



PLANNING COMMITTEE: 8 February 2011

DIRECTORATE: Planning and Regeneration

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Development Control and Enforcement Performance Quarters 1, 2 & 3 (2010-11)

1. RECOMMENDATION

1.1 That the contents of the report be noted.

2. CASELOAD OVERVIEW

2.1 Factors affecting 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 permitted development rights.

2.2 The number of applications and WNDC / other consultations received during the:

- 1st quarter of 2010/11 was 280 compared to 292 for the equivalent period in the year 2009/10.
- 2nd quarter of 2010/11 was 271 compared to 284 in the year 2009/10.
- 3rd quarter of 2010/11 was 280 compared to 280 in the year 2009/10.

Quarter	2009/10	2010/11
First	292	280
Second	284	271
Third	280	280

Table 1 – No. applications received by NBC (inc consultations)

2.3 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 3 quarter of 2010/11 (i.e. 1 April to 31 December 2010) and these are summarised in table 2 below alongside the figures for the equivalent quarter in 2009/10. The DCLG figures for the whole period in question are 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.

Performance indicator	Target	2009/10 (Q1)	2010/11 (Q1)	2009/10 (Q2)	2010/11 (Q2)	2009/10 (Q3)	2010/11 (Q3)	Totals 2010/11
% Large Major apps within 13 weeks -	>60%	None determined	None determined	None determined	None determined	None determined	None determined	N/A
% Small Major apps within 13 weeks - NI157(A)	>60%	100%	100% 1/1	None determined	100% 2/2	None determined	75% 3/4	85.7% 6/7
% Minor apps within 8 weeks - NI157(B)	>65%	97.8%	88.2% 45/51	90.1%	94.6% 53/56	81.2%	76% 26/33	88.6% 124/140
% Other apps within 8 weeks - NI157(C)	>80%	96.3%	94.0% 173/184	92.8%	94.3% 150/159	96.4%	92.12% 152/165	93.5% 475/508
% Appeals allowed - BV204	<33%	27.3%	0% 0/2	25%	0% 0/3	80%	20% 1/5	10.0%
% Delegated apps - PL188	>90%	98.6%	96.2%	97.9%	98.6%	94.5%	96.5%	97.1%
Best Value checklist: Quality of service - BV205	>90%	67%	83%	67%	83%	67%	94%	N/A

Table 2 – Summary of performance data.

Speed of Determination

- 3.2 Processing of the applications within all three of the DCLG categories (*Major, Minor and Other*) comfortably exceeded the targets for all three quarters. Table 2 above shows the percentage figures for each quarter and the total percentages, along with the number of applications determined within 8 / 13 weeks with the total number of applications.
- 3.3 There were no 'large' *Majors* received during the three quarters 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.
- 3.4 Although WNDP also deals with the majority of the 'small' *Majors* the Borough Council determined 7, 6 of which were within the statutory 13 week period. This represents 87.5% (well above the 65% target). None were determined in equivalent period in 2009. The *Majors* category is prone to more pronounced fluctuation compared to the *Minors* and *Others* due to the comparatively small numbers concerned.
- 3.5 During quarters 1-3, 140 *Minor* planning applications were determined, with 124 of these determined within the statutory 8 week period. This represents 88.6% compared to the target of 65%. During this period in 2009 performance was 87.4%. This small 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.
- 3.6 508 *Other* planning applications, which include householder applications, were determined. 475 of these applications were determined within 8 weeks, representing 93.5% compared to the target figure of 80%. In 2009 performance during this quarter was slightly higher at 95.5%.
- 3.7 These small changes in performance may in part be due to the small increased proportion of applications being reported to the Planning Committee rather than being determined under the scheme of delegation (see para. 3.10 below).
- 3.8 Looking ahead to 2011-12, the anticipated first stage of the return of the development control powers on 6 April 2011 is likely to have an initial impact on general performance and particularly re speed of determination especially during the first two to three quarters.

Appeals

- 3.9 During the course of the three quarters, 10 appeals against decisions made by the Council were determined by the Planning Inspectorate. The Council won all bar one of these (i.e. 10% were allowed compared to the target of 33% and the figure of 41.7% in 2009). Following a

disappointing series of results concentrated in the 2nd and particularly during the 3rd quarters of 2009/10, the appeal results continue to be very much improved with only 1 loss in the last three quarters. 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

- 3.10 The scheme of delegation largely influences performance against this indicator. Overall performance for the three quarters was 97.1% in 2010-11 compared to a similar figure of 96.5% in 2009-10, which indicates the consistent use of the scheme of delegation.

Quality of Service Checklist

- 3.11 The Checklist comprises a number of components such as information on the planning website and access to professional advice / expertise. Upgrades to IT systems and the development control web-service have brought improvements to the Checklist score as has the permanent recruitment to the Urban Designer post. Progress made over the last 12 months is reflected in the move from 67% to 94% performance.

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 three quarters of 2010/11 are set out in the table 3. In summary at the start of the year there were 119 cases on hand carried over from the year 2009/10. During the course of the period 542 new cases were received and a total of

490 cases investigated and closed, leaving a total of 171 outstanding cases which have been carried over into the following quarter.

Enforcement Investigations	TOTAL
Outstanding cases as at 31.03.10	119
New cases 1.04.10 to 31.12.11	542
Cases closed 1.04.10 to 31.12.10	490
Outstanding cases as at 31.12.10	171

Table 3 – Summary of enforcement caseload.

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.

Position:	Name/Signature:	Date
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