

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 4 DECEMBER 2023
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

JULY-SEPTEMBER 2023

(All wards)

1 Introduction

1.1 This report relates to the performance of the Development Management Service over the last quarter, July to September 2023. This report was originally scheduled for the October committee, but that meeting was cancelled.

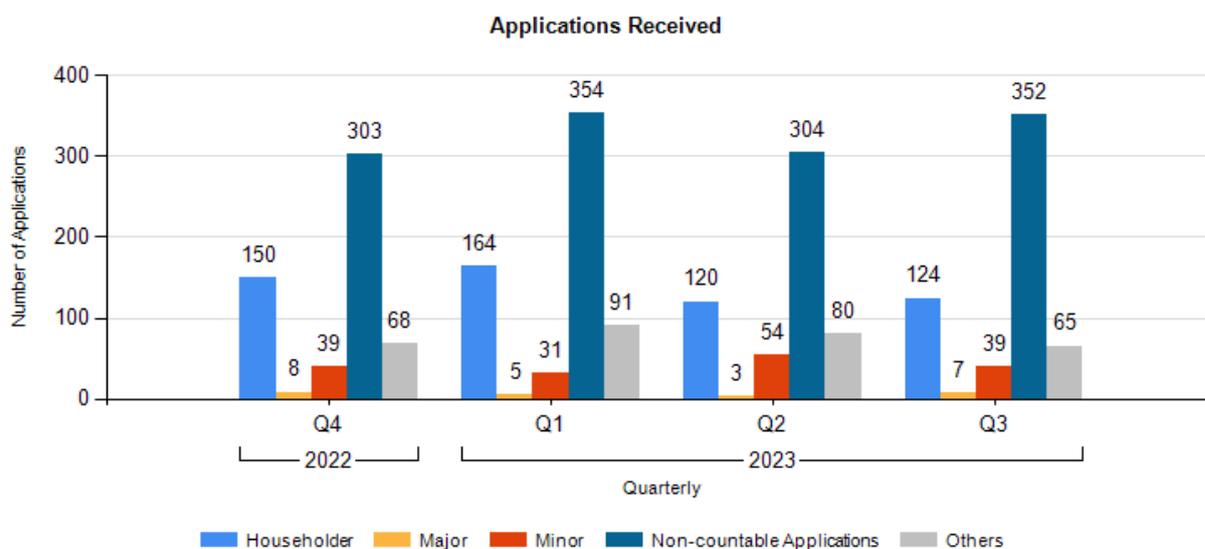
1.2 Members should note that, whilst this quarter is traditionally considered to be quarter 2 of the financial year, the planning department software considers it to be quarter 3 as with the calendar year. Therefore Members will see that some of the graphs reflect both of these approaches.

2 Recommendation

2.1 That Members note the content of this report.

3 Application Numbers

The graph below shows the number of applications that have been received during 2022/2023 (the last four quarters).



Major applications are those with 10 or more dwellings, sites of 1 hectare or more, or provision of 1,000m² new floor area or more.

Minor applications include (but are not limited to) up to 9 dwellings, gypsy and traveller sites and commercial proposals not falling within the major category.

Others include (but are not limited to) householder, advertisements and listed building applications.

The 'non countable' category are those applications which are not reported to the Department for Communities and Local Government (DCLG). Such applications include, but are not limited to: prior approvals, discharge of conditions, etc.

- 3.1 From the graph above, it can be seen that Non-countable and Householders remain the greatest number submitted. Officer workloads have decreased very slightly, in respect of minor and other applications over the last quarter but overall workloads continue to remain high.

