

**READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES**

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	2nd November 2022		
TITLE:	PERFORMANCE MONITORING REPORT - DEVELOPMENT MANAGEMENT SERVICE - April - September 2022 (Q1 & Q2)		
SERVICE:	PLANNING	WARDS:	BOROUGHWIDE
LEAD OFFICER:	Julie Williams	TEL:	0118 937 2461 (72461)
JOB TITLE:	Development Manager (Planning & Building Control)	E-MAIL:	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 The purpose of this report is to primarily provide information on how the Planning Service has performed over the past 2 quarters of this year (Quarter 1 is April - June and Quarter 2 is July to September) in terms of meeting government set targets for dealing with planning applications, success at planning appeals and other measures.
- 1.2 Information on other types of applications handled and other services provided, including Building Control, is also presented.

2. RECOMMENDED ACTION

- 2.1 That the contents of the report be noted.

3. BACKGROUND

- 3.1 The performance of Local Planning Authorities (LPA.s), introduced by the Growth and Infrastructure Act 2013, is based on a LPA.s performance on the speed of determining applications and the quality of their decisions. The Department for Levelling Up, Housing and Communities (DLUHC) collates data from LPA.s to enable performance tables to be published on a quarterly basis. LPA.s are at risk of being designated as “underperforming” if targets are not met over the preceding 24 months. This would allow applicants to have the option of submitting their applications directly to the Planning Inspectorate (who act on behalf of the Secretary of State) for determination.
- 3.2 The criteria for designation as “underperforming” are:
 - a. For applications for major development: less than **60 per cent** of an authority’s decisions made within the statutory determination period or such extended period as has been agreed in writing with the applicant;
 - b. For applications for non-major development: less than **70 per cent** of an authority’s decisions made within the statutory determination period or such extended period as has been agreed in writing with the applicant.
 - c. For applications for both major and non-major development, above which a local planning authority is eligible for designation, is **10 per cent** of an authority’s total number of decisions on applications made during the assessment period being overturned at appeal.

4. PERFORMANCE AGAINST DLUHC TARGETS

Speed

- 4.1 Once a planning application has been validated, the local planning authority should make a decision on the proposal within the statutory time limits set by DLUHC unless a longer period is agreed in writing with the applicant. The statutory time limits are normally 13 weeks for applications for major development (when an application is subject to an Environmental Impact Assessment a 16 week limit applies) and 8 weeks for all other types of development.
- 4.2 However, local planning authorities can agree with the applicant to extend the time limit (sometimes with a Planning Performance Agreement or a simple extension of time) for all types of planning applications, including householder applications. Typically, this has been the route taken in Reading with officers and applicants preferring to negotiate a better outcome than simply refusing a planning application because the time is running out. This also deals with the concept of “the Planning Guarantee” which requires the planning application fee to be refunded to applicants where no decision has been made within 26 weeks, unless a longer period has been agreed in writing between the applicant and the local planning authority. (Regulation 9A of the 2012 Fees Regulations).
- 4.3 The Council’s performance on speed of determination of planning applications in comparison with the national requirements are set out in Table 1 below. This shows that while performance on Major and Minors is just about to required standards, householder application decisions have dropped.

Quality

- 4.4 The quality of decisions made by local planning authorities is measured by the proportion of all decisions on applications that are subsequently overturned at appeal. The threshold for designation on applications for both major and non-major development, above which a local planning authority is eligible for designation, is 10 per cent of an authority’s total number of decisions on applications made during the assessment period being overturned at appeal. Table 4 below provides our performance on appeals. Over the past 2 quarters we have had 6 appeals allowed out of 16 cases representing 37.5% of appeal decisions but as a percentage of all 534 decisions issued this gives a more acceptable 1.1% so still well below the threshold.

