



**Havering**  
LONDON BOROUGH

**Planning Committee**  
**12<sup>th</sup> January 2023**

**Subject:** **Quarterly Planning Performance Update Report.**

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## **1 BACKGROUND**

- 1.1 This quarterly report produces a summary of performance on planning applications/appeals and planning enforcement for the quarter, July to September 2022.
- 1.2 Details of any planning appeal decisions in the quarters where committee resolved to refuse planning permission contrary to officer recommendation are also given.
- 1.3 The Government has set performance targets for Local Planning Authorities, both in terms of speed of decision and quality of decision. Failure to meet the targets set could result in the Council being designated with applicants for planning permission being able to choose not to use the Council for determining the application

## **2 RECOMMENDATION**

That the report be noted.

## **3 QUALITY OF PLANNING DECISIONS**

- 3.1 In accordance with the published government standards, quality performance with regard to Major (10 or more residential units proposed or 1000+ sq m new floorspace or site area greater than 0.5 hectares), County Matter (proposals involving minerals extraction or waste development) and Non-

Major applications are assessed separately. If more than 10% of the total decisions in each category over the stated period were allowed on appeal, the threshold for designation would be exceeded. Due to the fact that 10% of the number of non-major decisions made exceeds the total number of appeals, there is no chance of designation so the performance against the non-major target will not be published in this report, although it will still be monitored by officers.

3.2 In October 2022, the DLUHC announced that there would be two periods of assessment for the purposes of designation:

- decisions between 1 April 2020 and 31 March 2022, with subsequent appeal decisions to December 2022.

- decisions between 1 April 2021 and 31 March 2023, with subsequent appeal decisions to December 2023.

3.3 The current figures for April 2020 to March 2022 are:

Total number of planning decisions over period: 68

Number of appeals allowed: 1

% of appeals allowed: 1.5%

Appeals still to be determined: 1

Refusals which could still be appealed: 0

County Matter Applications:

Total number of planning decisions over period: 2

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0

Refusals which could still be appealed: 0

3.5 Based on the above, there is no risk of designation for this period.

3.6 The current figures for April 2021 to March 2023 are:

Total number of planning decisions over period: 53

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 2

Refusals which could still be appealed: 1

County Matter Applications:

Total number of planning decisions over period: 2

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0  
Refusals which could still be appealed: 0

- 3.7 Due to the low number of decisions that we take that are majors or county matters, any adverse appeal decision can have a significant effect on the figure. Based on the above, it is considered that at this time there is a risk of designation. The figure will continue to be carefully monitored.
- 3.8 As part of the quarterly monitoring, it is considered useful to provide details of the performance of appeals generally and summarise any appeal decisions received where either the Strategic Planning Committee/Planning Committee resolved to refuse planning permission contrary to officer recommendation. This is provided in the tables below.

#### **Appeal Decisions Jul-Sep 2022**

<b>Total Number of Appeal Decisions -</b>	<b>24</b>
<b>Appeals Allowed -</b>	<b>9</b>
<b>Appeals Dismissed -</b>	<b>19</b>
<b>% Appeals Allowed -</b>	<b>37%</b>

Officer Comment – The average for the year to date (2 quarters) is 33% appeals allowed. In terms of benchmarking, the national average for the same quarter was 31%, with the London average being 30%. Appeal decisions are carefully monitored for any particular trends with appropriate advice to officers as necessary.

#### **Adverse Costs Decisions – 1**

Details of Costs Award – Land North of Willoughby Drive, Rainham – This was a co-joined enforcement notice and planning appeal dealt with by way of Public Inquiry. Both appeals were dismissed with the enforcement notice being upheld. Costs were awarded against the Council for unreasonable behaviour in relation to introducing new material late in the process including highway safety matters and requesting changes to the enforcement notice. The Council was successful in arguing for an award of costs for the appellant's unreasonable behaviour in continual cross examination of the Council's enforcement witness on matters that should have been directed at the planning witness. Given that costs were awarded against each party, it was agreed that no costs would be claimed by either party.

