

Key Lessons for Development Control

An Overview of the
Evaluation of Planning
Standards Authorities
2005/06

June 2006

planning

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Authorities 2005/06*

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Introduction and Context

This report outlines the key conclusions from an evaluation of the performance of 58¹ planning standards authorities for 2005/06 and their ability to achieve the national Best Value (BVPI 109) targets for development control – the determination of 60% of major applications within 13 weeks, 65% of minor applications within 8 weeks and 80% of other applications within 8 weeks – by March 2007². It should be read alongside research findings evaluating the Planning Delivery Grant (PDG) as allocated in 2005/06³, and similar reports on both planning standards and Planning Delivery Grant in 2004/05.

This work on planning standards authorities and the Planning Delivery Grant is part of a much wider Government agenda directed at securing wide ranging improvements in planning in order to secure strategic and local benefits for regeneration and sustainable development. It has to be viewed as an integral part of that wider package of activities. The evaluation was undertaken by Addison & Associates, in association with Arup and the Bailey Consultancy.

Aims and study methodology

Broadly, the terms of reference for this study were:

- To set out the scale of change that has occurred in the 2005/06 standards authorities and the achievements in terms of performance improvements
- To highlight the key factors that have been identified as important in improving the performance in terms of both speed and quality within the standards authorities to assist authorities

The study of planning standards authorities was undertaken between September 2005 and June 2006 and examined the performance of the 58 authorities identified as “new” planning standards authorities for 2005/06 out of the total of 98 designated on the basis of their performance against the development control targets in the year to June 2004.

The information base for the initial identification of authorities as standard authorities (performance against BVPI 109 for the year to June 2004) meant that by the time of the evaluation, which took place in 2005/06 the position had changed in most authorities. This report highlights ways in which these changes have been achieved.

1 98 authorities were designated as planning standards authorities in 2005/06. The evaluation only included the 58 authorities which were not evaluated as standards authorities in 2004/05. 57 of the 58 authorities completed the full questionnaire for the study.

2 Planning standard authorities are those that fail to meet a minimum level of performance in respect of the determination of planning applications in a particular year. The level at which the standard is set varies each year. Authorities were designated as planning standards authorities in 2005/06 if their performance was 39/50/65% of major/minor/other applications respectively handled within the target times in the year to June 2004. The standards set in 2005/06 were 57/63/75% for major/minor/other applications respectively.

3 Evaluation of Planning Delivery Grant 2005-6, (to be published by DCLG 2006)

The planning standards study was undertaken in two main parts:

- A desktop study of all the 58 authorities utilising a questionnaire, datasheet⁴, key information from the authority (e.g. improvement plans), and published information from ODPM, the Audit Commission, the Planning Inspectorate and the Planning Portal.
- A more in-depth review of 26 of the 58 authorities where there were initial concerns about their ability to meet the 2005/06 performance standards and achieve and sustain the national targets by March 2007 and beyond.

The study considered not only the speed of determination of planning applications as against the planning standards and the national targets but the overall quality of the development control service and, at a more strategic level, other areas of the planning service. Particular attention was paid to the caseload of applications for each case officer, the backlog of applications, the level of refusals and withdrawals and the rate of any improvement in performance. An assessment was made of the sustainability of any improvements and the deliverability of any improvement plans in the context of meeting the national targets by March 2007.

Authorities were graded, as a result of the evaluation, into three categories – green (achieving standards), amber (good progress, close to meeting standard/s but some concerns about ability to meet and sustain national targets) and red (not meeting standard/s and/or concerns about ability to meet targets sustainably). At the end of the evaluation process of all the 58 authorities, **25 were judged to be green, 16 were amber and 17 were red.**

The outputs of the study comprise this research summary and confidential individual reports on each of the 58 planning authorities which the authorities received both in draft and as a final report. Those authorities subject only to a desk top review were assessed on the basis of data up to the end of December 2005 but for those where site visits were undertaken performance information also included quarters 3 and 4 data. This overview report is based primarily on performance information for all the 58 authorities to December 2005. Other information is based on the data obtained from individual authorities for 2005/06 or the position at the time of the questionnaire which was October 2005.

This summary document provides aggregated statistical analysis for 57 of the 58⁵ planning standards authorities for analysis based on the information provided by local authorities, and for all 58 planning standards authorities for analysis based on centrally-held Government statistics.

⁴ A spreadsheet for collecting quantitative data from authorities that is not held centrally by Government.

