

REPORT TO PLANNING COMMITTEE

ANNUAL DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2019/2020

Purpose of the report

To provide members with an end of year report on the performance recorded for Development Management between 1st April 2019 and 31st March 2020. Figures for 2017/18 and 2018/19 are also provided for comparison as are targets set within the relevant Planning Service Plan.

Recommendations

(a) That the report be received.

(b) That the Head of Planning and Development Manager seeks to maintain and improve performance of the Development Management team (including the technical support team) to meet the targets set out in the Planning Service Plan for 2019/20.

(c) That the 'Mid-Year Development Management Performance Report 2020/21' be submitted to Committee around November/December 2020 reporting on performance achieved for the first half the complete year 2020/21.

Reasons for recommendations

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 customer service to all who use the Planning Service.

1. Background:

An extensive set of indicators is collected to monitor the performance of the Development Management service. 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. The range of indicators included reflects the objective of providing a fast and efficient development management service including dealing with pre-application enquiries, breaches of planning control, considering applications, and approving subsequent details and delivering development.

2. Matters for consideration:

There is an Appendix attached to this report:-

APPENDIX 1: PERFORMANCE INDICATORS FOR DEVELOPMENT MANAGEMENT, 2017/18, 2018/19 and 2019/20: Contains quarterly and annual figures for the Performance Indicators applicable during 2019/20 (comparative figures for 2017/18 and 2018/19 are also shown).

This report is a commentary on the local performance indicators that the Council has 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 3rd December 2019 which reported on the mid-year performance figures and gave predictions on whether the targets for 2019/20 would be likely to be achieved.

Cabinet receives a Quarterly Financial and Performance Management report on a series of performance indicators including those which relate to whether Major and Non-Major planning applications are being determined "in time", and any indicators failing to meet the set targets are reported by exception.

3. The performance achieved:

National Performance Indicators

The Government has a system of designation of poorly performing planning authorities – two of the four current criteria for designation under ‘Special Measures’ are thresholds relating to the speed of determination of Major and Non-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.

The most recent assessment period is for a two year period from January 2018 to December 2019. The period referred to in this report – between April 2019 and March 2020 therefore partially falls within this reporting period.

The threshold for designation as an underperforming authority at the end of that reporting period for ‘Major’ applications is where the Council has failed to determine a minimum of 60% of its applications within a 13 week period or such longer period of time as might have been agreed with the applicant.

For ‘Non-major’ applications (All ‘Minor’ applications plus ‘Changes of use’ and ‘Householder’ applications) the threshold is where the Council has failed to determine a minimum of 70% of its applications within an 8 week period or such longer period of time as might have been agreed with the applicant.

The other designation criteria measure the quality of decision making as demonstrated by appeal performance (again for Majors and Non-Majors). This has usually been reported in the Annual Appeals Performance Report, but given that these figures are normally considered together it is thought appropriate to mention them here.

The threshold for designation with regard to both ‘Major’ and ‘Non-major’ in terms of quality of decisions is where 10% or more of the authority’s decisions are allowed at appeal. Therefore, in this instance the upper limit is 10%.

The Council’s performance with regard to the 4 national indicators are as follows:

	Designation threshold	Result Qtr. 1*	Result Qtr. 2*	Result Qtr. 3*	Result Qtr. 4*
Speed of major development applications	Less than 60%	72.4%	74.6%	76.8%	80%
Quality of major development applications	Over 10%	1.6%	1.5%	1.3%	1.6%
Speed of non-major development applications	Less than 70%	80.5%	82.9%	84.9	87.5
Quality of non-major development applications	Over 10%	0.8%	1%	1%	0.9%

*figure provided is the rolling total for the two year assessment period (January 2018 – December 2019)

As can be seen above, the Council is clearly above the threshold for designation in terms of ‘speed of decisions’ for both ‘Major’ and ‘Non-major’ applications and well below the upper thresholds of 10% in respect of ‘Quality of Decision’.

