QUARTERLY DEVELOPMENT MANAGEMENT PERFORMANCE REPORTING

1 Summary

This report presents information on the performance of the Development Management service for the second quarter of 2009/2010; 1 July 2009 to 30 September 2009 and where appropriate compares this with the previous quarter, 1 April 2009 to 30 June 2009.

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.

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<tr>
<th>Recommendation that:</th>
<th>Members note the performance monitoring information provided.</th>
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2 Development Control Performance

2.1 Introduction

This section of our report presents Development Control performance information 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 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 second quarter we determined 66.6% within 13 weeks (2 out of 3 applications determined within 13 weeks)
- This compares with 100% in the previous quarter
- In the previous quarter the national average was 71%

The target for major applications represents a challenge to us as the numbers are small 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. However in both the first and second quarters we managed to meet our targets for dealing with major applications within 13 weeks.

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 second quarter we determined 64.89% within 8 weeks
- This compares with 74.6% in the previous quarter
- In the previous quarter the national average was 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 second quarter we determined 86.7% within target
- This compares with 80.70 % in the previous quarter
- In the previous quarter the national average was 87%

2.5 Number of planning applications

Local performance indicator DC1 is a workload measure.

- In the second quarter we received 276 planning applications
- This compares with 264 in the previous quarter
- Nationally there was a 21% decrease in applications in the quarter to June.

Contrary to expectations in the light of economic difficulties we received more applications than we did in the same quarter of the previous year (254). But this has been attributable to a large increase in Notice of Intention applications to replace BT telegraph poles. Our fee income since April is 5% greater than it was last 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 second quarter we approved 91.01% of planning applications
- This compares with 91.58% in the previous quarter
- In the quarter to June the national average was 84%

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 second quarter we determined 89.84% of planning applications under delegated powers
- This compares with 90.6% 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 second quarter we received 216 pre-application enquiries
- This compares with 190 in the previous quarter

Our numbers of enquiries is similar to last year.

2.9 Number of planning appeals received

Local performance indicator LPE 003 is a workload measure.

- In the second quarter we received 6 planning appeals
- This compares with 6 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 second quarter the Planning Inspectorate allowed 25% of appeals against our decisions
- This compares with 0.0% in the previous quarter
- In the quarter to June the national average was 33%

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. Nevertheless we have met our targets for the first two quarters of the year.

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 second quarter we granted planning permission for 1 unit
• This compares with 15 units in the previous quarter

This is a low figure and our performance depends on applications received. We continue our pro-active approach, working with communities and housing providers to identify sites, and are completing work to ensure that we are up to date with all decisions that are awaiting decision pending completion of S106 Agreements.

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 second quarter we opened 86 cases
• This compares with 93 cases in the previous quarter

The number of cases opened in the first quarter has historically been higher than the other three quarters in the year. In the second quarter last year we opened 77 new cases, so we have seen an increase on this time 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 second quarter we carried out 88.9% of initial assessments in 15 working days
• This compares with 87.8% in the previous quarter

This slight reduction in performance is likely to be a result of the staffing changes within the team and a need to balance new investigations with progress on formal enforcement action.

3.4 Cases concluded

In the second quarter we concluded 87 cases in the following ways:

• 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 21% of the concluded cases, a breach of planning control was identified but the breach was resolved following negotiation and voluntary remedial actions.
• In 8% 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.

• 11% were concluded because the development was permitted development and did not require our express planning permission.

• 17% were concluded because the reported development already had planning permission/consent.

• 12% were concluded following the regularisation of the development through the grant of planning permission.

• 0% was concluded following formal enforcement action in relation to the breach and compliance with the notice.

• 6% were concluded for other reasons including the report not being a planning matter.

There have been some small variations in the way cases have been concluded in the second quarter when compared to the previous quarter. In the first quarter 5% of cases closed were a result of notices being complied with. No cases were closed in this way in the second quarter. There has been an increase in the number of cases where we found no breach. These cases can still involve extensive investigation. There has been a decrease in the number of cases where a breach was identified but it was decided not to take further action.

3.5 Monitoring activity

52 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 9 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 the second quarter we had 147 outstanding cases. This is one less than at the end of quarter one. Historically we have seen an increase in numbers over the second quarter. The standstill on the outstanding number of cases shows that the effort to maintain numbers and progress formal action has succeeded.

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 contravenor.

**Requisitions for information**

- In the second quarter we issued 2 planning contravention notice
- This compares with 1 in the previous quarter

**Enforcement notices**

- In the second quarter we issued 3 enforcement notice
- This compares with 1 in the previous quarter

A number of notices are currently being drafted, so we anticipate that more formal enforcement notices will be issued in the next quarter.

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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