⁵ Questionnaire not returned for 1 authority

Key Findings

As in the previous years the standards authorities have shown substantial improvement in the majority of cases. Clear improvements have been demonstrated in many aspects of the development control service, not only in the achievement of targets especially for major applications, but also the profile of planning and development control in particular, the resource input which has again improved, and the overall culture of the service.

Resources remain a key issue for authorities, in respect of numbers and skills as well as sustainability. Also a key issue is to ensure the improvements in speed are not at the expense of customer service and the quality of outcomes. The level of resourcing, the staff and member skills and training, and the quality of management are critical in this respect. Given the focus on the need to change many standards authorities now demonstrate examples of good practice.

The detailed information below indicates a substantial range of positive change is underway this year relating principally to the decision-making processes, validation, consultation and performance management systems.

PERFORMANCE

- It is clear that the imposition of BVPI 109 targets, together with the reinforcement of the Planning Delivery Grant, continue to drive substantial improvements and a more performance orientated culture in planning services.
- The speed of performance in determining planning applications has improved in the majority of authorities studied across one or more of the categories of application (major, minor and other applications). A total of 34 authorities out of the 58 studied met all three standards set (57%, 63%, and 75% for major, minor and other applications respectively), 13 met two standards, 6 met one standard and only 5 did not meet any.
- On major applications, 37 of the 58 authorities met the standard of 57% of applications being determined within 13 weeks of which 31 authorities also met the national target of 60%.
- On minor applications, 46 of the 58 authorities met the standard of 63% of applications being determined within 8 weeks of which 41 authorities also met the national target of 65%.
- On other applications, 51 of the 58 authorities met the standard of 75% of applications being determined within 8 weeks of which 48 authorities also met the national target of 80%.
- A total of 26 authorities out of the 58 studied met all three BVPI 109 national targets (60%, 65% and 80% for major, minor and other applications respectively), 19 met two targets, 4 met one target and only 9 did not meet any.

- By comparison, our study of the 50 “new” planning standards authorities for 2004/05 found that 21 met all three standards set for major, minor and other applications (52%, 58% and 73% respectively), 13 met two standards, 9 met one standard and 7 did not meet any. On major applications, 26 of the 50 met the standard, 33 of 50 for minor applications and 39 of 50 for other applications.
- Substantial improvement has been achieved in many cases: averaging 20 percentage points for major applications (33 authorities achieved a 25 point or more increase); 17 percentage points for minor applications (18 authorities achieved a 25 point or more increase); and 11 percentage points for other applications (13 authorities achieved a 25 point or more increase).
- In the majority of authorities from the evidence provided improvements in the speed of the delivery of the development control service were accompanied by improvements in the quality and level of customer care, e-planning, available staff resource, staff training, process and performance management, and management or service structure.
- However, 26 standards authorities (46%) felt that quality of applications, decision-making, service or development outcome had been compromised in the 18 months preceding the assessment. Of these 26 authorities the main reasons given were staffing levels, the introduction and implementation of ICT systems, and the pressure of targets for determining applications. During the individual authority visits it was found that authorities were increasingly able to manage their processes to redress this position within a short period of time.
- The development and implementation of improvement strategies to drive improvement and their active monitoring was much more widespread than in the previous standards studies. This shows a maturing of the improvement planning process.
- The principal factors that authorities thought had negatively affected performance over the last 18 months again included recruitment and retention of staff, access to specialist skills or knowledge, issues around both delegation and committee arrangements, and an increased and more complex workload often including the need to process a backlog of older applications before being able to sustain a higher level of performance.

STAFFING

- The level of staff resources continued to be a critical factor. However, there is evidence of significant improvement; comparing standards authorities this year with the standards authorities from last year, the average caseload for development control staff has decreased by around 10%. Caseloads still remain high and on average above the benchmark of 150 cases per officer per annum⁶. The average annual caseload of the 57 standards authorities was 157 applications. There were 29 authorities with a caseload less than 150, 18 authorities with a caseload of 150 and above but less than 200 and 11 authorities with a caseload above 200. If a quality service, decisions and outcomes are to be delivered at speed and improvements maintained authorities are still under-resourced.

⁶ Based on a calculation of applications received by number of case officer working days. See full Overview of the evaluation of planning standards authorities research report 2004/05 for more details.

