



STRATEGIC PLANNING COMMITTEE

Monday, 10 October 2022

Subject	Planning Performance Report – 1 October 2020 to 20 September 2022
Report by	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

This report provides an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

Options:

None.

Recommendation/s:

That the content of the report be noted.

Corporate Impact Assessment

Governance:

Not applicable.

ESC policies and strategies that directly apply to the proposal:

Not applicable.

Environmental:

Not applicable.

Equalities and Diversity:

Not applicable.

Financial:

Not applicable.

Human Resources:

Not applicable.

ICT:

Not applicable.

Legal:

Not applicable.

Risk:

Not applicable.

External Consultees:	None
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
How does this proposal support the priorities selected? To provide information on the performance of the enforcement section			

Background and Justification for Recommendation

1 Background facts	
1.1	This report provides details on the determination timescales for all planning applications at East Suffolk Council when tested against the government set timescales as well as the East Suffolk Council stretched targets.
1.2	The Key Performance Indicators (KPIs) are reported on a quarterly basis and included within the East Suffolk Council performance report and tested against the Council's Business Plan.

2 Current position	
2.1	Section 33 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) sets out the timeframes for the determination of Planning Applications by Local Planning Authorities, setting a 13-week target for 'Major' applications and 8 weeks for 'non-Major' applications. It is these national targets that East Suffolk Council must seek to meet for the determination of all planning applications.
2.2	These 8/13 week timescales pre-date the 2015 Order and have been in place for decades. They have not been increased in length despite the increasing complexity of applications resulting from increased expectations placed upon the planning process from national legislation and planning policy, leading to increased complexity in the considerations by consultees and the Local Planning Authority in determining such applications.
2.3	This increase in complexity alongside depleting resources nationally both within Local Authorities and external parties who provide consultation responses, leads to increasing pressure and dependency on agreeing extensions of time with agents/applicants, in order for Local Planning Authorities to be able to meet national targets for the proportions of applications determined within either the 8/13 week timescales or agreed extensions of time.
2.4	The numbers of applications determined within these 8/13 week targets and/or agreed extensions of time are monitored and have to be reported to government on a quarterly basis (currently to the Department for Levelling Up, Housing and Communities), who use these figures to monitor the performance of Local Planning Authorities.

2.5	Section 62A of the Town and Country Planning Act 1990 (as amended) allows for certain applications to be made direct to the Secretary of State, where the Local Planning Authority for the area has been designated for this purpose. This 'designation' can be imposed if over a two-year period, a Local Planning Authority fails to meet thresholds for the proportion of 'Major' or 'Non-Major' Planning Applications being determined within statutory target dates (13 or 8 weeks respectively) or within an extension of time agreed with the applicant/agent.
2.6	At the time of the drafting of this report, we are approaching the end of a two-year monitoring period, which started on 1 October 2020 and will end on 30 September 2022. By the date of the Strategic Planning Committee meeting the 2-year period would have completed and a final complete set of statistics will be presented to members.
2.7	The numbers and proportions (as percentages) of 'Major', 'Minor' and 'Other' Planning applications have been reported to members quarterly within the Strategic Planning Committee Reports. During a more recent review of reported statistics, the way in which the figures for 'Others' was calculated previously and thus published in previous Strategic Planning Committee Reports, was identified as being incorrect, as those figures included some forms of 'other' applications that whilst falling within that category in terms of size and scale, are not 'Planning Applications' (e.g. Listed Building Consent, Advertisement Consent). Therefore, they are not used within the calculations used to measure performance at a national level.
2.8	For the same reasons, they should not have been included within the 'Planning Application' decision figures reported to Strategic Planning Committee. Therefore, the quarterly figures relating to 'Minors' and 'Others' for the past 2 years have been recalculated and those figures for 'Major' Planning Applications have also been checked against the data from the application database system and the figures in our quarterly returns to government. These revised figures are included in Appendix A to this report, alongside details of the previously published figures.
2.9	The national targets for the proportions of 'Major' and 'Non-Major' application determinations within the target date or within an agreed extension of time, were also amended in December 2020, but the quarterly reports to Strategic Planning Committee had continued to show the previously set targets. The tables containing the recalculated figures for each quarter within Appendix A, include the current national targets and our own 'stretch' targets.
2.10	The recalculated figures have been used to create the figures within Appendix B, which show the performance in terms of 'Majors', 'Minors' and 'Others' in terms of each quarter over the past two years.