Overall

- 4.5 In my last annual performance report I reported on the pressure staff were under with the team redistributing cases to try to get work through while others were dealing with significant major cases and public inquiries and also to cope with staff leaving. This pressure continued into the new year with case numbers per officer increasing to higher than what I would typically expect and officers still settling into the new team structure. However, since September we have been joined by 4 new officers (3 officers and 1 principal office) and the team structure is working well so I am optimistic that by the end of this year (quarter 4) that performance would have improved and once again meeting DLUHC’s performance criteria.

5. PLANNING APPLICATION PERFORMANCE & INFORMATION ON OTHER SERVICES

- 5.1 The following Table 1 provides a breakdown on the types of planning applications handled in the first two quarters of 2022/2023 with a comparison with the same two quarters in the previous year.
- 5.2 It is notable that the number of applications submitted so far this year have reduced compared to the same quarters in the previous year, by c17c%. Looking at the same statistics for England overall a c14% drop in applications submitted is recorded so Reading’s experience is not unusual.

Table 1: Application Performance so far in 2022/23 compared with previous year.

Description	DLUHC Target	Q1 21/22	Q2 21/22	Q1 22/23	Q2 22/23
Number and Percentage of major applications decided within statutory 13 weeks or an extended period agreed by the applicant.	60%	7/8 88%	9/10 99%	0/1 0%	5/5 100%
Number and Percentage of all other minor applications decided within statutory 8 weeks or an extended period agreed by the applicant.	70%	46/52 88%	47/54 87%	35/57 61%	35/50 70%
Number and Percentage of other applications (including householder applications) decided within statutory 8 weeks or an extended period agreed by the applicant.	70%	131/150 87%	158/170 92%	89/144 62%	60/111 54%
Total decisions issued		210	234	202	166
Number and Percentage of householder applications (not for prior approval) decided within statutory 8 weeks or an extended period agreed by the applicant.	70%	106/119 89%	119/129 92%	65/108 60%	39/77 50%

- 5.3 Table 2 below sets out the number of Prior Approval applications processed and our performance on those applications for householder and office to residential developments. The high performance on these types of application reflects the fact that if prior approval applications are not decided within the prescribed 42 or 56 days approval is given by default.

Table 2: Prior Approval Performance

Indicator	Q1 21/22	Q2 21/22	Q1 22/23	Q2 22/23
Number of (and performance on) all Prior Approval applications	16/20 80% in time	30/31 97% in time	18/19 95% in time	17/17 100% in time
Number of Householder Prior Approvals	11	15	9	7
Number of Office to residential Prior Approvals	6	10	6	4

- 5.4 In addition to requests for ad hoc planning advice, the Planning Service also receives applications for pre-application advice, for approval of details required to discharge conditions attached to planning permissions and for approval of works to trees covered by Tree Preservation Orders and in trees in Conservation Areas. Table 3 shows the number of each type of application received over the last 2 quarters.

TABLE 3: No. of applications received including those for miscellaneous development management advice or approval.

	Q1 21/22	Q2 21/22	Q1 22/23	Q2 22/23
All types of applications	321	335	295	245
Pre-application advice	37	30	34	27
Approval of details required by condition, ADJ, NMA, EIA SCO and SCR.	62	82	62	84
Works to TPO/CA trees	46	77	49	51
Total	466	524	440	407

5.5 Overall while the general advice enquiries have reduced the other categories of applications have remained broadly in step with the previous year.

6. PLANNING APPEALS

6.1 The appeal performance in terms of appeals dismissed (meaning the reasons for refusing permission were upheld) so far this year is 62.5%. The Officer recommendations to refuse permission are scrutinised to ensure the reasons for refusal can be defended. Appeal statements are also checked to ensure that a robust defence of the decision is presented.

