

Planning Service

HEAD OF SERVICE: **Adrian Duffield**



Stephen Gee / Fionnuala Wolff
Planning Development Management
Department for Levelling Up, Housing and
Communities
Third Floor, Fry Building
2 Marsham Street
LONDON SW1P 4DF

CONTACT OFFICER: Adrian Duffield

planning@whitehorsedc.gov.uk

Tel: 01235 422600

Textphone: 18001 01235 422600

Abbey House, Abbey Close, Abingdon,
OXON, OX14 3JE

Our reference: PE/V001/23

By email to:

Fionnuala Wolff

fionnuala.wolff@levellingup.gov.uk

Stephen Gee

stephen.gee@levellingup.gov.uk

14 July 2023

Dear Stephen and Fionnuala

Performance of Local Planning Authorities: Section 62A, Town and Country Planning Act 1990

I write with reference to the Secretary of State's letter 12 April 2023, regarding our potential designation under the above legislation due to the speed of our decisions on applications for major and non-major development. We are grateful for the clarification of requirements, as provided by email from you, 15 June 2023.

We appreciate that the Secretary of State has given us the opportunity to demonstrate improved performance by June and that he recognises we have already improved our performance, as amplified in my letter 27 January 2023.

I confirm our performance continues to improve and that we now exceed the Government's performance thresholds. Our current performance over the assessment period July 2021 to June 2023 for the speed of decisions is 68 per cent for applications for major development and 78 per cent of applications for non-major development within the statutory determination period.

We are extremely confident that we can consistently sustain the improved performance going forward.

In compiling our response, we have liaised with the Planning Advisory Service.

I have discussed and agreed the contents of this letter with the Leader of the Council and the Cabinet Member for Planning and Development Management. We have also shared our response with our MPs.

Performance

The data below (Table 1) demonstrates that for major and non-major application decisions, we have consistently been above the Government threshold since July 2022; a full year. We consider with our current approach to decision making, which has already proved successful, that we will continue to exceed thresholds. Our projection is that by the end of the next quarter (July to September 2023) we will reach over 70 per cent for majors and over 80 per cent for non-majors.

Table 1

Vale of White Horse															
Criteria: Speed															
Council Vale of White Horse															
	District matter Majors (151a)							Non-majors (153)							
	All Major Decisions	Major Decisions within 13 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result		Non-major Decisions	Non-major Decisions within 8 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result		
Q1	Jul - Sep 2021	10	3	7	3	4	60%	Q1	Q1	235	71	68	45	119	49%
Q2	Oct - Dec 2021	7	2	4	3	2	71%	Q2	Q2	228	96	79	59	73	68%
Q3	Jan - Mar 2022	11	0	7	2	9	18%	Q3	Q3	199	79	81	60	60	70%
Q4	Apr - Jun 2022	14	0	11	6	8	43%	Q4	Q4	273	98	115	88	87	68%
Q5	Jul - Sep 2022	6	0	6	5	1	83%	Q5	Q5	305	138	133	118	49	84%
Q6	Oct - Dec 2022	11	0	11	10	1	91%	Q6	Q6	298	148	126	115	35	88%
Q7	Jan - Mar 2023	11	2	8	8	1	91%	Q7	Q7	227	123	99	93	11	95%
Q8	Apr - Jun 2023	14	3	11	10	1	93%	Q8	Q8	259	165	91	90	4	98%
total		84	10	65	47	27	68%			2024	918	792	668	438	78%
Minimum level required							60%	Minimum level required							70%

Our performance to date and confidence in sustaining performance above thresholds, as predicted in my letter 27 January 2023, demonstrates that the council's actions and mitigation measures have had a positive and sustained impact on our performance.

As you know we have been working with the Planning Advisory Service (PAS). Since spring 2022 we have implemented the majority of their recommended mitigation measures as set out in our action plan (Evidence - E1), which resulted in an uplift in performance from July 2022. Arising from the action plan, we now forward plan our expected performance, which helps us manage external factors that impact on our ability to deliver our planning service.

