QUARTERLY DEVELOPMENT MANAGEMENT PERFORMANCE REPORTING

1 Summary

This report presents information on the performance of the Development Management service for the fourth quarter of 2008/2009; 1 January 2009 to 31 March 2009 and where appropriate compares this with the third quarter, 1 October 2008 to 31 December 2008 and the financial year to date.

The Development Management service comprises three teams; the Development Control, Compliance and Development Management Support teams. 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.

Recommendation that: Members note the performance monitoring information provided.

2 Development Control Performance

2.1 Introduction

This section of our report presents Development Control performance information for the third quarter against national, family and local performance indicators. National indicators are those that are set by Government and allow a national comparison. Family indicators are those that allow comparison with similar local planning authorities. Local performance indicators, in this case, 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 50 % within 13 weeks
- This compares with 100% in the third quarter
- In the third quarter the national average was 70%
- Over this financial year our average is 63.3 %

The target for major applications represents a challenge to us as the numbers are small and performances in relation to individual applications make a large percentage difference. In the fourth quarter we determined three major applications. Over the full year we have determined eleven major applications. Often major applications require the completion of a bi-lateral legal agreement (Section 106) that can increase the duration before which we can determine the 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 fourth quarter we determined 53.80% within 8 weeks
- This compares with 71.6% in the third quarter
- In the third quarter the national average was 77%
- Over this financial year our average is 65.77%

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 83.0% within target
- This compares with 79.7% in the third quarter
- In the third quarter the national average was 87%
- Over this financial year our average is 84.03%

2.5 Number of planning applications

Local performance indicator DC1 is a workload measure.

- In the fourth quarter we received 227 planning applications
- This compares with 223 in the third quarter
- In this financial year we received 971 planning applications

The current economic climate does appear to have affected the number of applications received. Last year we received 1213 planning applications (a fall of 19.9%). To date we have not seen the same degree of downturn in planning applications that has been experienced nationally (down 26%).

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 95.70% of planning applications
- This compares with 89.2% in the third quarter
- In the third quarter the national average was 82%
- In this financial year our average is 91.35%

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 fourth quarter we determined 87.70% of planning applications under delegated powers
- This compares with 88.8% in the third quarter
- Over this financial year our average is 88.21%

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 fourth quarter we received 200 pre-application enquiries
- This compares with 149 in the third quarter
- Over this financial year we received 770 pre-application enquiries

Last year we received 711 pre application enquiries. There has therefore been an 8% increase in the volume of enquiries.

2.9 Number of planning appeals received

Local performance indicator LPE 003 is a workload measure.

- In the fourth quarter we received 3 planning appeals
- This compares with 4 in the third quarter
- Over this financial year we received 22 planning appeals (This compares to 26 appeals last year)

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 37.50% of appeals
- This compares with 30% in the third quarter
- In the third quarter the national average was 33%
- Over this financial year our average is 34.37%

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. Where there were a small number of appeals the analysis can be misleading. We consider that it is more appropriate to carry out a detailed analysis for the financial year in the forthcoming annual report.
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. For monitoring purposes, in line with current practice, all affordable and local housing permissions will count towards the housing provision set out in the RSS.

- 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 5 units
- This compares with 8 units in the third quarter
- Over this financial year we have granted planning permission for 107 units

We have already significantly exceeded our housing provision target set out in the RSS although the figure is influenced by a large-scale Keswick development in the second quarter. However, the figure is indicative of our proactive approach to development management including the work of planners in a role as affordable housing co-ordinators.

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 the team’s 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 72 cases
- This compares with 73 cases in the third quarter
- Over this financial year we opened 328 cases
- This financial year the average number of cases opened per quarter is 82

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 92.3% of initial assessments in 15 working days
- This compares with 94.5% in the third quarter
- Over this financial year our average is 95.7%

On average, we carried out our initial assessments within 9 days of receipt of the report.
3.4 Cases concluded

In the fourth quarter we concluded 93 cases in the following ways:

- 18% were concluded because the works or use of the land reported did not amount to development requiring planning permission within the meaning of the planning acts.

- In 30% of the concluded cases, one or more breaches of planning control were established but the breach was remedied following voluntary remedial actions or the cessation of the unauthorised use of the land.

- In 13% of the concluded cases, one or more breaches of planning control were established 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.

- 12% were concluded because the reported development already had planning permission/consent.

- 2% were concluded following the regularisation of the development through the grant of planning permission.

- 4% was concluded following the initiation of formal enforcement action in relation to the breach and compliance with the requisite notice.

- 12% were concluded for other reasons including the report not being a planning matter.

3.5 Monitoring activity

51 start notices were voluntarily submitted by developers indicating that they were about to commence development in accordance with planning permissions granted by us. This gives us the opportunity to check compliance with any pre-commencement conditions on the grant of planning permission and to consider whether the compliance team has a part to play in actively monitoring the development as it progresses. At present, the Compliance team is actively monitoring 11 developments. The decision to monitor these particular developments was largely based on our perception of the sensitivity of the proposals following significant local, parish council or member concern.

3.6 Workload measure

Local performance indicator LPE 004 is a workload measure.

At the end of this financial year we had 132 outstanding cases.

Additional resources were provided for the last quarter to facilitate a reduction in the number of outstanding cases enabling the team to be more proactive in the forthcoming financial year.
3.7 Formal enforcement notices

There is no national, family or local performance indicator 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 with the contravener.

Requisitions for information

- In the fourth quarter we issued 1 planning contravention notice
- This compares with 1 in the third quarter
- Over this financial year we issued 4 planning contravention notices

Enforcement notices

- In the fourth quarter we issued 2 enforcement notices
- This compares with 3 in the third quarter
- Over this financial year we issued 6 enforcement notices

On the basis of the analysis of the current outstanding cases we anticipate that more formal enforcement notices will be issued in the next financial year.

4 Conclusion

We are exceeding our key performance targets to date. But we know that there is no scope for complacency and we want to do better.

We recognise the need for indicators that reflect our ambition for the provision of a seamless Development Management service and we will be mindful of this in any review of our performance indicators.

5 Best value implications

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

6 Finance considerations

None

7 Risk

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

8 Legal considerations

None

9 Human resources

None
10 Diversity implications

None

11 Sustainability

None

Background Papers
Authority Business Plan and Development Management Service Plan

Authors/Posts
Paul Haggin - Development Control Team Leader
Darren Ridley - Compliance Team Leader
Dave McGowan - Head of Development Management

Date Written
22 April 2009