TABLE 4: Section 78 Appeals against the refusal of planning permission

	Q1 21/22	Q2 21/22	Q1 22/23	Q2 22/23
APPEALS LODGED	2	3	7	7
NUMBER OF APPEAL DECISIONS	9	2	11	5
APPEALS ALLOWED	0 (0%)	1 (50%)	4 (36%)	2 (40%)
APPEALS DISMISSED	9 (100%)	1 (50%)	7 (63%)	3 (60%)
SPLIT DECISIONS	0	0	0	0
APPEALS WITHDRAWN	0	0	0	0

7. PLANNING ENFORCEMENT

7.1 The Planning Enforcement Service has one corporate performance indicator, which is to resolve 60% of complaints within the relevant target period identified for different types of complaint in the Council's Enforcement Plan. Councillors are aware of the staff recruitment problems experienced since 2020 which, along with covid restrictions, prevented cases from being investigated. The team of two are still getting through the backlog of cases but so far for this year of the complaints received in 22/23 21% have been resolved within 13 weeks compared to 14% in the same time period 21/22.

7.2 Table 5 below provides more detailed information on cases received and enforcement activity during 2022/23 compared to the same quarters in the previous year. The planning enforcement team is due to join a new public protection team soon with access to more site investigation staff and sharing of powers is expected to enable a more efficient and effective response to problems as they arise. Table 6 sets out the number of enforcement cases open by ward.

TABLE 5: Planning Enforcement statistics

	Q1 21/22	Q2 21/22	Q1 22/23	Q2 22/23
Total number of enforcement cases received	60	48	49	44
No. of cases closed	5	14	19	29
Enforcement notices	0	0	0	0
Planning contravention notices	0	0	0	2
Breach of condition notices	0	0	0	0
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	2	3	0	0
New enforcement prosecutions	0	0	0	0

TABLE 6: Pending Planning Enforcement Cases

Pending Enforcement Cases by Ward	
Wards	No.
Abbey	88
Battle	33
Caversham	26
Caversham Heights	18
Church	34
Coley	25
Emmer Green	25
Katesgrove	60
Kentwood	31
Minster	3
Norcot	21
Park	46
Peppard	2
Redlands	61
Southcote	9
Thames	20
Tilehurst	14
Whitley	21
Total pending enforcement cases:	537

8. PLANNING FEE INCOME

- 8.1 The following tables show fee income. Table 7 shows how the application fee income (excluding pre-applications) has picked up from the 21% drop in 20/21 (when compared to the previous year 2019/2020) over the past 18 months. This year we have seen significant applications submitted in June, August and September and if this trend continues, we would be back to pre-2020 levels.
- 8.2 Table 8 provides the fee income by application categories Major, Minor & Others. Table 9 provides the fee income generated by providing a pre-planning application advice service. Local Planning Authorities are not obliged to provide this service (although strongly encouraged) and can set their own fees subject to these being based on the costs incurred to provide the service.

TABLE 7: Approx. fees from all types of planning applications including NMA, APC, CLP, CLE and Prior Approvals (but not Pre-apps)

	20/21 £	21/22 £	22/23	% change 21/22 - 22/23
April	23,977	83,092	32,715	-60%
May	46,862	33,902	50,160	47%
June	56,145	66,205	154,175	132%
July	52,873	51,315	24,974	-51%
August	64,740	35,303	105,786	199%
September	67,655	66,078	121,081	83%
October	60,643	49,009		
November	39,716	57,524		
December	143,599	61,686		
January	27,919	23,035		
February	62,103	53,725		
March	58,703	115,764		
Totals	704,935	696,638	488,891	45%

TABLE 8: Income and applications submitted by Quarters for Majors, Minors and Others only.

