

# READING BOROUGH COUNCIL

## REPORT BY DIRECTOR OF ENVIRONMENT, CULTURE & SPORT

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	31 <sup>st</sup> May 2017	AGENDA ITEM:	8
TITLE:	ANNUAL PERFORMANCE MONITORING REPORT - DEVELOPMENT MANAGEMENT SERVICE - 2016/17		
SERVICE:	PLANNING	WARDS:	BOROUGHWIDE
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### 1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To provide details of performance in development management (applications, appeals, enforcement and associated services) during 2016/17.

### 2. RECOMMENDED ACTION

- 2.1 That the contents of the report be noted.

### 3. BACKGROUND

- 3.1 This report provides information on the performance of the Planning Service for the year 2016/17 as a whole. Short reports on quarterly performance are also presented to Committee throughout the year.

### 4. PLANNING APPLICATION PERFORMANCE

#### Performance indicators and targets

- 4.1 Statutory time targets provide time periods within which planning authorities should decide planning applications. The 2016/17 corporate performance indicators set uses a number of DCLG indicators which are based on these statutory time targets.
- 4.2 The determination of planning applications is monitored in relation to the statutory target timescales, i.e.
- 60% of "Major" applications to be determined in 13 weeks (note that where an application is subject to an Environmental Impact Assessment, a 16 week limit applies);
  - 65% of "Minor" applications to be determined in 8 weeks; and
  - 80% of "Other" applications to be determined in 8 weeks.

Since 2011, the government has allowed local authorities to agree Planning Performance Agreements (PPA) or simple extensions of time with applicants for major applications. These allow the above statutory targets to be set aside (see relevant National Planning Policy Guidance). New Indicators introduced in 2017 allow for all applications to be accompanied by a PPA or an extension of time to meet the target regardless of the time taken. For consistency, and as PPA's and extensions of time can be agreed for any application, the same

indicator is now used in respect of Minor applications and Other categories including householder applications.

4.3 Since 2011, the Government has operated the Planning Guarantee. This is intended to give a clear time limit within which all planning applications should be decided including where an appeal has been made. The Guarantee is that, in principle, no application should spend more than 26 weeks with either the LPA or the Planning Inspectorate. As a development of the Planning Guarantee the government has set criteria against which it will designate local planning authorities. Designation would mean that certain applications can be made directly to the Secretary of State for determination. These criteria were extended during 2016. The changes are set out in the DCLG document "Improving and for the 2017 threshold and assessment period involve the following measures:

- (i) the speed with which the authority deals with major applications;
- (ii) the speed with which the authority deals with non-major applications;

The previous measure of the extent to which decisions on major applications are overturned at appeal will not be assessed for the 2017 assessment. However for 2018, the assessment will include this measure for both major and non-major applications.

4.4 The thresholds for 2017 for (i) is now 50% or fewer of major applications determined within 13 weeks over the 2 year period October 2014 to September 2016 (but excluding PPA applications and those where the applicant has agreed an extension of time with the LPA). For (ii), the threshold is 65% over the same 2 year period. As reported to Planning Applications Committee in January 2017 (Quarterly Performance Report), our calculations show that these thresholds have been met comfortably. As can be seen from the reports on performance below, the Council's performance is significantly above the thresholds.

4.5 It is important to ensure that prior approval applications are decided within the prescribed 42 or 56 days otherwise prior approval is given by default. This indicator is reported in Table 2 below.