2.11	<p>When looking at these figures the National Target for the percentage of 'Majors' determined within the 13 weeks or an agreed extension of time to be at least 60% for the two-year period. East Suffolk Council is currently at 79% as an overall percentage for the 2-year period, which is comfortably above the 60% threshold, and it has been above this threshold in all relevant quarters, as shown in the table in Appendix B and in the graph in Appendix C.</p>
2.12	<p>The other threshold relates to the combined figures for 'Minor' and 'Other' Planning Applications. It is required to be at least 70% across the two-year period. As can be seen in the table in Appendix B and in the graph in Appendix C, ESC as Local Planning Authority has dipped below this threshold in a number of quarters during the two-year measuring period. However, the important figure is the overall figure which is currently at 73.6% as we approach the end of the two-year period, which means we are on target to meet the required threshold of at least 70%.</p>
2.13	<p>It is acknowledged that it is not ideal that during the two-year period the combined figures for 'Minors' and 'Others' during some quarters were significantly below the target of at least 70% and that the overall figure is not much higher than the 70% threshold. Members of the Strategic Planning Committee have previously received reports setting out reasons and context for some periods where statistics fell below target. This has included a notable period of managerial change reductions in resource in the team. However, the capacity in resource, particularly at a Principal Officer level has been rebuilt over 2022. It should also be noted that the higher result in the most recent/current quarter is as a result of conscious efforts across all Development Management Officers to pull the final quarter figure upwards to achieve in excess of 70%. These figures have only been achieved by virtue of all the hard work and determination of both case officers and those officers who review and sign off reports and recommendations. This success is not something the team can remain complacent over and the recent extraordinary efforts may also not be sustainable without further resource or workload adjustments.</p>
2.14	<p>The recent aim of officers has been to seek to maximise the numbers being determined within time within this last quarter to pull the overall 2-year figure up and has included them securing a significant number of extensions of time, with some officers working significantly above their contracted hours, and signing off/authorising officers prioritising those cases that are due imminently. This has been at the expense of other elements of their roles, such as the quality and speed of pre-application enquiries and potentially affected the ability to seek to optimum improvement the quality of some schemes.</p>

2.15	<p>Therefore, whilst it is good that the 70% target has been achieved, it should also be recognised that the role of Development Management Officers is not only about timeliness of decisions, but they should also be able to seek to improve the quality of the world around us, by seeking to improve development proposals, beyond that which is purely on balance acceptable or not refusable. Extensions of time to the determination period are highly beneficial to meeting targets, and where they are agreed it is hoped that they also reflect a degree of customer satisfaction with the progression of decisions. However, the timeliness of decisions must not be solely relied upon as an indicator of customer satisfaction or the quality of decision making.</p>
2.16	<p>In addition to the figures the government uses to measure performance, it is also important to note that the teams within Planning Services deal with a significant number of other types of application, all of which have their own targets and processes, taking significant officer time over and above that for the 'Planning Applications'. These include but are not limited to applications for Listed Building Consent, Advertisement Consent, Prior Notification Approval, Approval of Matters Reserved by Condition (i.e. discharge of conditions), Non-material Amendments, consultations from other organisations and pre-application enquiries. The overall figures were set out in more detail within the Performance Report to Strategic Committee in June, but it is useful to note that between 1 October 2020 and 19 September 2022 when this report is being drafted the Local Planning Authority determined over 10,200 submissions in that 2-year period (including the planning applications reported quarterly).</p>
2.17	<p>Over the period 1 October 2020 to 31 August 2022, 'Trainee /Assistant Planners' within the Development Management Team determined an average of 449 submissions per officer, with the maximum number of cases being determined by one Trainee /Assistant Planning Officer being considerably higher than this figure at 701 cases. The number of cases dealt with by each officer may have been artificially skewed by staff sickness, the promotion of one officer and the departure of two others during this period. This may explain at least in part the significant difference between the average and the highest number of cases being dealt with by one officer. Alongside dealing with these cases and all that involves including site visits, consideration of the schemes, drafting reports and recommendations, referral panel meetings, planning committee, Trainee/Assistant Planning Officers also take part in our duty planning officer rota system answering informal queries for customers, and therefore these figures for number of applications should not be taken in isolation. Considering such officers are at the earliest stage of their career, and most are also studying part-time, efforts have been outstanding.</p>

