

Committee: Planning Committee
Date: 8 March 2023
Title: Quality of Major Applications
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Purpose

1. To report to Planning Committee the applications that have been considered both as Delegated and at Planning Committee which contribute to the data considered by DHLUC as to whether a Local Planning Authority falls within the criteria to be designated.
2. There are four criteria where a Local Planning Authority may be designated - Quality Major; Quality Speed; Quality Non-Major and Speed Non-Major.
3. This report specifically considers the Quality of Major Applications and covers the period 2017 - 2023. The Quality of Major Applications is for decisions made within a two-year period with appeal decisions up to and including the 31 December of the two-year period.
4. Therefore, the periods covered in this report are as follows:
 - *April 2017 - March 2019 (appeal decisions made by 31/12/2019)*
 - *April 2018 - March 2020 (appeal decisions made by 31/12/2020)*
 - *April 2019 - March 2021 (appeal decisions made by 31/12/2021)*
 - *April 2020 - March 2022 (appeal decisions made by 31/12/2022)*
 - *April 2021 – March 2023 (appeal decisions made by 31/12/2023)*
5. The Planning Advisory Service provided each Local Authority with a 'Crystal Ball' (basically a spreadsheet) where the data can be added each month/quarter to monitor whether there is any risk of designation.
6. Below shows the periods 2017 - 2019; 2018 - 2020 and 2019 - 2021 annually with the overall two-year period % - as per the DHLUC monitoring periods.

| Criteria: Quality | District matter Majors | | | | | | | |
|------------------------------|------------------------|------------------------|-----------|-----------|-----------|-----------|---------------|---------------|
| | All Major Decisions | Refusals | Appeals | Dismissed | Allowed | Pending | Result | |
| Apr 2017 - Mar 2018 | 37 | 9 | 1 | 0 | 1 | 0 | 2.7% | |
| Apr 2018- Mar 2019 | 39 | 20 | 16 | 8 | 6 | 2* | 15.38% | |
| Total for 2017 - 2019 | | | | | | | 9.21% | |
| Apr 2018 - Mar 2019 | 39 | 20 | 16 | 9 | 7 | 0 | 17.95% | |
| Apr 2019- Mar 2020 | 40 | 26 | 18 | 8 | 6 | 4** | 15% | |
| Total for 2018 - 2020 | | | | | | | 16.5% | |
| Apr 2019 - Mar 2020 | 40 | 26 | 18 | 9 | 9 | 0 | 22.50% | |
| Apr 2020- Mar 2021 | 34 | 12 | 9 | 4 | 4 | 1*** | 11.76% | |
| Total for 2019 - 2021 | 74 | 38 | 27 | 13 | 13 | 1* | 17.57% | |
| | | Minimum level required | | | | | | 10.00% |

*Pending decision falls outside of the criteria window of appeal decision made by 31/12/2019.

**Pending decisions fell outside of the criteria window of appeal decisions made by 31/12/2020.

***Pending decisions fell outside of the criteria window of appeal decisions made by 31/12/2021.

7. Below shows the period 2020 - 2022 quarterly. This is on-going and will be monitored and updated.

| | | Incomplete Data | | | | | | |
|------------|------------------|---------------------|----------|---------|-----------|---------|---------|--------|
| | | All Major Decisions | Refusals | Appeals | Dismissed | Allowed | Pending | Result |
| Quarter 01 | Apr - Jun 2020 | 11 | 2 | 1 | 1 | 0 | 0 | 0.00% |
| Quarter 02 | July - Sept 2020 | 8 | 2 | 2 | 0 | 2 | 0 | 25.00% |
| Quarter 03 | Oct - Dec 2020 | 4 | 3 | 2 | 1 | 1 | 0 | 25.00% |
| Quarter 04 | Jan - Mar 2021 | 11 | 5 | 4 | 2 | 2 | 0 | 18.18% |

