

Report to Planning Committee 13 March 2025

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Report Summary	
<b>Report Title</b>	Development Management Performance Report
<b>Purpose of Report</b>	This report relates to the performance of the Planning Development Business Unit over the three-month period October to December 2024 (Quarter 3).
<b>Recommendations</b>	For noting.

## 1.0 Background

1.1 The Planning Department undertakes a range of activities including the processing of planning applications and associated appeals, planning enforcement, conservation and listed building advice, tree applications, pre-application advice as well as other service areas including land charges, street naming and numbering and management of the building control service for the Council. This report relates to the planning related functions of the service area.

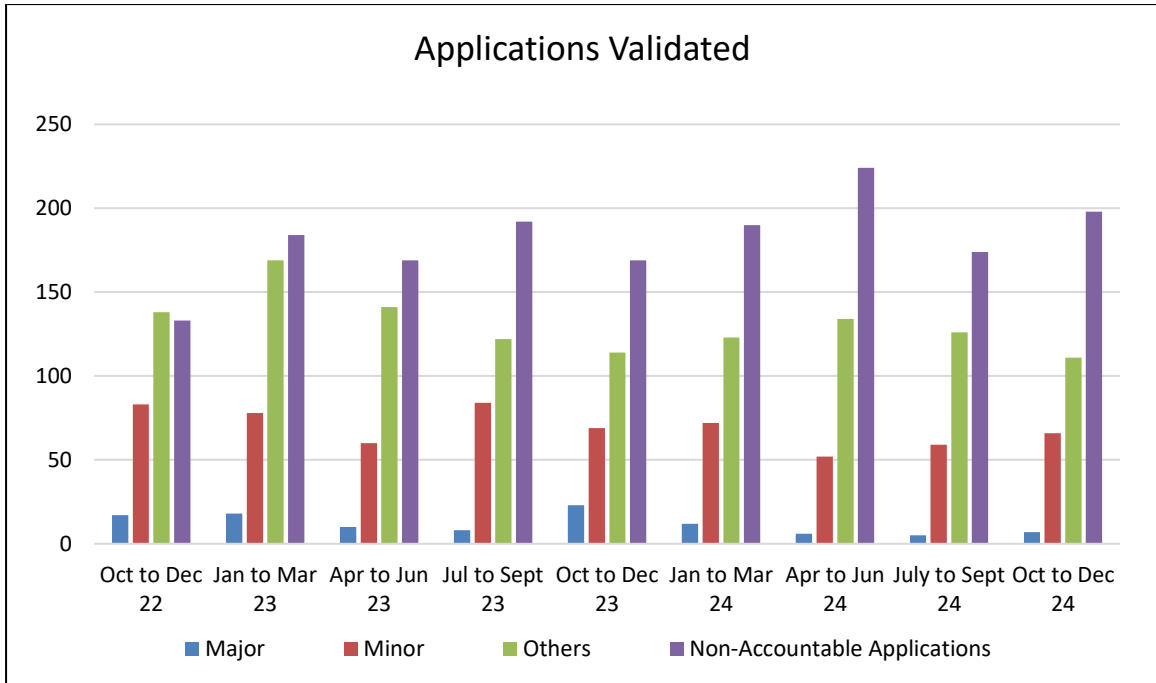
## 2.0 Performance

2.1 The table and graph below show the number of applications that have been received as valid each quarter from October 2022 up until December 2024. They are presented in line with the Council's reporting to Government.

