|  |
| --- |
| Planning Advisory Service |
| PAS Development Management Challenge Toolkit |
|  |

|  |
| --- |
| Considering an application |



# Introduction

Considering an application forms one of 15 sections of the [PAS Development Management Challenge Toolkit](https://www.local.gov.uk/pas/development-mgmt/development-management-challenge-toolkit). Please refer to the PAS website for information on the other 14 sections and further background to the toolkit.

All Councils need to be mindful of the national performance standards based on speed and quality. A Council may not feel that it is necessary to be ‘top of the league’ but it does need to ensure that it does not fall within the designation criteria. Councils will have varying ways in which applications are managed, but it is really important that there is consistency and fairness in the way every application is considered and an opportunity to reflect on the implications of decisions made so that there is continuous learning.

Please consider the statements below that attempt to define what an excellent and poor Planning Authority looks like and then consider some tips to improve performance. The purpose of defining poor and excellent is to be controversial and to stimulate debate within a Council. The tips will work for some Councils and not for others because every Council is different and therefore has different priorities for improvement. The tips are also aimed at getting Planning Authorities to think about solutions and to work through challenges in bite-size ways rather than being overwhelmed by the problems they face.

# How to use it

For each part discuss where you feel your Council sits on a scale from 1 (poor) to 5 (excellent). If you disagree with one another (which you may do) discuss why you have different views as perception is a really important factor in improving how things are done. Ultimately the final score is not as important as what you are going to do about it. However, it is really important to write down why you have either agreed on a score or why you can’t decide on a score. This will help you to understand where you are as a service on the journey between poor and excellent and if you don’t write it down you will have no record of why you came to those conclusions.

Next, decide what score you would like to be. It may seem obvious that you always will want to be a 5 (excellent) but this is not always the case as it depends on where you want to focus your priorities as a service. For example, how important is monitoring performance to your service? All Planning Authorities will want to monitor the speed and quality of decision-making as these are the minimum benchmarks set by Government but you will then need to balance the time spent in collecting information about all areas of the Development Management process against the staff resources you have to deliver an excellent service. Only you will know whether you want to reach a 5 or whether you may be happy to be a 3 or 4. We suggest you note down the reasons why you may not want to score a 5 at this time as this will help you prioritise your actions in any improvement plan.

Finally, look at the ‘top tips’ and actions you want to take from the session. Which tips are you going to take on board and which are you going to dismiss? – it is ok to say a tip is not for you as long as you know why. Then if you decide you want to take forward a tip decide how you are going to implement it. Some you simply need to do and others may involve outside support such as from PAS. Also, consider what other actions have come out of the discussion. Encourage all staff taking part in the session to generate other ideas and actions to help you develop an action plan.

Each section of the toolkit usually takes about an hour to an hour and a half to complete. However, the time you spend on each section very much depends on how much discussion and disagreement takes place – it will sometimes be shorter and sometimes longer. Also, some sections are longer than others so there will inevitably be a difference in time spent on each.

When you have completed the sections that you feel are important to your service you should be in an excellent position to prepare your own action plan of improvement in the format that is appropriate for your organisation. However, it is also really important to use the toolkit to reflect back on the things you are doing well and therefore do not need to change. Do not simply dwell on the negatives but celebrate success and promote best practice within your service. It is really important when Planning Departments are struggling with resourcing and workload pressures to celebrate with staff good practice and a job well done.

# How to involve staff in the discussion

Case officers should take the lead in the discussion as they will be closest to the day-to-day ways of working. Managers and technical support officers will then be able to clarify whether the practice is consistent with processes in place and all staff can then be able to suggest improvements if necessary.

# Facilitator’s tips

* Ask yourself challenging questions such as: Do we agree with excellent? Do we agree with poor? Are the tips helpful? What do we need to do if anything to change?
* Make sure you have someone to write down your conclusions and check what has been written before moving on to the next session. It is really important to ensure everyone’s thoughts are represented accurately
* The scores are there to help you conclude the effectiveness of your Development Management service but do not spend too long debating the scores, they are only there to give you guidance and to stimulate debate
* As always it is about getting the right people in the room and making them comfortable to contribute. Some staff may feel that their contribution is not as important as others. Make sure it is inclusive and everyone’s views are given equal weight
* Some staff may feel uncomfortable when some topics are discussed. Ultimately you need to decide whether all staff should be involved in the whole session, but the toolkit works best when staff are able to express their views openly without fear of repercussion.
* This process can work really well with people from different councils so that services can learn from each other and suggest ways of working together in the future.
* Many issues that people identify can be tackled at a number of different levels. Encourage people to think of what they could just do on Monday, as well as the bigger trickier things that need buy-in.
* Always agree on a follow-up action plan that will result from the discussions, otherwise the ideas, enthusiasm and momentum will be lost.

