



**NORTHAMPTON**  
**BOROUGH COUNCIL**

**PLANNING COMMITTEE:** 30 September 2010

**DIRECTORATE:** Planning and Regeneration

**HEAD OF PLANNING:** Susan Bridge

**REPORT TITLE:** Development Control and Enforcement Performance (2010-11).

---

**1. RECOMMENDATION**

1.1 That the contents of the report be noted.

**2. CASELOAD OVERVIEW**

2.1 Factors affecting the workload include the impact of WNDC as a local planning authority, the current economic climate and its effect on house building and the changes to householder permitted development rights. The number of applications and WNDC and other consultations received during the first quarter of 2010/11 was 280 compared to 292 for the equivalent period in the year 2008/09. The Section also continues to have a substantial workload of customer enquiries, planning condition discharges, appeals and enforcement cases.

**3. PERFORMANCE**

3.1 This report sets out performance data on national and local indicators for the first quarter of 2010/11 (i.e. 1 April to 30 June 2010) and these are summarised in the table below alongside the figures for the equivalent quarter in 2009/10. The DCLG figures for the period in question not yet available, however, given that overall performance has been maintained well above targets it is expected that NBC would remain within the top quartile as one of the higher performers within the region.

<b>Performance indicator</b>	<b>Code</b>	<b>Target</b>	<b>2009/10 (Q1)</b>	<b>2010/11 (Q1)</b>
<b>% Large Major apps within 13 weeks</b>	NI157(A)	>60%	None determined	None determined
<b>% Small Major apps within 13 weeks</b>	NI157(A)	>60%	100%	100%
<b>% Minor apps within 8 weeks</b>	NI157(B)	>65%	97.8%	88.2%
<b>% Other apps within 8 weeks</b>	NI157(C)	>80%	96.4%	94.0%
<b>% Appeals allowed</b>	BV204	<33%	27.3%	0%
<b>% Delegated apps</b>	PL188	>90%	98.6%	96.2%
<b>Best Value checklist: Quality of service</b>	BV205	>90%	67%	83%

### **Speed of Determination**

- 3.2 Processing of the applications within all three of the DCLG categories (*Major, Minor and Other*) comfortably exceeded the targets.
- 3.3 There were no 'large' *Majors* received during this quarter in either 2010 or 2009. This is due to the WNDP currently being the planning authority for the vast majority of this type of planning application. Although WNDP also deal with the majority of the 'small' *Majors* the Borough Council determined 1, which was determined within the statutory 13 week period. Exactly the same figures were recorded during this quarter in 2009.
- 3.4 During the quarter 51 *Minor* planning applications were determined, with 45 of these determined within the statutory 8 week period. This represents 88.2% compared to the target of 65%. During this quarter in 2009 performance was 97.8%. This change in performance may in part be due to the increased proportion of applications being reported to the Planning Committee rather than being determined under the scheme of delegation.
- 3.5 184 *Other* planning applications, which include householder applications, were determined. 173 of these applications were determined within 8 weeks, representing 94% compared to the target figure of 80%. In 2009 performance during this quarter was slightly higher at 96.4%.

## **Appeals**

- 3.6 During the course of the quarter 4 appeals against decisions made by the Council were determined by the Planning Inspectorate. The Council won all four of these (i.e. 0% were allowed compared to the target of 33% and the figure of 27.3% in 2009). Following a disappointing series of results concentrated in the 2<sup>nd</sup> and particularly during the 3<sup>rd</sup> quarters of 2009/10, the appeal results continue to be very much improved with only 2 losses in the last two quarters (ie Q4 of 2009/10 and Q1 of 2010/11). This recent improvement in performance has coincided with changes to internal processes, which were introduced in January 2010 in response to the disappointing results during the preceding two quarters. It also follows the completion of bespoke training on appeals for the Development Control Team in February 2010. It is anticipated that with these measures, combined with the improvements that have been implemented to the wider decision making process, the improvement in appeal performance will be maintained.

## **Delegated Applications**

- 3.7 The scheme of delegation largely influences performance against this indicator. Overall performance for the quarter was 96.2%. A total of 236 applications were determined during the quarter of which 227 were determined under delegated authority, compared to 214 out of 218 during the equivalent period in 2009.

## **Quality of Service Checklist**

- 3.8 The Checklist comprises a number of components such as information on the planning website and access to professional advice / expertise. Upgrades of IT systems have brought improvements to the Checklist score as have measures to secure temporary in-house urban design expertise. Progress made over the last 12 months is reflected in the move from 78% to 83% performance.
- 3.9 Further improvements are still required. These will be secured with the permanent recruitment to the Urban Designer post (starting in October) and upgrading of the Council's development control web-service scheduled for October.

#### 4. ENFORCEMENT

4.1 The Council adopted an enforcement policy and associated priorities for action last year. In summary the four priority areas are as follows:

- **Priority One:** A serious threat to health / safety or permanent damage to the environment. Where a case is categorised as Priority One immediate action will be initiated to address the breach of control.
- **Priority Two:** Building work, which is unlikely to be given planning permission without substantial modification or unauthorised uses causing severe nuisance through noise, smells, congestion etc.
- **Priority Three:** A breach causing problems, which may be resolved by limited modification, or property whose condition adversely affects the amenity of the surrounding neighbourhood.
- **Priority Four:** Breaches of a minor nature raising minimal planning concerns.

4.2 Planning Enforcement statistics for the first quarter of 2010/11 are set out in the tables below. In summary at the start of the year there were 136 cases on hand carried over from the year 2009/10. During the course of the quarter 195 new cases were received and a total of 144 cases investigated and closed, leaving a total of 170 outstanding cases which have been carried over into the following quarter. The 195 new cases received during the year break down into Priority 1 - 4 as 12, 27, 59 and 97 respectively.

<b>Enforcement Investigations</b>	<b>TOTAL</b>
Outstanding cases as at 1.04.10	119
New cases 1.04.10 to 30.06.10	195
Cases closed 1.04.10 to 30.06.10	144
Outstanding cases as at 30.06.10	170

	<b>Priority</b>				<b>TOTAL</b>
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	
New cases 1.4.10 to 30.6.10	12	27	59	97	195

**5. LEGAL IMPLICATIONS**

5.1 None.

**6. BACKGROUND PAPERS**

6.1 DCLG PS1 and PS2 planning statistics.

**7. SUMMARY AND LINKS TO CORPORATE PLAN**

7.1 In reaching the attached recommendation regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies. Monitoring performance is consistent with the objectives of securing an efficient and effective planning service.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date</b>
<b>DC Manager</b>	Gareth Jones	01/09/2010
<b>Head of Planning</b>	Sue Bridge	02/09/2010