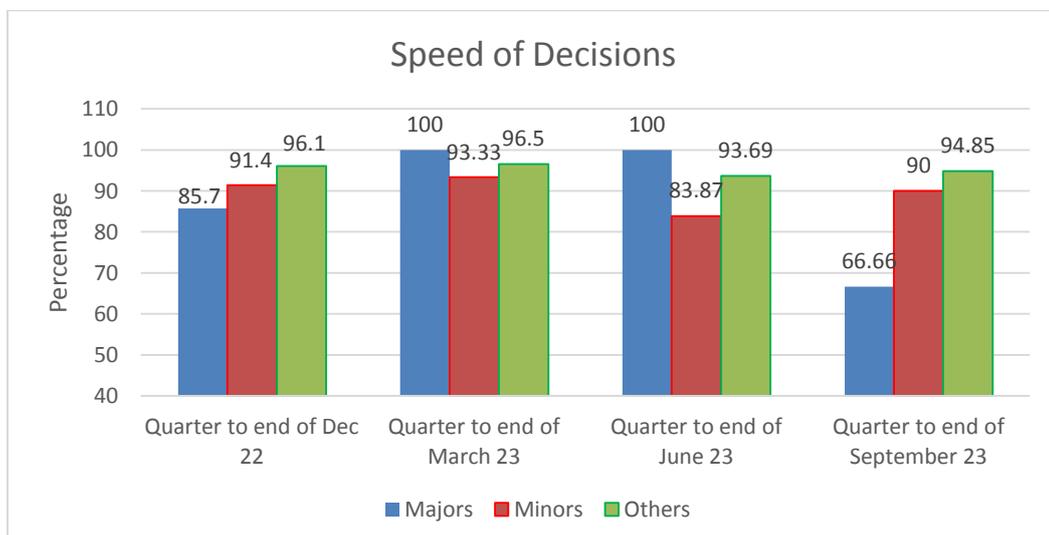
4 **Performance**

Applications

- 4.1 The Government (MHCLG) monitors planning authorities on their speed of making decisions in relation to major and non-major applications.
- 4.2 Where planning authorities under-perform against the government target, they can be classed as 'poorly performing' and applications for major development may be made by developers directly to the Planning Inspectorate should the target be missed. In such cases the Council would not receive the fees for these applications but would be expected to deal with all of the associated administration.
- 4.3 The following graph relates to the percentage of planning applications determined within set timescales. The targets are as follows:

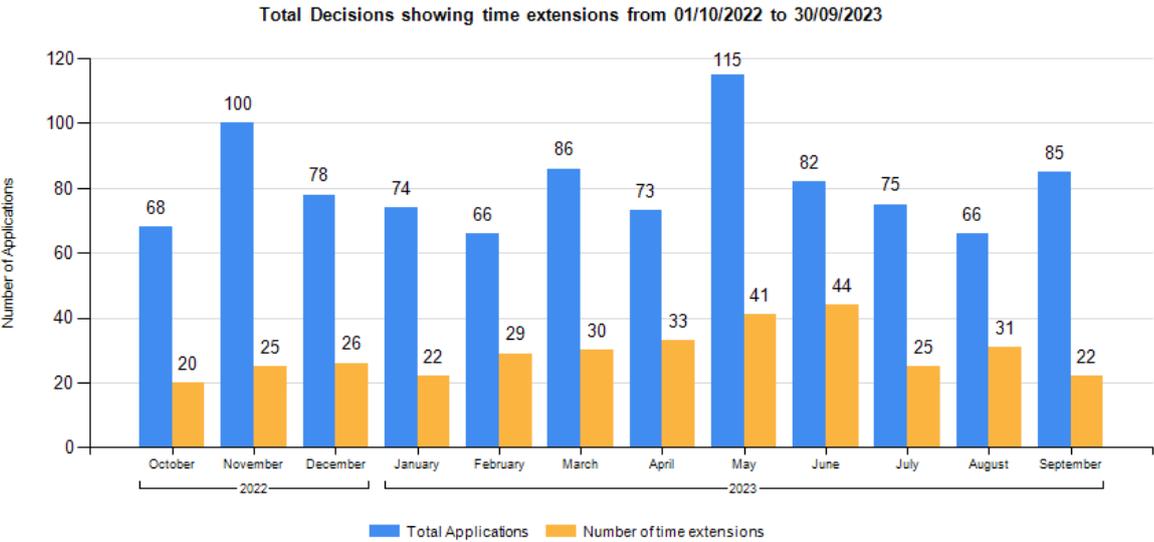
Determine 60% of major applications in 13 weeks

Determine 70% of minor and other applications in 8 weeks



4.4 Major performance has dipped to 66.66% - this is a reflection of 1 out of 3 applications being out of time in this period. The application in question was for a variation of a previously major application at Hertfordshire Constabulary HQ, for which an extension of time was not agreed. Performance for others and minors have remained above target. Decisions continue to be made above the statutory national targets.

