

QUARTERLY DEVELOPMENT MANAGEMENT PERFORMANCE REPORTING

1 Summary

This report presents information on the performance of the Development Management service for the fourth quarter of 2010/2011; 1 January 2011 to 31 March 2011 and where appropriate compares this with the previous quarter and the fourth 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 we have included graphs in APPENDIX 1 showing trends over time for our performance in both planning and compliance activity.

Recommendation that: Members note the performance monitoring information provided.

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 fourth quarter we determined 4 out of 6 major applications in time (66%)
- In the previous quarter we determined 2 out of 3 major applications in time
- In the previous quarter the national average was 73%

The target for major applications represents a challenge to us as the numbers are small (only 12 in 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. Over the service plan year we determined 7 out of 12 major applications within 13 weeks (58%).

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 fourth quarter we determined 65% within 8 weeks
- This compares with 65% in the previous quarter
- In the previous quarter the national average was 72%

Over the service plan year we determined 287 out of 433 minor applications within 8 weeks (66%).

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 fourth quarter we determined 70% within target
- This compares with 82% in the previous quarter
- In the previous quarter the national average was 87%

Over the service plan year we determined 418 out of 554 other applications within 8 weeks (75%).

2.5 Number of planning applications

Local performance indicator DC1 is a workload measure.

- In the fourth quarter we received 274 planning applications
- This compares with 276 in the previous quarter

Over the service plan year we received 1,077 applications which is almost exactly the same as the previous year.

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 fourth quarter we approved 88% of planning applications
- This compares with 92% 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. Over the service plan year we approved 91%, the same as the previous two years.

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 fourth quarter we determined 83% of planning applications under delegated powers
- This compares with 85% in the previous quarter

This figure is directly influenced by the approved scheme of delegation. Over the service plan year the figure was 84% showing a slight decrease from close to 90% over the previous 3 years.

2.8 Number of pre-application enquiries received

Local performance indicator LPE 005 is a workload measure.

- In the fourth quarter we received 259 pre-application enquiries
- This compares with 200 in the previous quarter

Over the service plan year we received 865 enquiries, an increase of 100 over the previous year.

2.9 Number of planning appeals received

Local performance indicator LPE 003 is a workload measure.

- In the fourth quarter we received 9 planning appeals
- This compares with 7 in the previous quarter

Over the service plan year we received 30 appeals, the same as the previous 3 years.

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 fourth quarter the Planning Inspectorate allowed 25% of appeals against our decisions
- This compares with 29% 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. Over the service plan year overall numbers of appeal decisions remain low (31). Unusually we have had 6 split decisions and these count as allowed for reporting purposes rather than as neutral. To see this in context, of the 999

decisions that we made this year 91% were approved and of the 31 appeal decisions 14 were allowed, 6 of which were split decisions.

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 fourth quarter we granted planning permission for 4 new dwellings
- This compares with 25 units in the previous quarter

Our cumulative total for the service plan year is 57 units.

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 fourth quarter we opened 54 cases
- This compares with the 61 cases in the third quarter this year and a decrease from 61 in the same quarter last year.

For the year as a whole we have opened 269 cases which is 21 less than last year which follows the trend from the year before and possibly reflects a greater compliance with the planning controls.

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 fourth quarter we carried out 86% of initial assessments in 15 working days
- This compares with 81% 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 earlier in the year. 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. Whilst we have not reached the target for the year as a whole, our performance has improved as the year has progressed.

3.4 Cases concluded

In the fourth quarter we concluded 40 cases, which is somewhat down on the previous quarter. In detail:-

- 25% were concluded because the works or use of the land reported did not amount to development within the meaning of the planning acts.
- In 20% of the concluded cases, a breach of planning control was identified but the breach was resolved following negotiation and voluntary remedial actions.
- In 15% 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.
- 2.5% were concluded because the development was permitted development and did not require our express planning permission.
- 20% were concluded because the reported development already had planning permission/consent.
- 15% were concluded following the regularisation of the development through the grant of planning permission.
- 2.5% were concluded following formal enforcement action in relation to the breach and compliance with the notice.

This reflects a similar pattern over the year as a whole with a greater number of cases closed through negotiation and voluntary action. We have noted that we are resolving more cases through retrospective applications which whilst this can cause concern in some quarters, does effectively resolve the problem and involves full consultation and assessment. As previously reported, this trend however masks a major focus on the more significant cases which have led to more long term action, the end product of which we are continuing to pursue.

3.5 Monitoring activity

The Start Notices enable us to check compliance with any pre-commencement conditions. In quarter four some 49 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 increase back to the level more usually expected after the downturn in the last quarter, which possibly reflects an overall increase in development activity.

3.6 Workload measure

Local performance indicator LPE 004 is a workload measure.

At the end of the fourth quarter we had 202 outstanding cases. This is significant increase of 61 in the overall total from March 2010 and partly reflects an increased complexity in compliance matters and a reduction in the hours of one of the compliance planners. As reported previously, 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 nearer the desired historic target 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 fourth quarter we did not issue any planning contravention notices.
- This compares with one in the previous quarter

Enforcement notices

- In the fourth quarter we issued 5 enforcement notices
- This compares with 4 in the previous quarter

The numbers for this quarter have shown a slight increase as the more significant cases have again been targeted. This will continue through the foreseeable future as the new area teams focus on the outstanding caseload. For the year to date we have issued 13 enforcement notices which is at a similar level to last year.

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
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