

Cherwell District Council

Planning Committee

21 June 2018

Performance in determining planning applications

Report of Assistant Director of 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 Communities and Local Government (DCLG) 'Improving Planning Performance: Criteria for Designation (Revised 2016)'. 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.
- 2.3 The above guidance states that DCLG will determine whether to designate a LPA as underperforming in the first quarter of a calendar year, based (approximately) on the performance of the previous 2 years

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.

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

Measure and type of Application	2017 Threshold and assessment period	2018 Threshold and assessment period
Speed of major Development	50% (October 2014 to September 2016)	60% (October 2015 to September 2017)
Quality of major Development	N/A – DCLG are not assessing quality in this designation round	10% (April 2015 to March 2017)
Speed of non-major Development	65% (October 2014 to September 2016)	70% (October 2015 to September 2017)
Quality of non-major Development	N/A – DCLG are not assessing quality in this designation round	10% (April 2015 to March 2017)

2.4 **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

2.5 **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 - 2017

3.1 The table below sets out the Council's performance against the National Target for 2017 (which is based on the period October 2014 to September 2016):

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 (2017)	50%	65%
CDC performance	91% (146/161 apps)	85% (2220/2608 apps)

3.2 In summary, the Council achieved and exceeded the National Target for 2017.

Speed of Decisions – 2018

3.3 The tables below sets out the Council’s performance against the National Target for 2018 (which is based on the period October 2015 to September 2017):

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 (2018)	60%	70%
CDC performance	92% (161/175 apps)	92% (2529/2736 apps)

3.4 In summary, the Council achieved and exceeded the National Target for 2018.

Speed of Decisions – 2019

3.5 The Government has not yet set a target for 2019, but assuming the same methodology is used as in 2017 and 2018, it will be based on the period October 2016 to September 2018, below is the current performance for that period (up until Mar 2018).

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 2016	97% (32/33)	97% (32/33)	-	89% (290/323)	89% (290/323)	-
Jan – Mar 2017	89% (16/18)	94% (48/51)	↓	90% (283/313)	90% (573/636)	↑
Apr – June 2017	82% (18/22)	90% (66/73)	↓	92% (360/391)	91% (933/1027)	↑
July-Sept 2017	94% (16/17)	91% (82/90)	↑	94% (321/343)	92% (1254/1370)	↑

Oct – Dec 2017	65% (13/20)	86% (95/110)	↓	86% (284/329)	91% (1538/1699)	↓
Jan – Mar 2018	93% (14/15)	87% (109/125)	↑	89% (262/296)	90% (1800/1995)	↓

3.6 In summary, the Council is currently achieving a performance of 87% of Major applications in time and 90% of Non-Major applications in time.

Quality of Decisions 2018

3.7 The table below sets out the Council's performance for 2018 based on the government's quality of decision requirements for major and non-major applications over the preceding 2 years and 9 months prior to 2018:

Quality <small>(for period April 2015 to March 2017, plus any appeal decisions on applications determined by the LPA within this timescale but appeal determined up until December 2017)</small>	Major applications % allowed at appeal	Non-major applications % allowed at appeal
National target (2018)	10%	10%
CDC performance	3.05% (5 appeals allowed out of 164 decisions made by the LPA)	1.13% (35 appeals allowed out of 2670 decisions made by the LPA)

3.8 In summary, the Council is on course to achieve and far exceed the National Targets for Quality for 2018.

4.0 Comparison with neighbouring Councils on speed of decisions

4.1 The tables below shows a comparison of the performance figures with neighbouring district councils.

4.2 The tables are split into Majors, Minors and Others and for the year ending December 2017 (rather than April to March) as this how the national statistics are compiled.

4.3 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).

LPA (figures for the year ending Dec 2017)	Major applications				
	% (13/16 week target or agreed extension of time)	Total number of major applications	Total with agreed EOTs or PPAs	Decisions made within agreed time	% granted planning permission
Stratford Upon Avon District Council	99	96	75 (78%)	75 (100%)	79
South Northamptonshire Council	84	43	9 (21%)	9 (100%)	93
Cherwell District Council	82	77	44 (57%)	39 (89%)	79
Aylesbury Vale District Council	80	102	74 (73%)	67 (91%)	76
South Oxfordshire District Council	76	62	43 (69%)	32 (74%)	58
West Oxfordshire District Council	64	67	27 (40%)	26 (96%)	79