4.5 Generally speaking, these targets continue to be achieved due to seeking time extensions for dealing with the applications beyond their statutory time period from applicants. Time extensions can be sought for a variety of reasons but include seeking negotiations, complex and/or controversial proposals and items presented to Committee. Time extensions do not count against the authority in terms of speed of decision making when reporting to the government. The graph below shows the total number of applications determined each month in blue and alongside this in yellow are the number of applications where time extensions have been sought on those determined. Seeking time extensions means that case officer workloads overall increase which makes dealing with newer applications on time more challenging. Over the longer term, between 30-39% of all applications determined are subject to a time extension.



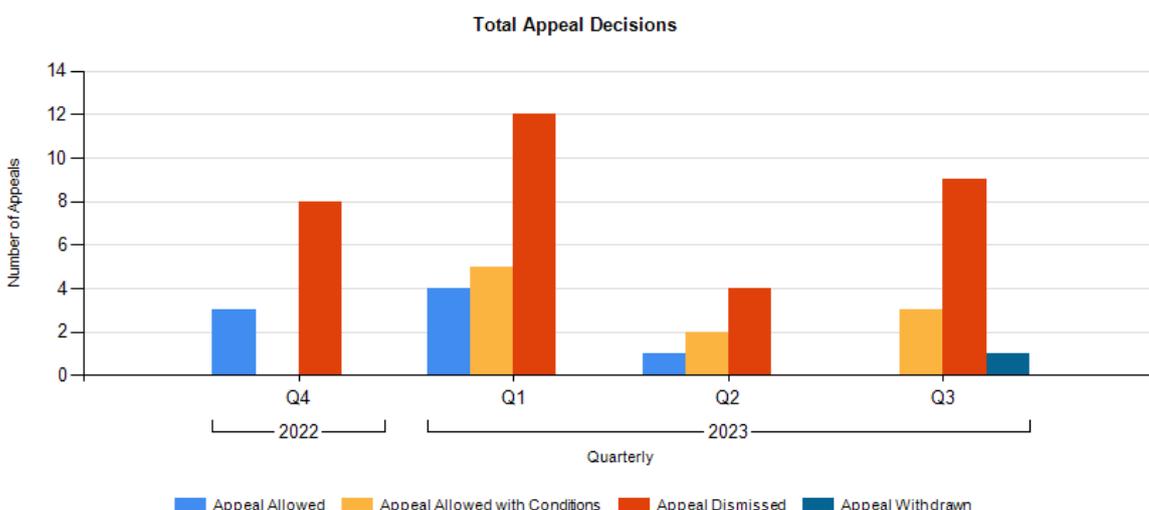
Appeals

4.6 The chart below shows the number of planning and enforcement appeals that have been allowed, allowed with conditions, dismissed, split decisions (part allowed and part refused) and withdrawn at appeal. In the last quarter there has been 13 appeal decisions. Of these, 9 were dismissed, 3 allowed with conditions and 1 withdrawn. As has been noted previously, over the longer term, there continues to be a trend towards appeals being allowed or allowed with conditions by the Planning Inspectorate. It should be noted that, with the relatively small number of decisions received, the figures are particularly sensitive to minor changes.

4.7 As well as the Government monitoring authorities in relation to performance for determining applications, it also monitors quality in relation to the number of major and non-major applications overturned (i.e. allowed) at appeal. The threshold is for fewer than 10% of major applications overturned at appeal over a

rolling two-year period. For authorities who exceed this target, they will be classed as 'poorly performing' and applications for major developments may be made by developers directly to the Planning Inspectorate.

- 4.8 Planning appeals can be costly to administer in terms of officer time and expert advice. A straightforward householder appeal may take approximately 5 hours of officer time to register and respond to, assuming that it follows a written representations procedure.
- 4.9 As well as the cost of administration, the Council must have regard to the potential to have costs awarded against it, should it be found that the decision, or the Council's behaviour was unreasonable, such cases are reported to the Development Management Committee.

