

## **REPORT TO PLANNING COMMITTEE**

### **DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2016/2017**

#### **Purpose of the report**

To provide members with an end of year report on the performance recorded for Development Management between 1<sup>st</sup> April 2016 and 31<sup>st</sup> March 2017. Figures for 2014/15 and 2015/16 are also provided, as are the targets set out within the 2016/17 Planning and Development Service Plan, and performance targets adopted for 2017/18.

#### **Recommendations**

- (a) That the report be received**
- (b) That the Head of the Planning and Development with the Development Management Team Manager seek to maintain performance of the Development Management team where satisfactory and improve the service provided where the level of performance may otherwise fall below targets adopted in the 2017/18 Planning and Development Service Plan**
- (c) That the 'Mid-Year Development Management Performance Report 2017/18' be submitted to the Committee around October 2017 reporting on performance achieved for the first half of 2017/18 in relation to these targets, including the 7 indicators considered below.**

#### **Reasons**

To ensure that appropriate monitoring and performance management procedures are in place and that the Council continues with its focus on improving performance, facilitating development and providing good service to all who use the Planning Service.

#### **1. Background:**

An extensive set of indicators is collected to monitor the performance of Development Management. These include both 'National Indicators' and those devised by this Council – 'local indicators'. These indicators have changed over time and officers have sought to ensure that the right things are being measured to enable us to improve performance in every significant area of the work of Development Management. The range of indicators used reflects the objective of providing a *balanced end to end* development management service, including dealing with pre-application enquiries, breaches of planning control, considering applications, approving subsequent details and delivering development. The focus in this report is on the speed of performance.. A report elsewhere on the agenda for this meeting considers the Council's appeal performance for 2016/17 – one measure of the quality of the service.

#### **2. Matters for consideration:**

There is an Appendix attached to this report:-

**APPENDIX 1: 'NATIONAL AND 'LOCAL' PERFORMANCE INDICATORS FOR DEVELOPMENT MANAGEMENT 2014/15, 2015/16, and 2016/17:** Contains quarterly and annual figures for the 'local' Performance Indicators applicable during 2016/17 (comparative figures for 2014/15 and 2015/16 are also shown).

The first part of this report is a commentary on the performance achieved against the performance indicator targets as set out in detail in Appendix 1. It follows on from a report that was considered by the Planning Committee at its meeting on the 6<sup>th</sup> December 2016 which reported on the mid-year performance figures and gave predictions on whether the targets for 2016/17 set in the 2016/17 Planning & Development Service Plan would be likely to be achieved.

The Council's Finance, Resources, and Partnerships Scrutiny Committee and subsequently Cabinet receives a Quarterly Financial and Performance Management report on a series of performance indicators including currently the three below which relate to the speed of determination of planning applications, and any indicators failing to meet the set targets are reported by exception.

#### **3. The performance achieved and the targets for 2016/17:**

7 indicators, all measuring speed of performance, were included in the 2016/17 Planning and Development Service Plan relating to Development Management. These are referred to in the commentaries below. Members will note that out of these 7 performance indicators, the target set by the Council has been met in 2016/17 in 5 cases, but it has not been achieved in the other 2.

In consultation with the Planning Portfolio holder there has been a review of the Service's targets and it has been agreed that in all but one of the indicators the target will remain unchanged for 2017/18. The change that has been agreed will be set out below.

***INDICATOR Percentage of applications determined within the following timescales:-***

- (1) % of 'Major' applications<sup>1</sup> determined 'in time'***
- (2) % of 'Minor' applications<sup>2</sup> determined within 8 weeks***
- (3) % of 'Other' applications<sup>3</sup> determined within 8 weeks***
- (4) % of 'Non-major' applications<sup>4</sup> determined 'in time'<sup>5</sup>***

The Government does not set "targets" for the speed of determination of applications. Instead it has a system of designation of poorly performing planning authorities – one of the four current criteria for designation is a threshold relating to the speed of determination of Major applications, performance below which designation is likely. Designation as a poorly performing Local Planning Authority would have significant and adverse consequences for the Council.

In November 2016 the Government announced that the threshold on Major decisions made within the statutory determination period, or such extended period as has been agreed in writing with the applicant, of 50% for the assessment period between October 2014 and September 2016 would rise to 60% in 2018 (measuring an assessment period of between October 2015 and September 2017).

For applications for Non-Major development a threshold of less than 65% of an authority's decisions made within the statutory determination period, or such extended period as has been agreed in writing with the applicant, has been set (measuring an assessment period between October 2014 to September 2016). The threshold will rise to 70% in 2018 (measuring the period between October 2015 and March 2017).