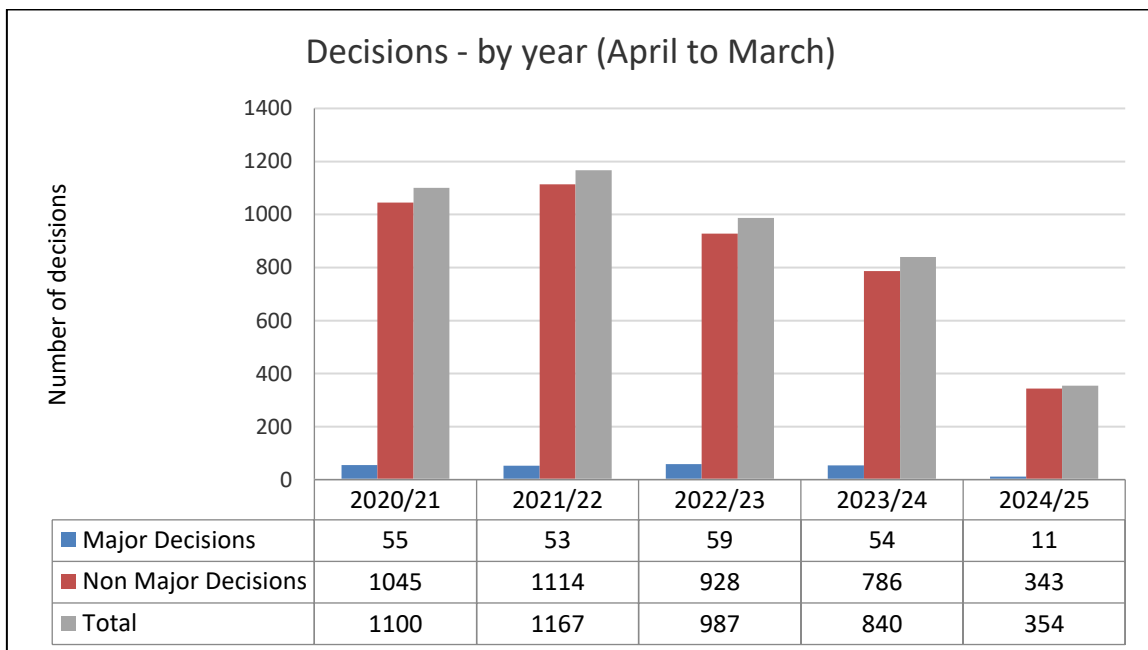
Category	Oct to Dec 22	Jan to Mar 23	Apr to Jun 23	Jul to Sept 23	Oct to Dec 23	Jan to Mar 24	Apr to Jun 24	July to Sept 24	Oct to Dec 24
Major	17	18	10	8	23	12	6	5	7
Minor	83	78	60	84	69	72	52	59	66
Others	138	169	141	192	114	173	134	174	111
All other*	324	355	342	369	352	399	402	390	407
<b>Total</b>	<b>562</b>	<b>620</b>	<b>553</b>	<b>583</b>	<b>558</b>	<b>606</b>	<b>594</b>	<b>580</b>	<b>591</b>

*\*Includes: Non – accountable applications, applications/S211 notices regarding protected trees and trees in a conservation area and Pre-application advice*

2.2 In the quarter October to December 2024, a total of 591 applications were validated. When comparing season trends, this quarter represents between 5% and 6% increase compared to the same periods in 2022 and 2023. Furthermore, reversing the trends from previous years in that the service experienced an increase in numbers. In the final quarter of 2023/24, a total of 610 applications were validated. It is important to note, Major category applications however continue to be low.



2.3 Potential factors for the reduction in majors could relate to the impact of Biodiversity Net Gain requirements. There has also been a change in government and a raft of policy announcements. However, there are signs of major development picking up again. Combining potential planning reform next year and likely fee increases, there is reason to be optimistic about planning income over the next 6-12 months.



2.4 Assessing local planning authorities' performance was introduced in the Growth and Infrastructure Act 2013. Planning performance is considered annually based on a defined previous 24-month assessment period that separately measures the speed and quality of decision-making. Speed of decision-making is measured by the proportion of applications that are decided within the statutory determination period (8 weeks for non-major applications or 13 weeks for major applications), or an agreed extended period of time. The authority needs to achieve 60% for majors and 70% for non-majors. Quality of decision-making is measured by the proportion of total decisions, or non-determinations, that are allowed at appeal. Quality is set at 10% (this being the threshold for appeal overturns).

2.5 For authorities who under-perform against their national target, they will be classed as 'poorly performing' and applications for major development may be made by developers directly to the Planning Inspectorate. The Council would not receive the fees for these but would be expected to deal with all the associated administration.