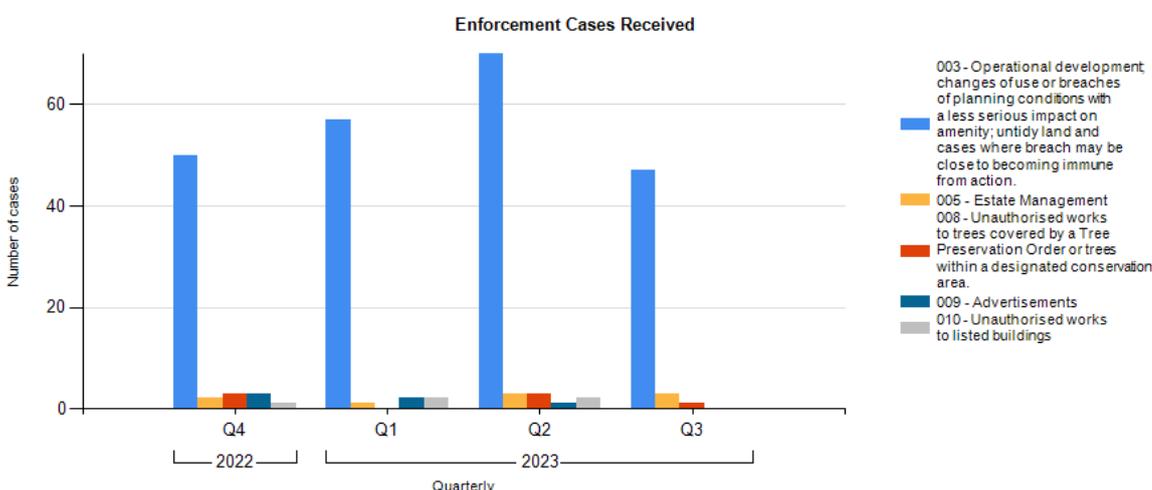


5 Enforcement

Number of cases received

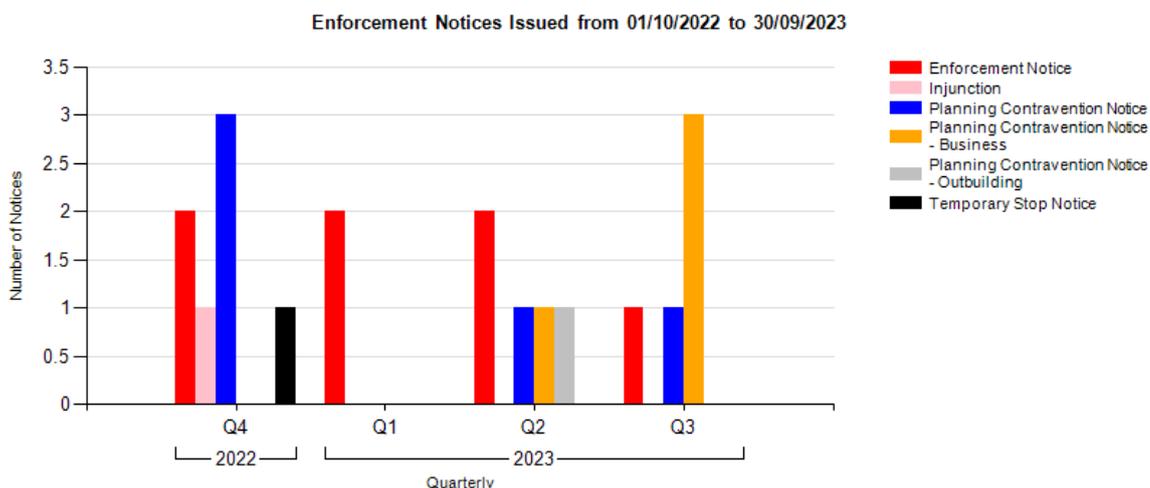
- 5.1 Enforcement continues to be busy with a continued high number of new cases being registered in the last quarter.

As with previous quarters, a lot of cases reported are those considered as having a less serious impact upon amenity, shown in blue and yellow.



Notices Issued

- 5.2 The chart below shows the number of notices issued. The issuing of an enforcement notice is the last resort for the Council. Government guidance requires local planning authorities to try to negotiate with a contravener to find alternative means by which an unacceptable development may be made acceptable. A significant amount of time is spent by the enforcement officers in negotiation. It can be seen that 1 enforcement notice and 4 planning contravention notices have been issued in the last quarter.



- 5.2 There are currently 385 outstanding enforcement cases (both planning and Estate Management), some of which are awaiting prosecution or notices to be served. Others are being investigated with the aim to find an acceptable resolution for all parties.

6 Staffing Update

- 6.1 Following the departure of the previous Principal Planning Enforcement Officer, we are pleased to report that a successful recruitment campaign has been undertaken and a new Principal Planning Enforcement Officer will join the service at the start of December.

7 Conclusion

- 7.1 Performance continues to be maintained above required local and national levels.