- There is still substantial volatility in the number of established posts of many authorities. Overall, the planning standards authorities gained 218 staff and lost 195 staff (as full-time equivalents), implying an overall increase in staffing of 23 posts across standards authorities as a whole. In terms of administration posts, there was an inflow of 57 staff and outflow of 50 staff resulting in an overall net gain of 7 posts. There was a larger gain in technical positions with an inflow of 51 against an outflow of 33, an overall gain of 18 posts possibility indicating a shift towards technical staff undertaking a greater part of the simpler work. Staffing in professional positions was largely unchanged with an inflow of 95 members and outflow of 92 members (a net gain of just 3). In contrast to the other staff areas, there was a greater outflow of managerial staff than inflow, with an inflow of 15 and outflow of 20, giving a net loss of 5 managerial staff. This will need to be monitored given the importance of the active management of the function.
- On average, individual authorities had recruited 5 members of staff as compared to an average loss of 4.4 members of staff (as full-time equivalents), thus showing an overall gain. This continues the trend of the previous three years which have seen a gradual but sustained increase in overall staffing levels.
- Recruitment and retention was still a major problem, especially for experienced staff, in 82.5% of authorities. More than half the authorities had a recruitment and retention strategy, in the main covering the whole authority although just under one third had a planning-specific strategy.
- Around 22% of all staff had less than 2 years experience, around 19% had between 2 and 5 years experience, around 18% had 5 to 10 years experience and over 41% of staff had over 10 years experience. Over 65% of all staff had a planning or related qualification to degree level.

PRE-APPLICATION ADVICE

- Of the 57 authorities returning assessment questionnaires, 55 authorities provided pre-application advice for major applications. In the case of both minor and other applications, 56 out 57 authorities provided such advice.
- In almost all authorities (53 of 57) case officers were available to provide this advice but in addition just over a quarter of authorities had a duty planner system, and just over a fifth of the authorities offered a one-stop-shop. Almost three quarters offered a development team approach for major applications. Only one authority charged for pre-application discussions.
- All authorities kept records relating to pre-application discussions for major applications, mostly in hardcopy rather than in electronic format. Almost all authorities kept records for minor and other applications, again predominantly in hardcopy. A larger proportion of records relating to major applications were stored in electronic format than was the case for minor and other applications.

- The speed of availability of (or average wait for) pre-application advice varied considerably, particularly with respect to major applications, with some authorities providing this within a week but others taking more than a month. The waiting time for case officers and development teams was typically greater (between 3 days and 3 weeks) than that observed for duty planners (mostly within 2 days). ‘One Stop Shop’ approaches typically involved waits of between 1 and 3 weeks. Again officer caseload is a significant factor in providing a speedy and quality pre-application advice process.

VALIDATION OF APPLICATIONS

- The quality of applications submitted to local authorities for 2005/06 varied widely, as demonstrated by the number of invalid applications of between none and 60% of applications initially being considered invalid, as did their validation processes. This is similar to patterns observed last year, although with a slightly wider range of values. On average, about 23% – a significant proportion – of applications were initially considered invalid
- Of the 57 authorities, 51 had a target period for validation, averaging 3.6 days, with the longest being 6 days and the shortest 1 day. On average, only 70% of applications were being validated within the authority’s own validation target periods but the variation was large. Some authorities only validated 7% of the applications whereas 5 authorities achieved 100% performance. These patterns are again comparable to those observed last year.
- In terms of the stringency applied to the validation of applications, at the time of the questionnaire in October 2005 42% of standards authorities had revised their validation criteria in light of the ODPM guidance on the validation of applications published in March 2005. Of the 56% that have not made changes, 63% already had standards in place which they believed were in line with the guidance.

CONSULTATION

- Over 73% of the authorities have a target for sending out consultations after the receipt of an application although this time varied from being the same day as validation to up to 10 days later. Most authorities allowed 21 days for responses.
- The majority of authorities (almost 60%) did not have a cut-off point at which responses from consultation were not considered. In the case of statutory consultees, 41 of the 57 authorities stated that they delayed decisions beyond the target date in order to receive responses, although most stated that this only happened rarely.
- Statutory consultees that were identified as not responding within timescale by at least two authorities included: English Heritage, English Nature, the Environment Agency, and the Highways Agency.

DEVELOPMENT CONTROL PROCESS

Overall application numbers in the 58 standards authorities were slightly down from last year. They fell from 109,374 to 103,162, a fall of 5.7%⁷.

