

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	24 th April 2024
	REPORT OF:	HEAD OF PLANNING
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AGENDA ITEM:	9	WARD: All

SUBJECT:	DEVELOPMENT MANAGEMENT Q4 2023-24 PERFORMANCE
PURPOSE OF REPORT:	To inform members of the Q4 2023/24 Development Management performance against a range of indicators
RECOMMENDATION:	To note the performance of Q4 2023/24

Planning Committee has authority to note the above recommendation

BACKGROUND

1. Development Management encompasses a wide range of planning activities including pre-application negotiations and engagement; decision making on planning applications through to compliance and enforcement.
2. It puts the Council's locally adopted development plan policies into action and seeks to achieve sustainable development.
3. It is a non-political, legislative system with all Development Management functions falling under the responsibility of the Planning Committee in the Council's Constitution. As such it is a non-Executive function falling outside the scope of the quarterly corporate performance reports that are presented to the Executive and Overview and Scrutiny Committee.
4. Development Management performance has always been monitored and reviewed in line with statutory and local targets with quarterly reports sent to the Department for Levelling Up Housing and Communities. However, given that all functions of the Council as Local Planning Authority fall under the responsibility of the Planning Committee, the performance information has also been shared with the Planning Committee Chairman. This report enables the performance indicators to be noted by the Planning Committee itself.
5. This is the final quarterly report of the 2023/24 municipal year and provides the quarterly performance and annual performance at Table 1. Also provided at Table 2 is the performance measure, relating to the time taken in total days from receipt of a valid application to its registration.

PERFORMANCE

	Applications determined	Target	22/23	Q1	Q2	Q3	Q4	23/24
1	Major applications	60%	90%	100%	83%	100%	100%	92%
2	Non-major applications	70%	82%	93%	93%	81%	88%	89%
3	Average days to decision	73	83	82	88	91	79	85
Appeals								
4	Appeals Received	-	62	16	22	17	21	76
5	Major Appeals Decided	-	5	0	2	1	0	3
6	Major Appeals Dismissed	70%	4 (80%)	-	1 (50%)	1 (100%)	-	2 (66%)
7	Non-major appeals	-	26	9	15	4	13	41
8	Non-major appeals Dismissed	70%	20 (76%)	4 (44%)	11 (73%)	4 (100%)	7 (54%)	26 (63%)
Enforcement								
9	Reported Breaches		483	110	99	87	112	408
10	Cases Closed		437	117	102	107	110	436
11	On hand at end of period		192	176	149	155*	160	156
12	Cases over 6 months old		45	44	40	43	45	45
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
Application Workload								
14	Received		1290 1005 HH	320 219 HH	298 215 HH	299 183HH	309 221HH	1237 838HH
15	Determined		1316	305	323	279	290	1197
16	On hand at end of period		410	424	381	383	384	384
17	Withdrawn		41	16	20	11	16	63

Table 1 - Development Management performance

(*this figure relates to cases on hand as of 24/01/24 rather than 31/12/23 due to system)

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2.8	3.1	7.3	10.0	7.3	10.8	12.3	8.2	5.6	8.3	5.8	3.8	5.9	7.8	9.1	6.1	3.4	4.7

Table 2 – Time taken from receipt to registration (working days)

Reason for delay	Number
Awaiting compliance check	1
Awaiting submission of application	11
Awaiting outcome of application	12
Written in past month chasing information/regularisation	1
Open/ongoing prosecution	2
Awaiting Appeal	11
Regularising works commenced but not yet complete	1
Chasing up of costs	1
Temporary Stop Notice Served	3
Awaiting planting of replacement tree	1
Delayed by probate	1