| | | | | | | | | |
|------------|------------------|------------------------|----|----|---|---|---|--------|
| Quarter 05 | Apr - Jun 2021 | 5 | 4 | 2 | 2 | 0 | 0 | 0.00% |
| Quarter 06 | July - Sept 2021 | 5 | 2 | 1 | 0 | 1 | 0 | 20.00% |
| Quarter 07 | Oct - Dec 2021 | 16 | 9 | 5 | 1 | 1 | 3 | 6.25% |
| Quarter 08 | Jan - Mar 2022 | 8 | 4 | 2 | | 1 | 1 | 12.50% |
| | | | | | | | | |
| | total | 68 | 31 | 19 | 7 | 8 | 4 | 11.76% |
| | | | | | | | | |
| | | Minimum level required | | | | | | 10.00% |

Any appeal decisions received from 01 Jan 2023 are not included in this designation period.

Criteria: Quality

District matter Majors

| | | All Major Decisions | Refusals | Appeals | Dismissed | Allowed | Pending | Result |
|------------|------------------|---------------------|----------|---------|-----------|---------|---------|--------|
| Quarter 01 | Apr - Jun 2021 | 5 | 4 | 2 | 2 | 0 | 0 | 0.00% |
| Quarter 02 | Jul - Sept 2021 | 5 | 2 | 1 | 0 | 1 | 0 | 20.00% |
| Quarter 03 | Oct - Dec 2021 | 16 | 9 | 5 | 1 | 2 | 2 | 12.50% |
| Quarter 04 | Jan - Mar 2022 | 8 | 4 | 2 | | 1 | 1 | 12.50% |
| Quarter 05 | Apr - Jun 2022 | 7 | 2 | 1 | 0 | 0 | 1 | 0.00% |
| Quarter 06 | July - Sept 2022 | 11 | 1 | 0 | | | | 0.00% |
| Quarter 07 | Oct - Dec 2022 | 15 | 5 | 3 | | | 3 | 0.00% |
| Quarter 08 | Jan - Mar 2023 | 5 | 2 | | | | | 0.00% |
| | | | | | | | | |
| | total | 72 | 29 | 14 | 3 | 4 | 7 | 5.56% |

Minimum level required

10.00%

8 Cost of appeals per year*

| Year | Legal including Awards of Costs | Consultants |
|-------------|---------------------------------|-----------------------------|
| 2017 - 2018 | £102,660 | £33,697 |
| 2018 - 2019 | £ 21,325 | £10,241 |
| 2019 - 2020 | £182,013 | £78,776 |
| 2020 - 2021 | £144,117 | £70,481 |
| 2021 - 2022 | £129,453 | £152,057 |
| 2022 - 2023 | £306,407.36 (to 23/12/2022) | £139,094.32 (to 23/12/2022) |

*Not including the Stansted Airport Inquiry.

Please note that Inquiry cost may not be held in the same financial year as the application decision.

9. Appendix 1 shows the breakdown of the applications including the reference number, whether considered at committee or delegated, the officer recommendation along with the decision, appeal decision and the date of the appeal decision – for the current period.

The date of the appeal decision is a key factor - if it is after 31 December at the end of the 2-year period then it is not included in that round of monitoring by DHLUC.

Recommendation

10. **It is recommended that the Committee notes this report for information.**

Impact

| Communication/Consultation | Planning Committee |
|-----------------------------------|---------------------------|
| Community Safety | None |
| Equalities | None |
| Health & Safety | None |
| Human Rights/Legal Implications | None |
| Sustainability | None |
| Ward-specific impacts | None |
| Workforce/Workplace | None |

Risk Analysis

| Risk | Likelihood | Impact | Mitigating actions |
|-------------|-------------------|---------------|----------------------------|
| 3 | 3 | 3 | Action Plan & Pathway work |

1 = Little or no risk or impact

2 = Some risk or impact - action may be necessary

3 = Significant risk or impact - action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project