**Table 1. RBC Performance Indicators 2015/16 for the Planning Service.**

Description	Frequency	Target	14 -15	15-16	16-17
Percentage of major applications decided within: (i) statutory 13/16 weeks, or (ii) the extended period agreed with the applicant. (NB note that a risk of designation occurs where 40% or fewer of their decisions on major applications are made within the statutory determination period or such extended period as has been agreed in writing with the applicant).	Q	60%	64%	85% (17/20)	89% (42/47)
Percentage of minor applications decided within (i) statutory 8 weeks or (ii) the extended period agreed by the applicant.	Q	65%	66%	71% (143/201)	74% (166/223)
Percentage of other applications decided within statutory 8 weeks	Q	80%	62%	54% (366/676)	59% (457/769)

Description	Frequency	Target	14 -15	15-16	16-17
Percentage of other applications decided within (i) statutory 8 weeks or (ii) the extended period as agreed by applicant.	Q	80%	77%	73% (493/676)	85% (657/769)
Percentage of householder applications (not for prior approval) decided within statutory 8 weeks.	Q	80%	67%	55% (249/456)	62% (308/499)
Percentage of householder applications (not for prior approval) decided within (i) statutory 8 weeks or (ii) the extended period agreed by the applicant.	Q	80%	81%	75% (342/457)	86% (430/499)
Planning Enforcement: % of enforcement complaints resolved within the relevant Enforcement Plan target period from the date of receipt.	Q	60%	52%	66% (178/269)	82% (244/299)
Appeal performance - % allowed as a total of all appeals (a lower % figure is better)	Annual	30%	26%	27% (9/33)	20% (8/41)
Major application appeal performance - % allowed as a total of all appeals (NB note that a risk of designation occurs where more than 20% of major applications decisions are overturned on appeal. (a lower % figure is better)	Annual	20%	0%	0% (0/0)	0% (0/0)

- 4.7 Table 2 below sets out performance by application type and indicator for those DCLG indicators that are not covered in the RBC Performance Indicators 2015/16 for the Planning Service.

**TABLE 2 Other DCLG Planning Application Performance Measures**

Indicator	Target	2013-14	2014-15	2015-16	2016-17
Percentage of MAJOR applications decided within statutory 13/16 weeks.	60%	50%	28%	47%	28% (13/47)
Percentage of MINOR applications decided within statutory 8 wks.	65%	61.5%	43%	53%	41% (92/225)
Percentage of ALL applications decided within (i) 26 weeks or (ii) extended period agreed by applicant	100%	79.2%	97.8%	87%	93% (973/1041)
Percentage of applications for PRIOR APPROVAL decided within the statutory period (42 or 56 days).	100%	100%	100%	97%	96% (128/133)

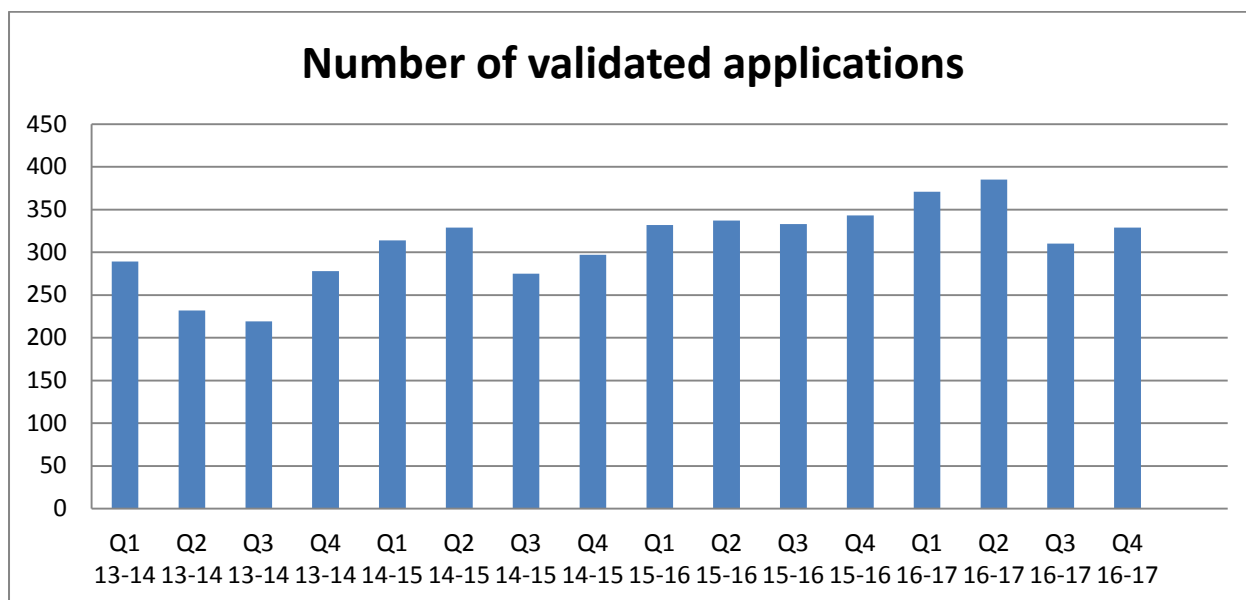
4.9 The total number of decisions by different application types is shown in Table 3 and is compared to previous years. As can be seen the number of applications decided in 2016/17 fell compared to 2015/16 albeit only slightly below the level decided in 2014/15.

