

Cherwell District Council

Planning Committee

Date of Meeting 07 December 2023

Planning Performance Report

Report of Assistant Director Planning Policy and Development

This report is public

Purpose of report

This report details the Council's performance in determining planning applications for the Government's targets on Speed and Quality, as well as general performance figures.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the report

2.0 Introduction

- 2.1 This is a report to the Planning Committee on the Council's performance in respect of determining planning applications, with particular reference to major¹ and non-major² applications based on government targets.
- 2.2 Performance is measured using the Department for Levelling Up, Housing and Communities (DLUHC) 'Improving Planning Performance: Criteria for Designation (updated 2022)'. If a Local Planning Authority (LPA) is designated as underperforming in either 'major' or 'non-major' applications then applicants for those types of applications could apply directly to the Secretary of State for determination of those applications, i.e. the LPA potentially lose the power to determine these applications.

¹ Major development is defined as the (a) winning and working of minerals or the use of land for mineral-working deposits; or (b) waste development; or (c) the provision 10 or more dwellinghouses;- or a development on a site area of 0.5 hectares or more if it is not known how many dwellings are proposed; or (d) the provision of a building(s) where the floorspace to be created is 1,000 sqm or more; or a development carried out on a site area of 1 hectare or more.

² Non-major development is defined as any applications for planning permission for development which is not major development.

2.3 The above guidance states that DLUHC will determine whether to designate a LPA as underperforming based (approximately) on the performance of the previous 2 years

2.4 The table below sets out the designation thresholds and assessment period:

Measure and type of Application	2022 Threshold and assessment period	2023 Threshold and assessment period
Speed of major Development	60% (October 2020 to September 2022)	60% (October 2021 to September 2023)
Speed of non-major Development	70% (October 2020 to September 2022)	70% (October 2021 to September 2023)
Quality of major Development	10% (April 2020 to March 2022)	10% (April 2021 to March 2023)
Quality of non-major Development	10% (April 2020 to March 2022)	10% (April 2021 to March 2023)

2.5 **Speed** is measured on the percentage of decisions made:

- (a) within the statutory determination period (8 weeks for non-major development, 13 weeks for major development and 16 weeks for EIA development (applications subject to an Environmental Impact Assessment)), or
- (b) within such extended period as has been agreed in writing between the applicant and the LPA

2.6 **Quality** is measured on the percentage of the total number of decisions on applications made by the LPA during the assessment period being overturned at appeal.

3.0 Report Details

Speed of Decisions - 2022

- 3.1. The table below sets out the Council's performance against the National Target for 2022 (which is based on the period October 2020 to September 2022):

Speed	Major applications (13/16 week target or agreed extension of time)	Non-major applications (8 week target or agreed extension of time)
National Target (2022)	60%	70%
CDC performance	96% (126/131 apps)	88% (2314/2626 apps)

- 3.2. In summary, the Council achieved and exceeded the National Target for 2022.

Speed of Decisions – 2023

- 3.3. The tables below sets out the Council's current performance against the National Target for 2023 (which is based on the period October 2021 to September 2023):

CDC Performance per quarter	Major applications (13/16 week target or agreed extension of time)			Non-major applications (8 week target or agreed extension of time)		
	Per quarter	Rolling Performance		Per Quarter	Rolling Performance	
Oct – Dec 2021	94% (17/18)	94% (17/18)	-	94% (300/318)	94% (300/318)	-
Jan – Mar 2022	88% (15/17)	91% (32/35)	↓	92% (266/289)	93% (566/607)	↓
Apr – June 2022	100% (15/15)	94% (47/50)	↑	95% (345/364)	94% (911/971)	↑
July-Sept 2022	100% (14/14)	95% (61/64)	↑	91% (268/295)	93% (1179/1266)	↓

Oct – Dec 2022	100% (10/10)	96% (71/74)	↑	94% (263/279)	93% (1442/1545)	↑
Jan – Mar 2023	93% (13/14)	95% (84/88)	↓	93% (267/287)	93% (1709/1832)	-
Mar – Jun 2023	86% (12/14)	94% (96/102)	↓	89% (337/377)	93% (2046/2209)	-
July – Sep 2023	74% (14/19)	94% (110/121)	-	88% (226/258)	92% (2272/2467)	↓

- 3.4. In summary, the Council achieved a performance of 94% of Major applications in time and 92% of Non-Major applications in time.