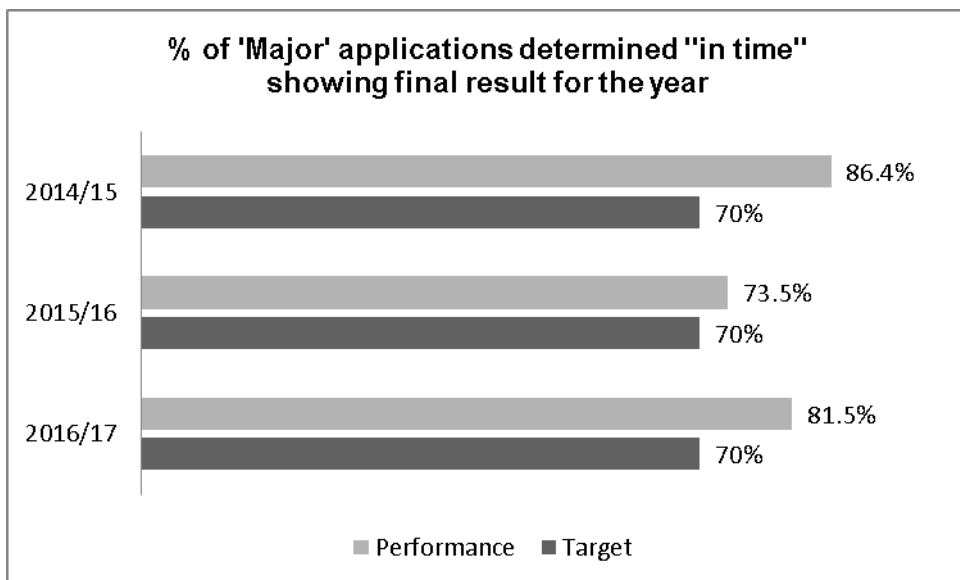
The period referred to in this report – between April 2016 and March 2017 accordingly falls within both of the above assessment periods.

Members may wish to note that with respect to Majors our performance, for the two year period ending March 2017 was 77.7%, the Council being ranked 272<sup>nd</sup> out of the 339 District Planning Authorities in England. In respect of Minors, for the same period, the performance was 88.2%, the Council being ranked 119<sup>th</sup>.

The other designation criterion measures the quality of decision making as demonstrated by appeal performance and the Council's performance in this respect is addressed in the Annual Appeals Performance.

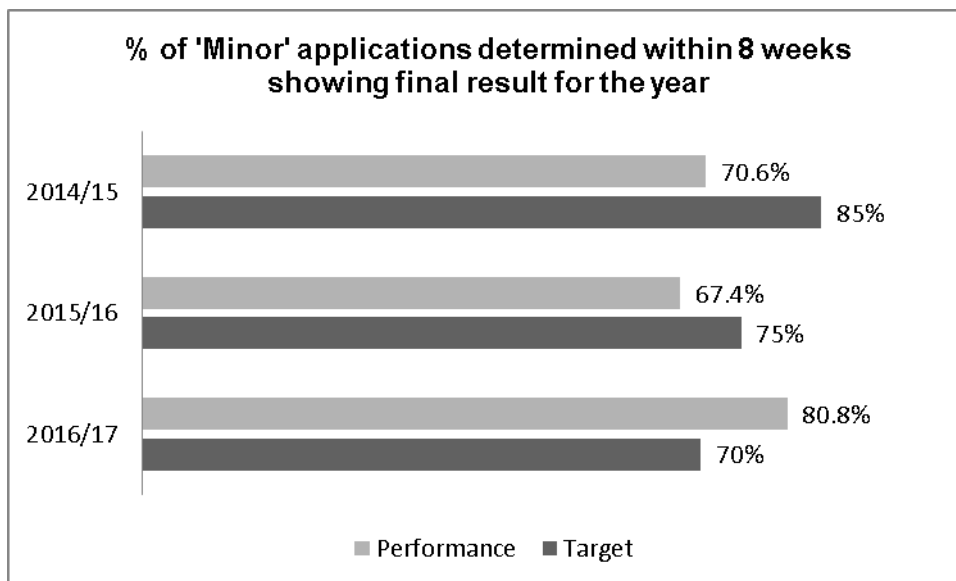
Regardless of any such targets, the Council is required to determine applications in a timely manner and in the case of each application there is a date after which an appeal can be lodged against the Council's failure to determine it. That date can be extended by agreement with an applicant, but delays in the determination of applications are sometimes quoted by various stakeholders as a symptom of a poor planning system, and the applicant's interests are not the only ones that need to be considered as well – undetermined applications and the resultant uncertainty can have a blighting effect on the proposals for adjacent properties. If an Inspector, in any subsequent appeal, was to conclude that there was not a substantive reason to justify delaying the determination of an application, or that the Council had delayed development which should clearly be permitted, then it would be likely that costs would be awarded.

