

## **QUARTERLY DEVELOPMENT MANAGEMENT PERFORMANCE REPORTING**

### **1 Summary**

This report presents information on the performance of the Development Management service for the third quarter of 2010/2011; 1 October 2010 to 31 December 2010 and where appropriate compares this with the previous quarter and the third quarter of 2009/10.

The Development Management service comprises three teams; two Development Management teams and the Development Management Support team. This report states our performance in relation to national, family and local performance indicators.

Our report comprises two main sections. In section two we provide information on performance in relation to the handling of planning applications and section three, compliance matters. In addition for the first time we have included graphs in an Appendix showing trends over time for our performance in both planning and compliance activity.

<b><i>Recommendation that:</i></b>	<b><i>Members note the performance monitoring information provided.</i></b>
------------------------------------	---

### **2 Planning Application Performance**

#### **2.1 Introduction**

This section of our report presents performance information against national, family and local performance indicators. National indicators are those that are set by Government and allow a national comparison. The Coalition Government has announced that the current national indicator set will be replaced in April 2011. Family indicators are those that allow comparison with similar local planning authorities. Local performance indicators are those that are applied corporately in our business and service plans and give a measure of our own performance over time. Historic data are included for comparison where appropriate.

#### **2.2 Major applications**

A major planning application is an application for proposals that involve the creation of at least 10 residential units; residential development on a site having an area of at least 0.5 hectares; non-residential development on a site of at least one hectare; creation or change of use of 1000 square metres or more of gross floor space (does not include housing).

- National performance indicator NI157 (a) states that we should determine 60% of major applications within 13 weeks
- In the third quarter we determined 2 out of 3 major applications in time
- In the previous quarter there were no major applications determined
- In the previous quarter the national average was 75%

The target for major applications represents a challenge to us as the numbers are small (only six in the three quarters of the year) and performance in relation to individual applications make a large percentage difference. Often major applications require the completion of a bi-lateral legal agreement (Section 106) that can increase the time before we can determine an application.

### **2.3 Minor applications**

A minor planning application is an application for proposals that involve the creation of less than 10 residential units; residential development less than 0.5 hectares; the creation or change of use of less than 1000 square metres of gross floor space or non-residential development less than one hectare.

- National performance indicator NI157 (b) states that we should determine 65% of minor applications within eight weeks
- In the third quarter we determined 65% within 8 weeks
- This compares with 74% in the previous quarter
- In the previous quarter the national average was 72%

We are on track to meet the target for the year.

### **2.4 Other applications**

An other application is an application for proposals that involve changes of use, householder development (development within the curtilage of a residential property), advertisement, listed building and conservation area consents, lawful development certificates and agricultural and telecommunications notifications.

- National performance indicator NI157 (c) states that we should determine 80% of other applications within eight weeks
- In the third quarter we determined 82% within target
- This compares with 77% in the previous quarter
- In the previous quarter the national average was 87%

Our performance is slightly below target for the year and active casework management will address this.

### **2.5 Number of planning applications**

Local performance indicator DC1 is a workload measure.

- In the third quarter we received 276 planning applications
- This compares with 268 in the previous quarter

### **2.6 Percentage of planning applications approved**

Local performance indicator LPE 007, the percentage of planning applications approved gives a measure of the effectiveness of pre-application advice given by the service.

- In the third quarter we approved 92% of planning applications
- This compares with 93% in the previous quarter
- In the previous quarter the national average was 87%

Although the percentage of applications approved is not a target to be met at any cost, as quality is important, it is a useful indicator of how well our development management approach is working.

### **2.7 Percentage of applications determined under delegated powers**

The Government have set a national guideline figure 90.0%, previously a national indicator, for the percentage of applications determined by Local Planning Authorities under delegated powers. This is reflected by family performance indicator DC2 that relates to the proportion of decisions taken under delegated powers as a percentage of the total number of decisions.

- In the third quarter we determined 85% of planning applications under delegated powers
- This compares with 86% in the previous quarter

This figure is directly influenced by the approved scheme of delegation.

## **2.8 Number of pre-application enquiries received**

Local performance indicator LPE 005 is a workload measure.

- In the third quarter we received 200 pre-application enquiries
- This compares with 215 in the previous quarter

## **2.9 Number of planning appeals received**

Local performance indicator LPE 003 is a workload measure.

- In the third quarter we received 7 planning appeals
- This compares with 8 in the previous quarter

## **2.10 Percentage of appeals allowed against the Authority's decision to refuse planning permission**

Former national performance indicator BV 204 sets a target for the proportion of appeals allowed by the Planning Inspectorate at 30%. This gives a measure of the soundness of our decisions.

- In the third quarter the Planning Inspectorate allowed 29% of appeals against our decisions
- This compares with 61% in the previous quarter
- In the previous quarter the national average was 39%

We need to carefully monitor our appeal performance and learn from decisions made by Inspectors. Appeal performance excludes appeals against advertisements, enforcement and lawful development certificates. Results for quarters should be treated with caution as where there are a small number of appeals the analysis can be misleading. We have a target of only 25% of our appeals being allowed. Our performance for this quarter is back on track but overall for the year so far we have lost as many appeals as we have won. We carried out an analysis, which did not reveal any trends and was reported to Committee. The overall numbers of appeals is low.