These figures are drawn from nationally published ‘Live Planning Tables’ by the MHCLG. Even with the improved performance, in terms of the Council’s placing within these tables it remains within the bottom quartile of Local Planning Authorities within England with regard to ‘Speed of Decision’ for both ‘Major’

and 'Non-major' applications. However, it must be recognised that the reporting period is over a 2 year period and as such, whilst performance is improving, it will take a while for these rankings to improve given performance in the past and the large number of decisions involved. As this is a rolling 2 year performance standard, with sustained improvement moving forwards, any historic underperformance will fall away over time.

Local Performance Indicators (LPI)

7 indicators, all measuring speed of performance, were included in the 2019/20 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 for itself has been met in 2019/20 in 4 cases.

In consultation with the Planning Portfolio holder there has been a review of the Service's targets and it has been agreed that for all of the indicators the target will remain unchanged for 2020/21.

INDICATOR - Percentage of applications determined within timescales:-

- (1) 72.5% of 'Major' applications¹ determined 'in time'²***
- (2) 77.5% of 'Minor' applications³ determined 'in time'²***
- (3) 85% of 'Other' applications⁴ determined 'in time'²***
- (4) 85% of 'Non-major' applications⁵ determined 'in time'²***

(see footnotes set out at the end of this report)

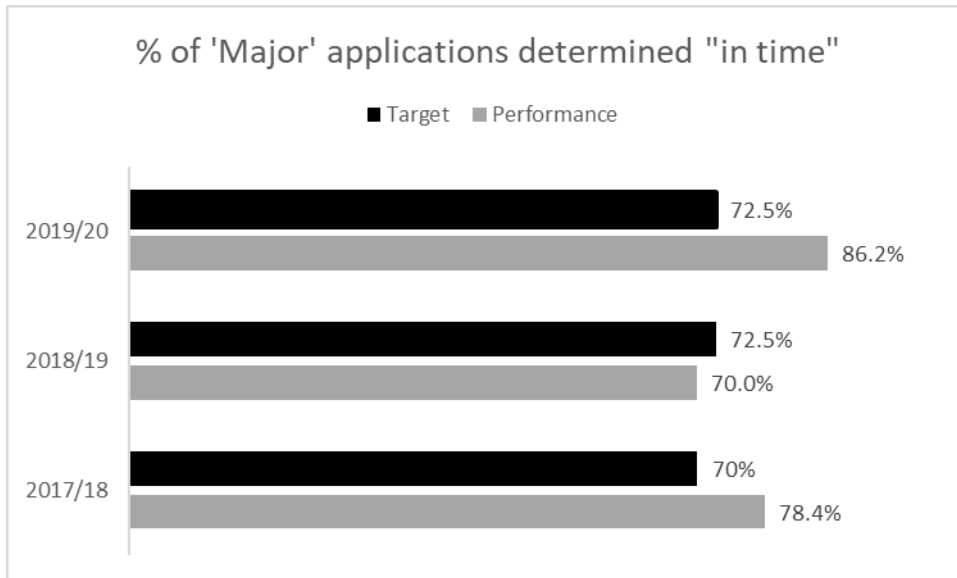
(1) In dealing with 'Major' applications the LPI is 72.5%. The end of year performance 2019/20 was 86.2%, an improvement of almost 15% from the performance that was reported in the mid-year performance report (71.4%). The improvement was due to 100% of decisions being issued 'in time' in the second half of the year.

Whilst the mid-year performance was below the target it was predicted, within that report, that the target for determining 'major' applications would be achieved by the end of the year. It is very pleasing to be able report that not only was that prediction correct but also that the improvement has been so significant that the end year performance significantly exceeds the target.

As reported in the mid-year performance report, the improved performance in respect of this LPI (and the other LPIs relating to the determination of applications) has been achieved primarily because 'extensions of time' are now being correctly recorded having regard to the advice provided by the Planning Advisory Service. This change ensures that the performance recorded is a better reflection of the hard work and dedication of the team.