Table 3 – Reason for enforcement investigation over 6 months

Planning applications

6. 309 planning applications (221 householder) were received in Q4 which is a slight increase on the previous two quarters. Overall, 1,237 applications were submitted across the year, which is less than the 1,290 last year. There has been a noticeable drop-off across the country in applications for new housing, together with decreased commencements and completions. This is likely to continue into Q1 of 2024/25 as the requirement for minor applications to provide biodiversity net gain came into force on 2nd April 2024, delaying submissions for such development types.
7. The Town and Country Planning Development Management Procedure Order 2015 sets the statutory period for the determination of planning applications at 8 weeks for non-major applications and 13 weeks for major applications (10+ dwellings or 1,000+ sqm floorspace). This statutory period is relaxed where an extension of time is agreed between the applicant and local planning authority. To monitor the performance of local planning authorities, the Government sets targets for the determination of major and non-major planning applications within the statutory period or agreed extension of time. For major developments, this target is 60% and for non-major developments it is 70%.
8. In this Quarter the time indicator for both majors and non-majors was comfortably met at 100% and 88% respectively and indeed across the year at 92% and 89% respectively. However, this includes cases where extensions of time were agreed which is the subject of a current Government Consultation to exclude, forcing more decisions to be made within the 8/13 week target rather than a longer agreed period. The outcome of this consultation is unknown but could well force decision making to be more binary and target-driven with less opportunity for amendment and improvement. This would have the effect of reducing the average days to determine applications which has exceeded the target for the quarter and year as a whole as assessments by consultees have caused delays and amendments to improve applications have been prioritized.

Planning appeals

9. Alongside the Government performance measures based on speed of determination of planning applications, is the other performance criteria set for local planning authorities aimed at assessing the 'quality' of decision making. This is measured as a percentage of total applications which result in an appeal allowed, broken down between major and non-major development proposals. The relevant target for both types of application is that not more than 10% of applications should be allowed at appeal.

For example –

If 100 major applications are determined by the authority over the qualifying two-year period and 9 are allowed at appeal that would result in a figure of 9% which is acceptable. However, if 100 major applications were determined and 11 of these ended up being appealed and the appeals allowed, this would result in a figure of 11% which fails the 10% target.

The assessment considers appeals allowed against applications refused by each

authority across a two-year period. Over this latest two-year period 47 major applications were determined meaning 5 or more appeals allowed in the two-year period to 31st March 2024 will lead to the target being missed and likely poorly performing designation together with the loss of control by virtue of the ability to submit applications directly to the Secretary of State.

10. In this last quarter no major appeals were determined. There is therefore currently no change to the number of allowed major appeals across the last two years from 2, so not immediately risking the trigger of the poor performance criteria but important to be aware of nonetheless. There were 13 non major appeals determined, with 7 of those dismissed, leaving the quarterly figure at a 54%, representing 63% dismissed across the year so missing the 70% target.
11. Within the allowed appeals for the quarter were 4 Committee decisions, 3 of these were decisions that were overturn contrary to officer recommendation, Dormer Cottage in The Chase, Roebuck House and Land to the rear of Chipstead Way. The other was a non-determination appeal following the deferment of the item by committee to undertake a parking survey (Merrywood Park) leading to delay and a subsequent appeal.

Planning Enforcement

12. There were 112 reported enforcement breaches in the quarter, which is an increase from previous quarters and reflective of Q4 in the previous year and reflects the higher numbers of consent planning applications in the previous years which have been in construction and also likely to be a result of the combination of more people working at home, spending more time observing development in their neighborhoods as well as the majority being householder applications which can give rise to a disproportionately higher incidence of enforcement complaints given the close proximity of residences. Despite the increase a similar number of cases were closed meaning that the increase in reported breaches resulted in a very minor increase of workload on hand including those over 6 months old.

Registration

13. Table 2 shows performance in the time taken from receipt to registration of new applications. The 6.1 days taken in January reflects delays associated with the holiday period, the filling in a vacancy in the support team which means that performance improved in February and March.

Summary

14. Staff turnover has been more stable than in recent years but the team has undergone some change and continues to reflect a high turnover across many industries post-pandemic. This continues to create additional pressures in meeting or exceeding performance, but services have been maintained and performance upheld in the face of this. New pressures will likely result in the coming year, such as the implementation of Biodiversity Net Gain which commenced for major development in February and Minor Development in April.