

Report of the Head of Regulatory Services

ANNUAL REVIEW OF PLANNING DECISIONS

PURPOSE OF THE REPORT

This report provides information on the performance of the Development Management Team and the Planning Committee in respect of the number of applications considered and the consistency of decision making.

RECOMMENDATION

That the report be noted.

WARDS AFFECTED

All Wards outside the Peak District National Park.

STRATEGIC LINK

An effective Planning regime will help to support the District Council's priority of a thriving district.

1 BACKGROUND

1.1 The District Council's current Code of Corporate Governance was adopted at Corporate Committee in September 2013. Amongst other issues the Code aims to reinforce public confidence in the Planning system through reviewing the quality and consistency of Planning decisions. This report follows the previous reviews that have been considered by Council since 2016, and concentrates on a statistical evaluation of planning decisions, both through the Planning Committee and those determined through delegated powers.

2 REPORT

2.1 Performance statistics for all planning applications determined between 1 April 2018 and 31 March 2019 have been analysed and compared with the same periods in 2014/15, 2015/16, 2016/17 and 2017/18. The same exercise has been repeated for those applications determined by Committee.

2.2 Throughout this report the term 'major application' includes developments of 10 or more dwellings, developments with floor space of 1,000m² or more and sites of 1 ha or more; 'minor applications' includes developments of less than 10 dwellings, developments with less than 1,000m² floor space and sites of less than 1 ha; and 'other applications' include change of use, householder applications and advertisements.

2018-2019

2.3 During 2018-2019 a total of 803 planning applications were submitted. This figure comprised 30 major applications, 283 minor applications and 490 other applications.

Of these 803 applications a total of 752 required determination as 51 applications were withdrawn. Of these, 687 determinations were made by officers under delegated powers.

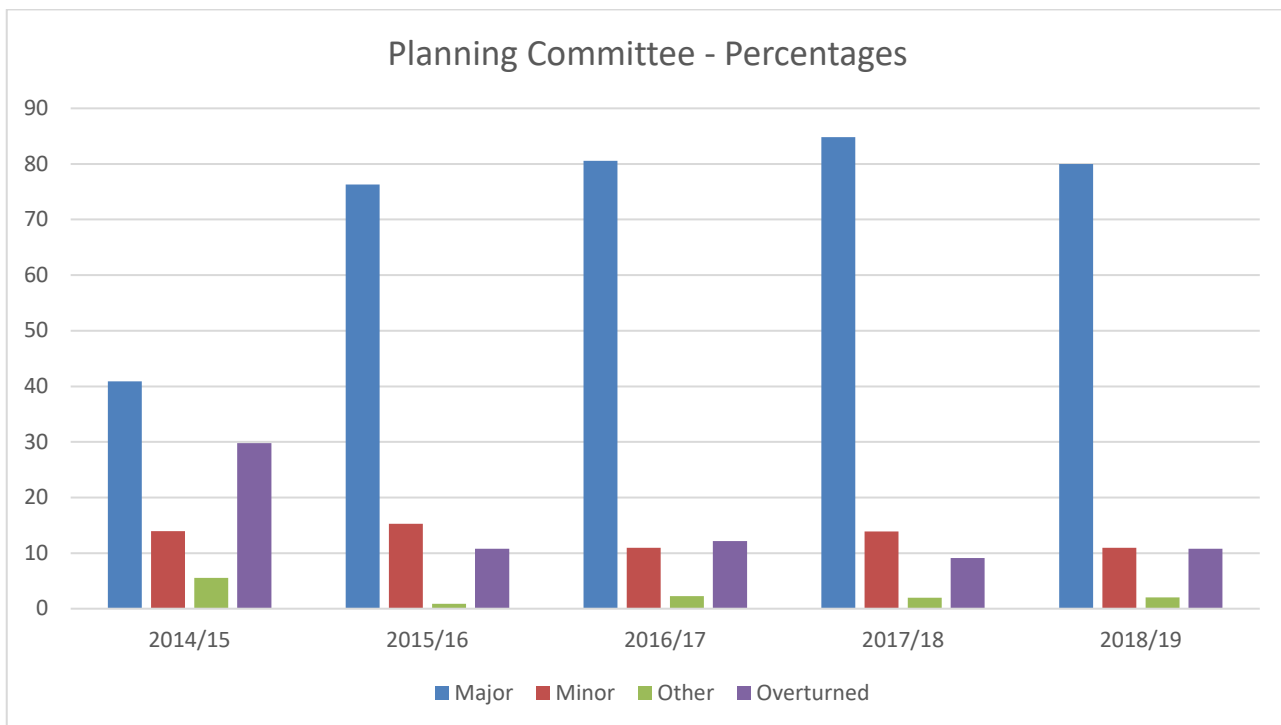
- 2.4 The Planning Committee determined 65 applications, which comprised 24 major applications, 31 minor applications and 10 other applications. This meant that a total of 8.64% of all applications were required to be determined by Committee. Breaking these figures down further shows that 85.71% of major applications were determined by Committee, as were 12.06% of minor applications and 2.14% of other applications. In total the Committee chose not to follow the officer recommendation in 7 cases, which represents 10.77% of Committee decisions.