LPA (figures for the year ending Dec 2017)	Minor applications				
	% (8 week target or agreed extension of time)	Total number of minor applications	Total with agreed EOTs or PPAs	Decisions made within agreed time	% granted planning permission
Cherwell District Council	90	506	95 (19%)	86 (94%)	85
Stratford Upon Avon District Council	88	598	286 (48%)	259 (91%)	80
South Oxfordshire District Council	85	603	280 (46%)	240 (86%)	89
West Oxfordshire District Council	74	392	61 (16%)	45 (74%)	84
Aylesbury Vale District Council	75	539	216 (40%)	173 (80%)	81
South Northamptonshire Council	75	280	19 (7%)	17 (89%)	82

LPA (figures for the year ending Dec 2017)	Other applications				
	% (8 week target or agreed extension of time)	Total number of other applications	Total with agreed EOTs or PPAs	Decisions made within agreed time	% granted planning permission
South Oxfordshire District Council	91	1506	315 (21%)	285 (90%)	97
Cherwell District Council	91	1179	129 (11%)	112 (87%)	90
Stratford Upon Avon District Council	89	1184	259 (22%)	223 (86%)	92
West Oxfordshire District Council	89	1086	85 (8%)	67 (79%)	96
South Northamptonshire Council	89	842	28 (3%)	25 (89%)	90
Aylesbury Vale District Council	84	1402	211 (15%)	184 (87%)	91

- 4.4 Cherwell is performing well when compared to other District Councils on it's border areas and is making use of extension of time negotiations with applicants to ensure the quality of decisions is not adversely affected by time pressures. The performance exceeds national targets.

5.0 General Statistics

- 5.1 The tables below are provided for information only to show the level of work that the planning department has dealt with over the past year (2017/18), comparing that to the previous years (2016/17, 2015/16 and 2014/15).

Year	Total applications validated (including discharge of conditions)	Average applications validated per month
2015/16	3219	268
2016/17	3454	289
2017/18	3465	289

Work submitted during the Year	2015/2016	2016/2017	2017/18
Appeals	57	81	66
Conditions applications	1037	1178	574
Pre-application enquiries	308	367	371
Householder Applications	778	885	833
Major Applications	113	102	99
Minor Applications	594	711	622
Changes of Use	79	73	70
Advertisements	70	74	77
Number of TPO applications	70	85	72
Number of notifications to carry out works to trees in a Conservation Area	412	378	426
PD right applications (larger home extensions)	43	57	62
PD right applications (agricultural to residential)	24	22	17
Certificates of Lawful Development	108	177	166
Listed Building Applications	212	266	223
Consultations from neighbouring authorities	18	23	12

Performance by application type (within statutory time frame or agreed extension of time)	2014/2015	2015/2016	2016/2017	2017/2018
Major Applications	91%	94%	94%	82%
Non-Major Applications	69%	87%	87%	90%

7.0 Conclusion and Reasons for Recommendations

Speed

- 5.1 Speed of determination for major and non-major applications met the Government's performance targets for both 2017 and 2018 based on the relevant assessment periods shown for speed of decision.
- 5.2 It is important to note that the speed of performance for all types of application could be negatively affected in the future if a number of the anticipated 'large-scale' major applications (which take up a much greater officer resource) are submitted at the same time and/or if new strategic major applications are submitted that are not identified in the Local Plan (and hence not planned for in terms of resource). In

addition, the continual changes to planning legislation, widening of permitted development rights, increase in prior approval procedures and the subsequent knock on effect of creating new procedures and protocols, is also likely to have a significant impact on performance.

- 5.3 In order to counter the resource difficulties, a full complement of staff is needed. The Council has successfully appointed additional posts but more are still required to assist in the increased workload. However, at a professional level, there remains a severe shortage of Chartered Town Planners in the UK (especially for experienced planners), which could get even worse in the coming years due to new central government targets (and penalties) on planning applications and the production of local plans.

Quality

- 5.4 Based on the quality of decisions to date, the Council is also expected to meet the Government's performance for quality for 2018 based on the relevant assessment periods.

6.0 Consultation

- 6.1 N/A

7.0 Alternative Options and Reasons for Rejection

- 7.1 N/A

8.0 Implications

Financial and Resource Implications

- 8.1 None.

Comments checked by:

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Legal Implications

- 8.2 None.

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9.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

Corporate priorities of protecting the district, growing the district and serving residents & business.

Lead Councillor

Councillor Colin Clarke (Portfolio holder for Planning)

Document Information

Appendix No	Title
None	
Background Papers	
None	
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