This report is public.	
Planning Performance Report	
Committee	Planning Committee
Date of Committee	23 July 2026
Portfolio Holder	Portfolio Holder for Planning and Enforcement, Councillor Chris Aramini- Brant.
Date Portfolio Holder agreed report.	15 July 2026
Report of	Assistant Director Planning – 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 major[1] and non-major[2] applications based on government targets.

2.2 Performance is measured using the Ministry of Housing, Communities and Local Government (MHCLG) guidance *Improving Planning Performance: Criteria for Designation (updated 2024)*. If a Local Planning Authority (LPA) is designated as underperforming in either 'major' or 'non-major' applications, applicants for those types of applications may apply directly to the Secretary of State (through the Planning Inspectorate) for determination, rather than the LPA.

2.3 Under the current criteria, designation decisions are based on measures of planning performance relating to the speed and quality of decision-making. For speed of decision-making, performance is assessed using a one-year assessment period, reduced from the previous two-year period from September 2024 onwards.

2.4 The table below sets out the designation thresholds:

[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.

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	This report is provided for information only. Cherwell District Council is now designated as underperforming for major applications. This means that applicants may choose to submit their planning applications directly to the Secretary of State. In such cases, application fees are paid to and retained by the Secretary of State, resulting in a potential loss of income for Cherwell District Council. Also, the cost of defending appeals can be costly, with additional risk of significant costs when exceeding the 10% quality threshold. To date, we are forecasting a budget spend of a £100,000. It should be noted that appeals are currently being managed within the service but if future appeals costs exceed the budget of a £100,000 and the service is no longer able to absorb appeal related costs within the budget envelop, then a request may need to be made to draw on the appeals reserve.

	Kimberley Digweed – Finance Business Partner – 15th July 2026
Legal	As this report is purely for information there are no legal implications arising. The report sets out the designation criteria which the Council will need to meet in order to be taken out of designation as well as the impact of designation for applicants and the Council. Legal Services will be working with colleagues to provide advice and assistance where required to ensure the Council achieves the required thresholds. Denzil Turbervill, Head of Legal Services – 15 July 2026
Risk Management	This is an information report where no recommended action is proposed, as such there are no risks arising from accepting the recommendation. Risks related to Major applications performance, and service's designation are being managed and monitor through the Corporate Risk Register. Celia Prado-Teeling, Performance Team Leader, 15 July 2026

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, 15 July 2026
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 2021, 2022, 2023, 2024 and 2025. It also sets out the current performance for 2026.

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 20/21 (Apr 2020 to Mar 2021)	92% (54/59 apps)	79% (600/895 apps)
CDC performance 21/22 (Apr 2021 to Mar 2022)	96% (72/75 apps)	91% (1289/1409 apps)
CDC performance 22/23 (Apr 2022 to Mar 2023)	96% (52/54 apps)	93% (1145/1230 apps)
CDC performance 23/24 (Apr 2023 to Mar 2024)	88% (49/56 apps)	83% (914/1096 apps)
CDC performance 24/25 (Apr 2024 to Mar 2025)	87% (48/55 apps)	87% (846/978 apps)
CDC performance 25/26 (Apr 2025 to Mar 2026)	81% (35/43 apps)	79% (684/863 apps)

*** The data for 2026 is not yet complete, as it runs to the 31st March 2026*

3.2. In summary, the Council have been achieving and exceeding the National Targets for the past 6 years.

3.3. In a recent article published by Planning Resource, the Council is identified as being within the bottom 20 Council's with the lowest percentage of 'non-major' decisions made within eight weeks or agreed time in 2025 (12 months to 31st March 2026) with percentage at 79.3%. CDC were 19th in the list. Whilst 79.3% remains above the threshold of 70% it is a matter to monitor and manage going forward.

Quality of Decisions

3.4. The table below sets out the Council's performance for the accounting periods ending 2023, 2024, 2025 and 2026 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 (April 2021 to Mar 2023)	**5.0%** (7 appeals allowed out of 141 decisions made by the LPA)	**1.1%** (27 appeals allowed out of 2381 decisions made by the LPA)
CDC performance 2024 (April 2022 to Mar 2024)	**10.4%** (12 appeals allowed out of 115 decisions made by the LPA)	**1.1%** (21 appeals allowed out of 1943 decisions made by the LPA)
CDC performance 2025 (April 2023 to Mar 2025)	**11.2%** (13 appeals allowed out of 116 decisions made by the LPA)	**1.5%** (31 appeals allowed out of 2079 decisions made by the LPA)
CDC performance 2026* ** (April 2024 to Mar 2026)	**5.05% *** ** (5 appeals allowed out of 99 decisions made by the LPA)	**1.3% *** ** (26 appeals allowed out of 2487 decisions made by the LPA)

	(there are 4 appeals pending)	**(there are 11 appeals pending)**

**** The data for 2026 is not yet complete, as it runs to the 31st March for decisions on applications, then allows a period until December 2026 for the appeals of applications decision between Apr 2024-Mar 2026 to be decided. At prese*

3.5. In summary, the Council has met the National Targets for non-majors Quality for each of the last four accounting periods.