(1) In dealing with 'Major' applications<sup>1</sup> during 2016/17 we determined 81.5% of the 27 such applications "in time"<sup>5</sup> against a target of 70%. Comparison with performance in previous years is indicated below.



**TARGET ACHIEVED**

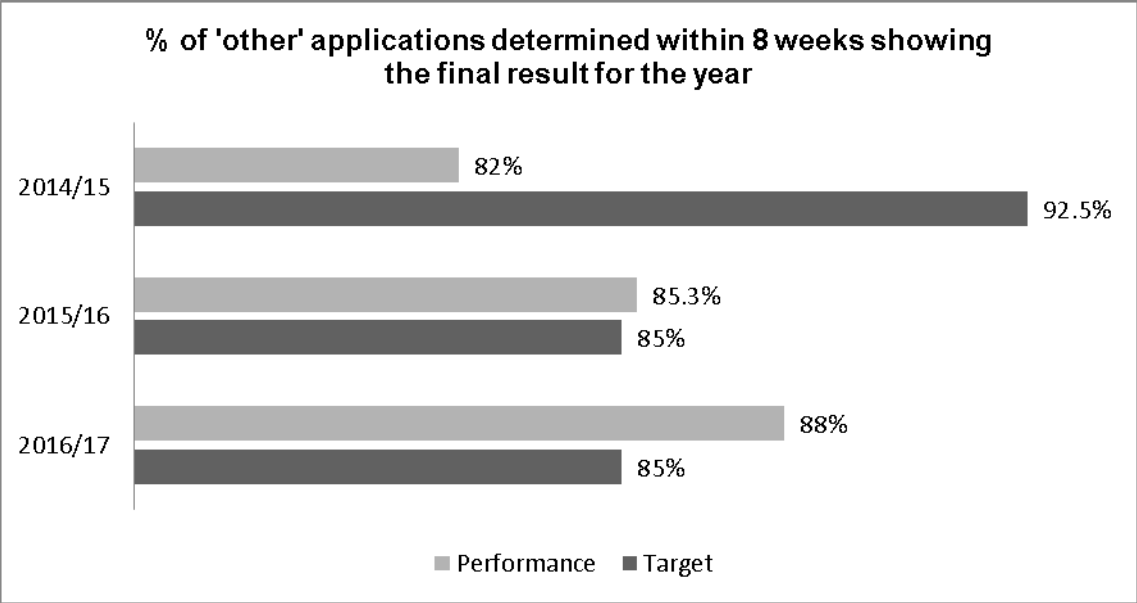
(2) During 2016/17 80.8% of the 214 '**Minor**' applications<sup>2</sup> were determined within 8 weeks against the 'local' target of 70%. Comparison with performance in previous years is indicated below.



**TARGET ACHIEVED**

Performance on Minor applications<sup>2</sup> significantly achieved the target which meant that the target for this type of application was met for the first time in five years.

(3) During 2016/16 88% of the 374 **‘Other’ applications**<sup>3</sup> were determined within 8 weeks. The target was 85%. Comparison with performance in previous years is indicated below.



