

**Managing Planning Performance and the Designation Regime for Local
Planning Authorities**
Report by Head of Planning

Summary: This report outlines the Government's intentions around the designation of Local Planning Authorities as poor performers and informs Members of the forthcoming assessment.

Recommendation: That the report be noted.

1 Background

- 1.1 Successive Governments have long sought to improve the speed of the planning process, with targets set centrally for the speed of determination of planning applications. In the late 1990 and 2000's there were financial incentives in the form of Planning Delivery Grant (PDG) paid to those Local Planning Authorities (LPAs) which met the targets, but since 2007 the emphasis has been more about identification of the persistent poor performers, their designation as under-performers and then intervention.
- 1.2 The Government now proposes to increase the targets. A report has been published setting this out and which can be found with an accompanying memorandum at <https://www.gov.uk/government/publications/improving-planning-performance-criteria-for-designation>.

2 The Current Designation Criteria and Performance

- 2.1 The existing approach to measuring performance was introduced by the Growth and Infrastructure Act 2013 and is based on assessing LPAs performance on the speed and quality of their decisions on applications for major development; no account is taken of performance on minor and other application types. Where an LPA is designated as underperforming, applicants have had the option of submitting their applications for major development (and connected applications) directly to the Planning Inspectorate for determination.
- 2.2 The current statutory targets against which speed of determination is measured require a LPA to determine 60% of major applications within 13 weeks or within a timescale agreed in a Planning Performance Agreement (PPA) or within another timescale agreed in writing with the applicant. The assessment is made over a rolling 24 months period, updated quarterly. LPAs achieving a determination of 50% or under are at risk of being designated as under-performing.

- 2.3 The Department for Communities and Local Government (CLG) advise that the latest data shows that performance on applications for major development has improved and for the quarter April - June 2016, 83 per cent of major applications were decided on time compared with 57 per cent in July to September 2012. It is noted that this has been achieved despite the fact that nationally the number of major applications has increased during the period and there has been a reduction in spending on planning and development services by local authorities.
- 2.4 The Broads Authority achieved 83.3% over the most recent monitoring period, which rates at position 154 out of 339 District LPAs measured. This places it just above the national average.
- 2.5 The performance benchmarked against other Norfolk LPAs (plus Waveney District Council) is set out below.

LPA name	Performance as %	Rating
South Norfolk Council	96.4	24
Norwich City Council	94.4	42
Borough Council of Great Yarmouth	91.3	70
Borough Council of Kings Lynn and West Norfolk	84.3	142
Broadland District Council	83.8	149
Broads Authority	83.3	156
North Norfolk District Council	82.5	164
Breckland Council	76.8	226
Waveney District Council	67.2	289

- 2.6 The performance benchmarked against the National Parks is set out below:

NPA name	Performance as %	Rating
Yorkshire Dales	100	5
Exmoor	100	6
Peak District	100	9
New Forest	90.9	76
Dartmoor	84.6	141
Northumberland	83.3	154
Broads Authority	83.3	156
Lake District	76.4	230
South Downs	64.0	305
North Yorkshire Moors	63.6	307

- 2.7 It should be noted that this is a very simplistic way to measure performance, which takes no account of the number or complexity of applications. It is, however, the way it is calculated and is the basis for designation.

- 2.8 The current statutory targets against which quality of decisions is measured evaluate the LPAs success rate at appeal and consider the number of appeals which are allowed (ie where the Inspector finds against the LPA) against the number of overall decisions made. Again, this looks at major applications only, has a rolling two year assessment period and the target is for overturned appeals to constitute no more than 10% of overall decision made.
- 2.9 The most recent date is for the two years ending December 2014. The Broads Authority's rate of appeals allowed was 4.5% of major decisions, which comprised 1 allowed appeal out of 1 appeal determined and out of 22 major applications determined in that period. This rates at position 269 out of 337 District LPAs measured.
- 2.10 The performance benchmarked against other Norfolk LPAs (plus Waveney District Council) is set out below.

LPA name	Performance as %	Rating
South Norfolk Council	0.0	74
Borough Council of Great Yarmouth	0.0	40
Norwich City Council	1.1	119
Breckland Council	2.5	196
North Norfolk District Council	3.6	237
Broads Authority	4.5	269
Broadland District Council	4.7	273
Borough Council of Kings Lynn and West Norfolk	5.6	288
Waveney District Council	5.9	290

- 2.11 The performance benchmarked against the National Parks is set out below:

NPA name	Performance as %	Rating
Dartmoor	0.0	29
Exmoor	0.0	35
North Yorkshire Moors	0.0	56
Northumberland	0.0	57
Peak District	0.0	59
Yorkshire Dales	0.0	90
Broads Authority	4.5	269
New Forest	4.8	276
Lake District	6.1	298
South Downs	-	-

- 2.12 It should be noted that this is a very simplistic way to measure quality of decision, as it takes no account of the number or complexity of appeals. It is, however, the way it is calculated and is the basis for designation.

3 The Amended Designation Criteria

3.1 From 2017 the designation criteria will be changed and extended. The performance of an LPA will be assessed on the basis of speed and quality of decisions, and it will be extended to cover both major and non-major applications. As currently, the speed with which applications are dealt with will be measured by the proportion of applications that are dealt with within the statutory time or an agreed extended period, whilst the quality of the decisions will be measured by the proportion of decisions on applications that are subsequently overturned at appeal. There will therefore be four separate assessments:

- The speed of determining applications for major development;
- The speed of determining applications for non-major development;
- The quality of decisions made by the authority on applications for major development;
- The quality of decisions made by the authority on applications for non-major development.

3.2 It should be noted that the assessments are separate, as are the designations, meaning that an LPA could be designated on the basis of its performance in determining applications for major development, applications for non-major development, or both. The assessment for each of these two categories of development will be against two separate measures of performance – speed and quality.

3.3 In order to promote continuing improvement, it is proposed that the targets will increase in 2017 and then again in 2018. This is summarised in the following table:

	2017 Threshold and assessment period	2018 Threshold and assessment period
Speed of major Development	50% (October 2014 to September 2016)	60% (October 2015 to September 2017)
Speed of non-major Development	65% (October 2014 to September 2016)	70% (October 2015 to September 2017)
Quality of major Development	N/A – we are not assessing quality in this designation round	10% (April 2015 to March 2017)
Quality of non-major Development	N/A – we are not assessing quality in this designation round	10% (April 2015 to March 2017)

3.4 Where an LPA is designated, applicants may apply directly to the Planning Inspectorate for the category of applications (major, non-major or both) for which the LPA has been designated, although there are exceptions. Householder applications and retrospective applications will not be able to be

submitted to the Planning Inspectorate as CLG considers these applications to be best dealt with locally. To address the under-performance issue, however, soon after a designation is made the LPA will be expected to prepare an action plan addressing areas of weakness that it identifies as having contributed to its under-performance. Where necessary, this action plan will have to directly address weaknesses in the processing of householder applications, providing the appropriate protection to applicants and the best access to a timely decision.

- 3.5 The Secretary of State will aim to decide whether any designations should be made in the first quarter of each calendar year, following an assessment of the performance.

4 Commentary and Summary

- 4.1 There is increasingly a clear focus on the role of the planning system in supporting growth and prosperity and the Government is seeking to remove any impediment to this. The actions in respect of poorly performing LPAs are consistent with this.
- 4.2 The performance of the Broads Authority as an LPA is reported to the Planning Committee quarterly, so members will be aware that the statutory targets are consistently met. This will continue to be reported quarterly so members can monitor performance.

5 Recommendation

- 5.1 That the report be noted

Background papers: None

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Appendices: None