



City of Westminster

Planning & City Development Committee

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Title: Annual Update on Planning Applications Performance – 2022/23

Report of: Director of Town Planning and Building Control

Financial Summary: None.

**Report Author and Contact Details: Oliver Gibson (ogibson@westminster.gov.uk/
07971026919)**

1. Executive Summary

- 1.1 This report presents an annual update on the performance of the Town Planning service in terms of the timeliness and quality of its planning application decision making. The success rate of planning appeals is considered in the other report on this agenda.
- 1.2 The performance of the department over the period between April 2022 and March 2023 continues to exceed the required performance thresholds set by the Department for Levelling Up, Homes and Communities (DLUHC).

2. Recommendation

- 2.1 Members are asked to consider the contents of this report and to note the ongoing overall good performance of the Town Planning service in terms of its determination of planning applications in a timely manner and the quality of decision making.

3. Background

DLUHC Planning Application Speed and Quality Performance Thresholds

- 3.1 The performance of local planning authorities (LPAs) in determining planning applications for major and non-major development is assessed by the DLUHC over a 24-month rolling period after every quarter. DLUHC does not monitor the performance of local planning authorities in determining 'other' applications. 'other' applications comprise all applications that are not for planning permission, such as applications for approval of details pursuant to a planning condition, listed building consent, advertisement consent, prior approval, certificates of lawfulness etc. Whilst 'Other' applications are not monitored by DLUHC, their assessment and timely determination makes up a significant proportion of the annual workload of the service and contributes to the overall customer perception of the service (see figures in Section 4).
- 3.2 The assessment of performance for major and non-major applications is judged by the DLUHC against two separate measures of performance, as set out in 'Improving

Planning Performance – Criteria for Designation’, which was last updated in October 2022. The measures of performance are:

- the speed with which applications are dealt with measured by the proportion of applications that are dealt with within the statutory time or an agreed extended period; and,
- the quality of decisions made by local planning authorities measured by the proportion of decisions on applications that are subsequently overturned at appeal.

- 3.3 For major applications the DLUHC sets a threshold of at least 60% of all decisions being made within 13 weeks or within an alternative timeframe agreed with the applicant. For non-major development the DLUHC threshold is 70%.
- 3.4 The DLUHC measures the quality of LPA decision making by monitoring their success rate at appeal. For both major and non-major development, the DLUHC sets a threshold of not more than 10% of the total number of decisions made by an LPA being subsequently overturned at appeal.
- 3.5 Where an LPA does not meet or exceed these thresholds, it can be ‘designated’ by the DLUHC on behalf of the Secretary of State. Where an LPA is designated, it must produce an improvement plan for areas of weakness and applicants may apply directly to the Planning Inspectorate for determination of the category(ies) of applications for which the authority has been designated.

4. Planning Application Volumes

- 4.1 The council’s planning service is one of the busiest in the country in terms of the total volume of applications it handles annually. Tables 1-3 set out the number of applications received, the number withdrawn, and the number of applications determined during 2022/23 in context with comparative volumes for preceding years.

Table 1 – Volume of applications received.

Year	Major Applications	Non-Major Applications	Other Applications	Total Validated
2022/23	29	2982	4970	7981
2021/22	34	3099	4923	8056
2020/21	38	2917	4468	7423
2019/20	61	3639	5568	9268

Table 2 – Volume of applications withdrawn or otherwise closed prior to determination.

Year	Major Applications Withdrawn	Non-Major Applications Withdrawn	Other Applications Withdrawn	Total Withdrawn
2022/23	5	414	498	917
2021/22	5	354	385	744
2020/21	2	363	364	729
2019/20	6	493	516	1015

Table 3 – Volume of applications determined.

Year	Major Applications	Non-Major Applications	Other Applications	Total Determined
2022/23	28	2476	4380	6884
2021/22	26	2550	4413	6989
2020/21	35	2534	4036	6605
2019/20	49	3168	5075	8292

4.2 In addition to handling planning and other related applications, the planning service provides a comprehensive pre-application advice service for residents, businesses, and developers. Since April 2022, this service has included a discounted fee for advice to householders on energy efficiency and sustainability improvements. Table 4 shows the total volume of valid pre-application advice requests that were received during 2022/23 in context with volumes in previous years.

Table 4 – Volume of pre-application advice requests handled.

Year	Pre-Application Requests
2022/23	771
2021/22	714
2020/21	733
2019/20	1002

5. Planning Applications Speed and Quality of Decision Making

Speed of Application Decision Making

5.1 For the one-year period from April 2022 to March 2023 the City Council met and exceeded the DLUHC performance thresholds for both major and non-major applications. The major applications threshold was exceeded by 25.7%, whilst the non-major applications threshold was exceeded by 6.7%. Performance for 2022/23 is shown with comparative data for the preceding years in Tables 5 and 6.

Table 5 – Performance against DLUHC thresholds for major planning applications.

Year	Total Decisions	Total under 13 weeks/ PPA's or EoT's within target	% < 13 weeks or within PPA/EoT Target
2022/23	28	24	85.7%
2021/22	26	23	88.5%
2020/21	35	26	77%
2019/20	49	36	74%

Table 6 – Performance against DLUHC thresholds for non-major planning applications.