**TABLE 3: Number of decisions made annually by application type since 2013/14**

	Major	Minor	Other	Total	Householder Prior-approv.	Office to Res. Prior approv.	Grand Total
2013/14	18	139	651	808	46	35	889
2014/15	36	201	692	929	60	52	1041
2015/16 (% change compared to 2014/15)	25 (-31%)	219 (+9%)	872 (+26%)	1116 (+20%)	85 (+42%)	36 (-31%)	1237 (+19%)
2016/17 (% change compared to 2015/16)	48 (+92%)	227 (+4%)	615 (-29%)	890 (-20%)	94 (+11%)	24 (-33%)	1008 (-19%)

Interestingly the number of decisions on major applications increased significantly, and on minors there was a small increase. It was the Other category, which includes householder applications, that saw a significant fall but again only back to the levels of earlier years. Householder prior approvals which relate to smaller house extensions did however increase. The number of office to residential prior approvals fell quite significantly.

4.10 The following chart shows the overall number of valid applications received since 2013/14 including prior approvals and householder applications:



Although figures vary between quarters, the number of validated applications rose in 2016/17 compared to 2015/16 (a total of 1395 compared to a total of 1345 in 2015/16). However, as can be seen, numbers fell back somewhat in the second part of the year. Again, this is mainly because applications in the Other category, including householder applications, and Prior Approvals, have fallen back.

A total of 128 prior approval applications were validated in 2017/17, compared to 152 in 2015/16 although Office to Residential prior approvals have slowed significantly compared to 2015/16.

#### Planning applications performance 2015/16

- 88.6% of all applications were granted permission.
- Performance in relation to determining Major applications has improved slightly during 2016/17 compared to the performance during 2015/16, with extensions of time are being sought more systematically for applications that go over the 13 week target. The numbers being determined within 13 weeks have however fallen, partly reflecting the complexity of many of the major applications determined during the year.
- Performance on Minor applications is slightly above the performance in 2015/16, again because extensions of times are being sought more systematically. However, as indicated in TABLE 2, the determination of applications within 8 week target has fallen. These applications continue to be affected by the change in government policy on seeking affordable housing on small site of 10 or less dwellings.
- Performance on Other applications including householder applications has improved in percentage terms for applications with extensions of time but did fall back in terms of the target 8 weeks.
- Enforcement performance shows a significant improvement compared to previous years
- There remains some room for improvement in performance in terms of meeting statutory target timescales albeit that performance against timescales agreed with the applicant through extensions of time is now very satisfactory.

#### Other Development Management Applications

- 4.12 The Council also receives requests for pre-application advice, for approval of details required by or discharge of conditions attached to planning permissions and for approval of works to trees covered by Tree Preservation Orders and in trees in Conservation Areas. Table 5 shows the number of each type of application received since 2013/14.