# For more information & Help

If you would like more information about any aspect of the Development Management Challenge Toolkit or would like to take part in or organise a facilitated improvement session please contact the Planning Advisory Service**pas@local.gov.uk****.**

To help you progress your action plan there is a range of support available on the PAS website along with links to other helpful sources of information. Please visit the website at <https://www.local.gov.uk/pas>

| **A poor Development Management Service (score 1)** | **An excellent Development Management Service (score 5)** | **Top tips** |
| --- | --- | --- |
| There is no day-to-day performance monitoring of the speed of determining planning applications and performance information is only gathered at the quarterly DLUHC return period.Officers tend to take a ‘just in time’ approach to determining planning applications and pass them for signing off on the last day of the 8 or 13 week period if they remember to determine them in time. As a consequence, if there are any issues the applications either go over time or an applicant is asked to sign an extension of time. | All managers and case officers are aware of Government expectations regarding speed and this is regularly monitored by officers and team. There is a project management system in place so officers know when they are on target for meeting performance deadlines. The Service’s performance targets are more challenging than the Government targets so there is a degree of slack built into the system if there are any unforeseen issues. The council also closely monitors planning guarantee targets to ensure that applicants do not become eligible for planning guarantee refunds. | 1. Generate weekly reports on planning performance based on individual officer performance, team performance and service performance
2. Consider setting challenging targets for the more straightforward applications. For example, a 5 week target for householders so that they can be moved through the system quickly
3. Incorporate project management software that allows an officer to understand whether their application is on track e.g. a traffic light system
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |
| The need for site visits is not considered in a structured way, is inconsistent and not necessarily based on Planning merits. The technology available to consider sites virtually (e.g. Google Maps) is also not used in a consistent or structured way. As a consequence, issues often arise either during the decision-making process or post-decision that should have been identified on-site. | The Service has a consistent approach to site visits e.g. deciding through a risk-based approach or based on type of application. All case officers follow the same protocol. Use is made of Google Maps and other virtual means of assessing a site. If a site visit is needed then the officer who visits the site undertakes as much work as possible in a single visit e.g. posting a site notice, taking photos, visiting the applicant, visiting neighbours etc. Every effort is made for different consultees to visit the site together, alongside the case officer so that they can discuss matters together. | 1. Create a process map for case officers to decide on the need for a site visit based on need and risk
2. Managers to review case officers’ use of site visits so that they help case officers decide if a site visit is necessary
3. Encourage case officers to work together so that if one officer is in an area they can put up another officer’s site notices, take photos, check on an issue etc
4. Provide training to case officers to maximise the use of Google Maps and other virtual technology
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |
| Case officers consider planning applications sequentially and often it is unclear what the recommendation will be until the end of the determination process when the case officer reviews the majority of the information for the first time. Therefore, even the most straightforward applications will be determined at the end of the determination period. There is a single template for all officer reports so officers often end up including irrelevant information because the template indicates a response is needed e.g. a section on planning obligations for householder applications.Case officers will also negotiate on all planning applications even if there is little chance of them ever being acceptable, so time and resources are spent unnecessarily from both the applicant and planning authority side | There is a consistent approach to considering different types of planning applications. If applications are clearly unacceptable there is a fast-track process to reaching a quick refusal decision without taking unnecessary officer time. If applications are clearly acceptable at the validation stage there is a fast-track approach for a quick positive decision. This may involve a shortened report format that is particularly used for householder applications and other minor consent matters. If negotiation is required there is a disciplined approach to avoid excessive time spent from both sides. For example, all outstanding matters are negotiated before readvertising and strict deadlines are given to receive additional / amended information. | 1. Create different report templates for different types of applications e.g. householder, minor commercial, minor residential, major etc
2. Triage applications with the manager so that the case officer has the confidence to fast-track applications as required
3. Create a protocol for readvertising applications so there is a consistent approach to the need to readvertise