Year	Total Decisions	Total under 13 weeks/ PPA's or EoT's within target	% < 8 weeks or within PPA/EoT Target
2022/23	2476	1894	76.7%

2021/22	2550	1982	77.7%
2020/21	2534	1771	70%
2019/20	3168	2317	73%

5.2 The latest data published by the DLUHC for the rolling 24-month period up to the end of March 2023 (see Tables 7 and 8) shows Westminster's performance for major applications to be 86.8% (up from 78% for the 24 months to December 2021), whilst performance for non-major applications is 77.2% (up from 72.9% for the 24 months to December 2021). The latest performance statistics demonstrate that the planning service continues to handle a high volume of applications, whilst also providing timely decision making for the significant majority of applications.

5.3 The timeliness of decision making has continued to improve during 2022/23 through the continuation of measures implemented in 2021/22 to place greater focus on the speed of decision making. The improvements to the speed of decision making have been delivered without an adverse impact on the quality of decision making or customer service, as identified by the data in Tables 9 and 10.

Table 7 – Comparison of speed of major application decision making with other Inner London Local Planning Authorities for 24-month period to end of March 2023.

Local Authority	Total Major Apps	Decisions in agreed time limit (13 Weeks, PPA, EoT or EIA)	% of Apps that had a PPA, EoT or EIA	% Within 13 Weeks or Agreed Time Limit	% change on previous performance for 24 months to March 2021
Camden	66	63	92.4%	95.5%	+1.4
City of London	41	39	95.1%	95.1%	+4.9
Greenwich	64	64	95.3%	100%	0.0
Hackney	28	25	85.7%	89.3%	-3.5
Hammersmith and Fulham	35	35	94.3%	100%	+2.5
Islington	42	41	95.2%	97.6%	-0.3
Kensington and Chelsea	32	32	84.4%	100%	0.0
Lambeth	76	74	78.9%	97.4%	-0.3
Lewisham	44	43	86.4%	97.7%	-2.3
Southwark	106	76	75.5%	71.7%	-5.0
Tower Hamlets	75	69	89.3%	92.0%	+3.5
Wandsworth	86	77	75.6%	89.5%	-4.0
Westminster	53	46	81.1%	86.8%	+9.8
Inner London Average	748	684	85.3%	82.2%	-8.8

Table 8 – Comparison of speed of non-major planning application decision making with other Inner London Local Planning Authorities for 24-month period to end of March 2023.

Local Authority	Total Non-Major Apps	Decisions in agreed time limit (8 Weeks, PPA, EoT or EIA)	% of Apps that had a PPA, EoT or EIA	% Within 8 Weeks or Agreed Time Limit	% change on previous performance for 24 months to March 2021
Camden	2,671	2,141	71.9%	80.2%	-2.5
City of London	380	320	75.5%	84.2%	-3.3

Greenwich	2,831	2,692	31.4%	95.1	-0.6
Hackney	2,543	2,085	26.1%	82.0%	-2.5
Hammersmith and Fulham	2,901	2,681	51.9%	92.4%	0.0
Islington	2,487	2,424	39.9%	97.5%	+2.8
Kensington and Chelsea	3,377	2,874	34.1%	85.1%	+15.2
Lambeth	3,338	3,076	42.9%	92.2%	-3.5
Lewisham	3,539	3,268	32.1%	92.3%	-1.9
Southwark	2,648	2,125	22.3%	80.2%	-5.4
Tower Hamlets	1,547	1,400	32.6%	90.5%	+1.8
Wandsworth	4,631	3,841	33.3%	82.9%	-1.6
Westminster	5,025	3,881	28.3%	77.2%	+4.3
Inner London Average	37,918	32,808	37.0%	86.5%	+0.8

- 5.4 Whilst the performance level of other Inner London Boroughs in the determination of non-major applications appears higher than Westminster, this is largely reliant on other LPAs more extensively utilising Extensions of Time (EoTs) and Planning Performance Agreements (PPAs) to extend the time for determination of planning applications beyond the statutory 8-week timeframe. The planning service avoids this approach and instead focuses on determining a higher proportion of applications within the statutory 8-week timeframe. Those other Inner London LPAs that more prevalently utilise EoTs and PPAs to extend timeframes are able to achieve higher proportions of decisions within the flexible DLUHC timeframes, however, this does not necessarily mean that in practice their decision making is faster than that delivered by Westminster.
- 5.5 The median time taken to determine non-major planning applications during 2022/23 was 7.3 weeks and this is consistent with the speed of decision making since 2017/18, which has remained consistently between 7.1 and 7.3 weeks.

