Report to:	**Executive**
Date:	**21 September 2023**
Title:	**Planning Improvement Plan Update**
Portfolio Area:	*Planning and Enforcement – Cllr Dan Thomas*
Wards Affected:	**All**

Urgent Decision: **N**   Approval and   **Y**
                                            clearance obtained:

Date next steps can be taken: Upon the expiry of
the call-in period.

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RECOMMENDATIONS:

It is RECOMMENDED that the Executive:

1. **NOTE progress on delivery of the Planning Improvement Plan and the update on performance.**

2. **APPROVE the return to advertising applications in accordance with the Adopted Statement of Community Involvement with effect from 1 October 2023.**

3. **RECOMMEND that the Overview and Scrutiny Committee set up a Task and Finish Group to further develop the new approach to enforcement and report back to this Committee.**

1. Executive summary

1.1. Development Management and Planning Enforcement are key services that form part of the wider planning function delivered by the Council. The services can be complex, contentious and involve significant consultation and engagement with a range of different parties.

1.2. As a result, the services are highly visible to our communities, businesses and for those that interact with the service and therefore an important indicator of service quality.

1.3. The Planning Service historically has been impacted significantly by high workloads and difficulties in recruitment and retention of staff and as such, its effectiveness and the quality of service has suffered.

1.4. In recognition of this, the Council has adopted and is now implementing a Planning Improvement Plan ('the Plan'). The purpose of this report is to update Members on the progress against key elements of the Plan as part of the progress toward delivering a high-quality Planning Service to the Council and its Customers.

2. Strategic Context

2.1. The Development Management and Enforcement Service forms part of the wider planning function alongside, for example, the Joint Local Plan, strategic planning and neighbourhood planning teams, which are essential to help deliver against the new Council's emerging strategic aims.

3. Background

3.1. Implementation of the Plan has focussed initially on resource management. This included an assessment of the costs and income of the service and a capacity and resource review which has informed more detailed analysis to determine the optimum organisational design for the service going forward and to ensure that it can be flexed to meet changing demands.

3.2. This has resulted in investment in additional capacity for the service over the past two years, following the provision of additional funding by the Council in September 2021.

3.3. Whilst there has been increased stability within the service it remains difficult to recruit and retain planning officers and, as a result, temporary agency staff are still being utilised when needed.

4. Outcomes/outputs

4.1. The purpose of the Plan is to deliver improvements in the following broad areas:

- Performance
- Quality
- Communication
- Customer and Member satisfaction
- New Planning Software

4.2. We continue to adapt and evolve the planning improvement plan to ensure its continued relevance and focus. For example, the delivery of the new planning IT system has been prioritised in 2023 given its significant benefits to the service and customers.

5. Planning Improvement Plan Delivery

5.1. The following section provides an overview of progress to date.

Officer Caseloads

5.2. An improved monitoring framework has been implemented for the service. An optimum case load for planning officers within the Development Management function has been set to ensure that workload is achievable, well managed and properly monitored. This will better enable officers to progress their case load of applications more efficiently which will, in turn, improve the performance and timeliness of decisions.

5.3. The following table shows the ideal maximum caseload and actual levels of work allocation at present against the case loads of previous year. The figures below were recorded at set periods of time rather than showing a yearly average.

Officer Level	Optimum caseload per FTE	31 March 2021	17 January 2023	1 August 2023
Principal	12	21	10.75	17
Senior	36	43.6	34.6	29.7
Planning Officer	36	38.4	25.7	22

5.4. When compared to 2021, caseloads have reduced to a more balanced position, which is starting to improve performance in terms of applications progressing through the system and customer service.

Service Volumes and Performance

5.5. Demand on the service continues to grow. The table below shows the previous 3 years of decisions issued. An increase in applications is a continuing trend for the Council and nationally.

	2020	2021	2022	2023 (To 1 August)
South Hams	1649	1653	1752	1057

5.6. The national performance indicators for the determination of both major and non-major applications are a key tool to review the performance of the service. The failure to meet the targets set can lead to the Council being placed in Designation by Central Government. This is monitored closely by the Council and is also another important indicator of the service we provide. The figures below show the performance of the service in 2022 and 2021 as a comparison.

