

PLANNING COMMITTEE**11 FEBRUARY 2021**

| | |
|---------------------|--|
| REPORT TITLE | Development Management Performance Update – Planning Applications for calendar year 2020 |
| REPORT OF | Director for Regeneration & 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.

RECOMMENDATIONS

It is recommended that the report be noted.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION

- 1.1 So that members can be appraised for 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 Ministry for Housing, Communities and Local Government (MHCLG) 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 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 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 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 Communities and Local Government where the local planning authority is deemed to be underperforming. There are two criteria used to assess whether Local Authorities are performing to the required standard - 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 period; as recorded in the data collected by the Department for Communities and Local Government.
- 3.6 Currently the threshold for designation is 20% or more of an authority's decisions on applications for Major developments being overturned on appeal.

Key Approvals

- 3.7 A report relating to this subject matter will be brought to Members on a quarterly basis. For future reports, in addition to the Performance data it is proposed to identify and summarise some of the key permissions during the quarter for Members information.

Commentary on Annual Performance- National and Local Targets

- 3.8 In all subsequent reports on this subject matter, performance for the previous quarter will be reported 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

- 3.9 For this report, data is reported for Members that covers the full reporting year of 2019/20 and the first three quarters for 2020/21.

Table 1 Performance

| Planning Applications | Q1 2019/20 | Q2 2019/20 | Q3 2019/20 | Q4 2019/20 | 2019/20 Year | Q1 2020/21 | Q2 2020/21 | Q3 2020/21 |
|--|----------------|-----------------|----------------|----------------|------------------|-----------------|----------------|----------------|
| Majors (applications determined within 13 weeks) | 78% (14/18) | 100% (12/12) | 88% (7/8) | 89% (8/9) | 87% (41/47) | 100% (10/10) | 77% (10/13) | 75% (6/8) |
| Minors (applications determined within 8 weeks) | 84% (67/80) | 91% (62/68) | 88% (69/78) | 83% (40/48) | 87% (238/274) | 88% (59/67) | 83% (52/63) | 85% (52/61) |
| Others | 92% | 98% | 91% | 93% | 93% | 93% | 91% | 95% |

| | | | | | | | | |
|---|------------------|------------------|------------------|------------------|--------------------|------------------|------------------|------------------|
| (applications determined within 8 weeks) | (273/296) | (241/246) | (201/222) | (182/196) | (897/960) | (186/200) | (192/211) | (259/271) |
| All (all application types determined within designated timescales) | 90% (354/394) | 97% (315/326) | 90% (277/308) | 91% (230/253) | 92% (1176/1281) | 91% (255/277) | 89% (254/287) | 93% (317/340) |
| Householders (Householder applications determined within 8 weeks) | 94% (232/248) | 98% (186/190) | 94% (146/156) | 95% (141/149) | 95% (705/743) | 93% (155/167) | 93% (155/167) | 97% (220/227) |

- 3.10 During 2019/20 the Service surpassed the requirements for all targets in the Major, Minor and Other categories of applications (which are reported to MHCLG).
- 3.11 In 2019/20, 87% (41 from 47) of Major applications were determined within 13 weeks or within the extended period agreed between the Council and the applicant. This category sees a 27% improvement compared with the previous year 2018/19 (60%).
- 3.12 The percentage of Major applications which were determined within 13 weeks or within the extended period agreed between the Council and the applicant stands at 84% after the first three quarter for 2020/21.
- 3.13 In 2019/20, 87% (238 from 274) of Minor applications were determined within 8 weeks or within the extended period agreed between the Local Authority and the applicant. Performance in this category has risen by 34% compared with the previous year 2018/19 (53%).
- 3.14 The percentage of Minor applications which were determined within 8 weeks or within the extended period agreed between the Council and the applicant stands at 85% after the first three quarters for 2020/21.
- 3.15 In 2019/20, the speed in which Other applications were determined within 8 weeks or within the extended period agreed between the Council and the applicant was 93% (897 from 960). Performance in this category rose from by 24% compared with the previous year (from 69% in 2018/19).
- 3.16 The speed at which Other applications were determined within 8 weeks or within the extended period agreed between the Council and the applicant stands at 93% after the first three quarters of 2020/21.
- 3.17 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) has risen by 16% to 95% compared to the previous year (79%).
- 3.18 Performance for Householder applications stands at 94% after the first three quarters of 2020/21.

Performance against Criteria for Designation- Speed of Decisions

- 3.19 The assessment period for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time. The Secretary of State will aim to decide whether any designations should be made in the first quarter of each calendar year where less than 60% of the Council's decisions have been made within the statutory determination period or such extended period as has been agreed in writing with the applicant.
- 3.20 Over the rolling two-year assessment period last reported by MHCLG covering the period from October 2018 to September 2020, the Council's performance for Major applications was comfortably exceeding the threshold for designation in terms of the percentage of applications being determined within the required timescales at 85%. This represents a 5% increase on the 80% between July 2018 and June 2020.
- 3.21 Similarly, the assessment period for Non-Major applications is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time. The Secretary of State will aim to decide whether any designations should be made in the first quarter of each calendar year where less than 70% of an authority's decisions have been made within the statutory determination period or such extended period as has been agreed in writing with the applicant.
- 3.22 Over the rolling two-year assessment period last reported by MHCLG covering the period from October 2018 to September 2020, the Authority's performance for Non-Major applications was also exceeding the threshold for designation in terms of the percentage of applications being determined within the required timescales also at 85%. This was up from 81% from the period between July 2018 to June 2020.

Performance against Criteria for Designation - Quality of Decisions

- 3.23 For the same periods covered above for Speed of Decisions, 3% (2 from 68 Appeals Decided) of all decisions made on Major applications were overturned on Appeal.
- 3.24 25% (17 from 68 Appeals Decided) of all decisions made on Non-Major applications were overturned on Appeal.

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 MGCLG 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

REPORT AUTHOR: Matthew Parry-Davies
Development Management Manager
Email: matthewdavies@wirral.gov.uk

APPENDICES

None

BACKGROUND PAPERS

SUBJECT HISTORY (last 3 years) Council

| Council Meeting | Date |
|-----------------|------|
| Not applicable | |