



STRATEGIC PLANNING COMMITTEE

Monday, 06 March 2023

Subject	Planning Performance Report – July to September 2023
Cabinet Member	Councillor Kay Yule 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
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Wards Affected:	All Wards
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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: <i>(Select only one primary and as many secondary as appropriate)</i>		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	East Suffolk Council as Local Planning Authority determines applications that seek Planning Permission, Listed Building Consent, Advertisement Consent and Tree Works applications along with associated applications such as those seeking approval of matters reserved by conditions on consents.
2.2	This report focuses on the applications for Planning Permission (those seeking Approval of Reserved Matters, Change of Use, Full Planning Permission, Outline Planning Permission, Removal of Condition(s) and Variations of Condition(s)). There are herein referred to as Planning Applications.
2.3	<p>The figures referred to in this report are referred to as those for 'Major' applications and 'Non-major' applications. 'Major' development is defined in the National Planning Policy Framework (NPPF) as:</p> <p><i>"Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015."</i></p>
2.4	'Non-Major' development/applications are proposals for planning permission which fall outside the above definition for 'Major'.

2.5 The previous Strategic Planning Committee took place on Monday 2 October 2023, after the end of the last quarter and the closure of a two-year monitoring period for quarterly returns to government. Therefore, the presentation to members at that meeting included provisional figures for the quarter that closed on Saturday 30 September 2023. This report provides the full data for that quarter.

	Quarter (July-Sept 2023)	Percentage	Targets
Major Development	9/11	82%	60% national 65% stretched
Minor Development	98/137	71.5%	n/a - national 75% stretched
Other Development	278/349	79.66%	n/a - national 90% stretched
Minor and Other Development Combined figures	376/486	77.37%	70% national n/a - stretched

2.6 As set out in the table above, during this quarter the team determined 82% of 'Majors' either within 13 weeks or an agreed extension of time. This is significantly above the national target of 60% and our own stretch target of 65%.

2.7 During this period the team has also met our own stretch target for the determination of 'Minor' Applications, achieving 71.5% determined either within 8 weeks or an agreed extension of time. The stretch target is 75%.

2.8 Unfortunately, the stretch target for the determination of 'other' applications either within 8 weeks or an agreed extension of time has not been met, with the team achieving 77.66% rather than the stretch target of 90%.

2.9 However, the combined figures for 'Minors' and 'Others' for this period is 77.37% so it exceeds the government target of 70%. The hard work and efforts of the team to achieve this during that quarter should be recognised.

2.10 As referred to in paragraph 2.3 above, the 2-year monitoring period for government returns expired with the end of the last quarter on 30 September 2023. The figures for each quarter during this period are set out in Appendix A to this report.

2.11 ESC met the required Government Targets for the proportion of both 'Major' and 'non-major' planning applications determined either within the statutory 13-week or 8-week targets set by Government or within extensions of time agreed with agents and/or applicants.

2.12	Over the two-year monitoring period (1 October 2021 to 30 September 2023) ESC achieved 89% of 'Major' applications within 13 weeks or within agreed extensions of time. This is well above the 60% target set by Government. Therefore, the efforts of those in the Development Management and Major Projects teams should be applauded.
2.13	During the two-year monitoring period (1 October 2021 to 30 September 2023) ESC achieved 73.89% of 'Non-Major' Planning applications being determined within 8 weeks or within agreed extensions of time. This is above the 70% target set by Government and was achieved through lots of hard work from the team to improve and maintain performance. As set out in Appendix 1, the first three quarters of the two year period (1 October 2021 to 30 June 2022) fell below the 70% target, at 58%, 65% and 69% respectively and therefore the team had to main significant efforts to achieve well above the 70% in many quarters in order to pull the overall 2 year figure up. Therefore, the efforts of the Development Management Team during the five quarters that followed (1 July 2022 to 30 September 2023) should be recognised and commended.
2.14	Whilst the meeting for which this report is being drafted will take place after the next quarter (January to April) has started, this report is being drafted in early December, so the figures available for the current quarter are only for a little over two-thirds of the period (1 October to 31 December 2023). Therefore, this quarters figures will be reported to the following meeting in April 2024.
2.15	<p><u>Recent changes to Fees</u></p> <p>On 6 December 2023, The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023 (legislation.gov.uk) came into force.</p>
2.16	The fee increases vary between application and development types, but as a general rule 'Major' applications increased by 35% and those for all other types of applications by 25%. Additional thresholds based upon floorspace, site area and number of dwellings were also introduced in some categories. A translation of the above Regulations into an easier to read format has been added to Planning and Building Control Fees and Charges .
2.17	These regulations also amended the Town and Country Planning Development Management Procedure Order 2015 (as amended), to introduce a 16 week planning guarantee. This means where a planning application takes longer than the statutory time periods (i.e. 13 weeks for Major and 8 Weeks for non-major) and an extension of time has not been agreed with the applicant, the Planning Guarantee applies.
2.18	This means that if a Major application is not decided within 26 weeks or a non-major within 16 weeks, and where no extension of time has been agreed, or appeal against non-determination been submitted, then the fee paid by the applicant will be refunded to them.

2.19	National Planning Policy Guidance is clear that applicants should not attempt to delay a decision on their application simply to obtain a fee refund and that a Local Planning Authority will be justified in refusing permission when an applicant causes deliberate delay and has been unwilling to agree an extension of time (see Determining a planning application - GOV.UK (www.gov.uk)).
2.20	<u>Local Validation List</u> Following the presentation to Strategic Planning Committee in July 2023, a draft version of the Local Validation List has now gone out to consultation. The consultation period will run until Friday 2 nd February 2024 and it can be accessed via Local Validation List - East Suffolk Council, Strategic Planning Consultations (inconsult.uk) .
2.21	Those specifically notified of the consultation include all Statutory Consultees, other regular consultees, Town and Parish Council Clerks, ESC Ward Members and those agents/developers who have signed up to our Developers Forum Mailing List.
2.22	Once the consultation period has expired, the comments received will be reviewed and any amendments required to the document will be made before it is then presented to the Strategic Planning Committee for review and adoption (aim is for the meeting in April 2024).
2.23	The Local Validation List is intended to be published in an easier to navigate web style format with hyperlinks between the pages and to sources of future information, including guidance related to specific application types and forms of development proposal. Many of the proposed hyperlinks are indicated by the comments boxes included in the draft document.
2.24	Once adopted the Local Validation List will give the Local Planning Authority a stronger position to insist upon the information/documents/drawings we need up front prior to validating planning applications, and reduce the number of situations where we have to ask for the missing/additional required information part way through an application, which often occurs at present and can lead to significant delays in the determination of applications because of the time delays in waiting for the additional documents to be produced/submitted and then having to consult upon those documents.
2.25	Having the required information up front should also reduce the need to impose as many conditions that require the submission of information prior to commencement or certain works taking place and therefore assist in speeding up the process between consent being issued and works commencing on site.

3 How to address current situation

3.1	Quarterly monitoring
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4	Reason/s for recommendation
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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:	
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Appendix A	A table and graphs setting out the quarters for the 2 year monitoring period 1 October 2021 – 30 September 2023.
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Background reference papers:	
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