

PART A

Report to: Development Management Committee

Date of meeting: 03 November 2018

Report of: Development Management Section Head

Title: Review of Performance 01 April 2017 to 30 March 2018 (For Information Planning: Development Management)

Report

1. This report provides information on the performance of development management with regard to the number of planning applications determined between 1st April 2017 and 30th March 2018. It also provides information on appeal outcomes for appeals received within the same period.
2. Appendix 1 provides the performance figures against our internal target. For 2017-18, targets for minors and others were exceeded and the council fell just shy of the target for majors. Generally over 70% of applications are approved which indicates that planning officers are working with applicants and agents in a positive manner and are performing well.
3. The speed of planning decisions is now being monitored by the Department for Communities and Local Government for the purposes of designating poor performing authorities. The council is currently considered to be highly performing and is substantially exceeding the nationally prescribed standards.
4. Appendix 2 provides a summary of our performance on received appeals against our internal target of 65% being dismissed. For 2017/18 the national average is that 68% of appeals are dismissed. In 2017/18 we exceeded our target and were just below the national average.
5. Appendix 3 provides a list of all appeal decisions for new appeals received for the year ending 2017.
6. There are currently issues with performance at The Planning Inspectorate (PINs) which warrant some caution in using appeal statistics as an indicator of performance.

7. The Planning Inspectorate Annual Report for 2017/18 acknowledged that for many clients its performance was unacceptable, and fell short of the level of service it seeks to provide. An update issued on the 6th July 2018 demonstrated typical waits of 13 weeks between submission and start dates for written representations appeals and 19 weeks for hearings. Official figures indicate an average determination time of 44.3 for inquiries, 31.1 weeks for hearings and just under 20 weeks for written representation appeals.
8. Some of the issues arising from this are set out below:
 - a. The need for appeals falls away before PINs have assigned a start date. These appeals do not show on the statistics and ultimately no information is provided about the quality of the original decision.
 - b. Applicants who feel a decision is incorrect and would normally appeal are likely to seek local resolution instead, however this reduces the amount of information available about the quality of the authority's own decisions
 - c. Due to the delays the appeal decisions do not provide responsive up to date information with regard to any changing policies or priorities.
 - d. Due to the delays any issues of quality could have existed for a substantial period before coming to light through appeal decisions.
9. Given these issues it is important to consider the appeals figures, but officers recommended that the Development Management Committee continues to seek and attribute greater weight to the feedback of officers about recent decisions and emerging issues which is more responsive and up to date.
10. The Department for Communities and Local Government sets quality criteria for planning decisions which are based on success at appeal. The measure to be used for this is the percentage of the total number of decisions made by the authority on applications that are then subsequently overturned at appeal. The assessment period for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time of designation.
11. At the last assessment period (June 2017) the Ministry of Housing, Communities & Local Governments (MHLG) Live Tables P152 and P154

show Watford's performance was clear of the 10% designation threshold. At this time 1.4% of non-major decisions were overturned and 5.6% of major decisions were overturned. The 5.6% figure for major applications was based on only two appeals being allowed.

12. The MHLG is likely to lower the threshold for designation in 2019 but have not yet published it, nor would it be possible to provide any accurate information of our performance against this threshold based on the data in this report. However, the last major application which was allowed at appeal was Caledonian House (allowed on 13 April 2017) 18 months ago and which was included within the previous assessment period. As such our performance would currently be better than when last reported.
13. The Development Management Committee is asked to note that the quality measure for major applications is particularly sensitive to appeal decisions due to the low total number of such applications.

Recommendation

That the committee note the performance of Development Management.

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