

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	25 th April 2023
	REPORT OF:	HEAD OF PLANNING
	AUTHORS:	Andrew Benson
	TELEPHONE:	01737 276175
	EMAIL:	Andrew.benson@reigate-banstead.gov.uk
AGENDA ITEM:	9	WARD: All

SUBJECT:	DEVELOPMENT MANAGEMENT Q4 2022-23 PERFORMANCE
PURPOSE OF REPORT:	To inform members of the 2022/23 Q4 Development Management performance against a range of indicators
RECOMMENDATION:	To note the performance of Q4 2022/23

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 report is the fourth quarterly report of the 2022/23 municipal year and provides the quarterly 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 (in 8/13 weeks or agreed)	Target	21/22	Q1	Q2	Q3	Q4	22/23
1	Major applications	60%	81%	75%	100%	100%	83%	90%
2	Non-major applications	70%	86%	81%	80%	84%	82%	82%
3	Average days to decision	73	78	78	82	78	98	83
Appeals								
4	Appeals Received	-	84	19	8	13	23	62
5	Major Appeals Decided	-	6	-	1	-	4	5
6	Major Appeals Dismissed	70%	4 (66.6%)	-	1 (100%)	-	3 (75%)	4 (80%)
7	Non-major appeals Decided	-	54	5	2	10	9	26
8	Non-major appeals Dismissed	70%	36 (66.6%)	4 (80%)	2 (100%)	8 (80%)	6 (66%)	20 (76%)
Enforcement								
9	Reported Breaches		429	110	127	111	135	483
10	Cases Closed		430	95	103	123	116	437
11	On hand at end of period		161	213	193	178	192	192
12	Cases over 6 months old		40	53	59	47	45	45
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
Application Workload								
14	Received		1651	377 (310 HH)	325 (286HH)	272 (248 HH)	316 (251 HH)	1290 (1005 HH)
15	Determined		1573	413	334	308	261	1316
16	On hand at end of period		469	423	404	358	410	410
17	Withdrawn		61	10	9	9	13	41

Table 1 - Development Management performance

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2.8	3.1	2.6	2.3	2.8	2.4	3.5	2.6	2.4	3.1	4.5	5.0	2.8	3.1	7.3	10.0	7.3	10.8

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	11
Written in past month chasing information/regularisation	1
Open/ongoing prosecution	1
Awaiting Appeal	12
Expediency of harm be concluded with input from statutory consultees	1
Regularising works commenced but not yet complete	3
Chasing up of costs	1
Temporary Stop Notice Served	1
Awaiting planting of replacement tree	1
Delayed by probate	1

Table 3 – Reason for enforcement investigation over 6 months

6. 316 planning applications (251 householder) were received in Q4 bringing the annual total to 1290 (1005 householder). This represents a reduction from the 1651 received last year in 2021/22. This reduction in planning submissions has been reported across the country, reflecting cost of living pressures and follows a very busy period post-Covid. The reduction in applications has reduced application fee income but this has been offset by an unfilled vacancy in the planning officer team.
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 83% of major applications were determined within the statutory period or within agreed extension of time so comfortably meeting the statutory target and for the year as a whole the figure is 90%. For non-major applications the figure was 82% for the quarter and also for the year, again exceeding the target.
9. The average days to decision for the quarter was high, at 98, skewed by a couple of very old applications which had been subject to Section 106 Agreement. This has resulted in the average for the year missing the local target of 73 days and is caused primarily due to improvements being sought and amendments secured to add value with the applicant's agreement to an extension of time. There have also been some delays across the year in receiving statutory consultee advice which have delayed some determinations.

Planning appeals

10. 23 appeals have been received in the quarter, bringing the total for the year to 62.
11. 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 79 major applications were determined meaning 8 or more appeals allowed in the two year period to 31st December 2022 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 4 major appeals were determined, with 1 allowed (Haroldslea Drive, Horley) adding to just the other 1 major appeal decision for the year (dismissed). This has therefore ensured that there is no increased pressure upon this performance indicator with 80% dismissed across the year.
13. 6 out of the 9 non-major appeals determined in this quarter were dismissed and 20 out of 26 for the year, representing 76% dismissed across the year so exceeding target.

Planning Enforcement

14. There were 135 reported enforcement breaches in the quarter, continuing the high numbers that started to be reported since the pandemic with a total of 483 investigations across the year. This reflects the higher number of planning applications from a year ago which are now at the construction stage 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. However the team has worked to reduce the older cases down and the number of cases over 6 months is down to 45 with the reasons being set out in Table 3.

Registration

15. Table 2 shows performance in the time taken from receipt to registration of new applications. The performance across the quarter has not been able to maintain that from earlier in the year. This is due to the departure of two Officers in the Planning Support team in November, on the top of an existing vacancy. A previous recruitment attempt to fill these posts was unsuccessful but this was then readvertised and one successful appointment made, who is due to start imminently. We will then go out to advert again for the remaining post in order to help bring the team back up to full strength.

Summary

16. Staff turnover has been higher than in recent years, reflecting high turnover across many industries post-pandemic. This has created 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, but it is anticipated that application fees will be increased by Government to be ringfenced for spending within Planning, with the expectation of ensuring that services are resourced to meet such challenges.