3.6. For Major Quality decisions, we went over 10% in 2024. MHCLG wrote to us in March 2025 advising that we had breached the threshold (for 2024 accounting period) and gave us an opportunity to put an exceptional circumstances case to them to avoid designation. This was submitted and MHCLG agreed that the Council, while going over the 10% threshold was not poor performing, recognising the improvements the Council was putting in place, but that they *"will continue to closely monitor the authority's performance. If the authority fails to show continued improvement, the Secretary of State may designate the authority in the future".*

3.7. We went over the 10% threshold again for Major Decisions in 2025 (11.2%). We received a letter from MHCLG in April and again were provided with the opportunity to put an exceptional circumstances case forward. Unfortunately, on 15 June 2026 MHCLG chose to designate the Council as poor performing on our quality of major decisions, alongside 8 other Councils, due to being over the 10% threshold.

What Designation Means

3.8. The designation relates specifically to applications for major development (for example, larger housing schemes or commercial developments) **submitted on or after 15 June.**

3.9. While the Council will continue to determine planning applications as normal, the designation introduces an additional option for applicants:

- Applicants for major development can continue to apply to Cherwell District Council, or
- They can choose, under a Section 62a of the Town & County Planning Act 1990, to apply directly to the Planning Inspectorate (PINS) for a decision,.

3.10. This does not remove the Council's planning powers, but it does provide an alternative route for determining major planning applications. If applicants submit to PINS, then they receive the application fee.

Section 62a Application Process

Pre-application Stage

3.11. Applicants can seek pre-application advice directly from the Planning Inspectorate before submitting a Section 62A application. Whilst this provides applicants with access to advice from the eventual decision-maker, the Planning Inspectorate's guidance is clear that designated LPAs continue to have an important role and should remain engaged in pre-application discussions wherever possible. Early engagement with the LPA is particularly important in identifying local policy considerations, infrastructure requirements, environmental constraints and potential planning obligation requirements.

Validation and Consultation

3.12. Once an application is accepted, the Planning Inspectorate notifies the LPA and sets out a programme for the determination of the proposal. The authority is responsible for publicising the application, carrying out neighbour notifications where necessary and consulting statutory consultees. The LPA must also provide planning history, relevant development plan policies, constraint information and any other information reasonably required by the Inspectorate. Given the compressed timetable applied to Section 62A cases, authorities need to mobilise resources quickly and ensure consultees are engaged at the earliest opportunity.

Local Planning Authority Response

3.13. A critical stage in the process is the submission of the LPA's substantive response to the Planning Inspectorate. Authorities are normally expected to provide a full planning assessment and recommendation within approximately **21 days** of notification, although the Inspectorate may vary this where circumstances require. This response should clearly assess the proposal against the development plan, national policy and other material considerations, and should identify any draft planning conditions and planning obligation requirements. Given the relatively short response window, Section 62A applications can place significant pressure on planning officers, specialist consultees and legal teams.

Section 106 Obligations

3.14. Where a development requires mitigation through a Section 106 Agreement, the LPA remains responsible for identifying and negotiating the necessary planning obligations. This includes preparing heads of terms, engaging with service areas and infrastructure providers, and ensuring obligations satisfy the statutory tests. Although the Planning Inspectorate determines the application, it relies heavily on the authority's local knowledge to establish whether obligations are necessary and how they should be secured. Delays in agreeing heads of terms or drafting legal agreements can have a direct impact on determination timescales and require close coordination between planning and legal officers.

Determination and Resource Implications

3.15. The Planning Inspectorate seeks to determine Section 62A applications within broadly equivalent statutory timescales to those applying to local planning authorities, with procedures ranging from written representations through to hearings or inquiries depending on the complexity of the proposal. While the application fee is paid directly to the Planning Inspectorate, the LPA is still expected to commit substantial officer, legal and technical resources throughout the life of the application. Consequently, authorities can find themselves undertaking much of the work associated with a major planning application without receiving the associated planning fee income, making effective project management and prioritisation essential.

