



Report for:	Strategic Planning and Environment Overview and Scrutiny Committee
Date of meeting:	24 September 2019
Part:	1
If Part II, reason:	

Title of report:	Planning, Development and Regeneration Quarter 1 Performance Report 2019-20
Contact:	Cllr Graham Sutton, Portfolio Holder for Planning and Infrastructure Author/Responsible Officer: James Doe, Assistant Director – Planning, Development and Regeneration
Purpose of report:	To set out the performance outturn for the service for Quarter 1 of 2019-20
Recommendations	That the report is noted.
Corporate objectives:	All Corporate Objectives are relevant with this annual review of service performance.
Implications:	<u>Financial</u> None arising from decisions on this report though the financial indicators for Planning fees and Local Land Charges report an under recovery of income against target levels. <u>Value for money</u> None arising from this report.
Risk implications	Risk register currently under review.
Community Impact Assessment	Not applicable for this report.
Health and safety Implications	Not applicable for this report.

Consultees:	Mark Gaynor, Corporate Director Housing and Regeneration Chris Taylor, Group Manager Strategic Planning and Regeneration Sara Whelan, Group Manager Development Management and Planning
Background papers:	Performance report (appendix 1)
Glossary of acronyms and any other abbreviations used in this report:	None.

Executive Summary

1. This report presents the performance outturn for the Planning, Development and Regeneration service for the first quarter of the business year 2019-20. The full performance report is at Appendix 1.
2. Of 18 indicators, six are running at green; four at red, three at amber and four are for information only.

Key Issues

3. The main exceptions to good performance are in the areas of income for Planning fees and Land Charges. This report will also focus on a significant rise in the planning enforcement workload and rise in the number of planning appeals lodged.

Income

4. Planning fees income (FIN 16). Income received from statutory planning fees was just over £209k in Q1, but nearly £80k short of the target for the quarter of just under £289k.
5. The service has modelled projected income for the rest of the financial year, which can be heavily influenced by the receipt of major planning applications which attract substantially higher fees. Taking into account non-statutory fee income in the form of fees for pre-application advice and Planning Performance Agreements, and expected major applications over the course of the year, income is expected to exceed the annual target, potentially by £75k.
6. In particular, the service has recently concluded a Planning Performance Agreement (PPA) with the applicant in respect of the first phase of the Hemel Garden Communities development at East Hemel Hempstead, which falls mainly within St Albans District. The value of this is £10k per month, initially up to March 2020 when the planning application is expected to be submitted.

7. There is a degree of market uncertainty at the present time, yet the pressure for new development and growth remains strong in the long term. Given the long lead-in times to commencing major development, many developers will continue to prepare schemes to clear the regulatory planning and other processes. The trend of application activity, and fee income, is however being monitored closely by the service, in liaison with the Finance team. Members will note from the performance report at Appendix 1 that the actual volume of applications received this quarter is slightly up on those submitted in Q1 of last year (ref DMP02).
8. Land Charges Income (FIN17). The continuing slowdown in the property is affecting the volume of search requests, and therefore income, from property searches requested by solicitors and conveyancers which are dealt with by the service. In recognition of this decline, the target income for the service was reduced for the current financial year. In Q1, the income of just over £49k was around £8k short of the quarter's projected target of just below £58k.

Planning Enforcement

9. Planning Enforcement cases visited (PE01-03). Overall, performance in the enforcement service is strong, with all three indicators showing over 90% of cases visited within the target times as set out in the Council's Local Enforcement Plan.
10. Performance is slightly down from last year, but it is important to note that the caseload has risen by 10% with 150 cases in Q1 this year as opposed to last
11. Members will note that the Local Enforcement Plan is currently under review and this was the subject of a briefing to Members of the Development Management Committee on 16 September 2019.

Planning Appeals

12. Planning appeals dismissed (DMP30). This indicator is running at Amber, with 66% of appeals dismissed by Planning Inspectors, against the Council's target of 70%. Performance here has dropped from Q1 in 2018/19 when the outcome was 83% of appeals dismissed, and in other words, won by the Council in its defence of decisions to refuse planning applications.
13. Q2 saw a rise in the number of appeals decided by the Planning Inspectorate. 15 cases were decided by Inspectors in Q1, compared to only 6 in the same period last year. The number of appeals lodged with the Inspectorate is only slightly up on the position last year, with an additional three submitted.
14. The Council's performance in defending appeals against applications it decides to refuse has to be monitored particularly closely, as the Secretary of State has the power to designate under-performing authorities. The sanction is that applicants will have the ability to apply directly to the Planning Inspectorate for planning permission, thus bypassing the Council and local control of decisions. Criteria published by the Government in November 2018 (see link below) sets the intervention level of 10% of the appeals in an authority's area against the total number of applications determined being overturned over a two-year period.

15. The first assessment period by MHCLG was between April 2016 and March 2018, and Dacorum's performance was very strong, with no appeals overturned for major development, and only 0.6% for non-major development. Out of the ten Hertfordshire local planning authorities, Dacorum had the best performance along with Three Rivers, Broxbourne and Stevenage for majors and came second only to Stevenage for non-major appeal performance
16. The next assessment period is from April 2017 to March 2019 and the publication of data by MHCLG is awaited.
17. For reference, the Government's criteria for designation of local planning authorities, *Improving Planning Performance*,
18. can be found at the following link. The Committee should note that there are intervention thresholds for poor performance on the speed of decision making for both major and non-major development. On the last assessment made over the two years to March 2018, Dacorum's performance was substantially above the designation criteria, but, as with appeal performance, this is an area to be monitored closely.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760040/Improving_planning_performance.pdf

Building Control

19. Members will recall from the meeting of the Committee in June that the Council intends to transfer its Local Authority Building Control functions to Hertfordshire Building Control Ltd., which was set up in 2016 by seven of the other districts and boroughs in the County. Cabinet, at its meeting on 10 September approved the transfer of the services and the Council becoming the 8th owner of Hertfordshire Building Control Ltd., with Full Council recommended to ratify this at its meeting on 19 September.
20. Dacorum is set to join HBC on 1 October 2019. From then, performance of the services will become the responsibility of HBC. The reports to Cabinet and Council seek approval of Officer representation on HBC at shareholder, Director and Operational levels. This Committee requested in June that it be kept informed of progress and performance by HBC at future meetings, and arrangements will be made with HBC to do this.