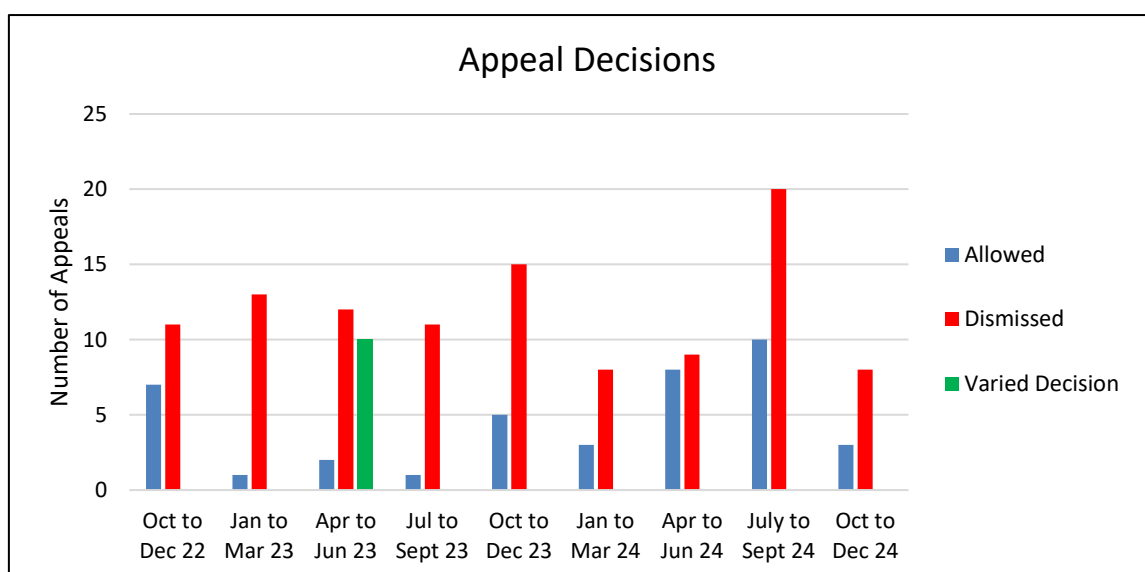
Year	Q1 Apr to Jun	Q2 Jul to Sept	Q3 Oct to Dec	Q4 Jan to Mar
Majors – target 60% in 13 weeks				
2024/25	100%	86%	91%	
2023/24	100%	93%	85%	92%
Minors – target 65% in 8 weeks				
2024/25	95%	87%	95%	
2023/24	94%	89%	92%	97%
Others – target 80% in 8 weeks				
2024/25	95%	97%	91%	
2023/24	94%	96%	86%	92%

2.6 Performance at NSDC remains positive, with majors determined beyond the national threshold in in all quarters in 2024/25 monitoring period. Minors and all Others also surpass the national target. This performance should also be understood in the context of staffing changes.

2.7 There is a right of appeal against most local authority decisions on planning permission and other planning decisions, such as advertisement consent, listed building consent, prior approval of permitted development rights, and enforcement notices. The table and graph below highlight the number of appeals and whether or not they were allowed or dismissed. In general, appeals are determined on the same basis as the original application. The decision will be made taking into account national and local policies, and the broader circumstances in place at the time of the decision.

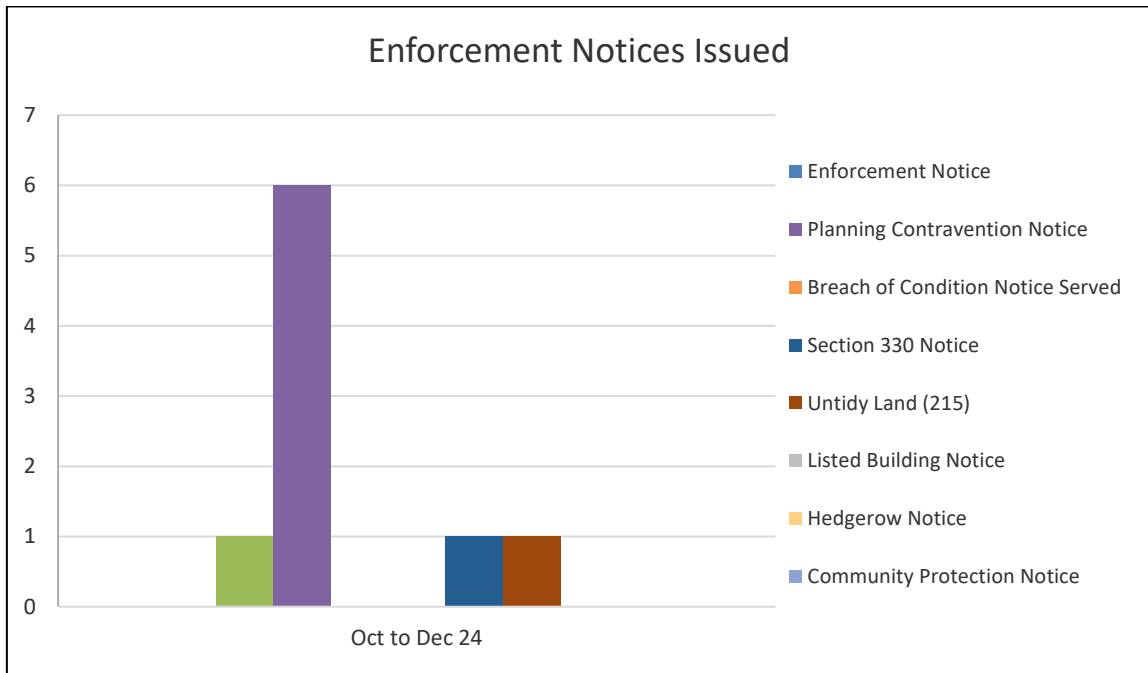
Appeal Decision	Oct to Dec 23	Jan to Mar 24	Apr to Jun 24	July to Sept 24	Oct to Dec 24
Allowed	5	3	8	10	3
Dismissed	15	8	9	20	8
Total determined	20	11	17	30	11
LPA success rate	75%	73%	53%	67%	73%

