

PLANNING COMMITTEE**7 NOVEMBER 2024**

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| 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.

RECOMMENDATION

Planning Committee is recommended to note and endorse the performance report.

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**

3.1 The statutory time limits for planning applications are set out in the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended). These time limits are as follows:

(a) Major Applications

Major applications should be determined within 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) Minor & Other Applications

Minor and Other applications should 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; Other applications include advertisements, conservation area, listed building and householder proposals.

(c) Applications subject to an Environmental Impact Assessment

These applications should be determined within 16 weeks.

Measures to address issues with underperforming Authorities

- 3.2 Section 62A of the Town and Country Planning Act 1990 allows underperforming Authorities to be 'designated', which could result in applications being made directly to the Secretary of State for Housing Communities and Local Government. 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 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.
- 3.4 Currently, 60% of Major applications must be determined within 13 weeks or within the extended period agreed with the applicant; and 70% of Non-Majors should be determined 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 of Housing Communities and Local Government.
- 3.6 Currently the threshold for designation is 10% or more of all an authority's decisions on applications for Major and Non-Major applications being overturned on appeal.

Performance – Speed of Decisions

- 3.7 In line with the Criteria for Designation, applications are now recorded in two categories - Major and Non-Major applications.
- 3.8 The table below includes overall figures for 2022/23 and 2023/24, which has been reported previously to Planning Committee. It also includes new data for 2024/25 Q1 (1st April to 30th June 2024) and Q2 (1st July 2024 to 30th September 2024):

| Planning Applications | 2022/23 Year | 2023/24 Year | 2024/25 Q1 | 2024/25 Q2 | 2024/25 Year so far |
|-----------------------|-------------------|------------------|------------------|------------------|------------------------|
| Majors | 84% (32/38) | 81% (26/32) | 86% (6/7) | 100% (8/8) | 93% (14/15) |
| Non-Majors | 80% (819/1025) | 85% (830/977) | 93% (220/237) | 90% (257/281) | 92% (477/518) |

| | | | | | |
|------------|---------------------------------|---------------------------------|--------------------------------|--------------------------------|--------------------------------|
| All | 80% (851/1063) | 85% (856/1009) | 93% (226/244) | 92% (265/289) | 92% (491/533) |
|------------|---------------------------------|---------------------------------|--------------------------------|--------------------------------|--------------------------------|

3.9 As the table sets out, the Service continues to meet the requirements for Major and Non-Major application targets through the first two Quarters of 2024/25 and is demonstrating an improved performance over that time in comparison to the previous two years. The Authority is therefore not under threat of being designated.

4.0 FINANCIAL IMPLICATIONS

4.1 Financial risk from an Authority being designated for underperformance is referred to above. These aspects are actively monitored, to allow priorities to be adjusted as required to reduce the risk.

5.0 LEGAL IMPLICATIONS

5.1 The Government monitors planning performance in terms of speed and quality of decision-making. In the event minimum standards are not met, an authority may be designated as underperforming with special measures applied that allow applicants to submit planning applications direct to the Secretary of State for State for Housing, Communities and Local Government. It is therefore important to continue to meet these targets or special measures will be applied.

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 If an Authority is designated as underperforming then applicants may be allowed to submit planning applications direct to the Secretary of State for Housing, Communities and Local Government. 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 | 10 February 2022 |
| Planning Committee | 13 October 2022 |
| Planning Committee | 9 February 2023 |
| Planning Committee | 17 August 2023 |
| Planning Committee | 18 April 2024 |