5.7. The table clearly shows that the Planning Service consistently exceeds the national performance indicators. It also indicates the

number of each decision type determined with Extensions of Time (EOT).

5.8. As can be seen below a large number of these EOT's are required to achieve the current and historic performance. Whilst EOT's are an accepted part of the process, especially for major apps and when a S.106 agreement is needed, the aspiration is that the majority should not require an EOT and should be determined within the statutory timeframe. This aspiration is subject to the overall capacity of the service and the increasing number of applications being received.

5.9. The delivery of all aspects of the Improvement Plan will be key to achieving this. As a target, the aspiration is that under 30% of non-major applications will require an EOT and this will be monitored through the regular updates with the Lead Member.

| Type of application | National Target | 2021 | | | 2022 | | | 2023 April -June |
		% in time	% in time with EoT	Total	% in time	% in time with EOT	Total	Total
Major	60%	7	74	81%	19	59	78%	82%
Non-major	70%	49	34	83%	51	36	87%	92%

Validation

The following table show the days it takes to validate a planning application following its receipt.

	31/03/2021	31/03/2022	25/01/2023	29/07/2023
Validation time in days	25.32	27.46	18.91	7.9

5.11 The figures show a positive trend in 2023 following improvements made to the process. The marked reduction in the time it takes to validate increases the time for officers to process applications and hence reduces the need for extensions of time.

5.12 It is envisaged that following the implementation of the new operational IT system for the Planning Service further improvement in these periods is expected, with a target of 5 days.

Enforcement

5.13 The management of the enforcement cases being investigated by the service is another important focus of the Plan. There has been positive improvement in terms of how quickly enforcement cases are being handled following a significant change in personnel within this part of the service over the past 2 years and clear line management for this part of the service.

5.14 Members will be aware that they have access to regular case reviews with the enforcement team as and when they are requested, and better prioritisation of cases is now in place. It is

recognised, however, that the format and content of the information provided to members could be improved, see 5.16.

5.15 There remains a significant number of live cases as demand continues to grow. The table below shows current performance versus previous years.

	31 March 2021	31 March 2022	25 January 2023	**1 August 2023**	**KPI Target**
Outstanding cases	395	442	441	**390**	**400**

5.16 To better align the service with emerging priorities, it is proposed to do a full review of the existing policy and approach to handling enforcement complaints and the associated resources required. It is therefore proposed that the Executive requests that the Overview and Scrutiny Committee sets up a Task and Finish Group to undertake this work over the next few months and report back to the Executive with recommendations.

Engagement with Service Users

5.17 Engagement with all customers is important and a key benchmark of success is communication with frequent users such as planning agents and developers.

5.18 The Agents Forum is now taking place on a 4-monthly cycle to help build and develop relationships. This forum will also be used to identify issues and provide training to agents on matters such as national and local validation requirements and common issues with applications. This will deliver better quality planning application submissions which will, in turn, improve the speed at which they are able to be processed.

Customer Focussed IT

5.19 The Planning Service has been significantly impacted by its outdated IT software which is resource intensive and provides a limited interface for customers.

5.20 In January 2023 the Council commenced the procurement of a new bespoke planning IT system and we are working towards a go-live date of 29 November 2023. This will deliver significant benefits to the Planning Service and its customers including:
   - Streamlining processes and improving data management.
   - Reducing staff time on processes which can be automated.
   - Providing spatial maps to identify sites and applications.
   - Improved customer interface with spatial mapping search functions

5.21 The benefits to the service and more importantly to our customers will be significant from this modernisation process.

Service Efficiency and Transparency

5.22 As part of the plan, increased budget monitoring and management is important to deliver the quality of service in a cost-effective way.

5.23 Advertising methods for different types of planning application are set nationally but there is flexibility in some cases. Advertising is usually through one, or a combination, of the following: site notice display, press advertisement or neighbour notification.

5.24 Currently all applications are advertised in the press rather than those where there is a legal requirement to do so. This approach conflicts with our Adopted Statement of Community Involvement (SCI) which requires the advertisement the advertisement by site notice for applications except where Advertisement in Newspaper is legally required.

5.25 This approach, in addition to rising advertising costs, have resulted in a budget overspend in excess of £50,000 in 2022/23 with a further overspend of the same order, predicted for 2023/24 as set out in the Month 4 Revenue Monitoring Report that forms part of this agenda.

