

 Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate	TO:	PLANNING COMMITTEE
	DATE:	30 October 2019
	REPORT OF:	HEAD OF PLANNING
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AGENDA ITEM:	11	WARD: All

SUBJECT:	DEVELOPMENT MANAGEMENT Q2 PERFORMANCE
PURPOSE OF REPORT:	To inform members of the 2019/20 Q2 Development Management performance against a range of indicators
RECOMMENDATION:	To note the performance of Q2 of 2019/20

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 2019/20 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 and a new Table 3, providing a breakdown on where each of the over-6 month enforcement cases are at.

PERFORMANCE

	Applications determined (in 8/13 weeks or agreed ext of time)	Target	18/19	Q1	Q2
1	Major applications	60%	98%	100%	93%
2	Non-major applications	70%	90%	86%	88%
3	Average days to decision	73	77	73	95
	Appeals				
4	Appeals Received	-	81	31	21
5	Major Appeals Decided	-	8	0	2
6	Major Appeals Dismissed	70%	4 (50%)	-	1 (50%)
7	Non-major appeals Decided	-	52	16	18
8	Non-major appeals Dismissed	70%	34 (65%)	9 (56%)	16 (88%)
	Enforcement				
9	Reported Breaches Received		406	87	102
10	Cases Closed		451	76	120
11	On hand at end of period		128	139	120
12	Cases over 6 months old (no notice)		28	32	26
13	Priority 1 Enforcement cases investigated within 24 hours	100%	100%	100%	100%
	Application Workload				
14	On hand at beginning		345	369	358
15	Received		1366	343	309
16	Determined		1302	335	348
17	On hand at end of period		372	366	343

Table 1 - Development Management performance

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
8	6.2	5.8	2.3	2.9	2.6	3.8	5.3	7.1	10	3.2	2.4	4.2	3.9	4.2	3	5.3	8

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

Reason for delay	Number
Awaiting submission of application	4
Awaiting outcome of application	3
Written in past month chasing information/regularisation	3
Open/ongoing prosecution	2
Awaiting Appeal	2
Expediency of harm be concluded with input from statutory consultees	2
Regularising works commenced but not yet complete	2
Chasing up of costs	2
Temporary Stop Notice Served	2
Awaiting planting of replacement tree	1
Delayed by probate	1
Awaiting compliance check	1
Service of Article 4 Direction awaited from Solicitors	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 93% of major applications were determined within the statutory period or within agreed extension of time and 88% of non-major applications. This compares favourably against the Government and local performance targets and also the national average.
8. The average days to decision for Q1 was 73 days, matching the target indicator but has jumped to 95 days this quarter, largely down to the higher than normal number of major (13 week) applications and the determination of several old cases, for example due to Section 106 Agreement.

Planning appeals

9. 21 appeals were received in the quarter, and 20 major/non-major appeals determined.
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 is made over a 2-year period. The period concluding 31st December 2018 has now ended and we are entering the next period which will conclude 31st December 2019 and consider appeals against applications determined 1 April 2017 to 31st March 2019. Over this period 73 applications were determined meaning 8 or more appeals allowed in the two year period to 31st December 2019 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 another major appeal has been allowed – Bellway House in Merstham which was a decision by Committee against Officer recommendation. The threat of designation therefore remains a significant one with the Council already having been contacted earlier this year to advise on the issue and offer assistance.

12. The picture is much healthier relating to non-major appeals where 18 were determined in the quarter of which 16 were dismissed.

Planning Enforcement

14. The enforcement performance statistics for Quarter 2 show an increase in the number of cases closed with corresponding decrease in the number of open cases and a reduction in the number over 6 months old.
15. Table 3 is intended to give a picture as to the reason for each of the 26 cases which remain open after 6 months.

Registration/Other

15. Table 2 shows that performance in the time taken from receipt to registration of new applications dipped in September due to summer holidays within the team. This and any backlog has been overcome as will be demonstrated when October's figures are published.