⁷ Based on a comparison of the 58 authorities between 2004/05 Q4, 2005/06 Q1-3 and 2003/04 Q4, 2004/05 Q1-3

- Fewer authorities proportionally now carried a backlog in comparison with the evaluation of standards authorities in 2004/05⁸. Only 10 authorities were judged to have a backlog, and over the last four quarters, the carry over of applications declined in 30 of the 57 authorities. Only in 5 authorities was the trend increasing, with the remainder being largely static. The position in respect of the backlog has therefore substantially improved since the evaluation of the standards authorities began.
- Around 40% of authorities had some form of provision to refer an application up to either a main planning committee or to the main council committee. This is significantly less than the proportion observed in last year's standards authorities where around four fifths had such arrangements. Sub-committees were used in 19 authorities.
- Of the 57 authorities, only 11 had changed their main committee arrangements over the last 18 months. However, just under half of authorities had made changes to delegation arrangements over the same period. Approximately one fifth of authorities stated that they had approved changes planned for within the next 6 months.
- In the calendar year 2005, the 58 authorities studied received on average 4% less applications in the year ending December 2005 than in the year ending December 2004 as compared with a decline of 7% nationally over the same period. However, there was considerable variation between individual authorities, some experiencing falls of 60% and others gains of up to 18%.
- Once again comparing the year ending December 2005 with the preceding 12 month period, determinations by the 58 authorities decreased on average by 1% whereas nationally they decreased by 7%. On average, the change in volume of applications on hand at beginning for 58 authorities was a fall of 14%, compared to the national average fall of 5%. The average change in the volume of applications on hand at end for the 58 authorities was a decrease of 28%. This compares to a national trend a fall of 11%. However, individual changes for standards authorities ranged from a fall of 71% to an increase of 21%.
- Of the 57 authorities, 49 authorities felt that they would meet the BVPI 157 requirements of electronic delivery capability by December 2005, although almost 60% required an upgrade to their existing computer systems to achieve it.

SECTION 106 AGREEMENTS⁹, EIA, TIA, AND UNILATERAL UNDERTAKINGS

A total of 29 of the 57 authorities had written procedures for handling section 106 agreements although more had a set of model clauses available. Around 40% of authorities had some form of guidance (SPD/SPG) covering section 106 agreements. Around two thirds of the authorities used some form of Grampian-style conditions as a substitute for section 106 agreements.

⁸ 10% more applications are being carried forward than the number received or determined. For full definition see Chapter 3 and Appendices B and C of full report in 2004/05.

⁹ Section 106 of the Town and Country Planning Act 1990 allows a local planning authority (LPA) to enter into a legally-binding agreement or planning obligation, with a land developer over a related issue. The obligation is sometimes termed as a 'Section 106 agreement'. Such agreements can cover almost any relevant issue and can act as a main instrument for placing restrictions on the developers, often requiring them to minimise the impact on the local community and to carry out tasks, which will provide community benefits.

- Generally, unilateral undertakings were less formalised with approximately 60% of authorities not having written procedures for dealing with these and they were not frequently utilised. Approximately one third of authorities had some form of guidance (SPD/SPG) covering unilateral undertakings. Around half of the authorities used some form of Grampian-style conditions as a substitute for section 106 in this regard.
- The majority of authorities used formula-based calculations for payments in relation to section 106 agreements and unilateral undertakings, this trend being more pronounced in the case of the former.

MAJOR APPLICATIONS

- Authorities had given particular attention to action to improve performance on major applications. Actions taken included: measures to speed up the conclusion of section 106 agreements, increased resources dedicated to pre-application discussions, a more rigorous approach to validation, stricter adherence to determination within timescales where delays occur on the part of the applicant and more active case management and performance management.
- Authorities also identified a series of obstacles to improving performance, such as: the timescale of concluding section 106 agreements; the problems posed by handling a backlog of on-hand applications which were often major applications subject to section 106 agreements which, when determined, would impact on their performance; shortage of skilled senior staff; delays in responses from consultees; and the complexity and political and community sensitivity of major applications.

PERFORMANCE MANAGEMENT

- An overwhelming majority of authorities (55 of 57) produced regular reports to management dealing with current performance, with a slightly reduced number (48 of 57) of authorities producing reports for elected members. A total of 54 of the 57 authorities produced regular reports to senior officers.
- Of the 57 authorities, 50 were meeting the PARSOL¹⁰ service delivery standards with respect to the online availability of pre-application and general planning advice. Approximately three quarters of authorities were meeting these standards in relation to the submission of planning applications online. Similarly high proportions were observed for the online submission of comments on current planning applications and the online availability of planning committee agendas and all associated decision documents. Approximately half of all authorities were meeting PARSOL standards in relation to the viewing of planning applications online and submission of planning related enforcement complaints online. In contrast, performance in PARSOL standards for planning related enforcement complaints and notices being viewed online was relatively poor with over 90% of authorities not meeting the standard.

