

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	TO:	PLANNING COMMITTEE
	DATE:	1 <sup>st</sup> September 2021
	REPORT OF:	HEAD OF PLANNING
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<b>AGENDA ITEM:</b>	10	WARD: All

<b>SUBJECT:</b>	<b>DEVELOPMENT MANAGEMENT Q1 2021-22 PERFORMANCE</b>
<b>PURPOSE OF REPORT:</b>	To inform members of the 2021/22 Q1 Development Management performance against a range of indicators
<b>RECOMMENDATION:</b>	<b>To note the performance of Q1 2021/22</b>

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 first quarterly report of the 2021/22 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	Q1	Q2	Q3	Q4	20/21	Q1
1	Major applications	60%	100%	86%	75%	60%	91%	75%
2	Non-major applications	70%	79%	86%	84%	95%	87%	80%
3	Average days to decision	73	79	88	86	71	80	80
<b>Appeals</b>								
4	Appeals Received	-	13	18	21	22	74	14
5	Major Appeals Decided	-	1	0	1	1	3	1
6	Major Appeals Dismissed	70%	1 (100%)	NA	1 (100%)	1 (100%)	3 (100%)	1 (100%)
7	Non-major appeals Decided	-	5	16	19	16	56	10
8	Non-major appeals Dismissed	70%	4 (80%)	14 (87%)	9 (47%)	10 (62.5%)	37 (66%)	9 (90%)
<b>Enforcement</b>								
9	Reported Breaches		87	124	99	105	417	105
10	Cases Closed		47	107	118	106	374	84
11	On hand at end of period		171	161	149	162	162	190
12	Cases over 6 months old		42	57	58	56	56	62
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
<b>Application Workload</b>								
14	Received		267	319	404	431	1417	478
15	Determined		303	255	330	389	1276	421
16	On hand at end of period		328	379	423	460	460	497
17	Withdrawn		8	8	23	11	50	15

Table 1 - Development Management performance

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
4.1	5.5	7.1	6.6	7.6	7.1	9	10.2	8.5	9.5	8.1	7.1	11.1	12.1	12.3

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

Reason for delay	Number
Awaiting compliance check	10
Awaiting submission of application	11
Awaiting outcome of application	12
Written in past month chasing information/regularisation	8
Open/ongoing prosecution	1
Awaiting Appeal	10
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

- 478 planning applications were received in Q1 which builds significantly on the previously high figure reported in Q4 and is the highest number of applications

submitted in any quarter for a number of years. As a result the planning team has been extremely busy with officer caseloads high. The situation is common across the south-east and a number of planning teams are struggling with backlogs in application registrations and determinations. Whilst this has impacted performance to a degree, it has been managed effectively so far. However, it is unlikely to be sustainable and amended working practices and additional resources are being considered.

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. 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%.
8. In this Quarter 75% of major applications (6 out of 8) were determined within the statutory period or within agreed extension of time. For non-major applications the figure was 80% for the quarter and so the target was met for both.
9. The average days to decision for Q1 was 80 days, so missing the target of 73 days which is likely to be largely reflective of the high caseloads officers are dealing with.

### **Planning appeals**

10. 14 appeals have been received in the quarter.
11. 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 31<sup>st</sup> 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.

12. In this last quarter one major appeal was determined and it was dismissed. However, only a few major appeals being allowed can make a significant impact and so it is still a target to be aware of.
13. 9 out of the 10 non-major appeals determined in this quarter were dismissed representing 90% dismissed which exceeds the 70% target but of course this will continue to be monitored across the year to ensure this appeal statistic is on target.

### **Planning Enforcement**

14. There were 105 reported enforcement breaches in the quarter, continuing the high numbers reported last year. 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 backlog associated with the difficulty in closing some cases whilst restrictions in site inspections were in place, and the sickness absence of one enforcement officer, this has resulted in an increase in the number of enforcement cases on hand and over 6 months across the year.

### **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. This quarter has seen the longest time taken to register applications for a significant period of time, associated with the high number of submissions and a vacant post. Now that the team is fully staffed, the backlog has been overcome and a better picture will be reported for the next quarter.

### **Overall**

16. Performance has held up despite record numbers of planning application submissions and reported enforcement breaches which are causing many planning departments locally to experience validation and registration delays of a month or more and consequent delays to the determination period for applications, with backlogs building. Planning Officers across the south-east are struggling with high caseloads. Good temporary staff are in high demand and so not an automatic solution to the issue but will continue to be considered and permanent recruitment is difficult with so much uncertainty over planning currently. Other options such as suspension of discretionary services or changing working practices may need to be considered if workloads become unmanageable as have been undertaken elsewhere although these are not currently being recommended.