## **2.11 Number of affordable and local needs housing units granted planning permission**

The Regional Spatial Strategy (RSS) for the North West England sets an annual average rate of housing permissions for the Lake District National Park (not replacements) at 60 units.

- Local Performance Indicator LVC 006 sets a target to grant planning permission for 60 affordable and local housing units each year
- In the second quarter we granted planning permission for 25 new dwellings
- This compares with 6 units in the previous quarter

Our cumulative total for year so far is 53 units granted permission since 1 April 2010 and we are on track to meet targets.

### **3 Compliance performance**

#### **3.1 Introduction**

There are no national or family performance indicators in relation to compliance activity although there are two local performance indicators to which we can compare our service. For this reason in addition to reporting on performance in relation to these existing performance targets we have provided some abstract information about how we dealt with those cases.

#### **3.2 Cases opened**

Each case may have multiple alleged breaches of planning, listed building, advertisement or special controls. There may also be more than one complainant in relation to each case.

- In the third quarter we opened 61 cases
- This compares with the 77 cases in the second quarter this year but an increase from 50 in the same quarter last year.

#### **3.3 Customer service measure**

Local performance indicator LPE 002 states that 90% of initial assessments of investigations into reports of potential breaches of planning control should be carried out within 15 working days.

- In the third quarter we carried out 81% of initial assessments in 15 working days
- This compares with 73% that we achieved in the last quarter

Although we have not reached the performance indicator target of 90% we have seen a significant increase in performance since the end of quarter 2. This is a result of the new team structure becoming established and reflects the more integrated approach that the teams are using with planning officers. However, it is unlikely that we will reach the target for the year as a whole, which is partly due to the high existing workload level and partly due to the need to be more efficient in terms of time and mileage.

#### **3.4 Cases concluded**

In the third quarter we concluded 58 cases, which is similar to the previous quarter. In detail:-

- 27% were concluded because the works or use of the land reported did not amount to development within the meaning of the planning acts.
- In 24% of the concluded cases, a breach of planning control was identified but the breach was resolved following negotiation and voluntary remedial actions.

- In 9% of the concluded cases, a breach of planning control was identified but it was not in the public interest for us to take any further action in relation to the breach.
- 9% were concluded because the development was permitted development and did not require our express planning permission.
- 10% were concluded because the reported development already had planning permission/consent.
- 14% were concluded following the regularisation of the development through the grant of planning permission.
- 2% were concluded following formal enforcement action in relation to the breach and compliance with the notice.
- 5% were determined not to be planning matters.

This reflects a similar pattern to the previous quarter with a greater number of cases closed through negotiation and voluntary action. As previously reported, this trend however masks a major focus on the more significant cases in which more formal action has been instigated. This will follow through in time and be reflected in this analysis.

### **3.5 Monitoring activity**

The Start Notices enable us to check compliance with any pre-commencement conditions. In quarter 3 some 26 start notices were voluntarily submitted by developers indicating that they were about to commence development in accordance with planning permissions granted by us. This is a significant decrease from 43 in the last quarter and reflects in part seasonal downturn.

### **3.6 Workload measure**

Local performance indicator LPE 004 is a workload measure.

At the end of the third quarter we had 189 outstanding cases. This is a further increase of 3 in the overall total from September 2010 and reflects a longer term trend of increased workload and complexity on compliance matters. Following the restructure of the area teams, we are now making some inroads into the outstanding caseload, aiming to both clear long standing cases and focus on the more significant ones requiring formal action. It is hoped that in time, the number of outstanding cases will reduce back to the historic average of around 140 cases.

### **3.7 Formal enforcement notices**

There is no national, family or local performance in relation to the number of formal enforcement notices issued by the authority. However, we consider it prudent to inform the Committee of the number of enforcement notices we issue. This gives a measure of our success in bringing cases to a conclusion through persuasion and negotiations.

### **Requisitions of information**

- In the third quarter we issued one planning contravention notice
- This compares with one in the previous quarter

#### **Enforcement notices**

- In the third quarter we issued 4 enforcement notices
- This compares with 3 in the previous quarter

The numbers for this quarter have shown a slight increase as the more significant cases are targeted. This will continue through the foreseeable future as the new area teams focus on the outstanding caseload.

#### **4 Best value implications**

This report publishes our performance against the adopted national, family and local performance indicators.

#### **5 Finance considerations**

None

#### **6 Risk**

Quarterly analysis of our performance seeks to minimise the risk of us not meeting the targets.

#### **7 Legal considerations**

None

#### **8 Human resources**

None

#### **9 Diversity implications**

None

#### **10 Sustainability**

None

---

Background Papers	Authority Business Plan and Development Management Service Plan
Authors/Posts	Paul Haggin – Development Management Team Leader Andy Roe – Development Management Team Leader Dave McGowan - Head of Development Management
Date Written	12 January 2011