

Report to: Governance Select Committee

Date of meeting: 5 December 2017



Portfolio: Planning and Governance (Councillor J Philip)

Subject: Time taken from initial submission to decision on planning development proposals

Officer contact for further information: N. Richardson (01992 564110)

Democratic Services Officer: J Leither (01992 564756)

Recommendations/Decisions Required:

- (1) That the Committee note that those planning applications resubmitted following a previous application being withdrawn or refused planning permission are a very small percentage of all planning decisions made.**
- (2) The quarterly return of the three planning application type Key Performance Indicator (KPI) is accurate and in line with the KPI criteria and measures set by Dept. of Communities and Local Government.**

Introduction

1. At the last meeting in October, the Committee received a report regarding the Key Performance Indicators 2017/18 – Quarter 1, in respect of planning application turnaround times, which showed that the targets set were being achieved
2. Councillor Knapman, substituting at this meeting, asked if these statistics were accurate, as he understood more to be instances of applications getting near to the 8 week deadline, withdrawn then re-submitted a few weeks later and the 8 week deadline would start again.
3. The committee asked for a report to be brought to this meeting with further detail from Officers, as the Assistant Director of Governance (Development Management) was not present at this particular meeting.

Summary

4. Of the 1,714 planning application decisions issued over the last year, 40 have been withdrawn by the applicant and no resubmissions have been made. 56 have either been withdrawn or refused planning permission and then submitted a revised new planning application, representing just over 3% of the total, so the instances of applications getting near to the 8 week deadline, withdrawn then resubmitted are very low. The measure of performance is in accordance with guidelines for the return of statistics to the Dept. of Communities and Local Government and used for the Council's

three planning application related KPI's.

Detail

5. Submitted planning applications are registered and the "start date" of the planning application begins when all the information required by both the national and the Council's own Local List of Validation requirements are received. The Council then has 8 weeks (13 for major category applications) to make a final decision, unless an extension of time is agreed by the person submitting the planning application, which is nearly all the cases that go to the 4-week cycle area planning committee's and 8 week cycle District Development management Committee. All planning applications count towards the achieved KPI target if they are decided within the time limit or extension of time. Withdrawn applications are not included in the KPI's or the CLG quarterly returns performance.
6. The extension of time was introduced by the Government in 2010 (Article 29 of The Town and Country Planning (Development Management Procedure) (England) Order 2010) and allows a planning application determination to be extended beyond the statutory deadline so long as it is agreed by the applicant who submitted the planning application. The new date then becomes the target. Quarterly return of statistics of planning applications to the Dept. of Communities and Local Government measure performance on this basis, as does the Council's three planning application KPI's.
7. Of the 1,714 planning application decisions issued over the last year, 56 of these involved resubmission of planning applications following the first application either being refused planning permission or being withdrawn by the applicant before a decision was made. Broken down further, of these 56, 24 were refused applications (12) and then later became revised approved applications (12), 32 were withdrawn (16) and then submitted as new planning applications (16, of which 2 were refused). In addition, 40 have been withdrawn by the applicant and no resubmissions have been made. Reasons for withdrawal vary in each case.
8. However, running through all the planning applications in this time period, the grounds for refusal, some of which have been committee reversals made by members, have then been the subject of negotiation with officers and in most cases a more positive decision on a resubmission is made through a fresh planning application.
9. There is no evidence that officers deliberately try and hit the 8/13 week deadline by refusing planning permission rather than re-negotiating revisions to the planning application beyond this deadline, particularly as the extension of time is available, unless the changes required are so fundamental to that proposed, i.e. where there are objections or where an application is reported to a planning committee and members reverse the officer recommendation and refuse planning permission rather than defer and seek alterations.
10. Similarly with withdrawn applications. Agents regularly keep in touch with the officers on their own planning applications and are often keen to avoid a refusal of planning permission for their client and therefore will withdraw it, negotiate a revision with officers and resubmit. Surprisingly, there were 40 applications withdrawn where no resubmission has taken place, which could be because there is no way forward and they had not sought pre-planning application advice beforehand.
11. The instances therefore are a small percentage of the total decisions and in any case are in accordance with national and local criteria.

Recommendations

12. The Select Committee is therefore requested to note that those applications the subject of a resubmission is a small percentage of the total decided. In addition a low proportion are withdrawn and not resubmitted and so do not count towards the performance measure.
13. The quarterly return of the three planning application type Key Performance Indicator is accurate and in line with the KPI criteria and measure set by Dept. of Communities and Local Government.

Resource implications: None for this report.

Legal and Governance Implications: None for this report.

Safer, Greener and Cleaner Implications: None for this report.

Consultation undertaken: None.

Background Papers: Article 29 of The Town and Country Planning (Development Management Procedure) (England) Order 2010), DCLG guidance notes for Quarterly PS1/PS2 Return and planning records over the last year.

Impact Assessments:

Risk Management - None for this report.

Equality - No equality implications arise from this report.