threshold and assessment period. April 2021 to March 2023 (appeal decisions to end December 2023)	Number of applications determined. April 2022 to March 2024	Number lost on appeal.	Threshold and assessment period. April 2022 to March 2024 (appeal decisions to end December 2024)
Quality of major Development	48	1	10% (2.08%)	47	4	10% (8.51%)	39	7	10% (17.95%)	48	7	10% (14.58%)	39	3*	10% (7.69%)*
Quality of non-major Development	1322	10	10% (0.76%)	1407	5	10% (0.36%)	1518	10	10% (0.66%)	1446	10	10% (0.68%)	1210	Unable to retrieve data at this time	

Percentage figures represent the Government's maximum threshold figure with the figures in brackets showing the Council's actual performance figure. Green = performed well. Red = missed the target. \*incomplete data

**Table of Chorley Council Planning Committee Refused Major Applications and Subsequent Allowed Appeal Decisions (and pending decisions) - 2017 to 2023**

App and PINS ref.	Address	Proposal	Officer rec.	Council decision date	Appeal decision and date	Key issues	Costs claimed? / awarded?
19/00654/OUTMAJ APP/D2320/W/20/3247136	Land at Pear Tree Lane, Euxton, Chorley	Outline planning application for the erection of up to 180 dwellings...	Refuse	13/11/2019	Allowed – 11/08/2019	5 year housing land supply / BNE3 safeguarded land	Yes / no
16/00804/FULMAJ APP/D2320/W/20/3265785	Land off Lower Burgh Way, Eaves Green	Full application for the erection of 201 dwellings...	Refuse	29/06/2020	Allowed – 07/06/2021	Viability - appellant backed-down prior to the Inquiry and agreed to provide Policy complaint level of affordable housing	Yes / no
20/00377/FULMAJ APP/D2320/W/21/3272623	Land Adjoining Cuerden Residential Park / Land south of Nell Lane	Erection of 115 dwellings...	Refuse	09/10/2020	Allowed – 25/11/2021	Impact upon the character and appearance of Nell Lane	No / no
19/00339/FULMAJ APP/D2320/W/21/3272793	2 Oak Drive, Chorley	Erection of two storey building comprising 10no. apartments...	Approve	24/03/2021	Allowed – 11/11/2021	Effect of the proposal on character and appearance of the area	No / no
20/01399/OUTMAJ D2320/W/21/3272793	Land adjacent to Blainscough Hall, Blainscough Lane, Coppull,	Outline planning application for the erection of up to 123 dwellings...	Refuse	13/04/2021	Allowed – 03/02/2022	5 year housing land supply / BNE3 safeguarded land Sufficient secondary school places	No / no
20/01200/OUTMAJ APP/D2320/W/21/3284692	Land off Carrington Road, Adlington	Outline application (specifying the access point) for the development of up to 25 dwellings...	Refuse	13/04/2021	Allowed – 17/03/2022	5 year housing land supply / BNE3 safeguarded land	No / no
20/01193/OUTMAJ APP/D2320/W/21/3284702	Land south of Parr Lane, Eccleston	Outline planning application (with all matters reserved) for the development of land off Parr Lane, Eccleston for up to 34 dwellings...	Refuse	13/04/2021	Allowed – 17/03/2022	5 year housing land supply / BNE3 safeguarded land	No / no
21/01028/OUTMAJ APP/D2320/W/22/3295556	HM Prison Wymott, Moss Lane, Ulnes Walton, Leyland, PR26 8LW	Hybrid planning application seeking: Outline planning permission (with all matters reserved except for means of access, parking and landscaping) for a new prison...	Approve	22/12/2021	Pending	Justification in Green Belt, Highways.	Pending
20/01331/OUTMAJ APP/D2320/W/21/3272310	Land to the East of Tincklers Lane, Tincklers Lane, Eccleston	Outline planning application for the construction of up to 80 dwellings...	Refuse	18/02/2022	Allowed – 18/02/2022	5 year housing land supply / BNE3 safeguarded land Integration with surrounding area in terms of movements and connectivity	No / no
21/00327/FULMAJ APP/D2320/W/22/3313413	Land east of Charter Lane, Charnock Richard	Erection of 76no. affordable dwellings...	Approve	24/06/2022	Allowed – 05/05/2023	5 year housing land supply Whether the site is suitable for development, in the light of the locational policies in the development plan, highway safety and other material considerations.	Yes / yes

21/01475/FULMAJ APP/D2320/W/22/3309262	Former DXC Technology Site, Euxton Lane	Erection of 108no. dwellings...	Refuse	22/09/2022	Allowed – 31/03/2023	Effect of the development on supply of employment land Whether the site is suitable for housing, having particular regard to its location – services etc.	No / no
21/00847/OUTMAJ APP/D2320/W/22/3312908	Land at Blackburn Road, Wheelton	Outline planning application for residential development...	Refuse	n/a	Allowed – 30/05/2023	Whether the proposal is consistent with the objectives of local and national planning policies relating to the location of housing	Yes / yes
23/00510/OUTMAJ APP/D2320/W/23/3329702	Land at Babylon Lane, Heath Charnock, Adlington, Chorley, PR6 9NP	Outline application for the proposed development of 40 dwellings, with associated new access, replacement of brass band building and associated parking, with landscaping reserved	Approve	n/a	Dismissed - 10 May 2024	5 year housing land supply / BNE3 safeguarded land Foul drainage, design, heritage.	Yes / No