COMPARISON

- 2.5 Comparing the last 5 years it is possible to see that whilst the overall number of applications received has reduced slightly the proportion of major applications significantly increased in 2015/16 (from 22 to 39) and has subsequently remained high. It is also possible to see that the number and proportion of Committee decisions that did not follow the officer recommendation reduced significantly from 25 (29.76%) in 2014/15 to 7 (10.77%) and has remained at around this lower level. The trend for a greater proportion of major applications required to be determined by Committee rather than under delegated powers has continue. These figures indicate that the Planning Committee is continuing, in the main, to concentrate on major applications.
- 2.6 The tables below show the total numbers of planning applications received each year since 2014/15 and the numbers and proportions of applications considered by Committee over the same period.

All Applications	2014/15	2015/16	2016/17	2017/18	2018/19
Major applications	22	39	35	33	30
Minor applications	229	275	311	273	283
Other applications	775	683	482	557	490
Total applications	1026	997	828	863	803

Committee	2014/15	2015/16	2016/17	2017/18	2018/19
Major applications	9 (40.91%)	29 (76.32%)	29 (80.55%)	28 (84.84%)	24 (80.00%)
Minor applications	32 (13.97%)	42 (15.27%)	34 (10.93%)	38 (13.91%)	31 (10.95%)
Other applications	43 (5.55%)	9 (0.90%)	11 (2.28%)	11 (1.97%)	10 (2.04%)
Total applications	84 (8.19%)	80 (8.02%)	74 (8.92%)	77 (8.92%)	65 (8.09%)
Overtaken	25 (29.76%)	7 (10.77%)	9 (12.16%)	7 (9.09%)	7 (10.77%)



APPEALS

- 2.7 A local authority's success in defending planning appeals can be used as a proxy measurement for the quality of planning decision making, in the sense that there is more likelihood of successfully defending an appeal when the decision to refuse the application was sound. In this respect the District Council considers 2 performance indicators, one a national measurement of performance and the other a local performance indicator.
- 2.8 The District Council is measured nationally in terms of the number of appeals allowed in relation to major applications divided by the total number of applications received. The Council is performing well in this respect with only 3.5% of major applications overturned on appeal.
- 2.9 The District Council also measures a local performance indicator that looks at the number of appeals against planning application decisions allowed divided by the total number of applications that are referred for appeal, which uses a much smaller denominator. This is a local indicator and as such national performance figures are not available. However it is possible to consider how our own performance has changed over time:

Year	2015/16	2016/17	2017/18	2018/19
Performance	28%	25%	31%	33%

- 2.10 It should be noted that these figures relate only to appeals against a refusal to grant planning permission. The Planning Inspectorate also produces figures for appeals against other forms of Planning decisions, such as appeals against the service of enforcement notices, refusal of Certificates of Lawful Use etc
- 2.11 Taking all these aspects into account, there were 29 appeals determined against the Planning decisions of the District Council during 2018/19, of which 10 were found in

favour of the appellant, meaning that the overall rate of determinations against the Council was 34% This is slightly higher than the national average of 30%

GEOGRAPHICAL VARIATION

- 2.12 Members have expressed an interest in the parishes within which Planning Applications have required consideration by Planning Committee. The table below lists the top 7 Parishes for applications dealt with by Committee during 2018/19 and although the numbers are small indicates those Parishes where more minor and other applications have been brought before the Committee:

Parish	Number	Major	Minor	Other
Matlock	10	4	6	0
Ashbourne	10	4	4	2
Darley Dale	7	2	4	1
Matlock Bath	6	1	3	2
Biggin	5	5	0	0
Hulland Ward	4	4	0	0
Tansley	4	3	1	0

- 2.13 The scheme of delegation adopted by Council in May 2015 anticipates that major applications will be considered by Committee and that the majority of minor and other applications will be dealt with under delegated powers. Whilst the breakdown above is not a detailed form of analysis it can be seen that the likelihood of minor and other applications being presented to Committee appears to be greater in some Parishes than others. Comparison with last year suggests that the Parishes within which it is consistently more likely that minor and other applications will be brought before Committee are Matlock, Ashbourne, Darley Dale and Matlock Bath.

3 RISK ASSESSMENT

3.1 Legal

There are no legal risks arising from this report.

3.2 Financial

There are no financial risks arising from this report.

4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

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6 BACKGROUND PAPERS

None

7 ATTACHMENTS

Appendix 1 – Detailed figures for 2018/19

APPENDIX 1: 2018-2019

Period	Application Type	Decision Type	Number	Totals
01/04/2018 31/03/2019	Major	Committee	24	30 (3.74%)
		Delegated	4	
		Withdrawn	2	
		Sub Total		
	Minor	Committee	31	283 (35.24%)
		Delegated	226	
		Withdrawn	26	
		Sub Total		
	Other	Committee	10	490 (61.02%)
		Delegated	457	
		Withdrawn	23	
		Sub Total		
				Grand Total

Delegated Decisions:	687
Committee Decisions:	65
Percentage of all applications sent to Committee:	8.09%
Percentage of major applications sent to Committee:	80%
Percentage of minor applications sent to Committee:	10.95%
Percentage of other applications sent to Committee:	2.04%
Number of Committee Decisions Not Following Officer Recommendation:	7
Percentage of Committee Decisions Not Following Officer Recommendation:	10.77%
Number of Applications Sent to Committee with no Public Comments:	
Percentage of Applications Sent to Committee with no Public Comments:	