

PLANNING COMMITTEE**10 FEBRUARY 2022**

REPORT TITLE	DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - PLANNING APPLICATIONS
REPORT OF	DIRECTOR OF REGENERATION AND PLACE

REPORT SUMMARY

The purpose of this report is to update Members on the performance of the Development Management Service with regard to determining planning applications. The report outlines performance against government targets in terms of the speed of processing all applications.

This matter affects all Wards within the Borough.

The matter is not a Key Decision.

RECOMMENDATION

It is recommended that the report be noted.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION

- 1.1 To enable Members to be updated on the performance of the Development Management Service with regard to determining planning applications.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 As this report is for information no alternative options are recommended.

3.0 BACKGROUND INFORMATION

Development Management Performance Indicators

- 3.1 The Government's Performance Indicator in relation to Development Management performance is NI157. The indicator has 3 subdivisions as set out below.

(a) NI157 (a) – Major Applications

The Government's target is for 60% of major applications to be determined in 13 weeks. Major applications are defined as residential development of 10 or more units or retail/ commercial development of 1,000 square metres or more of additional floor area.

(b) NI157 (b) – Minor Applications

The Government's target is for 65% of minor applications to be determined in 8 weeks. Minor applications are defined as residential development of less than 10 units or retail/commercial development of less than 1,000 square metres of additional floor area.

(c) NI157(c) – Other Applications

The Government's target is for 80% of other applications to be determined in 8 weeks. Other applications include advertisements, conservation area, listed building and householder proposals. Householder applications are not included as a separate National Indicator. However, they comprise about 60% of all applications submitted to the Council and their handling is therefore a key issue in performance terms.

Additional measures introduced to address issues with underperforming Authorities

- 3.2 Section 62A of the Town and Country Planning Act 1990 allows certain applications to be made directly to the Secretary of State for Levelling Up, Housing and Communities where the local planning authority is deemed to be underperforming. The two criteria used to assess whether Local Authorities are performing to the required standard are Speed of Decisions and Quality of Decisions.

Speed of Decisions

- 3.3 The measure to be used is the percentage of decisions on applications for major development made:

(i) within the statutory determination period; or

(ii) within such extended period as has been agreed in writing between the applicant and the local planning authority.

Currently 60% of Major applications must be determined either within 13 weeks or within the extended period agreed with the applicant.

- 3.4 In addition, the Secretary of State also monitors performance for Minor and some other category applications. In these cases, 70% of applications must be determined either within 8 weeks or within the extended period agreed with the applicant.

Quality of Decisions

- 3.5 The measure to be used is the percentage of decisions on applications for Major development that have been overturned at appeal, once nine months have elapsed following the end of the assessment periods recorded in the data collected by the Department for Levelling Up, Housing and Communities.
- 3.6 Currently the threshold for designation is 10% or more of an authority's decisions on applications for Major and Non-Major applications being overturned on appeal.

Commentary on Annual Performance – National and Local Targets

- 3.7 The table below includes overall figures for 2019/20 and 2020/21, together with figures for the first three quarters of 2021/22. The only information not included in the previous report presented to Planning Committee on 14th October 2021 are the figures for Quarter 3 of 2021/22. The yearly figure for 2021/22 has also subsequently changed.

For clarity, the quarters are broken down as follows:

Q1 relates to the period 1 April to 30 June

Q2 relates to the period 1 July to 30 September

Q3 relates to the period 1 October to 31 December

Q4 relates to the period 1 January to 31 March

Table 1 Performance

Planning Applications	2019/20 Year	2020/21 Year	Q1 2021/22	Q2 2021/22	Q3 2021/22	2021/22 Year
Majors (applications determined within 13 weeks)	87% (41/47)	85% (34/40)	100% (4/4)	100% (3/3)	90% (9/10)	94% (16/17)
Minors (applications determined within 8 weeks)	87% (238/274)	85% (212/250)	85% (47/55)	78% (56/72)	74% (48/65)	79% (151/192)
Others	93%	93%	89%	86%	89%	88%

(applications determined within 8 weeks)	(897/960)	(854/922)	(234/263)	(275/319)	(266/299)	(775/881)
All (all application types determined within designated timescales)	92% (1176/1281)	91% (1100/1212)	89% (285/322)	85% (334/394)	86% (323/374)	86% (942/1090)
Householders (Householder applications determined within 8 weeks)	95% (705/743)	95% (730/770)	90% (209/233)	87% (249/287)	92% (234/254)	89% (692/774)

3.8 The Service again surpassed the requirements for all targets in the Major, Minor and Other categories of applications for Quarter 3 of 2021/22.

3.9 The percentage of Major applications which were determined within 13 weeks or within the extended period agreed between the Council and the applicant was 90% (9 from 10) for the third quarter of 2021/22.

3.10 The percentage of Minor applications which were determined within 8 weeks or within the extended period agreed between the Council and the applicant was 74% (48 from 65) for the third quarter of 2021/22.

3.11 The percentage of Other applications determined within 8 weeks or within the extended period agreed between the Council and the applicant was 89% (266 from 299) for the third quarter of 2021/22.

3.12 Performance on Householder applications (which are included in the Other category and which form the largest single type of applications submitted to the Council for determination) was 92% (234 from 254) for the third quarter of 2021/22.

Performance against Criteria for Designation – Speed of Decisions

3.13 Over a rolling two-year assessment period covering the period from 1st January 2020 to 31st December 2021, the Council's performance for Major applications comfortably exceeded the 60% threshold for designation in terms of the percentage of applications being determined within the required timescales at 91% (60 from 66 applications).

3.14 Over a rolling two-year assessment period covering the period from 1st January 2020 to 31st December 2021, the Authority's performance for Non-Major applications was also far exceeding the 70% threshold for designation in terms of the percentage of applications being determined within the required timescales at 89% (2,219 from 2,493 applications).

Performance against Criteria for Designation – Quality of Decisions

3.15 For a two-year assessment period from 1st January 2020 to 31st December 2021, 3% of decisions on Major applications were overturned on Appeal (2 appeals allowed, out of 66 applications determined).

3.16 For Non-Major applications during the same period, 0.8% decisions were overturned on Appeal (19 appeals allowed, out of 2,493 applications determined).

4.0 FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from this report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no resource implications arising from this report.

7.0 RELEVANT RISKS

7.1 There is a risk of government intervention if performance falls below the Department for Levelling Up, Housing and Communities' targets. This report seeks to monitor performance and manage the risk

8.0 ENGAGEMENT/CONSULTATION

8.1 This report is factual so there has been no consultation on its contents.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. There are no equality implications arising from the proposals within this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The recommendations contained within this report are expected to have no impact on emissions of Greenhouse Gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct community wealth implications arising from this report.

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APPENDICES

None

BACKGROUND PAPERS

None

SUBJECT HISTORY (last 3 years) Council

Council Meeting	Date
Planning Committee	11th February 2021
Planning Committee	15th July 2021
Planning Committee	14th October 2021