Quality of Application Decision Making

- 5.6 The DLUHC data for appeals against decisions on major applications demonstrates that in the 24-month period to the end of March 2022 (latest period published by the DLUHC) the council handled 62 major applications. Of these 62 decisions five were the subject of subsequent appeals and of these 3 were allowed. The allowed appeals were at Townsend House (20/02361/FULL – appeal allowed on 13 May 2021), 52-73 Wilton Road (19/06682/FULL – appeal allowed on 29 December 2021) and Kilmuir House (20/01346/FULL – appeal allowed on 3 February 2023). Whilst the decision to refuse permission for redevelopment of Townsend House was a delegated decision, the other two redevelopment schemes were refused at committee against the officer recommendation to grant conditional permission. Consequently, the percentage of all major applications permitted via appeal has risen to 4.8% for the relevant 24-month period. However, this remains well below the DLUHC performance threshold of 10%.
- 5.7 In the same 24-month period to the end of March 2023, the council determined 5,097 non-major applications of which 115 were subsequently the subject of an appeal, Of those appeals, 35 were allowed. For non-majors, as a percentage of the total number of applications handled in this period, this equates to 0.7% (an improvement of 0.2% on the previously reported 24-month period to the end of September 2020).
- 5.8 Tables 9 & 10 below benchmark Westminster's quality of decision-making performance against other Inner London boroughs. Appeals data for major applications (Table 9) is more susceptible to fluctuations between reporting periods due to the more limited number of applications that are assessed and determined by each LPA. Consequently, whilst the current percentage of all major application decisions allowed at appeal is

currently high, it is expected that this will return to a lower level in future reporting periods (note that in the previous 24-month reporting period the percentage was 0%).

Table 9 – Comparison of quality of major planning application decisions with other Inner London LPAs for the 24-month period to the end of March 2022 (latest period published by DLUHC)

Local Authority	Total Major Decisions	Total Appeal Decisions	No. of appeals made per 100 apps	Total Decisions Overturned	Quality of Decisions (% overturned at appeal)	% change on previous 24-month period to Sept 2020
Camden	67	1	1.5	0	0.0	0.0
City of London	43	1	2.4	0	0.0	0.0
Greenwich	60	6	10.2	3	5.0	+2.4
Hackney	47	2	4.3	0	0.0	0.0
Hammersmith and Fulham	40	4	10.3	1	2.5	-1.9
Islington	47	5	10.6	3	6.4	+2.7
Kensington and Chelsea	45	1	2.2	0	0.0	-1.7
Lambeth	84	1	1.2	0	0.0	-4.9
Lewisham	45	3	6.7	1	2.2	+0.2
Southwark	133	2	1.5	1	0.8	-1.1
Tower Hamlets	78	2	2.6	1	1.3	-0.9
Wandsworth	96	1	1.0	1	1.0	-2.3
Westminster	62	5	8.2	3	4.8	+4.8
Inner London Average	847	34	4.0	14	1.7	Data not available

Table 10 – Comparison of quality of non-major planning application decisions with other Inner London LPAs for 24-month period to the end of March 2022 (latest period published by DLUHC).

Local Authority	Total Non-Major Decisions	Total Appeal Decisions	No. of appeal decisions per 100 apps	Total Decisions Overturned	Quality of Decisions (% overturned at appeal)	% change on previous 24-month period to Sept 2020
Camden	2,570	105	4.1	31	1.2%	-0.1
City of London	370	0	0.0	0	0.0%	-0.2
Greenwich	2,635	154	5.9	68	2.6%	-0.6
Hackney	2,264	121	5.4	47	2.1%	+0.5
Hammersmith and Fulham	2,863	130	4.6	56	2.0%	0.1
Islington	2,318	143	6.2	32	1.4%	-0.1
Kensington and Chelsea	3,169	119	3.8	43	1.4%	+0.2
Lambeth	3,302	120	3.6	31	0.9%	-0.2
Lewisham	3,224	141	4.4	27	0.8%	-0.5
Southwark	2,784	75	2.7	21	0.8%	+0.2
Tower Hamlets	1,630	87	5.4	15	0.9%	+0.1
Wandsworth	4,641	93	2.0	25	0.5%	-0.1
Westminster	5,097	115	2.3	35	0.7%	-0.2

Inner London Average	34,297	1,298	3.8	400	1.2%	Data not available
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5.9 In terms of quality of decision making for non-major applications, Table 10 shows that Westminster has one of the lowest allowed appeals percentage across all of the Inner London LPAs. Only the City of London (which handles far fewer applications and had no appeals) and Wandsworth have comparable levels of performance in terms of quality of decision making. Similarly, only Wandsworth had a comparably low number of appeals submitted per 100 decisions in the 24-months to March 2022. These metrics indicate that the Council's assessment of applications continues to be well balanced and that decisions are robustly justified in delegated and committee reports, thereby dissuading unsuccessful applicants from appealing and ensuring a high proportion of decisions challenged at appeal can be successfully defended.

6. Financial Implications

6.1 None.

7. Legal Implications

7.1 None.

8. Conclusion

8.1 Having regard to the significant volume of applications that are received annually by the council and the increasing complexity of many planning submissions, the Town Planning service continues to provide a good service in terms of both the speed and quality of planning outcomes it delivers to applicants, communities, and other stakeholders, as demonstrated by the DLUHC and other performance data set out in this report.

If you have any questions about this report, or wish to inspect one of the background papers, please contact: Oliver Gibson (ogibson@westminster.gov.uk / 07971026919)

Appendices:

None.

Background Papers:

None.