

 <b>Reigate &amp; Banstead</b> BOROUGH COUNCIL Banstead   Horley   Redhill   Reigate	TO:	PLANNING COMMITTEE
	DATE:	3 <sup>rd</sup> November 2021
	REPORT OF:	HEAD OF PLANNING
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<b>AGENDA ITEM:</b>	10	WARD: All

<b>SUBJECT:</b>	<b>DEVELOPMENT MANAGEMENT Q22021-22 PERFORMANCE</b>
<b>PURPOSE OF REPORT:</b>	To inform members of the 2021/22 Q2 Development Management performance against a range of indicators
<b>RECOMMENDATION:</b>	<b>To note the performance of Q2 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 second quarterly report of the 2021/22 municipal year and provides the quarterly 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	Q2	Q3	Q4	20/21	Q1	Q2
1	Major applications	60%	86%	75%	60%	91%	75%	80%
2	Non-major applications	70%	86%	84%	95%	87%	80%	87%
3	Average days to decision	73	88	86	71	80	80	73
<b>Appeals</b>								
4	Appeals Received	-	18	21	22	74	14	19
5	Major Appeals Decided	-	0	1	1	3	1	1
6	Major Appeals Dismissed	70%	NA	1 (100%)	1 (100%)	3 (100%)	1 (100%)	1 (100%)
7	Non-major appeals Decided	-	16	19	16	56	10	16
8	Non-major appeals Dismissed	70%	14 (87%)	9 (47%)	10 (62.5%)	37 (66%)	9 (90%)	10 (62.5%)
<b>Enforcement</b>								
9	Reported Breaches		124	99	105	417	105	100
10	Cases Closed		107	118	106	374	84	86
11	On hand at end of period		161	149	162	162	190	189
12	Cases over 6 months old		57	58	56	56	62	68
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
<b>Application Workload</b>								
14	Received		319	404	431	1417	478	410
15	Determined		255	330	389	1276	421	473
16	On hand at end of period		379	423	460	460	497	419
17	Withdrawn		8	23	11	50	15	12

**Table 1 - Development Management performance**

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
6.6	7.6	7.1	9	10.2	8.5	9.5	8.1	7.1	11.1	12.1	12.3	6.7	3.7	3.3

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

Reason for delay	Number
Awaiting compliance check	10
Awaiting submission of application	12
Awaiting outcome of application	13
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**

- 410 planning applications were received in Q2 which is a noticeable reduction from the extremely high figure of 478 reported in Q1 and is more in line with long

term average application numbers. This has allowed planning application case officers to catch up after fears of caseloads being unmanageable as previously reported. Whilst the individual caseloads are still high the levels of applications are manageable and can be determination of them can be sustained without the need for the additional resourcing or changes to service previously reported as possible being required.

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 80% of major applications (4 out of 5) were determined within the statutory period or within agreed extension of time. For non-major applications the figure was 87% for the quarter and so the target was met for both.
9. The average days to decision for Q1 was 73 days, so hitting the target after several quarters of it being missed. This has been helped by reduction in case numbers and speed of registration (see below).

### Planning appeals

10. 19 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 2021 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. 10 out of the 16 non-major appeals determined in this quarter were dismissed representing 62% dismissed which misses the 70% target but evens out across the year, when considering the 90% figure reported in the last quarter.

### **Planning Enforcement**

14. There were 100 reported enforcement breaches in the quarter, continuing the high numbers that started to be reported last year. This is common across the County and 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 and correlations to the high numbers of planning applications and amount of development currently being undertaken. When combined with working through the backlog associated with the difficulty in closing some cases whilst restrictions in site inspections were in place, and the continued 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. The team is anticipated to be back to full capacity before Christmas which will help it catch up.

### **Registration**

15. Table 2 shows that performance in the time taken from receipt to registration of new applications. The previous quarter saw long delays in registration times, which was a trend suffered by many neighboring authorities. It is pleasing to report how significantly the time taken to register valid applications has since come down, now the team is fully staffed again.

### **Overall**

16. The drop off in application numbers from the record highs last quarter to a more sustainable level have eased pressure upon application case officers and the need to consider alternatives. Nevertheless there has been a 'bulge' in applications to be worked through and the number on hand is approaching near normal levels. The average days to decision and application performance has been helped by the speed in registering applications now being achieved again. Planning enforcement cases continue to run high but are being appropriately managed and the return of a key team member will assist this.