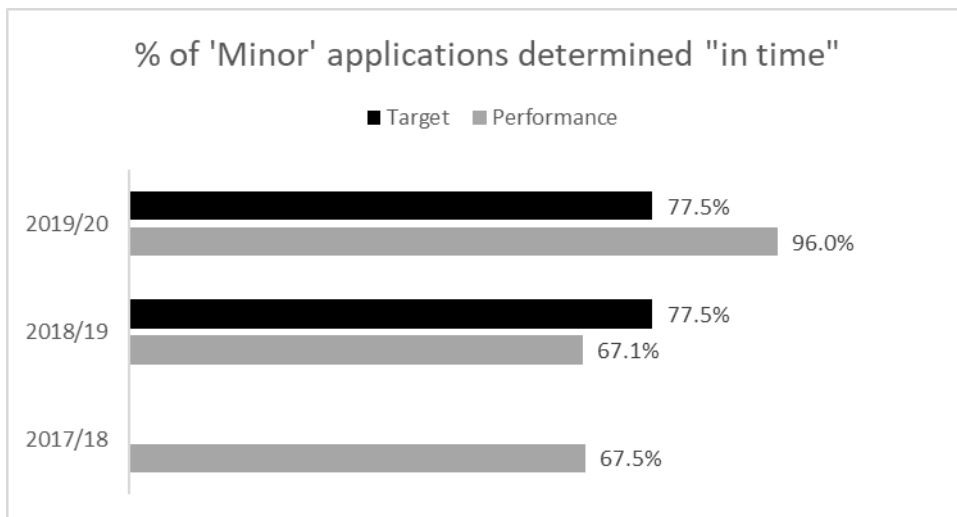
Another change that has been put in place to drive up performance, is the introduction of tools that enable the Development Manager and officers to track day-to-day performance. A number of new access reports have already been developed and rolled out for both Planning Officers and the Planning Technical Support Team which has ensured that planning and condition applications are performance managed from first receipt through to final determination. Further reports are in the pipeline. This provides the ability for officer and managers to view both team and individual's 'live' performance to identify and recognise good performance as well as ensure that any problems are identified early and measures put in place to ensure the delivery of an efficient and cost effective service.

In addition the department managed to appoint an experienced planner into the longstanding Planning Officer vacancy and also appoint to cover the maternity leave of another planner for a 4 month period.



TARGET FOR 2019/20 ACHIEVED

(2) In dealing with **'Minor' applications** the LPI for minor is 77.5%. The figures for 2019/20 is 96% which is significantly above target.

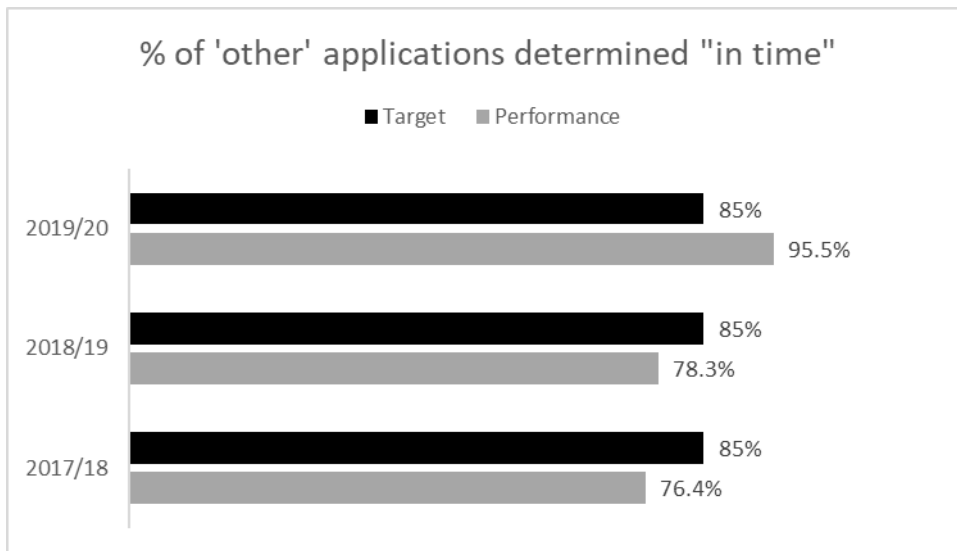


The performance for 2019/20 was consistently good for the first half of the year, as reported in the mid-year performance report, and changes put in place (mentioned above) did result in a slight improvement.