2.8 The appeal will be determined as if the application for permission had been made to the Secretary of State in the first instance. This means that the Inspector (or the Secretary of State) will come to their own view on the merits of the application. The Inspector will consider the weight to be given to the relevant planning considerations and come to a decision to allow or refuse the appeal. As Inspectors are making the decision as if for the first time, they may refuse the permission on different grounds to the local planning authority. Where an appeal is made against the grant of permission with conditions, the Inspector will make a decision in regard to both the granting of the permission and the imposition of conditions.

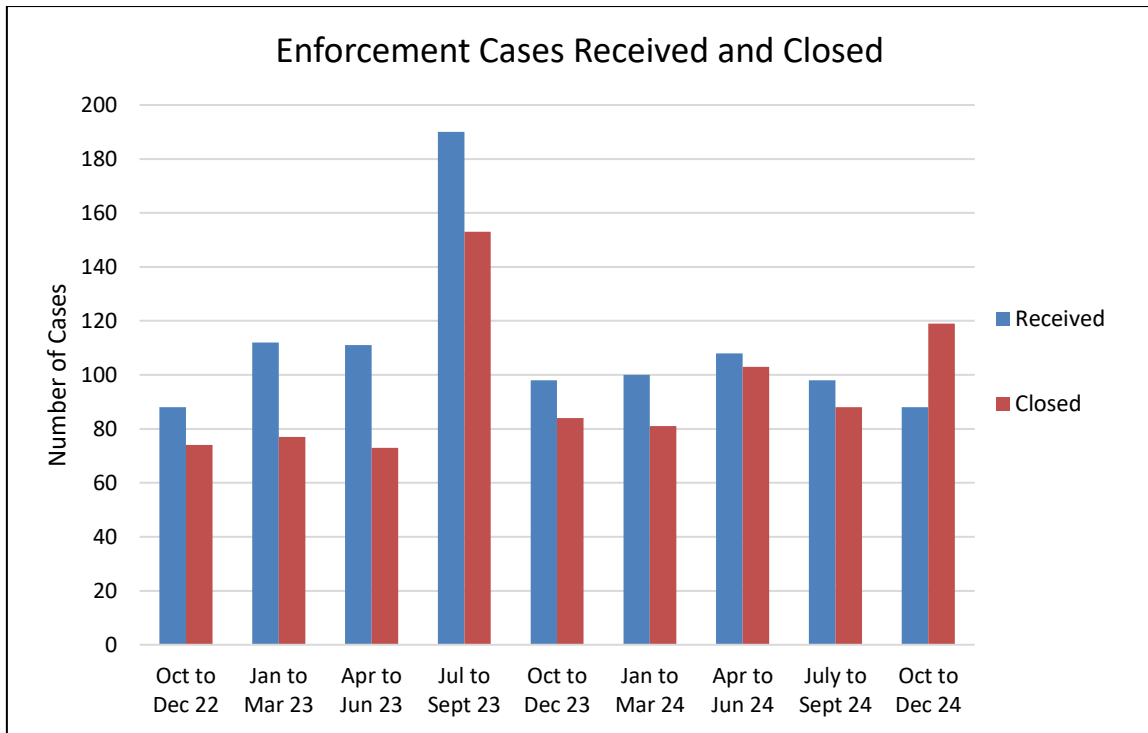


2.9 As discussed in the previous performance report, quarter 1 saw a drop-in success rate which was an outlier. This rose in quarter 2 and again in quarter 3.

