

REPORT TO ENVIRONMENT AND TRANSPORT PORTFOLIO

23 January 2024

TITLE OF REPORT: Housing Delivery Test result

Purpose of the Report

To advise Portfolio about the performance of the Development Management Service over the past two years in respect of the work at Planning and Development Committee and planning applications considered through delegated powers.

To report on the conclusions of the for Levelling Up, Housing and Communities annual assessment of Local Planning Authorities in their performance against published criteria for assessing under-performance under section 62B of the Town and Country Planning Act 1990.

Background

The Department for Levelling Up, Housing and Communities publishes quarterly and annual reports of the performance of local Planning Authorities based on the quarterly returns that all Councils report.

Section 62B of the 1990 Town and Country Planning Act 1990 allows applicants to submit their applications directly to the Planning Inspectorate if the Local Planning Authority for the area has been designated as poorly performing. This would take the decision-making function away from the Local Planning Authority. In addition, the Local Planning Authority would be expected to prepare an action plan addressing areas of weakness for agreement with the department.

The criteria for designation are based on speed of decision and quality of decision making (measured as the number of decisions overturned at appeal) for all planning applications divided into two categories namely major applications, and non-major applications. This sets the minimum performance threshold for Local Planning Authorities as:

- More than 60% of Major decisions made within the statutory period.
- Less than 10% of Major decisions overturned at appeal
- More than 70% of non- major decisions made within the statutory period.
- Less than 10% of non- major decisions overturned at appeal

Performance

The table below presents data on the performance of Gateshead Local Planning Authority against the published criteria for assessing under-performance as published by DLUHC. It provides information on the speed of decisions on

applications for major and non-major development, for both district matter and county matter authorities.

Criteria	Threshold	Gateshead Performance
Speed of Major development (District)	60% (oct 21 to Sept 23)	100%
Quality of Major Development (District)	10% (April 2021 to March 2023)	0%
Speed of Major Development (County)	60% (oct 21 to Sept 23)	No Decisions
Quality of Major Development (County)	10% (April 2021 to March 2023)	0% (no appeals)
Speed of Non- major development	70% (oct 21 to Sept 23)	88.2%
Quality of non-major development	10% ((April 2021 to March 2023)	0.3% (4 appeals overturned)

Conclusion

The Local Planning Authority is performing well and is performing significantly above the threshold for designation.

However, this is largely due to the ability to agree extended determination dates with the applicant in order allow time for ongoing discussions to overcome issues with the application. As previously reported, the Government have indicated their intent to remove the provision for Extension of Time agreements. This is likely to remove/restrict our ability to work with the applicant to resolve issues and may lead to increased refusal decisions.

BACKGROUND INFORMATION

[DLUHC statistics page](#)

[Planning Application Statistics - July to September 2023 - Factsheet.pdf
\(publishing.service.gov.uk\)](#)

[Improving planning performance: criteria for designation \(updated 2022\) - GOV.UK \(www.gov.uk\)](#)