20/21	Fee £	Majors	Minors	Others	Total MMO
Q1 April - June	107,763	3	54	118	175
Q2 July - September	135,060	7	52	148	207
Q3 October - December	220,902	15	65	161	241
Q4 January - March	125,808	9	67	164	240
Totals	589,533	34	238	591	863
21/22	Fee £	Majors	Minors	Others	Total MMO
Q1 April - June	157,872	8	69	201	278
Q2 July - September	135,631	9	64	174	247
Q3 October - December	151,002	12	64	138	214
Q4 January - March	175,640	14	66	161	241
Totals	620,145	43	263	674	980
22/23	Fee £	Majors	Minors	Others	Total MMO
Q1 April - June	189,196	7	55	146	208
Q2 July - September	219,530	13	44	156	213
Q3 October - December					
Q4 January - March					
Totals	408,726	20	99	302	421

TABLE 9: Pre-app income broken down by quarters

21/22	Fee £	Pre-Apps
Q1 April - June	27,421	34
Q2 July - September	29,421	36
Q3 October - December	29,936	27
Q4 January - March	28,395	36
Totals	£115,173	133

22/23	Fee £	Pre-Apps
Q1 April - June	20,862	30
Q2 July - September	22,667	37
Q3 October - December		
Q4 January - March		
Totals so far	43,529	67

9. BUILDING CONTROL

9.1 Having taken on the role of manager of the Building Control service at around the start of Quarter 1 of this year I consider it appropriate to include a short section on the work of this team in this report. With the resignation of the previous qualified Building Control manager in August the team is now served by 3 permanently employed technical support officers and 4 agency surveyors with one acting as the technical manager and one providing a plans checking service only. Recruitment of surveyors to permanent positions is extremely challenging in a market where agencies and commercial building control approved inspectors can pay salaries greatly exceeding those possible on local government salary budgets.

9.2 However, the team is working well and through the work of the technical support team plus engagement with the Local Authority Building Control service and the Council's web team we are improving our processes and our relationships with our customers.

9.3 Table 10 shows the case load as submitted for the relevant quarters this year and last year. Unlike planning permission, there are different ways to gain building regulation approval and external approved inspectors can also be used. The team also respond to dangerous structure notifications and provide advice for homeowners on structural matters and party wall concerns.

TABLE 10: Building Control work.

Indicator	Q1 21/22	Q2 21/22	Q1 22/23	Q2 22/23
Number of all Building Control applications submitted	95	102	97	92
Number of applications closed	36	43	24	13
Fee income	£69,889	£65,709	£70,670	£62,044

9.4 Building Regulation fees are set by the local authority and the schedule of charges and fees in Reading have not been reviewed since 2018. Having consulted, as appropriate, with the Finance Director and the Lead Councillor for Planning and Assets I am proposing a change to the charging format to introduce a staged payment for Full Plans. Currently we charge one combined fee but it can become problematic when jobs do not progress. Using a staged payment scheme is also in step with most other Local Authorities and guidance from the Local

Authority Building Control advice service. I am also proposing a 2.6% increase in fees. Our fees have not increased since 2018 and I believe this proposed increase is reasonable in the current economic circumstances when the team are being made aware of the impact of increases in building materials costs on small construction firms.

9. CONTRIBUTION TO STRATEGIC AIMS

9.1 The processing of various planning application types and building regulations applications contributes to creating a sustainable environment with active communities and helping the economy within the Borough as identified as the themes of the Council's Corporate Plan:

1. Healthy Environments
2. Thriving Communities
3. Inclusive Economy

10. COMMUNITY ENGAGEMENT AND INFORMATION

10.1 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.

11. EQUALITY IMPACT ASSESSMENT

11.1 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.

11.2 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.

12. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

12.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

12.2 The Planning and Building Control Service plays a key part in mitigating impacts and adapting building techniques with adopted policies to encourage developers to build and use properties responsibly, by making efficient use of land, using sustainable materials and building methods.

13. LEGAL IMPLICATIONS

13.1 The collection and monitoring of performance indicators is a statutory requirement and a requirement of MHCLG. In addition, a number of the work related programmes referred to in this report are mandatory requirements.

14. FINANCIAL IMPLICATIONS

14.1 There are no significant direct financial implications arising from this report. The 2.6% increase in building regulations fees will help in balancing to costs of providing the fee based service and meeting mandatory requirements; such as attending dangerous structures.