

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	19 th May 2021
	REPORT OF:	HEAD OF PLANNING
	AUTHORS:	Andrew Benson
	TELEPHONE:	01737 276175
	EMAIL:	Andrew.benson@reigate-banstead.gov.uk
AGENDA ITEM:	11	WARD: All

SUBJECT:	DEVELOPMENT MANAGEMENT Q4 2020-21 PERFORMANCE
PURPOSE OF REPORT:	To inform members of the 2020/21 Q4 and annual Development Management performance against a range
RECOMMENDATION:	To note the performance of Q4 and annually of 2020/21

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 Communities and Local Government. 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 report is the fourth quarterly report of the 2020/21 municipal year and provides the quarterly and end-of-year performance at Table 1. Also provided at Table 2 is the requested performance measure, relating to the time taken in total days from receipt of a valid application to its registration.

PERFORMANCE

	Applications determined (in 8/13 weeks or agreed)	Target	Q4	19/20	Q1	Q2	Q3	Q4	20/21
1	Major applications	60%	91%	92%	100%	86%	75%	60%	91%
2	Non-major applications	70%	75%	85%	79%	86%	84%	95%	87%
3	Average days to decision	73	79	80	79	88	86	71	80
Appeals									
4	Appeals Received	-	11	81	13	18	21	22	74
5	Major Appeals Decided	-	2	6	1	0	1	1	3
6	Major Appeals Dismissed	70%	0 (0%)	2 (33%)	1 (100%)	NA	1 (100%)	1 (100%)	3 (100%)
7	Non-major appeals Decided	-	10	65	5	16	19	16	56
8	Non-major appeals Dismissed	70%	7 (70%)	47 (72%)	4 (80%)	14 (87%)	9 (47%)	10 (62.5%)	37 (66%)
Enforcement									
9	Reported Breaches		84	341	87	124	99	105	417
10	Cases Closed		80	366	47	107	118	106	374
11	On hand at end of period		134	-	171	161	149	162	162
12	Cases over 6 months old		29	-	42	57	58	56	56
13	Priority 1 Enforcement	100%	(100%)	100%	100%	100%	100%	100%	100%
Application Workload									
14	On hand at beginning		336	369	372	323	372	429	369
15	Received		351	1063	267	319	404	431	1417
16	Determined		310	1274	303	255	330	389	1276
17	On hand at end of period		372	372	328	379	423	460	460
18	Withdrawn		5	-	8	8	23	11	50

Table 1 - Development Management performance

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
5.5	3.3	3.5	4.1	5.5	7.1	6.6	7.6	7.1	9	10.2	8.5	9.5	8.1	7.1

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

Reason for delay	Number
Awaiting compliance check	9
Awaiting submission of application	10
Awaiting outcome of application	11
Written in past month chasing information/regularisation	7
Open/ongoing prosecution	1
Awaiting Appeal	8
Expediency of harm be concluded with input from statutory consultees	2
Regularising works commenced but not yet complete	3
Chasing up of costs	2
Temporary Stop Notice Served	1
Awaiting planting of replacement tree	1
Delayed by probate	1

Table 3 – Reason for enforcement investigation over 6 months

Planning applications

6. 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. In order 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%.

7. In this Quarter 60% of major applications (3 out of 5) were determined within the statutory period or within agreed extension of time. For non-major applications the figure was also 95% for the quarter. Whilst the major target was not met, due to completion of legal agreements on some larger applications, the target was met for the year as a whole, as it was for the non-major applications.
8. The average days to decision for Q1 was 71 days, so achieving the target of 73 days and representing significant improvements upon the previous two quarters. The reduction in time taken is positive and overall the annual failure to meet the target reflects that increasingly extensions of time are being agreed to extend the determination period at the applicant's agreement in order to improve schemes or make them acceptable rather than issuing refusals which are followed up by a 'free-go' application. However, it is also to a large degree a result of the significant time taken to receive responses from a key planning consultee which is still an issue.

Planning appeals

9. 22 appeals were received in the quarter and 74 for the year as a whole.
10. Alongside the Government performance measure 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 73 major applications were determined meaning 8 or more appeals allowed in the two year period to 31st December 2020 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.

11. In this last quarter one major appeal was determined and it was dismissed. It is pleasing to note that all 3 major appeals determined in the year were all dismissed

so easing pressure that had built up relating to this target. However, only a few major appeals being allowed can make a significant impact and so it is still a target to be aware of.

12. 10 out of the 16 non-major appeals determined in this quarter were dismissed representing 62% dismissed, and 37 out of 56 across the year. At 66% this also is below the 70% target but only just and this is far from missing the statutory target, which considers all non-major applications, not just those appealed. This will continue to be monitored for evidence of trends but, when taken across the year this appeal statistic is on target..
13. Plans for a facilitated training session on defensible decision making are still being explored.

Planning Enforcement

14. There were 417 reported enforcement breaches across the year, compared to 341 last year. This is a significant increase and is potentially the highest ever. This is common across the County and probably nationally as was reported in the national planning press in December. It is likely to be a result of the combination of more people being locked down at home, spending more time observing development in their neighborhoods as well as some changes resulting from Government changes in response to Covid such as extending construction hours. When combined with the difficulty in closing some cases whilst restrictions in site inspections were in place, this has resulted in an increase in the number of enforcement cases on hand and over 6 months across the year, although it has been kept stable/steady.

Registration

15. Table 2 shows that performance in the time taken from receipt to registration of new applications. This has remained high following June last year when application submissions increased in combination with a reduction in staff (now being addressed) and some constraints associated with remote working given the need for fast IT and postal notifications with this work.

Planning Applications

16. The number of planning applications submitted in the year, at 1417, is the highest since 2017. This has resulted in high workloads across the team. When considering applications were incredibly low in Q1 this demonstrates the uptick across Qs 2/3/4. The number of planning applications received in Q4 is the highest Q4 figure since 2008. Ordinarily high application numbers bring higher income and so can be managed with additional temporary staffing. A particular trend of this year has been the high number of smaller, householder extension applications (resulting from people prioritizing spending on their homes due to lockdowns, working from home etc). These have a much lower application fees resulting in lower fee income.