**TARGET ACHIEVED**

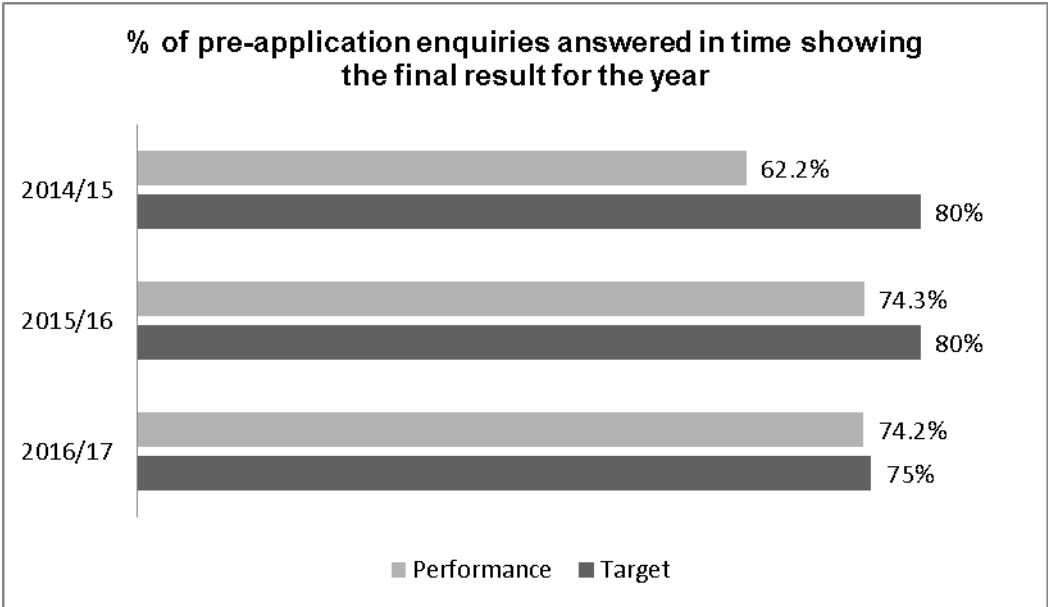
(4) During 2016/17 92.7% of the 496 **‘non-major’ applications**<sup>4</sup> determined ‘in-time’<sup>5</sup>. As this indicator was introduced for the first time in the year 2016/17 there is no comparison information with regard to performance in previous years. The ‘local’ target for this indicator for the year 2016/17 was 80%. It has been agreed that for the year 2017/18 the target will increase to 85%, bearing in mind raising by the Government of the designation threshold referred to above

**TARGET ACHIEVED**

**In conclusion all of the four targets relating to speed of determination of applications were met. This is commendable performance**

***(5) INDICATOR - Percentage of pre-application enquiries answered ‘in time’***

During 2016/17 74.2% of pre-application enquiries were answered ‘in time’. The target was 75%. Comparison with performance in previous years is indicated below.



## **TARGET NOT ACHIEVED**

This indicator allows for more time for enquiries concerning the more significant proposals, and so more accurately reflects the differing demands which various pre-application enquiries involve. For 'Major' pre-application enquiries the target response time is 35 calendar days, for 'Minor' pre-application enquiries the target response time is 21 calendar days, and for 'Other' pre-application enquiries the target response time is 14 calendar days. The decision as to when an enquiry has been answered can however sometimes be quite subjective, and clarification continues to be provided to officers on this aspect.

To give Members some idea of volume the Service received some 596 such enquiries in 2016/17, of which 30 were 'Major' pre-application enquiries; 175 were 'Minor' pre-application enquiries; and 394 were 'Other' pre-application enquiries. The comparative figures for 2015/16 when a similar performance was achieved was 611 of which 33 were 'Major' pre-application enquiries; 184 were 'Minor' pre-application enquiries; and 394 were 'Other' pre-application enquiries.

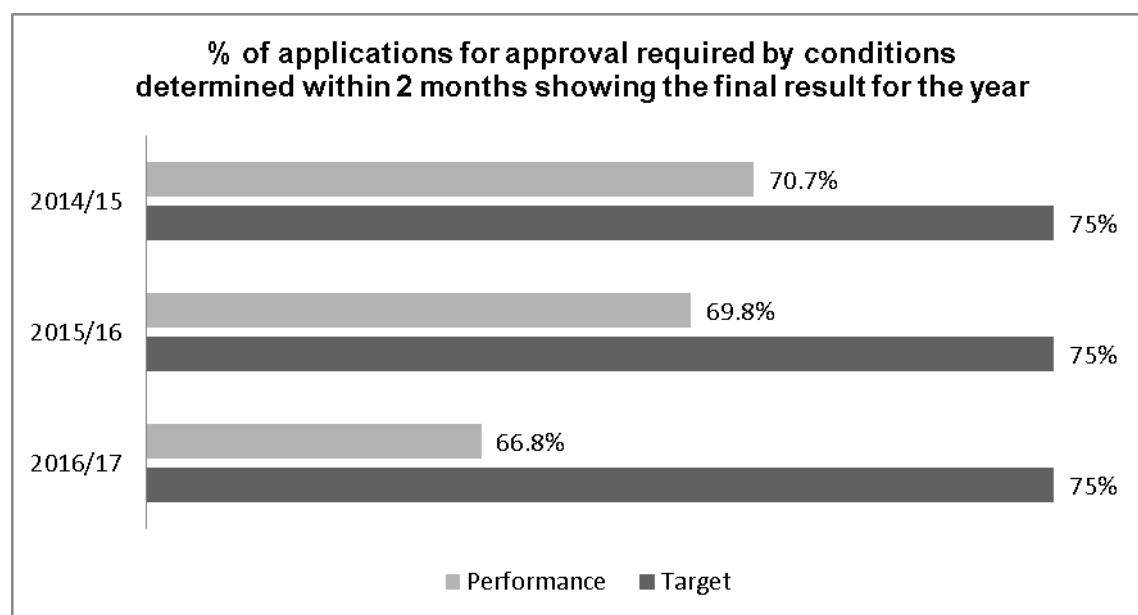
Members are reminded that since 1<sup>st</sup> April 2017 all pre-application enquiries including those by householders are subject to the payment of a fee.