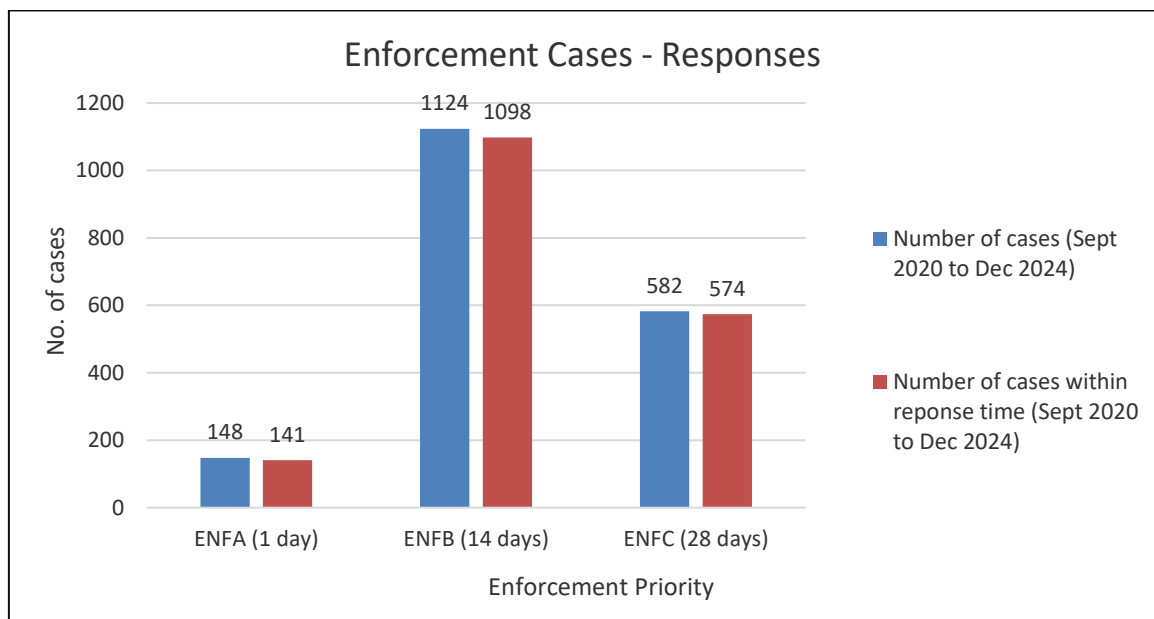
2.10 During the third quarter of this year, Enforcement have served 9 Notices, bringing to total those served since April 2024 to 41, slightly less than the corresponding period during 2023/24.



2.11 The graph below shows the relationship between cases raised and cases closed.



2.12 The speed of investigation is defined by the enforcement protocol. The graph below correlates the categories with their response times.



2.13 Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the 6-week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to make an Order on the tree. Below is the Council's performance on s211 Notices (TWCA) over the last 12 months.

TWCA Total Applications	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Total Applications	32	20	39	30	27	33	23	36	32	44	53	37	37
Determined within 6 Weeks	31	19	39	29	26	30	22	30	31	42	53	36	37

2.14 When determining applications for consent under a Tree Preservation Order, the authority may: grant consent unconditionally; grant consent subject to such conditions as it thinks fit; refuse consent. The authority must decide the application before it, so it should not issue a decision which substantively alters the work applied for. The authority could, however, grant consent for less work than that applied for. The authority should make absolutely clear in its decision notice what is being authorised. This is particularly important where the authority grants consent for some of the operations in an application and refuses consent for others. The Council's performance on TPO applications is set out below.

TPO Total Applications	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Total Applications	5	2	11	3	5	4	3	6	10	7	9	5	11
Determined within 8 Weeks (or EOT)	4	2	11	3	5	3	3	4	6	4	8	5	10

- 2.15 It can be seen that there was a drop in performance during May to September, but this has picked up again in quarter 3 due to the hard work of tech support officers.
- 2.16 Other notable areas of work include ongoing measuring of our address data across the district against the 2024/25 Address Improvement Schedule – this, like all other Local Authorities in England is measured must adhere to the ‘The Data Entry Conventions’ (DEC), a rulebook for the creation and maintenance of consistent local address data creation. Overall, the level achieved across all criteria of the schedule is Gold – this continues the excellent level as per previous months.
- 2.17 From the start of the 2024-2025 financial year, HM Land Registry have been, for local authorities who have migrated their local land charges register, issuing them with their Local Land Charges performance metrics over the past quarter. These reports cover everything from number of late charges added, to the number of searches conducted on our dataset. Furthermore, it breaks them down into sub-percentages, before giving the LA an overall score and a colour grading, i.e. gold, silver, bronze, special measures (red). The lower the percentage, the better the score. Unfortunately, due to timings of reporting, we can only report on the previous quarter (for example, on this occasion, Q2 2024/24 and not Q3 2024/25).

Overall, we achieved gold grading, continuing the excellent work from previous Q1 2024/25 (ranked 23 out of 101 migrated LA’s).

### **3.0 Implications**

- 3.1 In writing this report and in putting forward recommendation’s officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **4.0 Conclusions**

- 4.1 Performance has continued to be met and exceeded, despite challenges within and without the organisation.