¹⁰ The PARSOL (Planning and Regulatory Services Online) National Project has developed a range of standards, toolkits, specifications, schemas, systems and software to assist local authorities in building effective and transparent online planning and regulatory systems supporting back office and front office functions.

Comparative analysis

- In order to try and assess some areas of possible factors driving performance and in response to previous assertions as to the causes of good or bad performance, the analysis has compared several factors together to try and identify any correlations that might explain performance.
- The proportion of applications delayed as a result of waiting for responses for statutory consultees was assessed in relation to the number of days allowed for consultations with statutory consultees to assess whether failure to determine applications within the target timescale might be a function of the timescale authorities allow for responses from statutory consultees and therefore the reasonableness of such timescales. While the relevant sample of responses to both questions enabling analysis was quite small, there appears to be little relationship between the time period allowed for responses and the proportion of applications delayed while awaiting responses. This is consistent with the patterns observed last year.
- To test the extent to which authorities are trying to improve performance through either or both recruitment and up-skilling, the number of full time equivalent (FTE) posts advertised in the 18 months up to September 2005 was compared with the average number of training days provided per FTE member of staff. Overall, whilst there was a broadly 'normal distribution' when comparing responses, an emphasis on recruitment was apparent. However, the distribution was not heavily skewed, indicating that authorities were on the whole taking a balanced approach to both recruitment and training.
- To test the extent to which recruitment was conducted within a planned or managed framework, the number of FTE posts advertised with the last 18 months to September 2005 was assessed as compared with the presence of a recruitment and retention strategy. At low levels of recruitment (five or fewer posts advertised) authorities were less likely to have a recruitment and retention strategy in place. In contrast, at medium levels of recruitment (six to ten posts advertised) authorities were more likely to have a recruitment and retention strategy in place. At higher recruitment levels (greater than ten posts advertised) authorities were also more likely to have a strategy. This contrasts with last year's results which showed an opposite pattern.
- The proportion of applications validated within the authority's target period was compared to the availability of a published guidance note on the validation of applications, in order to be able to assess the effectiveness and implementation of management procedures for validation. Overall, there was no discernable pattern. However, of the five authorities reporting validation of 100% of applications within the target period, only one did not have an internal validation checklist.

- The proportion of applications validated within the authority's target period was compared with the length of the authority's target period for validation of applications. This was intended to examine the extent to which authorities are more likely to meet a target period if it is longer. The majority of authorities performed well in meeting their own validation targets. At this upper end of performance, there was an even distribution of timescales – i.e. a mix between quick targets of within one day ranging to up to one week. Interestingly, there was a slightly greater tendency for one day targets than was observed at the lower end of the performance scale. Overall, a three day target was the one most usually adopted by authorities.

Key Lessons

Many of the key lessons reinforce those identified last year. The evaluation has highlighted that change has continued on those issues raised in the previous standards overview reports, namely: improved processes and procedures, increased delegation, formulation of improvement strategies, investment in enhanced ICT and pro-active management of cases, especially major applications, both pre-application and during the application process. Of particular note this year from the evaluation of the 58 authorities this year are:

- The importance of taking a proactive approach to managing actual cases, particularly major applications, as well as the whole service;
- The need for the development control service to be actively supported by key members as well as senior officers to ensure that resources are forthcoming and sustainable and that both the decision-making and internal consultation processes work well;
- The need for staffing levels to be adequate to take full account of the volume of work involved in determining planning applications, the nature and volume of the caseload, the need for pre-application discussions, the committee process, how appeals are handled, staff training and job satisfaction. Authorities found the benchmark caseload figure of 150 a useful guideline, although precise interpretation will vary according to an authority's particular circumstances, especially the proportion of major, minor and other cases. Evidence from the parallel Planning Delivery Grant research again indicates a clear correlation between caseload and performance on minor and other applications.
- The importance of the culture of the service and the attitude of officers, members and key stakeholders to the performance agenda to achieving positive change without affecting quality;
- The benefit of developing a good and effective improvement strategy which is actively managed and implemented as well as owned and understood by all key parties;
- The need to look imaginatively at different ways to deliver the service: across authorities, with the private sector, sharing resources particularly where there are recruitment and retention problems or very small services;

- The importance of understanding the potential impact that the improvements in ICT can have on the performance of the service both positive and negative and the need to anticipate them;
- The need to ensure that applications when submitted are “fit for purpose” so that the number of invalid applications received is reduced by having good pre-application procedures and clear advice on validation requirements;
- The benefits of ensuring clear public guidance is available on key issues including validation requirements, section 106 provisions and policy, the decision-making process and the authority’s policies.

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