

**PLANNING COMMITTEE****13 OCTOBER 2022**

<b>REPORT TITLE</b>	<b>DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - PLANNING APPLICATIONS</b>
<b>REPORT OF</b>	<b>DIRECTOR OF REGENERATION AND PLACE</b>

**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**

**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 all four quarters of 2021/22.

For clarity, Q1 2022/23 relates to the period 1 April to 30 June 2022:

**Table 1 Performance**

Planning Applications	2019/20 Year	2020/21 Year	Q1 2021/22	Q2 2021/22	Q3 2021/22	Q4 2021/22	2021/22 Year	Q1 2022/23
<b>Majors</b> (applications determined within 13 weeks)	87% (41/47)	85% (34/40)	100% (4/4)	100% (3/3)	90% (9/10)	100% (9/9)	<b>96%</b> (25/26)	100% (4/4)
<b>Minors</b> (applications determined within 8 weeks)	87% (238/274)	85% (212/250)	85% (47/55)	78% (56/72)	74% (48/65)	89% (48/59)	<b>79%</b> (199/251)	69% (36/52)
<b>Others</b> (applications determined within 8 weeks)	93% (897/960)	93% (854/922)	89% (234/263)	86% (275/319)	89% (266/299)	91% (242/267)	<b>91%</b> (1017/1121)	89% (193/216)
<b>All</b> (all application types determined)	92% (1176/1281)	91% (1100/1212)	89% (285/322)	85% (334/394)	86% (323/374)	89% (299/335)	<b>87%</b> (1238/1398)	86% (233/272)

within designated timescales)								
<b>Householders</b> (Householder applications determined within 8 weeks)	95% (705/743)	95% (730/770)	90% (209/233)	87% (249/287)	92% (234/254)	91% (242/267)	<b>89%</b> <b>(692/774)</b>	<b>92%</b> <b>(170/185)</b>

- 3.8 The Service again surpassed the requirements for Major, Minor and Other targets in 2021/22. However, Q1 2022/23 shows a decline in the number of minor applications being determined within the statutory period, which may be attributed to the introduction of the Council's new IT system for Development Management.
- 3.9 Performance in relation to major applications remains strong with all being determined within the statutory 13/16-week period or within the extended period agreed between the Council – reflected in the figures for Q1 2022/23 (100%, 4 from 4).
- 3.10 Performance over the aforesaid timeframe has remained generally consistent; however, closer examination of the statistics reveals an increased reliance on extensions of time. Whilst this, of itself, is not overly concerning, it is a performance measure on which the Council is monitored in its returns to central government and therefore is a matter for monitoring.
- 3.12 Performance on Householder applications remains consistent. However, with the challenges involved in the introduction of the new IT system coupled with officers having to change their adopted ways of working to accommodate this, it is predicted that there will be a decline in determination rates in Q2 of 2022/23. The Council is exploring the use of a fast-track system to expedite householder applications where no material objections are received to improve response times.

#### **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**

<b>Council Meeting</b>	<b>Date</b>
<b>Planning Committee</b>	<b>11<sup>th</sup> February 2021</b>
<b>Planning Committee</b>	<b>15<sup>th</sup> July 2021</b>
<b>Planning Committee</b>	<b>14<sup>th</sup> October 2021</b>
<b>Planning Committee</b>	<b>10<sup>th</sup> February 2022</b>