

To the Chairman and Members of the  
PLANNING REGULATORY BOARD

Date 6 DECEMBER 2018

Report of the Director of Planning and Regeneration Service

ITEM NO.    SUBJECT

1            **Development Management Performance Report 2018**

**Item 1**

**Development Management Performance Report 2018**

**Recommendation**

That the contents of the report be noted.

**Background**

The purpose of this report is to inform Members of the current performance of the Development Management team.

**Facts and Figures**

Performance statistics for Development Management (DM) are measured around the speed of decision making for the three different types of application categories (Major, Minor and Other). Nationally the Government has set minimum standards for the time allowed to deal with these types of applications. These are currently set at:

Government Targets

Major            60% of applications to be determined within 13 weeks  
 Minor            65% of applications to be determined within 8 weeks  
 Other            80% of applications to be determined within 8 weeks

As part of our continued improvement programme, DM has consistently surpassed these figures and continues to set itself high standard targets to ensure that the service is efficient, accountable and reflects our desire to be one of the top performing planning teams in the Country.

Type	2013-2014	2014 - 2015	2015 – 2016	2016-2017	2017-2018	2018 -2019 (to date)	Gov't Target
Major	91%	98%	100%	100%	100%	100%	60%
Minor	85%	91%	99%	99%	100%	100%	65%
Other	93%	98%	99%	100%	100%	100%	80%

Performance on all three application types continues to exceed targets and has maintained the Council's position as the best performing Development Management team in the Country. This represents a significant achievement across all three application types and demonstrates that the improvement measures incorporated into the daily workflow and the benefits of a fully electronic document management system continue to have a positive effect.

It is important that we continue to monitor performance based on the speed of decision making as the Government has introduced a 26 week guarantee and that the planning fee has to be refunded should applications not be determined within this period. They have also confirmed the continuation of the Planning Performance Guarantee and 'Special Measures designation' enabling developers to bypass a Council and apply directly to the Planning Inspectorate for a planning permission where that local authority has a track record of either poor performance in decision making or not acting positively to promote economic growth within its area. The thresholds for special measures designation are:

	2017	2018	2019
Major	50%	60%	TBC
Non-Major	65%	70%	TBC

In addition to this, the Government has also introduced a quality measure against appeals. 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% of an authority's total number of decisions on applications made during the assessment period being overturned at appeal.

It should be noted however that a two year assessment period ending March 2017 will be used for designation decisions in 2018, this allows for applications to be decided between April 2015 and March 2017 and a 9 month lag to December 2017 for appeals to be decided. The average percentage figure for the assessment period as a whole is used.

	2015 - 2017	Target	2019
Major	0.1%	<10%	TBC
Non-Major	0.6%	<10%	TBC

During the special measures designation dates (which are published on the Government's website for planning statistics) the Council was first in determining Major applications (100%) and 3<sup>rd</sup> in determining Non Major applications (99.9%) out of 339 local authorities. The following table compares this to neighbouring Council's statistics.

	Major	Position
Rotherham	100%	1 <sup>st</sup>
Doncaster	94.3%	94 <sup>th</sup>
Barnsley	90.2%	154 <sup>th</sup>
Sheffield	84%	159 <sup>th</sup>

	Non Major	Position
Rotherham	99.9%	3 <sup>rd</sup>
Barnsley	92.5%	101 <sup>st</sup>
Doncaster	91.4%	122 <sup>nd</sup>
Sheffield	86.4%	222 <sup>nd</sup>

In addition, the new Housing and Planning bill includes the provision for the processing of planning applications to be undertaken within a competitive environment. This will potentially open up the opportunity for private individuals, local firms and neighbouring Local Planning Authorities to compete to process planning applications within Rotherham which could significantly reduce the level of income that is collected through planning application fees. It is therefore vitally important that the Development Management service is as efficient and customer focussed as it can be.

## **Enforcement**

The Council adopted a new Enforcement Plan in 2018 which prioritises when enforcement action will be pursued, due to limited resources available. There will be many cases where it is not considered appropriate to pursue formal enforcement action, though where it is, discussions will take place with the offender in an attempt to secure the submission of a planning application (to allow conditions to be attached where appropriate) or to amend the works that have taken place. Where these negotiations fail to secure an acceptable outcome, or where a planning application is subsequently submitted, the Council has to consider what enforcement action to take.

During 2018 there have been:

- 254** complaints received;
- 18** Enforcement notices served;
- 8** Breach of condition notices served;
- 4** Appeals dismissed; and
- 1** Appeal allowed

1 further appeal awaiting a decision

The appeal that was allowed was based on a technical issue with the Enforcement Notice and the Notice has recently been re-served.

Where an enforcement notice is not complied with the Council has to consider pursuing formal prosecution proceedings. Whilst no such action has been taken during 2018, there are cases where such proceedings are being prepared.

## **Conclusion**

Development Management has, like all other services within the Council, had to save money year on year and is now at a resource level that would struggle to maintain performance if it was subject to further reductions.

A considerable amount of work has been undertaken to ensure that we are as efficient as possible and this, amongst a few other reasons, has recently been recognised by the RTPI in awarding Rotherham as the 'Local Authority Planning Team of the Year' 2018 but it is important that we continue to perform at this level due to the Governments' apparent desire to open up the processing of planning applications to a competitive market. We need to make sure that we are the best that we can be if this does happen and that we would be the service of choice for all of our customers.