#### **Appeal Decisions where Committee Decision Contrary to Officer Recommendation**

<b>Total Number of Appeal Decisions -</b>	<b>0</b>
<b>Appeals Allowed -</b>	<b>0</b>
<b>Appeals Dismissed -</b>	<b>0</b>
<b>% Appeals Allowed -</b>	<b>0%</b>

Appeal Decisions Jul-Sep 2022  
Decision by Committee Contrary to Officer Recommendation

<b>Date of Committee</b>	<b>Application Details</b>	<b>Summary Reason for Refusal</b>	<b>Appeal Decision</b>	<b>Summary of Inspectors Findings</b>
N/A	N/A	N/A	N/A	N/A

#### **4 SPEED OF PLANNING DECISIONS**

4.1 In accordance with the published government standards, speed of decision applies to all major and non-major development applications, with the threshold for designation set as follows:

Speed of Major Development (and County Matters) – 60% of decisions within timescale (13 or 16 weeks or such longer time agreed with the applicant)

Speed of Non-Major Development - 70% of decisions within timescale (8 weeks or such longer time agreed with the applicant)

4.2 In October 2022 DLUHC announced that there would be two periods assessed for the purposes of designation:

- Decisions made between October 2020 and September 2022
- Decisions made between October 2021 and September 2023

4.3 Performance to date on these is as follows:

October 2020 to September 2022 (final figure)

Major Development (66 out of 68) –	97% in time
County Matter (2 out of 2) –	100% in time
Non-Major Decisions – (3995 out of 4221)	95% in time

October 2021 to September 2023 (to date)

Major Development (34 out of 35) –	97% in time
County Matter (1 out of 1) –	100% in time
Non-Major Decisions – (1940 out of 2060)	94% in time

4.4 The Council is currently not at risk of designation due to speed of decisions. The figure for future periods will continue to be monitored.

4.5 It is considered useful to provide some comparison on speed of decision on Major and Non-Major decisions with other London Boroughs. Obtaining directly

comparable benchmarking data for the above period is not possible. However, comparison data on speed of decision for the year ending September 2022 is available and set out below. Performance in Havering is generally good compared to other boroughs for both measures.

<b>Borough</b>	<b>Major In Time</b>	<b>Rank - Majors</b>	<b>Minor and Others In Time</b>	<b>Rank - Minors and Others</b>
Barking and Dagenham	100%	1	100%	1
Barnet	70%	32	83%	22
Bexley	91%	20	79%	28
Brent	100%	1	80%	24
Bromley	84%	27	76%	31
Camden	94%	16	71%	33
City of London	90%	21	83%	22
Croydon	78%	29	75%	32
Ealing	100%	1	96%	2
Enfield	85%	26	86%	19
Greenwich	100%	1	92%	8
Hackney	87%	24	80%	24
Hammersmith and Fulham	100%	1	91%	11
Haringey	100%	1	89%	16
Harrow	72%	31	80%	24
<b>Havering</b>	<b>97%</b>	<b>14</b>	<b>95%</b>	<b>4</b>
Hillingdon	96%	15	91%	11
Hounslow	68%	33	89%	16
Islington	100%	1	96%	2
Kensington and Chelsea	100%	1	85%	20
Kingston upon Thames	86%	25	93%	7
Lambeth	100%	1	91%	11
Lewisham	100%	1	92%	8
Merton	78%	29	80%	24
Newham	100%	1	94%	5
Redbridge	100%	1	94%	5
Richmond upon Thames	89%	22	90%	14
Southwark	79%	28	77%	29
Sutton	100%	19	88%	18
Tower Hamlets	93%	18	92%	8
Waltham Forest	94%	16	90%	14
Wandsworth	88%	23	84%	21
Westminster	93%	18	77%	29

## 5 PLANNING ENFORCEMENT

- 5.1 There are no designation criteria for planning enforcement. For the purposes of this report, it is considered useful to summarise the enforcement activity in the relevant quarter. This information is provided below:

Jul – Sep 2022	
Number of Enforcement Complaints Received: 144	
Number of Enforcement Complaints Closed: 173	
Number of Enforcement Notices Issued Jul-Sep 22: 13	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
11 St Lawrence Road, Upminster	Unauthorised extension/alteration of outbuilding
150 Upminster Road, Upminster	Unauthorised roller shutter
Frog Island, Rainham	Unauthorised use of land for waste processing
49 Heath Drive, Romford	Unauthorised hard surface to front/side
27 Pettits Boulevard, Romford	Untidy Land Notice
172-174 Collier Row Lane, Romford	Unauthorised vehicle storage
7 Walmer Close, Romford	Unauthorised front extension
162 Heath Park Road, Romford	Unauthorised seating area to front
26-26A Tudor Drive, Romford	Unauthorised hard surface to front
Land at York Road, Rainham	Untidy Land Notice
317 Lodge Lane, Romford	Unauthorised: 1) Outbuilding 2) Rear extension 3) Swinging frame 4) Porch
96 Nelson Road, Rainham	Unauthorised: 1) First floor rear extension 2) Window to side elevation
Land rear of 12-26 Harold Court Road, Romford	Breach of Conditions - Hours of construction - Construction methodology