

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 (Non-Major)

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 Levelling Up, Housing and Communities. The two criteria that are 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-major applications 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 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.

Performance – Speed of Decisions

- 3.7 Previously, reports on planning application performance were broken down into the categories of Majors, Minors, Others and Householders (included within 'Others' but also included as a standalone criterion given the high number of householder applications that the Council receives). However, in line with the Criteria for Designation, this will be simplified, and applications will now be recorded in two categories - Major and Non-Major applications.
- 3.8 The table below therefore reflects this. It includes overall figures for 2022/23 and 2023/24, including a breakdown for all four quarters of 2023/24. New data not reported to Planning Committee previously is data for 2023/24 Q2 (1st July to 30th September 2023), Q3 (1st October to 31st December 2023) and Q4 (1st January to 31st March 2024):

Planning Applications	2022/23 Year	Q1 2023/24	Q2 2023/24	Q3 2023/24	Q4 2023/24	2023/24 Year
Majors						

	84% (32/38)	75% (9/12)	75% (3/4)	100% (7/7)	78% (7/9)	81% (26/32)
Non-Majors	80% (819/1025)	75% (205/272)	83% (195/235)	89% (219/245)	94% (211/225)	85% (830/977)
All	80% (851/1063)	75% (214/284)	83% (198/239)	90% (226/252)	93% (218/234)	85% (856/1009)

3.9 The Service met the requirements for Major and Non-Major application targets in 2023/24 and 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 Levelling Up, Housing and Communities'. It is therefore important to continue to meet these targets or special measures may 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 Levelling Up, Housing and Communities. 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 The 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	15th July 2021
Planning Committee	14th October 2021
Planning Committee	10th February 2022
Planning Committee	13th October 2022
Planning Committee	9th February 2023
Planning Committee	17th August 2023