There is no comparable performance information for 2017/18 as the target related to the % of 'minor' applications determined in 8 weeks at that time.

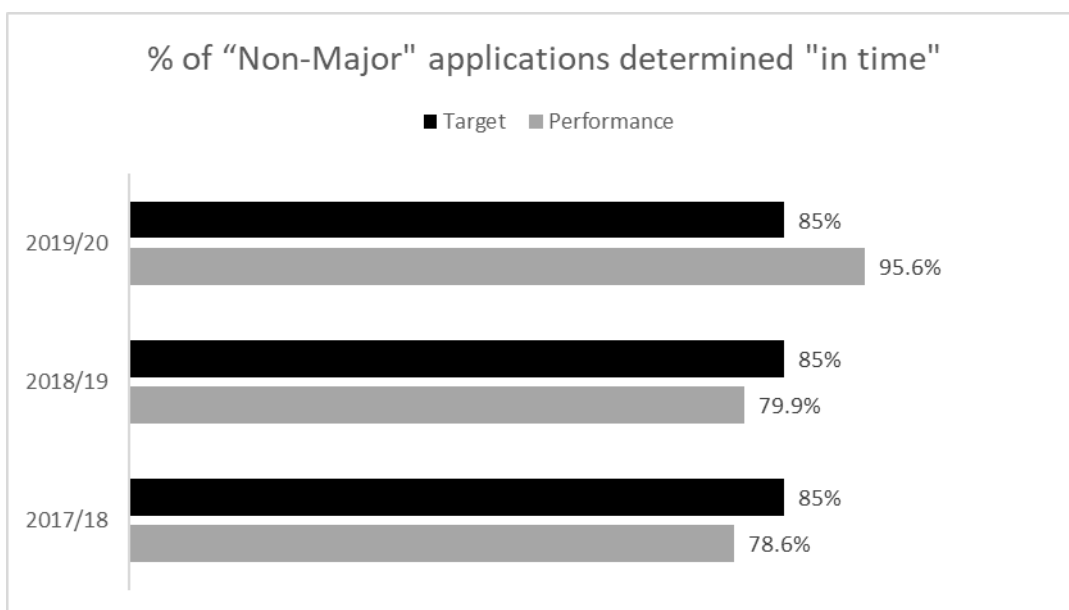
TARGET FOR 2019/20 ACHIEVED

(3) In dealing with **'Other' applications** the 'LPI for minor is 85%. The figures for 2019/20 is 95.5% which is above target and a 10% improvement on the mid-year position.



TARGET FOR 2019/20 ACHIEVED

(4) In dealing with **‘Non-major’ applications** the ‘LPI for minor is 85%. The figures for 2019/20 is 95.6% which is significantly above target. For clarity this reported LPI is different from the ‘Non-major’ KPI mentioned above as this is the performance figure for 2019/20 year to-date and not the 2 year rolling figure.