Action Plan

3.16. The Council is currently preparing a comprehensive Action Plan to support the earliest possible removal of designation. This work is being undertaken in partnership with the MHCLG and PAS, both of whom have committed to supporting the Council through the improvement process. The Action Plan will be evidence-led and will demonstrate that the Council has critically assessed the factors that contributed to designation and has identified appropriate actions to secure and sustain improvement.

3.17. The Action Plan will focus on strengthening performance management, reviewing appeal outcomes and decision-making processes, improving governance and oversight arrangements, maintaining strong engagement with Members, and ensuring that lessons learned are embedded into future practice. It will also include measures to ensure that any Section 62A applications submitted directly to the Planning Inspectorate are handled efficiently and within all required timescales.

3.18. Alongside the Action Plan, the Council is developing an implementation programme with clear ownership, performance monitoring and reporting arrangements. Additional resource is being considered to support service improvement, performance analysis, project management and Section 62A responsibilities. This will

help ensure that improvements are not only delivered but can be evidenced to MHCLG and PAS over time.

3.19. The Council's objective is to demonstrate sustained improvement in both planning performance and organisational capability. Working closely with PAS, MHCLG and learning from authorities that have successfully exited designation, the Council intends to build a robust case for de-designation as soon as sufficient evidence of improvement is available.

Data going forward

3.20. We were designated based on our performance for the period Apr 23 - Mar 25. MHCLG has already published data for the next quarter (and the 2 years preceding that) and shows we are under the 10% threshold (9.4%). This will also be the case for the two quarters after that (4.72% and 4.95%) For the 2026 accounting period for major decisions we are currently at 5.05%. However, at present we have four outstanding appeals. If all four of these appeals are allowed this would take the number of appeals allowed up to 9.09%. This also brings us below the 10% threshold.

Appeals allowed up to Mar 26

Jul 23 - Jun 25		All Major Decisions	Appeals allowed	Pending	Result
Quarter 02	Jul - Sep 2023	20	6		30.00%
Quarter 03	Oct - Dec 2023	14	0		0.00%
Quarter 04	Jan - Mar 2024	15	0		0.00%
Quarter 01	Apr - Jun 2024	16	0		0.00%
Quarter 02	Jul - Sep 2024	14	4		28.57%
Quarter 03	Oct - Dec 2024	17	1		5.88%
Quarter 04	Jan - Mar 2025	9	0		0.00%
Quarter 01	Apr - Jun 2025	12	0	0	0.00%
	total	117	11	0	9.40%
		Threshold to be under			10.00%
	If pending appeals allowed				0.00%
					0.00%

Appeals Allowed up to June 26

Oct 23 - Sep 25		All Major Decisions	Appeals allowed	Pending	Result
Quarter 03	Oct - Dec 2023	14	0		0.00%
Quarter 04	Jan - Mar 2024	15	0		0.00%
Quarter 01	Apr - Jun 2024	16	0		0.00%
Quarter 02	Jul - Sep 2024	14	4		28.57%
Quarter 03	Oct - Dec 2024	17	1		5.88%
Quarter 04	Jan - Mar 2025	9	0		0.00%
Quarter 01	Apr - Jun 2025	12	0	0	0.00%
Quarter 02	Jul - Sep 2025	9	0	0	0.00%
	total	106	5	0	4.72%
		Threshold to be under			10.00%
	If pending appeals allowed				0.00%
					0.00%

Appeals Allowed up to Sept 26

Jan 24 - Dec 25		All Major Decisions	Appeals allowed	Pending	Result
Quarter 04	Jan - Mar 2024	15	0	0	0.00%
Quarter 01	Apr - Jun 2024	16	0	0	0.00%
Quarter 02	Jul - Sep 2024	14	4	0	28.57%
Quarter 03	Oct - Dec 2024	17	1	0	5.88%
Quarter 04	Jan - Mar 2025	9	0	0	0.00%
Quarter 01	Apr - Jun 2025	12	0	0	0.00%
Quarter 02	Jul - Sep 2025	9	0	0	0.00%
Quarter 03	Oct - Dec 2025	9	0	0	0.00%
	total	101	5	0	4.95%
		Threshold to be under			10.00%

If pending appeals allowed		0.00%
		0.00%

Appeals Allowed up to Dec 26

Apr 24 - Mar 26		All Major Decisions	Appeals allowed	Pending	Refusals that can be appealed	Result
Quarter 01	Apr - Jun 2024	16	0	0	0	0.00%
Quarter 02	Jul - Sep 2024	14	4	0	0	28.57%
Quarter 03	Oct - Dec 2024	17	1	0	0	5.88%
Quarter 04	Jan - Mar 2025	9	0	0	0	0.00%
Quarter 01	Apr - Jun 2025	12	0	0	0	0.00%
Quarter 02	Jul - Sep 2025	9	0	0	0	0.00%
Quarter 03	Oct - Dec 2025	9	0	0	0	0.00%
Quarter 04	Jan - Mar 2026	13	0	4	0	0.00%
	total	99	5	4	0	5.05%
		Threshold to be under				10.00%