4. Ensure that case reviews become part of the regular 1 to 1 meetings so that managers are always sighted on the progress of applications and you avoid decisions being made on the last day of 8 week / 13 week deadlines unless previously agreed between the case officer and manager
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |
| Extensions of time are used as a matter of routine and usually at the end of the 8 or 13 week period. This is normally done through an exchange of emails and on the basis that the officer has run out of time. Usually, the extension of time period is over-optimistic so further extensions of time are routinely agreed. | Extensions of time are used sparingly and always with the prior agreement of the applicant who has agreed that it benefits both sides to continue negotiating. Case officers do not use the excuse that they have not had time to look at a planning application as a reason for negotiating an extension of time. When extensions of time are used there is a set template that clearly states the reason and extension date. Very few applications have more than one extension of time. | 1. Create a simple template that can be sent to an applicant that clearly states the reason and extension date so that there is a clear audit trail
2. Monitor applications with extensions of time by officer that can be discussed at 1 to 1s
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |
| The involvement of senior managers and senior members is very often ad hoc and disjointed with case officers which causes communication issues and mixed messages to the applicant. There are frequent disagreements between departments over the appropriate decision to take on planning applications  | There is a process in place for case officers to discuss contentious, strategic or politically sensitive proposals with senior managers and senior members. This allows the case officer to get a steer on the approach to take in the consideration of the application. This process allows key decision makers outside of Planning to input their views e.g. housing, transport, environment etc. As a consequence, the Planning service is joined up and gives consistent advice to applicants. | 1. Set up a forum to discuss contentious applications and schedule them well in advance to maximise attendance. If there is nothing to discuss then the meeting can simply be cancelled
2. Try to ensure all relevant interests are represented in any forum you set up and therefore if the senior manager cannot attend then they can nominate a sub, but make sure they are senior enough to make decisions
3. Ensure that the person who manages the agenda can make a call on which items are appropriate for the forum and it does not get dominated by low level applications that do not need senior management input
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |
| The case officer sees themselves simply as the “postbox” and lets consultees take the lead in negotiations. As they are not subject specialists they perceive themselves as *just* the case officer and do not feel able to challenge a consultee. Applicants regularly go directly to the consultee to get their views of the application. | There is a clear communication route for the applicant to the Planning Authority. The case officer is aware of all discussions that take place with the applicant and consultees. When it involves providing an opinion on the merits of the application the case officer is always present and has agreed in advance that this is the approach that is going to take place. All consultees both internal and external understand that this is how the Council works. | 1. Provide project management training to case officers so that they can use the skills of managing work and people to deliver an outcome i.e. a planning application decision
2. Take a zero tolerance to a consultee giving opinions on the outcome of an application directly to the applicant. The only conversations they should be having directly should involve clarification of information required
3. Make use of pre-meetings before meeting an applicant so the case officer and consultees can agree on a strategy for negotiating with an applicant
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |
| No one really knows what applications are out of date unless the case officer or manager gets a complaint from the applicant. The only time case officers and managers are challenged is when poor performance is brought to their attention e.g. by their own Members, PAS or DLUHC | All out-of-date cases are regularly reviewed so that it is clear why a decision has not been made. This is particularly relevant for cases without an extension of time, but includes all cases that have gone over 8 or 13 weeks so that it is clear why there is an extension of time. Case officers are challenged over out-of-date cases and managers help to bring the consideration to a conclusion. | 1. Include a report on out-of-date applications on a regular basis for discussion at management meetings and 1 to 1s with the case officer. Where necessary have a specific discussion with the relevant staff to unblock a planning application
2. Introduce a process whereby applicants are given a certain timeframe to provide the information needed and if they do not then move to refuse the application or ask the applicant to withdraw. Keep a detailed audit for appeal purposes
 |
| **EVALUATION QUESTIONS****What score have you agreed on?****Why have you given it this score?****What score would you like to get to?****If this isn’t a 5, why is it lower?****What top tips are you going to take up?****What other actions have you identified?** |

|  |
| --- |
| **SUMMARY OF ACTIONS TO FOLLOW UP**  |