Quality of Decisions 2023

- 3.5. The table below sets out the Council's performance for 2023 based on the government's quality of decision requirements for major and non-major applications between April 2021 to March 2023:

Quality (for period April 2021 to March 2023)	Major applications % allowed at appeal	Non-major applications % allowed at appeal
National target (2023)	10%	10%
CDC performance	4.7% (6 appeals allowed out of 128 decisions made by the LPA)	1.1% (28 appeals allowed out of 2638 decisions made by the LPA)

- 3.6. The government have not yet set requirements for quality yet beyond March 2023, but it is expected to be 10%

Quality (for period after March 2023)	Major applications % allowed at appeal	Non-major applications % allowed at appeal
National target (tbc)	10%	10%

CDC performance (to date for Q1 and Q2, April 23 to Sept 23)	4.7% (6 appeals allowed out of 128 decisions made by the LPA)	1.1% (28 appeals allowed out of 2638 decisions made by the LPA)
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3.7. In summary, the Council has exceeded the National Targets for Quality for 2023.

Comparison with neighbouring councils

3.8. The tables below show a comparison of the performance figures with neighbouring district councils for the past year (01/10/2022 to 30/09/2023)

3.9. The tables are split into Majors and non-majors

3.10. In addition to performance figures, additional data is provided regarding the total number of applications received as well as the use of Extensions of Time (EOT) and Planning Performance Agreements (PPA).

Major Applications					
Council	Total number of applications determined	Number determined within time or EOT	% within time or EOT	Number determined within time without using EOT	% within time without EOT
Oxford City Council	30	29	97%	7	23%
Cherwell District Council	48	46	96%	11	23%
South Oxfordshire District Council	53	47	89%	5	9%
Buckinghamshire Council	151	132	87%	32	21%
Stratford Upon Avon District Council	66	57	86%	11	17%
West Oxfordshire District Council	36	30	83%	13	36%
West Northamptonshire Council	105	68	57%	12	11%

Non-Major Applications					
Council	Total number of applications determined	Number determined within time or EOT	% within time or EOT	Number determined within time without using EOT	% within time without EOT
Cherwell District Council	1124	1024	91%	412	37%
South Oxfordshire District Council	1539	1383	90%	947	62%
West Oxfordshire District Council	1098	980	89%	668	61%
Oxford City Council	927	804	87%	485	52%
Stratford Upon Avon District Council	1306	1047	80%	674	51%
Buckinghamshire Council	5045	3586	71%	2158	43%
West Northamptonshire Council	2233	1567	70%	586	26%

3.11. Cherwell is one of the best performing Local Planning Authorities compared to other District Councils on it's border areas. However, and like other authorities, this is heavily reliant on the use of Extensions of Time.

4.0 Conclusion and Reasons for Recommendations

Speed

4.1. Speed of determination for major and non-major applications exceeded the Government's performance targets for 2023.

Quality

5.4 Based on the quality of decisions to date, the Council has met the Government's performance for quality for 2023 based on the relevant assessment periods.

5.0 Consultation

N/A

6.0 Alternative Options and Reasons for Rejection

6.1 N/A

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising from this report. The report is for information only.

Comments checked by:

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7.2 Legal Implications

As this report is purely for information there are no legal implications arising from it.

Comments checked by:

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7.3 Risk Implications

This is an information report where no recommended action is proposed. As such there are no risks arising from accepting the recommendation. Any arising risk will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary.

Comments checked by:

Celia Prado-Teeling, Performance & Insight Team Leader, 01295 221556

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Equalities and Inclusion Implications

7.4 This is an information report where no recommended action is proposed. As such there are no equality implications arising from accepting the recommendation.

Comments checked by:

Celia Prado-Teeling, Performance & Insight Team Leader, 01295 221556

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8.0 Decision Information

Key Decision:

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

Various

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

Councillor Daniel Sames, Portfolio Holder for Planning

Document Information

Appendix Number and Title

None

Background papers

None

Report Author and contact details.

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