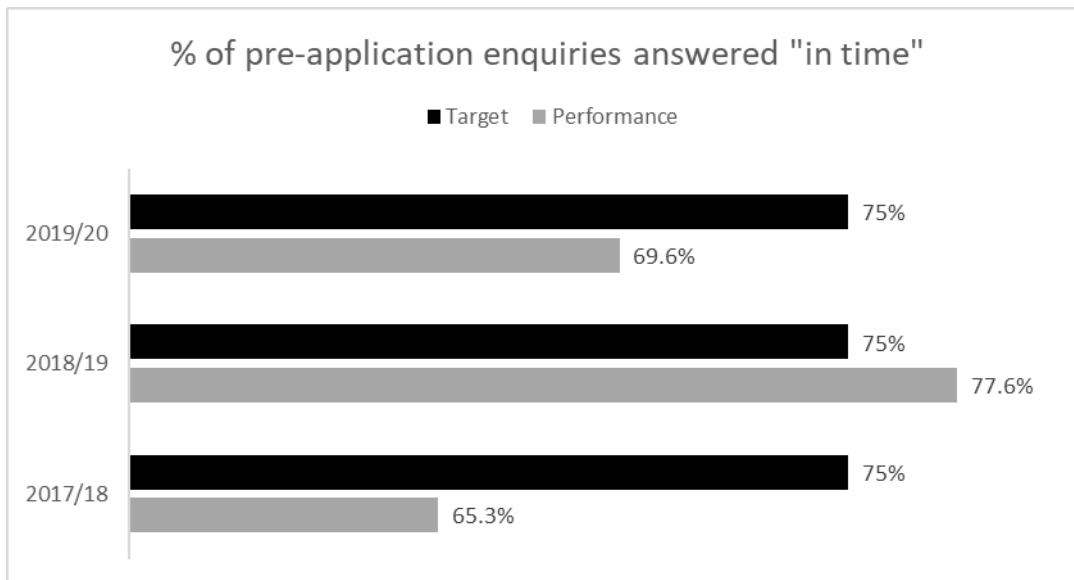


TARGET FOR 2019/20 ACHIEVED

In conclusion, all 4 four targets have been met and exceeded.

INDICATOR - Percentage of pre-application enquiries answered in time

In dealing with **Pre-application enquiries** the ‘LPI for minor is 75%. The figures for 2019/20 is 69.6% which is below target and has dropped slightly from the mid-year position of 72.1%.



The mid-year performance report indicated that the pre-app service is currently under review as it is recognised that it both fails to provide flexibility to meet customer needs as well as failing to maximise the potential for revenue generation, including Planning Performance Agreements. It was also reported, in the mid-year performance report, that performance monitoring tools were being developed in recognition that pre-apps were not effectively monitored. On this basis, and taking into consideration the appointment of additional staff, it was predicted that this target would be achieved.

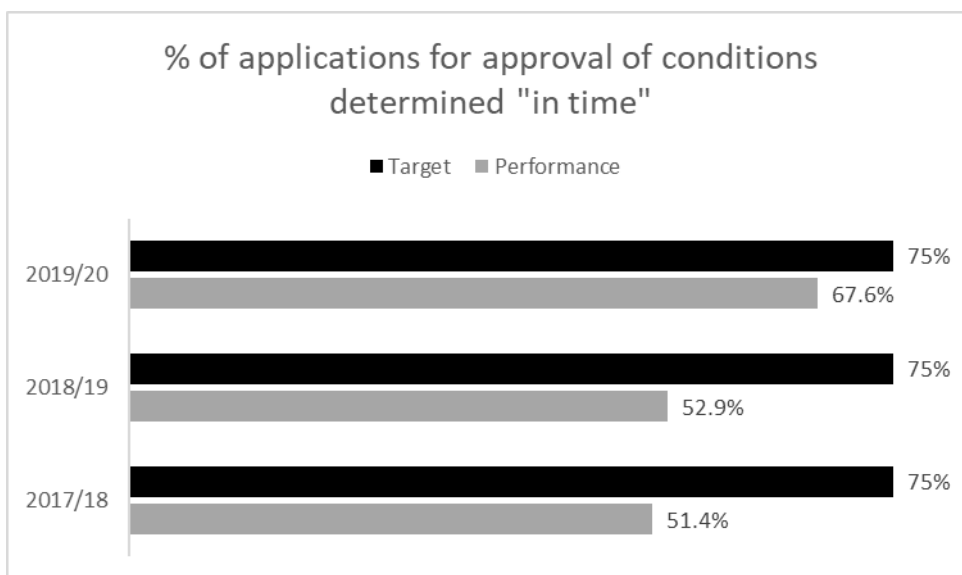
However, the review of the pre-app service has not yet been completed, nor has an appropriate management tool been developed and this has contributed to the target not being achieved as predicted.

It is unclear as to when the review of the service will be completed and a new service implemented. It is, however, anticipated that a management tool will be developed soon and this should lead to some improvements in performance against this LPI.