The performance level achieved in 2016/17 was below the 75% target but only by 0.8%.

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### ***(6) INDICATOR - Percentage of applications for approvals required by conditions determined within 2 months***

During 2016/17 66.8% of conditions applications (306 out of 458) were determined within 2 months against a target of 75%. Comparison with performance in previous years is indicated below.

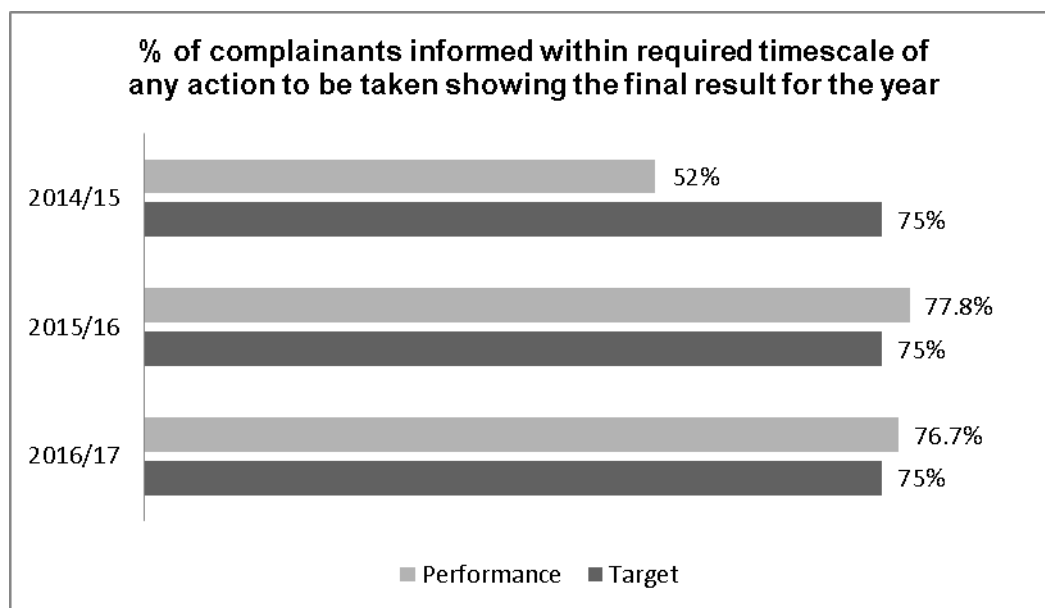


## **TARGET NOT ACHIEVED**

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**(7) INDICATOR - Percentage of complainants informed within the required timescales of any action to be taken about alleged breaches of planning control.**

Performance in 2016/17 was 76.7% compared the 'local' target of 75%. Comparison with previous years' performance is indicated below.



**TARGET ACHIEVED**

There was a slight increase in the number of new complaints received in 2016/17 (219) compared with the number in 2015/16 (212).

Date report prepared : 31<sup>st</sup> July 2017

<sup>1</sup> 'Major' applications are defined as those applications where 10 or more dwellings are to be constructed (or if the number is not given, the site area is more than 0.5 hectares), and, for all other uses, where the floorspace proposed is 1,000 square metres or more or the site area is 1 hectare or more.

<sup>2</sup> 'Minor' applications are those for developments which do not meet the criteria for 'Major' development nor the definitions of Change of Use or Householder Development.

<sup>3</sup> 'Other' applications relate to those for applications for Change of Use, Householder Developments, Advertisements, Listed Building Consents, Conservation Area Consents and various applications for Certificates of Lawfulness, etc.

<sup>4</sup> 'Non-major' means all 'minor' development and also householder development and development involving a change of use which fall within the 'other' development category.

<sup>5</sup> 'In-time' means determined within an extended period of time beyond the normal 8 week target period that has been agreed, in writing, by the applicant.