If pending appeals allowed	9	9.09%
if pending appeals and refusals allow	9	9.09%

3.21. Whilst being under 10% for the next 3 quarters of data, there is a risk we may go over 10% again in the quarter ending June 2026. This is because there is 1 refusal that could still be appealed, which alongside the other 4 pending appeals, if all allowed, could take us over the 10% threshold to 10.42%. For the next 2 year rolling period ending Sept 2026 we are currently at 1%, but this could increase to circa 5% if pending appeals allowed, and 7% if all refusals appealed and allowed. Also to note that there are a number of decisions still to be made between now and the end of September and if refused could also end up at appeal.

Appeals allowed up to Mar 27

jul 24 - jun 26		All Major Decisions	Appeals allowed	Pending	Refusals that can be appealed	Result
Quarter 02	Jul - Sep 2024	14	4	0	0	28.57%
Quarter 03	Oct - Dec 2024	17	1	0	0	5.88%
Quarter 04	Jan - Mar 2025	9	0	0	0	0.00%
Quarter 01	Apr - Jun 2025	12	0	0	0	0.00%
Quarter 02	Jul - Sep 2025	9	0	0	0	0.00%
Quarter 03	Oct - Dec 2025	9	0	0	0	0.00%
Quarter 04	Jan - Mar 2026	13	0	4	0	0.00%
Quarter 01	Apr - Jun 2026	13	0	0	1	0.00%
	total	96	5	4	1	5.21%
		Threshold to be under				10.00%

If pending appeals allowed	9	9.38%
if pending appeals and refusal	10	10.42%

Appeals allowed up to Jun 27

oct 24 - sep 26		All Major Decisions	Appeals allowed	Pending	Refusals that can be appealed	Result
Quarter 03	Oct - Dec 2024	17	1	0	0	5.88%
Quarter 04	Jan - Mar 2025	9	0	0	0	0.00%
Quarter 01	Apr - Jun 2025	12	0	0	0	0.00%
Quarter 02	Jul - Sep 2025	9	0	0	0	0.00%
Quarter 03	Oct - Dec 2025	9	0	0	0	0.00%
Quarter 04	Jan - Mar 2026	13	0	4	0	0.00%
Quarter 01	Apr - Jun 2026	13	0	0	1	0.00%
Quarter 02	Jul - Sep 2026	10	0	0	0	0.00%
	total	92	1	4	1	1.09%
		Threshold to be under				10.00%

If pending appeals allowed	5	5.43%
if pending appeals and refusals al	6	6.52%

Comparison with neighbouring councils on Speed

3.22. The tables below show a comparison of the performance figures with neighbouring district councils for the year 01/04/2025 to 31/03/2026 (which is the most recent data available).

3.23. The tables focuses on Majors applications

3.24. 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	32	30	**94%**	1	3%	97%
West Northamptonshire Council	63	58	**94%**	8	13%	92%
Stratford Upon Avon District Council	39	36	**92%**	4	10%	85%
West Oxfordshire District Council	37	34	**92%**	7	19%	78%
South Oxfordshire District Council	46	38	**91%**	4	9%	63%
Buckinghamshire Council	145	129	**89%**	30	21%	86%
Cherwell District Council	43	35	**81%**	9	21%	84%

3.25. The tables show that we are meeting and exceeding government targets on determining applications in time. Whilst CDC is bottom of the list, we are roughly in line with the authorities that share a border with this district.

3.26. As part of ongoing. planning improvement, we will be enhancing our performance monitoring.

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 continue to exceed the Government's performance targets.

Quality

5.2. Based on the quality of decisions, the Council has met the Government's performance for Quality for non-majors for 2025, narrowly missing the target for majors. This has resulted in the council being designated for poor performance on quality of major decisions.

5.3. An Action Plan is being put into place, working closely with MHCLG and PAS, with a view to try and seek de-designation as soon as possible. Data for the three quarters following Mar 25, show us under 10% for each of those quarters, including the 2026 accounting period. However, in the period ending Jun 2026 we are at risk of going over 10% again.

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
Report Author	Paul Seckington, Head of Development Management
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Executive Director Approval (unless Executive Director or Statutory Officer report)	Executive Director for Place and Regeneration, Ian Boll 15 July 2026