

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	22 nd November 2023
	REPORT OF:	HEAD OF PLANNING
	AUTHORS:	Andrew Benson
	TELEPHONE:	01737 276175
	EMAIL:	Andrew.benson@reigate-banstead.gov.uk
AGENDA ITEM:	7	WARD: All

SUBJECT:	DEVELOPMENT MANAGEMENT Q1 2023-24 PERFORMANCE
PURPOSE OF REPORT:	To inform members of the Q2 2023/24 Development Management performance against a range of indicators
RECOMMENDATION:	To note the performance of Q2 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 second quarterly report of the 2023/24 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	Target	Q2	Q3	Q4	22/23	Q1	Q2
1	Major applications	60%	100%	100%	83%	90%	100%	83%
2	Non-major applications	70%	80%	84%	82%	82%	93%	93%
3	Average days to decision	73	82	78	98	83	82	88
	Appeals							
4	Appeals Received	-	8	13	23	62	16	22
5	Major Appeals Decided	-	1	-	4	5	0	2
6	Major Appeals Dismissed	70%	1 (100%)	-	3 (75%)	4 (80%)	-	1 (50%)
7	Non-major appeals	-	2	10	9	26	9	15
8	Non-major appeals Dismissed	70%	2 (100%)	8 (80%)	6 (66%)	20 (76%)	4 (44%)	11 (73%)
	Enforcement							
9	Reported Breaches		127	111	135	483	110	99
10	Cases Closed		103	123	116	437	117	102
11	On hand at end of period		193	178	192	192	176	149
12	Cases over 6 months old		59	47	45	45	44	40
13	Priority 1 Enforcement	100%	100%	100%	100%	100%	100%	100%
	Application Workload							
14	Received		325 286HH	272 248 HH	316 251 HH	1290 1005 HH	320 219 HH	298 215 HH
15	Determined		334	308	261	1316	305	323
16	On hand at end of period		404	358	410	410	424	381
17	Withdrawn		9	9	13	41	16	20

Table 1 - Development Management performance

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
3.5	2.6	2.4	3.1	4.5	5.0	2.8	3.1	7.3	10.0	7.3	10.8	12.3	8.2	5.6	8.3	5.8	3.8

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

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

Table 3 – Reason for enforcement investigation over 6 months

Planning applications

6. 298 planning applications (215 householder) were received in Q2 which is down from the same quarter last year and the previous two quarters. This reduction in planning submissions has been reported across the country, reflecting high interest rates, high building costs and housing market uncertainty. Officer team resources have been impacted by one vacancy (pending recruitment) and one maternity absence, meaning the reduction in submissions has not resulted in a significant reduction in caseloads per Officer. Performance on applications determined has remained strong, with more applications determined than submitted for the period (323s determined, plus 20 withdrawn versus 298 submitted). This has brought the number of cases on hand down from 424 at the last Quarter to 381 this.
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 the time indicator for both majors and non-majors was comfortably met at 83% and 93% respectively.
9. The average days to decision for this quarter was 88 days, skewed by some major applications taking a long time to amend, improve and determine with S106 requirements. Excluding the six majors determined, the determination of all other applications averaged 82 days, which is consistent with the usual determination period, accounting for delays as applications are improved through amendment and further information required to satisfy consultee requirements.

Planning appeals

10. 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.

11. In this last quarter two major appeals were determined, one dismissed (Fonthill, 58 Reigate Road – 21/03270/F) and one allowed (Reigate and Redhill Golf Club – 22/00595/F). However, the applicants have successfully challenged the Planning Inspectorate’s dismissal of the Fonthill scheme, on the basis that the Inspector’s decision didn’t address the matter of housing supply, meaning that the decision has been quashed and will fall to be redetermined. The refusal of the application for redevelopment of Reigate and Redhill Golf Club was made by Planning Committee in November last year, on character and neighbour amenity grounds, neither of which were upheld by the Inspector. This allowed appeal brings the number across the last two years up to 2, so not immediately risking the trigger of the poor performance criteria but important to be aware of nonetheless.
12. 15 minor appeals were determined of which 11 were dismissed. Of the four allowed, two were decisions of the Planning Committee – 80 Croydon Road, 22/00557/F and 12 Balcombe Road, 21/03185/F. 80 Croydon Road, Reigate was refused on the basis of neighbour amenity and parking, with the site straddling accessibility zones. However, the Inspector concluded the amenity impacts were acceptable and there was sufficient parking space within the locality. 12 Balcombe Road was refused on grounds of character, inadequate outdoor amenity space and insufficient parking. The Inspector deemed the proposal to be well designed, with adequate amenity space and that the parking shortfall against standards would not result in any harmful planning impact.

Planning Enforcement

13. There were 99 reported enforcement breaches in the quarter, which is a reduction from previous quarters and is closer to the historic norm. This allowed for more cases to be closed than opened, with a reduction in the numbers on hand, including those over 6 months.

Registration

14. Table 2 shows performance in the time taken from receipt to registration of new applications. This was high at 8.3 days in July, reflecting one vacant post and some summer holiday absence, but then reduced to 5.8 days in August and 3.8 days in September, which reflects positively.

Summary

15. Performance against criteria has remained good despite two vacancies in the Planning Case Officer team which will be addressed to maintain this going forward. Unfortunately, in the quarter we have had one of the Tree Officers leave their post which creates significant resourcing issues within the Planning Tree team with the remaining postholder only working part-time. We are seeking to address this but it is a challenging post to recruit to given the specialism.