

This report is Public.	
Planning Performance Report	
Committee	Planning Committee
Date of Committee	5 September 2024
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Jean Conway.
Date Portfolio Holder agreed report.	27 August 2024
Report of	Assistant Director Planning and Development, David Peckford

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. Recommendations

The Planning Committee resolves:

- 1.1 To note the report.

2. Executive Summary

- 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.
- 2.3 The above guidance states that DLUHC will determine whether to designate an LPA as underperforming 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:

Measure and type of Application	Threshold
Speed of major Development	60%
Speed of non-major Development	70%
Quality of major Development	10%
Quality of non-major Development	10%

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.

Implications	Commentary
Finance	<p>Whilst there are no direct implications arising from this report it should be noted that the cost of defending appeals can be costly, with additional risk of significant costs when exceeding the 10% Quality threshold.</p> <p>The spend to date on appeals is £0.327m against a budget provision of £0.100m. This has meant that alternative sources of funding to defend further appeals will need to be identified including the call on the appeals reserve will be necessary for mitigation.</p> <p>Kelly Wheeler, Finance Business Partner, 23 August 2024</p>
Legal	<p>As this report is purely for information there are no legal implications arising from it.</p>

	Kim Maher (Planning Solicitor) Law and Governance (22.08.24)			
Risk Management	<p>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, a per the indicated on the finance implications, will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary.</p> <p>Celia Prado-Teeling, Performance Team Leader, 27 August 2024</p>			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		Not applicable. This is an information report where no recommended action is proposed. As such there are no equality implications arising from accepting the recommendation. Celia Prado-Teeling, Performance Team Leader, 27 August 2024
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not applicable
Climate & Environmental Impact				Not applicable
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				Not applicable
Council Priorities	Not applicable			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	Not applicable in respect of this report			

Supporting Information

3. Report Details

Speed of Decisions

- 3.1. The table below sets out the Council's performance against the National Target for 2022, 2023 and 2024 (based on a 2-year period of data).

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	60%	70%
CDC performance 2022 (July 2020 to June 2022)	95% (124/131 apps)	87% (2296/2630 apps)
CDC performance 2023 (July 2021 to June 2023)	96% (112/117 apps)	92% (2310/2490 apps)
CDC performance 2024 (July 2022 to June 2024)	89% (103/116 apps)	87% (2061/2381 apps)

- 3.2. The tables below sets out the Council's rolling performance against the National Target for 2024 (which is based on the period July 2022 to June 2024):

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	
July-Sept 2022	100% (14/14)	100% (14/14)	-	91% (268/295)	91% (268/295)	-
Oct – Dec 2022	100% (10/10)	100% (24/24)	-	94% (263/279)	93% (531/574)	↑
Jan – Mar 2023	93% (13/14)	97% (37/38)	↓	93% (267/287)	93% (798/861)	-

Mar – Jun 2023	86% (12/14)	94% (49/52)	↓	89% (337/377)	92% (1135/1238)	↓
July – Sep 2023	74% (14/19)	89% (63/71)	↓	88% (226/258)	92% (1331/1496)	↓
Oct – Dec 2023	93% (13/14)	89% (76/85)	-	81% (244/303)	88% (1575/1799)	↓
Jan – Mar 2024	80% (12/15)	88% (88/100)	↓	80% (218/272)	87% (1793/2071)	↓
Mar – Jun 2024	94% (15/16)	89% (103/116)	↑	86% (268/310)	87% (2061/2381)	-

- 3.3. In summary, the Council have been achieving and exceeding the National Targets for the last 3 years.

Quality of Decisions

- 3.4. The table below sets out the Council's performance for 2023 and 2024 based on the government's quality of decision requirements for major and non-major applications.

Quality	Major applications % allowed at appeal	Non-major applications % allowed at appeal
National target	No more than 10%	No more than 10%
CDC performance 2023 (July 2021 to June 2023)	5.1% (6 appeals allowed out of 117 decisions made by the LPA)	1.1% (27 appeals allowed out of 2381 decisions made by the LPA)
CDC performance 2024 (July 2022 to June 2024)	11% (13 appeals allowed out of 116 decisions made by the LPA)	1.04% (25 appeals allowed out of 2381 decisions made by the LPA)

- 3.5. In summary, the Council has exceeded the National Targets for Quality in 2023 and has exceeded the target for Quality for non-major applications in 2024, however, the target for major appeals has marginally gone over the target by 1%.

Comparison with neighbouring councils on Speed

- 3.6. The tables below show a comparison of the performance figures with neighbouring district councils for the year 01/04/2023 to 31/03/2024 (which is the most recent data available).
- 3.7. The tables are split into Majors and non-majors.
- 3.8. In addition to performance figures, additional data is provided regarding the total number of applications received; the use of Extensions of Time (EOT) and Planning Performance Agreements (PPA) and the percentage of applications granted.

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	% granted permission
Oxford City Council	29	29	100%	7	24%	100%
South Oxfordshire District Council	50	48	96%	5	24%	76%
Buckinghamshire Council	157	145	92%	36	23%	83%
West Northamptonshire Council	83	76	92%	5	6%	89%
Stratford Upon Avon District Council	61	53	87%	12	20%	80%
West Oxfordshire District Council	45	38	84%	12	27%	76%
Cherwell District Council	58	48	83%	12	21%	67%

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	% granted permission
West Oxfordshire District Council	986	944	96%	677	69%	87%
Buckinghamshire Council	4588	4524	93%	2092	46%	88%
South Oxfordshire District Council	1430	1321	92%	888	62%	94%
West Northamptonshire Council	1626	1430	88%	252	15%	92%

Oxford City Council	947	818	86%	510	54%	84%
Stratford Upon Avon District Council	1208	1003	83%	475	39%	88%
Cherwell District Council	1098	915	83%	493	45%	83%

- 3.9. Both tables show that we are meeting and exceeding government targets on determining applications in time. Whilst CDC is at the bottom of the list, we are roughly in line the authorities that share a border with this district. Furthermore, the Percentage of applications determined without the need for Extensions of Time is significantly better than some of the authorities
- 3.10. The table also shows that CDC has the lowest percentage of applications granted compared to the surrounding authorities. However, this may reflect a larger number of poor or speculative applications submitted compared to the surrounding authorities. Particularly in relation to major applications and speculative housing proposals adjacent to our towns and villages.
- 3.11. As part of ongoing planning improvement, we will be enhancing our performance monitoring and an action plan, if necessary, will be agreed with the Portfolio Holder and Chair to ensure we continue to meet the governments planning performance requirements.

4. Alternative Options and Reasons for Rejection

- 4.1. None. This report is submitted for information.

5. Conclusion and Reasons for Recommendations

Speed

- 5.1. Speed of determination for major and non-major applications exceeded the Government's performance targets for 2023 and 2024.

Quality

- 5.2. Based on the quality of decisions, the Council has met the Government's performance for Quality for 2023 (majors and non-majors), but only achieved the target for non-majors in 2024, narrowly missing the target for majors.

Decision Information

Key Decision	Not applicable
Subject to Call in	Not applicable
If not, why not subject to call in	Not applicable
Ward(s) Affected.	Appeal dependent

Document Information

Appendices	
Appendix 1	None
Background Papers	None
Reference Papers	None
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