

# Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 13 July 2017

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## Subject:

Annual Development Management report for performance and key activities

## Summary statement:

This report seeks to inform the Regulatory & Appeals Committee about Development Management performance and key activities undertaken over the last year (1 April 2016 – 31 March 2017).

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## Portfolio:

Change Programme, Housing, Planning and  
Transport

## Overview & Scrutiny Area:

Regeneration and Economy



## 1. SUMMARY

- 1.1 This report sets out Development Management's performance against the national planning performance criteria for planning applications, local performance indicators NI157a, b and c and local performance indicator BV204. It also provides information relating to other types of applications and enquiries dealt with by the service.

## 2. BACKGROUND

- 2.1 The planning service submits quarterly returns to the Department of Communities and Local Government (DCLG) in respect of planning applications received and planning applications determined by type.
- 2.2 Section 62A of the Town and Country Planning Act 1990 which came into effect in 2013 gives the Secretary of State the power to designate or de-designate of planning authorities as underperforming in their determination of major planning applications. This allows certain applications to be made directly to the Secretary of State. Section 62A was amended by section 153 of the Housing and Planning Act 2016 to include other non- major development which comprises of minor developments, changes of use and householder developments. DCLG assesses local planning authorities performance against the thresholds set out in the related criteria document "Improving Planning Performance: Criteria for Designation" on an annual basis.
- 2.3 The thresholds for designation are as follows:

**Speed of decisions** - the assessment period is the two years up to and including the most recent quarter for which data on planning application decisions are available.

- For applications for major development: less than 50 per cent of an authority's decisions made within the statutory determination period or such extended period as has been agreed in writing with the applicant. The threshold will rise to 60% in 2018.
- For applications for non-major development: less than 65 per cent of an authority's decisions made within the statutory determination period or such extended period as has been agreed in writing with the applicant. The threshold will rise to 70% in 2018.

**Quality of decisions** - the assessment period is the two years up to and including the most recent quarter for which data on planning application decisions are available, once the nine months to be allowed for beyond the end of the assessment period is taken into account.

- We will not assess local authorities' performance on the quality of their decisions on either major or non-major applications in 2017 but for applications for both major and non-major development in the 2018 designation round: 10 per cent of an authority's total number of decisions on applications made during the assessment period being overturned at appeal.

- 2.4 In addition the service has also set its own local targets for performance against these indicators which is measured on a monthly basis. The targets for 2016/17 are as follows:

**NI157a** - 70% of major applications should be determined within 13 weeks. (16 weeks for applications with Environmental Assessments).

**NI157b** – 80% of minor applications should be determined within 8 weeks.

**NI157c** – 90% of other application should be determined within 8 weeks.

- 2.5 The service also submits quarterly returns to DCLG in respect of decisions on applications for prior approval and certificates of lawfulness which are measured separately to planning applications and enforcement action. In addition the service deals with a number of other applications such as works to trees protected under a Tree Preservation Order, the approval of details required to be submitted under a planning condition and non material amendments to planning permissions. These applications are monitored to assess performance.
- 2.6 A number of key activities are carried out in conjunction with the determination of planning applications such as publicity and consultation and the decision making process under delegated powers or via Area Planning Panels/ Regulatory & Appeals Committee. These activities are measured to assess both performance and the quality of service provided.
- 2.7 The planning service has set a local indicator BV204 to measure the percentage of appeals allowed against the Authority's decision to refuse on planning applications. The local target set by the Local Planning Authority for 2016/17 is not more than 26% of planning appeals should be allowed.
- 2.8 The planning service undertakes a pre application service for both major and minor development proposals. Some monitoring is undertaken in relation to this in order to obtain information about service take up and the quality of service provided.
- 2.9 The report at Appendix 1 sets out the Development Management performance and key activities outlined above for the last year (1 April 2016 – 31 March 2017).

### **3. OTHER CONSIDERATIONS**

- 3.1 None.

### **4. OPTIONS**

- 4.1 None

### **5. FINANCIAL & RESOURCE APPRAISAL**

- 5.1 Not applicable.

### **6. RISK MANAGEMENT & GOVERNANCE ISSUES**

- 6.1 There are no significant risks or governance issues arising out of the implementation of the proposed recommendations.

**7. LEGAL APPRAISAL**

7.1 There are no legal implications arising from this report.

**8. OTHER IMPLICATIONS**

**8.1 EQUALITY & DIVERSITY**

8.1.1 There are no equality and diversity implications arising from this report.

**8.2 SUSTAINABILITY IMPLICATIONS**

8.2.1 There are no sustainability implications arising from this report.

**8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

8.3.1 There are no greenhouse gas emissions impacts arising from this report.

**8.4 COMMUNITY SAFETY IMPLICATIONS**

8.4.1 There are no direct community safety implications arising from this report.

**8.5 HUMAN RIGHTS ACT**

8.5.1 There are no direct human rights implications arising from this report.

**8.6 TRADE UNION**

8.6.1 There are no trade union implications arising from this report.

**8.7 WARD IMPLICATIONS**

8.7.1 There are no ward implications arising from this report.

**9. NOT FOR PUBLICATION DOCUMENTS**

9.1 None.

**10. RECOMMENDATIONS**

10.1 It is recommended that the contents of this report be noted.

**11. APPENDICES**

11.1 Appendix 1: Development Management Performance and Key Activities.

**12. BACKGROUND DOCUMENTS**

12.1 None.