In agreement with applicants, we use extensions of time particularly on major applications where we are working with applicants to secure changes that can lead us to a positive recommendation. We also use them to help reduce the impact on our performance by external factors, such as timely responses by statutory bodies. Our action plan includes working with and building an improved working relationship with our statutory partners, so we can reduce the need for extensions of time. We closely monitor and manage their use, which are only sought in exceptional circumstances. The result, as you will note from the published data over the last year (PS1: summary information), is that we are steadily reducing our use of extensions of time.

Our current approach to decision making includes setting higher local targets to build in a buffer and a projection of meeting a minimum quarterly performance of 80 per cent for major decisions and 85 per cent for non-major decisions. We continue to believe this projection to be realistic and a reasonable expectation based on our accrual performance over the last year.

Response and action

As previously mentioned in my response 27 January 2023, our performance position as of September 2022 was not a surprise to the local planning authority and we had already proactively engaged PAS to assist improvements regarding our identified performance issues. The implementation of the action plan has contributed to improved performance since July 2022, and which you see continues to improve.

To complete our assurance work, we followed the PAS review with a Peer review in autumn 2022 and have agreed a six-month review which has been organised for the end of July 2023 with peer councillors.

Our action plan included councillor training, which following our local elections has been undertaken. The planning training included both an overview and a mock planning committee using the PAS councillor training as a framework.

We continue to review and improve the way of working in planning under the council's organisation-wide Transformation Programme, which will help sustain the improved speed in determination of applications and maintain our performance in the quality of decision making.

As mentioned previously, we have now completed the procurement of new planning IT software, which we expect to go live early next year. This, along with the wider Transformation Programme and a dedicated transformation resource specifically tasked with managing the improvement workstreams within the planning service demonstrates a significant commitment by the council, especially in the current challenging financial climate of local government.

Exceptional Circumstances

Following proactive action to engage PAS and committing additional resources both in staff and budget through our transformation programme we have identified efficiencies, including productivity and capability, to improve performance and service to our customers: residents and businesses. We are currently undertaking a consultation on the staff structure of the planning service which will deliver greater flexibility and resilience to ensure we can sustain improved performance now and in the future. As the evidence shows, our performance has improved and for a year it has exceeded the thresholds for major and non-major decisions decided within the statutory determination period. We consider that we are back on track and can sustain performance at the required level going forward. We will continue to review structures to ensure this adaptability and performance resilience remains in place in the future.

It is worth mentioning that our on-hand position for applications continues to reduce, as evidenced by the published data. In Quarter 3, 2022 (Sept - Dec 2022), at the beginning of the quarter we had 556 applications on-hand but by the end of the Quarter 2, 2023 (April to June 2023) we had reduced our on-hand to 345 applications.

Wider planning delivery

To assist you in your consideration of potential designation, we respectfully remind you of some of the wider planning work which the local planning authority is undertaking. By way of example, our up-to-date local plan is now under review, and we are working with South Oxfordshire District Council to develop a joint local plan. This is progressing to a second Regulation 18; Preferred Options, scheduled for autumn 2023 (link to Local Development Scheme; Evidence – E2). Our adopted local plan has delivered sustainable planned growth to support the Oxfordshire economy and housing.

Along with other planning work, Vale of White Horse District Council, as the local planning authority, is currently delivering the planning system for its residents and businesses and, having put in place new procedures to enable greater speed of decision making, these interventions continue to demonstrate sustained performance improvement.

Conclusion

We respectfully suggest that the benefit to Government of designating the Vale of White Horse District Council, has in our view, no value to any party. We are sure that you will also recognise that designation at this time might affect the confidence of developers and investors in the area, impacting on housing delivery and economic growth, to the detriment locally, nationally and even internationally (e.g. Harwell Science and Innovation Campus).

We have taken considerable and effective remedial action to address performance and improvements are evident from performance statistics. Designation would undermine the positive progress we have made and would reduce our ability to recruit and retain staff, who have demonstrated a strong commitment to improving performance and delivery of the planning service. We thus believe it would not be beneficial to our ongoing improvement journey to designate the council.

We believe we have demonstrated that we have an efficient and effective planning service that can help contribute to Government's objective of delivering the homes, buildings and investment that the country needs.

We hope you accept our reasonable request not to designate the council.

Yours sincerely



Mark Stone
Chief Executive

Encl. Evidence

E1 – PAS/Peer action plans

E2 – Local Development Scheme <https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2023/06/Accessible-Joint-LDS-Jun-23.pdf>