**TABLE 4: No. of applications received for miscellaneous development management advice or approval.**

	2013/14	2014/15	2015/16	2016/17
Pre-application advice	177	209	219 (+5%)	198 (-10%)
Approval of details required by condition, ADJ LPA, NMA, EIA SCO and SCR.	283	313	355 (+13%)	388 (+9%)

Works to TPO/CA trees	174	178	187 (+5%)	207 (+11%)
<b>Total</b>	<b>634</b>	<b>700</b>	<b>761 (+9%)</b>	<b>793 (+4%)</b>

Applications for Pre-application advice fell slightly against 2015/16. However other applications continued to increase indicating continuing buoyant planning and development activity across the Borough during 2016/17.

### Planning Appeals

- 4.13 The Council's Indicator for Appeals in Table 1 shows that performance for appeals exceeds the performance indicator target. The percentage of major decisions not overturned (allowed) at appeal remains at 0%. This means that the council remains below the government's "Designation" level. Overall, the number of appeals allowed was 20% which remains well within the national average of around 30%. The level of appeals during 2016/17 rose slightly compared to 2015/16 and remains comparatively high compared to earlier years. This is partly related to the number of appeals received in relation to the small site affordable housing issue where the Council is (mostly successfully) arguing that exceptional circumstances justify seeking affordable housing on small sites contrary to national policy.
- 4.14 The following table provides some further detail for 2016/17:

**TABLE 5: Section 78 Appeals against the refusal of planning permission**

	Year 2014/15	Year 2015/16	Year 2016/17
APPEALS LODGED	16	36	39
NUMBER OF APPEAL DECISIONS	12	36	40
APPEALS ALLOWED	3	8	8
APPEALS DISMISSED	8	25	32
SPLIT DECISIONS	0	0	0
APPEALS WITHDRAWN	1	3	0

### Planning Enforcement

- 4.15 The Planning Enforcement Service had one corporate performance indicator. Performance against this indicator is provided in Table 1. For 2016/17, performance was very good with over 80% of enforcement complaints being resolved within 13 weeks of receipt against a target of 60%.
- 4.16 Table 6 below provides more detailed information on cases received and enforcement activity during 2015/16 compared to previous years. In 2016/17 the number of cases (246) fell compared to the previous year. A high number of cases were closed in the year; and the number of cases on hand at the end of the year has, again, fallen significantly.

**TABLE 6: Planning Enforcement statistics**

	2013/14	2014/15	2015/16	2016/17
Total number of enforcement cases received	340	289	294	246
No. of cases closed	312	295	353	339
No. of cases on hand at end of year	306	340	281	183
Enforcement notices	4	3	5	8
Planning contravention notices	24	14	11	10
Breach of condition notices	1	1	1	1
Section 215 notices	0	0	0	0
Listed Building Enforcement notice	0	0	0	0
Temp Stop Notice	0	0	0	0
Stop Notice	0	0	0	0
Appeals against enforcement notices	1	3	1	3
New enforcement prosecutions	1	1	0	1

## 5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 Planning services contribute to producing a sustainable environment and economy within the Borough and to meeting the 2016 -19 Corporate Plan objective for "Keeping the town clean, safe, green and active." Under the heading, Neighbourhoods, the Corporate plan aims to improve the physical environment - the cleanliness of our streets, places for children to play, green spaces, how we feel about our neighbourhood and whether we feel safe, have a sense of community and get on with our neighbours.

## 6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Statutory consultation takes place on planning applications and appeals and this can influence the speed with which applications and appeals are decided. Information on development management performance is publicly available.

## **7. EQUALITY IMPACT ASSESSMENT**

7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 In terms of the key equalities protected characteristics, it is considered that the development management performance set out in this report has no adverse impacts.

## **8. LEGAL IMPLICATIONS**

8.1 The collection and monitoring of performance indicators is a statutory requirement and a requirement of DCLG. In addition a number of the work related programmes referred to in this report are mandatory requirements including the determination of planning applications and the preparation of the development plan.

## **9. FINANCIAL IMPLICATIONS**

9.1 There are no direct financial implications arising from this report. Specific initiatives referred to will be met from existing budgets.