5.26 It is proposed that with effect from 1 October 2023 we operate in line with our adopted SCI. This, alongside the reduction in the number of words in the descriptions of development placed in the press, is expected to bring back the expenditure in line with the approved budget.

5.27 Transparency around the decision making and subsequent delivery of development is essential. There are occasions that applicants either seek the Council's agreement to vary a section 106 agreement or make an application for a variation to planning approval after the original consent has been given. These are often minor/technical changes, but some can be material and/or contentious.

5.28 It is proposed to implement a new approach whereby all requests for amendments whether requested for agreement or following a formal application are considered by the Assistant Director Planning, in consultation with the Chairman of Development Management Committee, with a view to agreeing which proposed amendments are minor/technical and which are material and/or contentious. The expectation would be that minor/technical changes will be able to be approved by the Head of Development Management with ward members being notified of the decision. Material and/or contentious requests such as those that would go to the heart of the original planning permission would be referred to Development Management Committee for a decision.

5.29 The above approach, which will necessitate some minor changes to the Constitution, will be implemented as soon as possible.

Planning Fees, Pre-applications and Planning Performance Agreements

5.30 A technical and operational review of the charges and fees for the Planning Service has been undertaken. The fees have been

reviewed against comparable councils and the new charges are considered a reasonable position striking the balance against cost recovery and providing a service which is accessible and attractive to users. This is particularly important for the pre-applications service we offer.

5.31   The use of Planning Performance Agreements (PPA) has been considered and reviewed in the context of national guidance provided by the Planning Advisory Service on behalf of the Local Government Association. A new standard process and templates has been set out for the Council and where such agreements are entered into these will be made available on the relevant principal applications. Where a pre-application is subject to a PPA it will be made available when the pre-application becomes public at the point of an application submission. This provides a clear and transparent process while also allowing greater degree of cost recovered for the service.

Quality of Design, Connectivity and Future proofing development

5.32   Alongside the improvement to process and quality of service the additional resources are also being directed at driving up the quality of the development. A crucial part of this is ensuring that development best responds to the place in terms of its design appearance and connectivity. For large schemes it is important that they function as part of a town or village providing connectivity for the new residents but also improving and dealing with wider accessibility issues. This greater focus is key to delivering better places for our residents.

5.33   Through the review of the Joint Local Plan such matters will be set out clearly in new site allocation policies providing enhanced policy requirements for schemes rather than relying on the general Development Management Policies (DEV) as is currently the case in the JLP. Both these approaches will drive forward a better quality of place and meet the needs of the community.

6. Proposed Way Forward

6.1   The report sets out a demonstrable improvement in key areas of the planning service which are leading to an improved service overall. It is recognised that further improvement is needed especially in terms of communication and consistency.

6.2   The proposals set out in the report will further support the improvement process by increasing the efficiency of the service.

7. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Implementation Plan will ensure improved governance and decision-making
Financial implications to include reference to value for money	Y	Funding has already been put in place within the budget to fund the changes in the Planning Service structure. The continued implementation of The Improvement Plan will deliver improvements in the performance and efficiency of the Service going forward. This will increase capacity within the Service to further develop the Service and development of enhancement to the Service as chargeable items such as Planning Performance Agreements which would increase the Service income reducing the need for additional funding going forward.
Risk	Y	That the Council fails to deliver a Service that meets the expectations of Members and our Customers
Supporting Corporate Strategy	Y	Council, Homes, Environment, Enterprise
Consultation & Engagement Strategy	Y	As part of the Development of the Updated Planning Improvement a Staff Awayday has been undertaken to engage with the service staff and this has been integrated into the proposed plan.
Climate Change - Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations, however the delivery of the Joint Local Plans Policy DEV32 Delivering low Carbon Development and the recently adopted Climate Emergency Planning Statement are undertaken by the service in the consideration of Planning Applications
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/A
Safeguarding		N/A
Community Safety, Crime and Disorder		N/A
Health, Safety and Wellbeing		The continued delivery of the Planning Improvement Plan will continue to improve the balance of performance and balanced workload of

		the service staff creating an improved work life balance and the wellbeing of Staff
Other implications		N/A

Supporting Information

Appendices:
None

Background Papers:
None