

REPORT OF JENNY CLIFFORD, THE HEAD OF PLANNING AND REGENERATION

PLANNING PERFORMANCE 2016/17 QUARTER 2.

RECOMMENDATION:

For information and discussion.

REASON FOR REPORT:

To provide the Committee with information on the performance of Planning Services for the quarter 2 of the 2016/17 financial year

MATTERS FOR CONSIDERATION:

Performance against targets, Government proposals to implement further changes to the planning system and resources within the Planning Service.

RELATIONSHIP TO CORPORATE PLAN:

The Planning Service is central to achieving priorities in the Corporate Plan.

FINANCIAL IMPLICATIONS: Planning performance has the potential for significant financial implications in the event that applications are not determined within 26 weeks or an extension of time negotiated. In that instance the planning fee is returned. Through the issue of planning permissions for new dwellings the Service enables the award of New Homes Bonus money to the Council.

LEGAL IMPLICATIONS: The Government monitors planning performance in terms of speed and quality of decision making. In the event minimum standards are not met, an authority may be designated as underperforming with special measures applied that allow applicants for major development to apply for permission direct from the Planning Inspectorate and bypassing local decision making. The speed measure is the number of major applications determined within 13 weeks as measured over a 2 year period. The new target of more than 50% has been met. The quality measure is the percentage of major applications determined over a two year period that have been overturned at appeal. The less than 20% target continues to be met. However the Government proposes to tighten performance requirements.

RISK ASSESSMENT: Financial risk as a result of fee return and the designation of planning authorities in special measures for underperformance is referred to above. These aspects are actively monitored, to allow priorities to be adjusted as required to reduce the risk. However this risk is increasing with the Government having identified through the Autumn Statement and subsequent technical consultation on planning changes the intention to tighten existing measures and introduce new ones.

1.0 PLANNING PERFORMANCE

- 1.1 Set out below are the Planning Service performance figures for quarter 2 from 1st July – 30th September 2016. Performance data is published quarterly on the Council's website at <https://new.middevon.gov.uk/planning/performance-standards/>
- 1.2 Performance is set out below and expressed as a percentage unless marked otherwise and reports against a mix of Government and local performance targets. The context against previous performance is also shown.

Planning Service Performance	Target	2015/16				2015/16	2016/17	
		Q1	Q2	Q3	Q4		Q1	Q2
Major applications determined within 13 weeks	60%	*57	*50	*75	*33	*47%	75%	100%
Minor applications determined within 8 weeks	65%	68	73	74	64	68%	72%	72%
Other applications determined within 8 weeks	80%	91	85	75	89	86%	76%	77%
Householder applications determined in 8 weeks	85%	92	97	95	88	93%	86%	93%
Listed Building Consents	80%	70	67	85	70	71%	78%	81%
Enforcement site visits undertaken within 15 days of complaint receipt	87%	100	94	89	91	89%	92%	100%
Delegated decisions	90%	94	93	94	94	94%	95%	94%
No of applications over 13 weeks old without a decision	Less than 45 applications	25	26	36	40	40	37	39
Major applications determined within 13 weeks (over last 2 years)	More than 50%	51	58	56	53	53%	51%	80%
Major applications overturned at appeal as % of all major decisions in last 2 years	Less than 20%					10%	14%	6%
Determine all applications within 26 weeks or with an extension of time (per annum –Government planning guarantee)	100%	97	96	94	99	99%	93%	100%
Building Regulations Applications examined within 3 weeks	95%	70	70	76	67	72%	96%	72%
Building Regulation Full Plan applications determined in 2 months	95%	99	98	97	87	97%	96%	84%

*Important note on major application statistic reporting: The statistics for major applications determined within 13 weeks reported above within 15/16 includes all major applications and does not take into account any extensions of time agreed with the applicant or planning performance agreements (PPAs) that have been entered into. Government instructions to Councils over this performance target remove reporting applications with extensions of time or PPAs from this target as they are reported separately. Once these have been removed the percentage of major applications determined within 13 weeks compared with the target 60% for **15/16** shows that this performance target was met. For **16/17**, the major applications determined within 13 weeks figure now includes those where there has been an extension of time.