TARGET FOR 2018/19 NOT ACHIEVED

INDICATOR - Percentage of applications for approvals required by conditions determined within 8 weeks

In dealing with **Discharge of Condition applications** the LPI for minor is 75%. The figures for 2019/20 is 67.6% a marked improvement on the mid-year position of 53.4%.

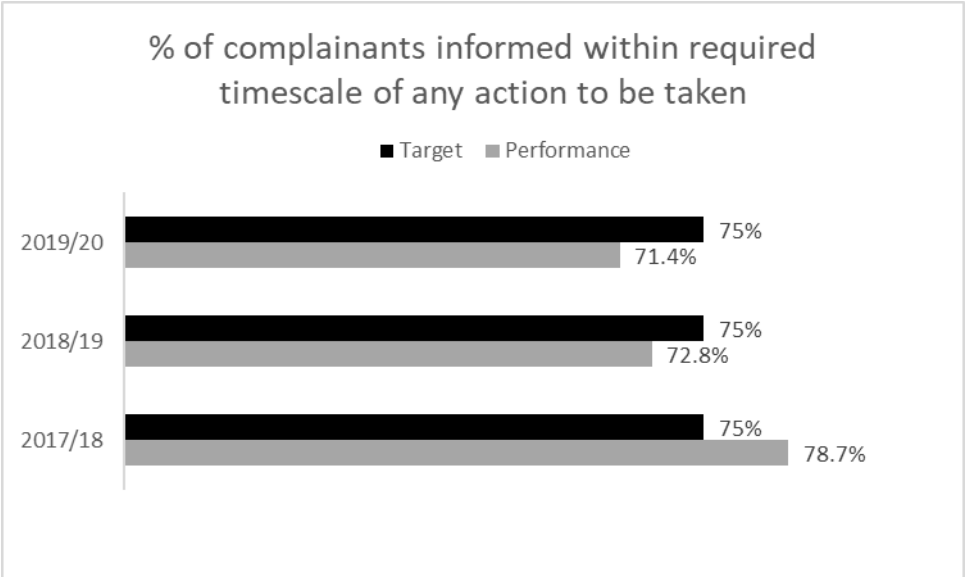


Similar to planning applications and pre-apps this type of application had not previously benefitted from active performance management and due to the nature of the application as a non-reported application type and the shortage of staff experienced for much of the year it had not been dealt with as a priority. However, unlike pre-apps, proper performance management tools have been introduced and this, together with additional staff and a very clear steer that they are to be dealt with the same priority as any other planning application, has led to the improved performance that is being reported. Whilst the target was not reached at year end, as predicted, the end of year figure was at least 14% higher than in the previous two years and Members may wish to note that to date the performance in the period 2020/21 is 99% in time.

TARGET FOR 2018/19 NOT ACHIEVED

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

In dealing with ‘**Enforcement complaints**’ the ‘LPI for this service is 75%. The figures for 2019/20 is 71.4%, slightly lower than was reported in the mid-year performance report 72.5%.



There was a small increase in the number of new complaints received in 2019/20 (228) compared with the number in 2018/19 (234) and this is the second year running that this target was not achieved, having achieved it for three preceding years. Notwithstanding this the shortfall was marginal and is, no doubt, a reflection on the complexity of the cases that were received in this period. A further factor affecting performance is cases where there are multiple complainants. Where the complainants aren’t informed within the required period in such cases this can have a disproportionate effect on overall performance.

A Local Planning Enforcement Policy was recently approved and is being rolled out and it is anticipated that this together with performance management tools that are being developed will ensure that performance improves in the period 2020/21.

TARGET FOR 2019/20 NOT ACHIEVED

Footnotes

¹ ‘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.

² '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.

³ 'Minor' applications are those for developments which do not meet the criteria for 'Major' development nor the definitions of 'Other' Development.

⁴ '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.

⁵ 'Non-major' means all 'minor' development and also householder development and development involving a change of use which fall within the 'other' development category.

Date report prepared:

29th June 2020

Source of information/background papers

- **General Development Control Returns PS1 and PS2 for 2017 – 2019**
- **Planning Services own internal records, produced manually and from its UniForm modules.**
- **MHCLG Live Planning Tables.**