



**NORTHAMPTON**  
BOROUGH COUNCIL

**PLANNING COMMITTEE:** 23 August 2011

**DIRECTORATE:** Planning and Regeneration

**HEAD OF PLANNING:** Susan Bridge

**REPORT TITLE:** Development Control and Enforcement  
Performance Quarter 1 (2011-12)

## 1. RECOMMENDATION

1.1 That the contents of the report be noted.

## 2. CASELOAD OVERVIEW

2.1 Factors affecting workload include: a) the impact of WNDC as a local planning authority and the first stage of the staged return of powers to the Borough Council, b) the current economic climate and its effect on house building and c) the changes to permitted development rights.

2.2 The number of applications received during the 1<sup>st</sup> quarter of 2011/12 was 273 compared to 228 for the equivalent period in 2010/11. This marked raise in numbers of applications received coincides with the first stage of the return of powers from WNDC on 6 April 2011. May and June in particular showed a significant increase and it is anticipated that this trend is likely to continue in coming months and quarters.

Quarter	2010/11	2011/12
First	228	273

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

2.3 The DC Team also continues to have a substantial workload, including customer enquiries, planning condition discharges, appeals and enforcement cases, which have greater complexity due to the increased scale of development under consideration following the Stage 1 transfer of powers from WNDC.

### 3. PERFORMANCE

3.1 This report sets out performance data on National Indicators and main local indicators for the first quarter of 2011/12 (i.e. 1 April to 30 June 2011) as summarised in Table 2 below, which are set out alongside the figures for the equivalent quarter in 2010/11. The overall DCLG figures for the period in question are not yet available, however, the overall performance of the Team has been maintained well above national targets.

Performance indicator	National Target	Local Target	2010/11 (Q1)	2011/12 (Q1)
% Large Major apps within 13 weeks -	>60%	>60%	None determined	None determined
% Small Major apps within 13 weeks - NI157(A)	>60%	>75%	100% 1/1	None determined
% Minor apps within 8 weeks - NI157(B)	>65%	>87%	88.2% 45/51	79.7% 51/64
% Other apps within 8 weeks - NI157(C)	>80%	>93%	94.0% 173/184	89.4% 152/170
% Appeals allowed (former BV204)	N/A	<33%	0% 0/2	None determined
% Delegated apps (former PL188)	N/A	>90%	96.2%	96.2%

Table 2 – Summary of performance data.

#### Speed of Determination

3.2 Processing applications within all three of the DCLG categories (*Major, Minor and Other*) comfortably exceeded the national targets for the quarter. Table 2 above shows the percentage figures for the quarter, along with the number of applications determined within 8 and 13 weeks, together with the total number of applications. Given the strong recent-past and current performance in this area the Council adopted new local targets in July 2011 (after the conclusion of the Quarter 1

period in question). These are new local targets are shown in the third column of the table.

- 3.3 There were no 'large' *Majors* received during the quarter. This is due to the WDC currently being the planning authority for the vast majority of this type of planning application. WDC also deals with the majority of the 'small' *Majors* and none were determined by the Borough Council during the quarter. The *Majors* category is prone to more pronounced fluctuation compared to the *Minors* and *Others* due to the comparatively small numbers of applications received and determined.
- 3.4 During the quarter, 64 *Minor* planning applications were determined, with 51 of these determined within the statutory 8-week period. This represents 79.7% compared to the national target of 65% and the new local target of 87%. During this period in 2010 performance was 88.6%. This change in performance is, in part, due to the increased proportion of applications being reported to the Planning Committee rather than being determined under the scheme of delegation. The 8-week gap between Planning Committee meetings caused by the local election has also had a significant impact on performance.
- 3.5 170 *Other* planning applications, which include householder applications, were determined during the quarter. 152 of these applications were determined within 8 weeks, representing 89.4% compared to the national target figure of 80% and new local target of 93%. In 2010 performance during this quarter was a little higher at 93.5%
- 3.6 These changes in performance may also be due to disruption to the service resulting from the move from Cliftonville House to the Guildhall. The first stage of the return of the development control powers on 6 April 2011 is also likely to have had an initial impact on general performance and particularly the speed of determination. Performance will continue to be monitored closely, but although performance has dipped during the period, determinations remain comfortably above the Government's National Indicators.

### **Appeals**

- 3.7 Unusually no appeal decisions were received from the Planning Inspectorate during the quarter. Several have been received during July and these will be reported in the figures for Quarter 2.
- 3.8 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 generally have been very much improved with an outturn of 23.5% for the whole of 2010/11 well below the target of 33%. This general improvement in performance coincided with changes to internal processes and follows the completion of bespoke training on appeals for officers. 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 over the year.

### **Delegated Applications**

- 3.9 The scheme of delegation largely influences performance against this indicator. Overall performance for the quarter was 96.2%. This is the same level as the equivalent period in 2010, which indicates the consistent use of the scheme of delegation notwithstanding recent changes to the scheme of delegation.

## **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 and 2011/12 are set out in the table 3. In summary at the start of the quarter there were 139 cases on hand carried over from the year 2010/11, compared to 119 of the equivalent period in the previous year. During the course of the period 184 new cases were received and a total of 181 cases investigated and closed, leaving a total of 142 outstanding cases which have been carried over into the following quarter, compared with 195 received, 149 closed and 165 carried over for the equivalent period in 2010/11.

<b>Enforcement Investigations (Q1)</b>	<b>2010/11</b>	<b>2011/12</b>
Outstanding cases as at start of Quarter	119	139
New cases 1 April to 31 July	195	184
Cases closed 1 April to 31 July	149	181
Outstanding cases as at end of Quarter	165	142

*Table 3 – Summary of enforcement caseload.*

- 4.3 Inflow of cases has remained relatively consistent, with officers being able to close nearly as many cases as were received. Officers closed significantly more cases than in the equivalent period last year. There remains a substantial overall 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.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date</b>
<b>DC Manager</b>	Gareth Jones	05/08/2011
<b>Head of Planning</b>	Sue Bridge	09/08/11