2.0 APPLICATION PROCESSING- DEVELOPMENT MANAGEMENT.

2.1 The Government sets a range of additional performance targets for planning authorities in order to drive performance. Those for major planning application decision making are currently used by the Government as indicators of performance in terms of both speed and quality of decision making as follows:

Speed: More than 50% of major applications determined within 13 weeks.

Quality: Of major applications determined over a 2 year period, no more than 20% of decisions to be overturned at appeal.

Both of these continue to be met. Authorities not meeting these targets risk being designated as underperforming, resulting in the application of special measures.

2.2 Application determination performance results for Qu 2 16/17 indicate that the national planning performance indicators continue to be met and exceeded by the Service. The only exception to this continues to be performance in the 'other' applications category with 77% determined within 8 weeks against a national performance target of 80%. However it is to be noted that Listed Building Consent applications which fall within this application category achieved 81% determined within 8 weeks in this quarter. This is an improvement over previous quarters.

2.3 Certain performance figures reported in the table above include allowance for extensions of time (in accordance with Government methodology on calculating performance). More analysis of the reasons for extensions of time is proposed in order to better understand how improvements can be made.

The 'planning guarantee' of 100% of applications determined within 26 weeks was met within this quarter. Extensions of time are secured which reduces the financial risk to the Council of fee return. Such extensions of time are normally sought in order to secure completion of S106 agreements.

As reported at the meeting of 5th October 2016, the Planning Service is still currently carrying several vacant posts in development management, enforcement and forward planning pending a review of its staffing structure.

3.0 PLANNING ENFORCEMENT.

3.1 Activity within the enforcement part of the Planning Service by quarter is as follows:

	2015/16				2016/17	
Enforcement	Qu 1	Qu 2	Qu 3	Qu 4	Qu 1	Qu 2
New enforcement cases registered	14	71	54	83	69	75
Enforcement cases closed	47	53	39	62	63	58
Committee authorisations sought	3	2	1	2	4	10
Planning contravention notices served	Available from Qu 2	9	5	10	5	3
Breach of condition notices served	0	1	0	0	0	0
Enforcement notices served	2	1	0	3	3	2

During this period the enforcement team also served two temporary stop notices to ensure the cease of ongoing operations on land in breach of planning control.

3.2 A new full time Enforcement Officer started at the beginning of October with a further part time officer expected to start at the beginning of November. From that time, full enforcement staffing will be in place and it is hoped that the staffing of this part of the service will achieve some stability following a period of fluctuation.

4.0 **BUILDING CONTROL.**

4.1 Building Control performance in plan checking and for full applications has missed local performance targets in quarter 2 of 2016/17 and shows a distinct drop from Qu 1 figures. This reflects the end of plan checking in our behalf by another authority which had been taking place on a temporary basis, the clearing out and finalisation of some older cases, a period of continued development and training up of newer members of Building Control staff combined with the summer period. It is expected that performance will show improvement from Qu 3 onwards.

5.0 **PLANNING POLICY – FORWARD PLANNING.**

5.1 Meetings of Cabinet and Council to consider the Local Plan Review have been scheduled for 21st November and 1st December 2016 respectively. It is proposed to undertake a major modifications consultation between 3rd January – 14th February prior to submission to the Planning Inspectorate by the end of March 2017.

5.2 Early work has commenced on the Greater Exeter Strategic Plan jointly with East Devon, Exeter City and Teignbridge Councils. However the priority for the Forward Planning Team is currently the Local Plan Review and associated tasks.

6.0 **PLANNING SERVICE PRODUCTIVITY.**

6.1 The service is currently reviewing opportunities available for efficiencies and greater productivity with support from the Local Government Association (as part of their national 'Productivity Expert' programme) and is introducing more widespread use of tools such as planning performance agreements.

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List of Background Papers: PS1 and PS2 returns
DCLG Improving planning performance – Criteria for designation. June 2014
DCLG Planning performance and the planning guarantee –Government response to consultation. June 2013
HM Treasury 'Fixing the foundations – creating a more prosperous nation' July 2015
Department of Communities and Local Government – Technical consultation on implementation of planning changes. February 2016

Circulation of the Report: Cllr Richard Chesterton
Members of Planning Committee