2.18	<p>During the same period, 'Planners' within the Development Management Team determined an average of 477 submissions per officer, with the maximum number of cases being determined by one Planning Officer being considerably higher at 617 cases. However, it should be noted that during the monitoring period one of the assistants was promoted to an Officer so that may have affected the averaged for both groups of officers. As per the Trainees/Assistant Officers, alongside dealing with these cases and all that involves Planning Officers also defend Planning Appeals and take part in our duty planning officer rota system, and therefore these figures for number of applications should not be taken in isolation, and the efforts of these officers should be commended.</p>
2.19	<p>During the same period, 'Senior Planners' within the Development Management Team determined an average of 418 submissions per officer (including both full time and part time members of staff), with the maximum number of cases being determined by one Senior Planning Officer being significantly higher at 544 cases. However, the average may have been in part skewed by two of the seniors being part-time and by the retirement of a full-time senior officer, with her position yet to be filled. Senior Planning Officers generally have more complex cases and also have other elements to their role including review and sign off other officer's reports and recommendations, mentoring less experienced members of the team, defending planning appeals, including public enquiries and they are also involved in our duty rota system, and therefore these figures for number of applications should not be taken in isolation, these officers should be praised for dealing with this number of more complex applications alongside the other elements of their roles.</p>
2.20	<p>During the same period, 'Principal Planners' within the Major Projects Team determined an average of 121 submissions, with the maximum number of cases being determined by one Officer being only slightly higher at 126 cases. One member of this team is also involved in our duty rota system. Such officers deal with the largest developments and generally carry a smaller case load than other planning officers.</p>
2.21	<p>The Principal Officers within the Development Management Team are also case officers for some of the submissions made. However, it is difficult to calculate a realistic average for the 2-year period, as the number of officers increased this year, so any average calculated would be skewed significantly by the change from 2 to 3 principal officers three-quarters of the way through the period. It is acknowledged that their case loads are lower than those for other officers, because they have to balance these cases alongside the other elements of their role that arise from being team leaders, including mentoring, general team management, wider case discussions, discussions/meetings with other teams, monitoring of team performance and involvement other projects. Most importantly Principal Planners undertake the daily task of reviewing and signing off other officer's reports and recommendations for delegated decisions, the referral panel and planning committees etc. The majority of the 10,200+ applications over the past 2 years have been signed off by Principal Planners and Senior Planners.</p>

2.22	It is also important to recognise that these two-year performance figures for Planning Applications and the overall numbers of cases determined, whilst useful, do not show the quality of decisions being made and/or improvements officers have worked hard to secure in order to improve developments. Whilst there is no quantitatively means to measure the latter of these, the quality of decisions can be in part be assessed by the outcomes of appeals against the decisions of the Local Planning Authority to the Planning Inspectorate. There is a separate report on this schedule which details the Planning Appeal outcomes for this past quarter.
2.23	Therefore, as explained above, the team has met the government overall targets for the determination timeframes for applications, but there is a limited buffer between the target threshold and the figures achieved for the two-year period, and this has in part only been achieved by the diligence and exhaustive efforts of various members of the Development Management Team during recent quarters.
2.24	Therefore, officers and members should not be complacent in thinking this approach is sustainable in the longer term with the current status quo of resources. However, it should also be recognised that processes are already in motion to fill the vacant senior officer post, and wider consideration is also being given to how we organise teams within the Development Management Team. Alongside this other external lead processes are expected to enable officers to work more efficiently. These include the introduction of a new Document Management System (DMS), a new Geographical Information System and tablets with an app that links to the database and the new DMS for use during site visits.

3 How to address current situation

3.1	Quarterly monitoring.
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4 Reason/s for recommendation

4.1	That the report concerning the performance of the Development Management Team in terms of the speed of determining planning applications is noted.
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Appendices

Appendices:	
Appendix A	The recalculated figures for each quarter from 1 October 2020 to 19 September 2022
Appendix B	Table showing the performance of East Suffolk during each quarter from 1 October 2020 to 19 September 2022, and predicted levels for the 2-year period.
Appendix C	The figures for each quarter from 1 October 2020 to 19 September 2022 shown in graph form

Background reference papers:

None.