

READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	1 February 2023		
TITLE:	PERFORMANCE MONITORING REPORT - DEVELOPMENT MANAGEMENT SERVICE - April - December 2022 (Q1, Q2 & Q3)		
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 and Building Control Service has performed over the past 3 quarters of this year (Quarter 1 is April - June, Quarter 2 is July to September and Quarter 3 is October - December) 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 by 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 (using either 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 to achieve approval if possible rather than simply refusing a planning application because time has run out. A "Planning Guarantee" requires planning application fees 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 performance on Majors remains acceptable while for Minors and Other applications performance has improved.

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 3 quarters we have had 9 appeals allowed representing 37.5% of appeal decisions but as a percentage of all 572 application decisions issued this gives an acceptable 1.6% so well below the threshold.

Overall

- 4.5 In my last performance report to you (October PAC) the impact of staff shortages on output of planning application decisions was evident. However, I also advised then that new staff were in place and that I was optimistic that performance would improve. I am pleased to report that against the national standards the Planning Service performance is again exceeding these.

5. PLANNING APPLICATION PERFORMANCE & INFORMATION ON OTHER SERVICES

- 5.1 The following Table 1 provides a breakdown on decisions issued in time (within statutory timeframe or an agreed timeframe with applicant) expressed against the total number of decisions issued for the types of planning applications handled in the first three quarters of 2022/2023 with a comparison with the same three quarters in the previous year.

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

Description	DLUHC Target	Q1 21/22	Q2 21/22	Q3 21/22	Q1 22/23	Q2 22/23	Q3 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%	3/5 60%	0/1 0%	5/5 100%	3/4 75%
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%	31/38 82%	35/57 61%	35/50 70%	37/44 84%
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%	106/129 82%	89/144 62%	60/111 54%	138/156 88%
Total decisions issued		210	234	172	202	166	204
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%	95/112 85%	65/108 60%	39/77 50%	102/114 89%

- 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	Q3 21/22	Q1 22/23	Q2 22/23	Q3 22/23
Number of (and performance on) all Prior Approval applications	16/20 80% in time	30/31 97% in time	26/26 100% in time	18/19 95% in time	17/17 100% in time	18/18 100% in time
Number of Householder Prior Approvals	11	15	9	9	7	1
Number of Class E to residential Prior Approvals	6	10	3	6	4	7

- 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 3 quarters compared to the same quarters in the previous year.

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

	Q1 21/22	Q2 21/22	Q3 21/22	Q1 22/23	Q2 22/23	Q3 22/23
All types of applications	321	335	271	295	245	288
Pre-application advice	37	30	26	34	27	39
Approval of details required by condition, ADJ, NMA, EIA SCO & SCR.	62	82	74	62	84	69
Works to TPO/CA trees	46	77	61	49	51	57
Total	466	524	432	440	407	453

5.5 Overall the number of applications has dropped by about 100 but other enquiries received have remained broadly similar to the previous year.

6. PLANNING APPEALS

6.1 The appeal performance in terms of appeals dismissed (meaning the reasons for refusing permission were upheld) by Planning Inspectors so far this year is 65.2%. 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	Q3 21/22	Q1 22/23	Q2 22/23	Q3 22/23
APPEALS LODGED	2	3	10	7	7	3
NUMBER OF APPEAL DECISIONS	9	2	1	11	5	8
APPEALS ALLOWED	0 (0%)	1 (50%)	1(100%)	4 (36%)	2 (40%)	3 (37%)
APPEALS DISMISSED	9 (100%)	1 (50%)	0	7 (63%)	3 (60%)	5 (63%)
SPLIT DECISIONS	0	0	0	0	0	0
APPEALS WITHDRAWN	0	0	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. The Planning Enforcement Team are now part of the public protection service and with regular weekly meetings with senior planners and legal assistance we are starting to see an improvement in not just how enforcement enquiries are registered but also on how quickly and effectively the team can take appropriate action. So far for this year 22/23 88 cases have been closed compared to 26 cases this time last year but the increase in activity impacted on meeting the target period with 51% being resolved so far this year within 13 weeks compared to 69% (18/26) 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. Table 6 sets out the number of enforcement cases open by ward.

TABLE 5: Planning Enforcement statistics

	Q1 21/22	Q2 21/22	Q3 21/22	Q1 22/23	Q2 22/23	Q3 22/23
Total enforcement cases received	60	48	49	49	54	25
No. of cases closed	5	14	7	19	29	40
Notices Served						
Enforcement notices	0	0	0	0	0	0
Planning contravention	0	0	2	0	2	0
Breach of condition	0	0	0	0	0	0
Section 215 untidy sites	0	0	0	0	0	0
Listed Building Enforcement	0	0	0	0	0	0
Temp Stop	0	0	0	0	0	1
Stop	0	0	0	0	0	0
Appeals & Prosecutions						
Appeals against enforcement notices	2	3	0	0	0	0
Enforcement prosecutions	0	0	0	0	0	0

TABLE 6: Pending Planning Enforcement Cases Q1- Q3

Pending Enforcement Cases by Ward	Previous pending Prior to Q3	Received During Q3	Current pending as of 19/01/23
Wards	No.	No.	No.
Abbey	89	4	93
Battle	36	1	37
Caversham	28	1	29
Caversham Heights	18	2	20
Church	34	1	34
Coley	25	1	26
Emmer Green	25	1	24
Katesgrove	60	3	63
Kentwood	31	0	29
Minster	3	0	2
Norcot	21	3	22
Park	46	2	47
Peppard	2	0	2
Redlands	61	1	61
Southcote	9	1	9
Thames	20	0	20

Tilehurst	14	4	14
Whitley	21	0	19
Total pending enforcement cases:	537	25	551

8. PLANNING FEE INCOME

- 8.1 The following tables show fee income. Table 7 shows the fluctuations of planning application fee income (excluding pre-applications) month by month over recent years but also how our fee income so far this year (thanks to income in June, August and December being exceptional) is not dissimilar to the last 2 years. I am optimistic that Q4 income figures will continue this trend.
- 8.2 Table 8 provides fee income information by 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	32,662	-33%
November	39,716	57,524	31,270	-45%
December	143,599	61,686	179,991	192%
Sub-total	556,210	504,114	552,823	
January	27,919	23,035		
February	62,103	53,725		
March	58,703	115,764		
Totals	704,935	696,638	552,823	-20%

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	219,711	7	46	145	198
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	16,059	39
Q4 January - March		
Totals so far	£43,529	67

9. BUILDING CONTROL

- 9.1 The team is served by 3 permanently employed technical support officers, 4 agency surveyors (with one acting as the technical manager and one providing a plans checking service only) and a new permanent surveyor will be joining the team on 6th February.
- 9.2 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	Q3 21/22	Q1 22/23	Q2 22/23	Q3 22/23
Number of Dangerous structures attended	4	6	5	5	4	7
Number of all Building Control applications submitted	95	102	111	97	92	140
Number of applications approved within 5 & 8 wks Statutory limits	Not Known	65/102 64%	68/111 75%	85/97 96%	88/92 96%	137/140 98%
Number of applications closed	36	43	51	24	13	89
Fee income	£69,889	£65,709	£63,010	£70,670	£62,044	£77,487

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.