

PLANNING COMMITTEE

24th JULY 2014

REPORT OF APPLICATIONS AND ADVICE MANAGERS

DEVELOPMENT CONTROL PERFORMANCE 2014/15 QUARTER 1

1. PURPOSE OF THE REPORT

- 1.1 To advise the Committee, of the Performance Indicator outcomes related to the determination of planning applications for Q1 (April - June 2014), the workload trends currently present and the general performance of the team.

2. RECOMMENDATION

- 2.1 **The Committee notes the current performance data.**

3. DEVELOPMENT CONTROL PERFORMANCE

3.1 BACKGROUND

- 3.1.1 The Performance Management Framework includes the following elements:

- The performance criteria we wish to meet, which are laid down as aims and objectives. These are an integral part of the Corporate Plan, which includes both corporate level objectives, and Local Priority Action Plans. Each Service also draws up its own Service Plan, which includes aims, objectives and targets. Our Community Strategy illustrates our shared vision with partner organisations, and details what we want to achieve together.
- Measures of performance against the above criteria. These include National Performance Indicators and Local Performance Indicators, which together measure our performance against both the promises we make to the local community, and the roles which Government expects us to perform.

3.2 GROWTH AND INFRASTRUCTURE ACT

- 3.2.1 The Growth and Infrastructure Bill received Royal Assent on 25 April. The Bill has amended existing legislation and introduces a number of reforms that will affect the planning application process and performance issues.
- 3.2.2 The Bill has put in place Performance Standard, known as the 'Planning Guarantee', relates to reform which is designed to ensure that no planning application should take longer than one year to reach a decision. This implies a maximum of 26 weeks both for an initial decision by a Local Planning Authority and (should there be an appeal against refusal of permission) the Planning Inspectorate. The 'Guarantee' document has yet to be published by the Department for Communities and Local Government (DCLG) in its final form. However, a public consultation has taken place, with two criteria proposed to measure whether a Local Planning Authority is performing poorly.. These are:
- timeliness, where Local Planning Authorities are deemed to be underperforming if they determine less than 30% of applications they receive for large scale, 'major' development within 26 weeks; **or**
 - quality, where more than 20% of the Authority's decisions on major development are being overturned at appeal.

- Changes to the fee regulations came into force on 1st October which requires LPA's to refund fees in relation to planning applications not determined within 26 weeks.

Failure to meet these standards will render the LPA designated by the Secretary of State as one that is 'performing poorly' and allows applications for major development, and other connected applications, to be made directly to the Secretary of State rather than to the Local Planning Authority.

3.3 MEASURES OF PERFORMANCE OUTCOMES AND CURRENT POSITION

3.3.1 The table below shows the Council's recent and current performance against local measures and targets. PI's measure focus on efficiency and speed rather than the development of the service, the quality of the decisions made and the outcomes secured.

Indicator	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	TARGET 2014/15	Q1 April – June 14
% 'major' applications determined in 13 wks	79.31 %	66.66 %	64.28 %	53.33 %	83.33 %	45.45 %	62.5%	60%	80%
% 'minor' applications determined in 8 wks	80.32 %	67.39 %	83.5 %	73%	65.59 %	67.84 %	63.44%	65%	66.67%
% 'other' applications determined in 8 wks	92.87 %	81.28 %	90.23 %	88.86 %	80.71 %	83%	84.72%	80%	77.88%
% all applications determined in 8 weeks	86.18 %	74.93 %	86.65 %	81%	73.63 %	74.51 %	75.53%	80%	71.35%
% householder applications determined in 8 weeks	95.65 %	83.00 %	91.98 %	91.49 %	80.77 %	81.82 %	87.71%	90%	75.68%

3.3.2 Planning application performance for the first quarter is considered to be good.

3.3.3 Targets have been met on the whole and where they fall below, particularly on the 'other' applications, they are only marginally below.

3.4 QUALITATIVE MEASURES

3.4.1 The outcome of appeals is regarded as a principal measure of decision making quality, being the means by which decisions are individually scrutinised and reviewed.

Indicator	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	TARGET 2014/15	Q1 April – June 2014
% of decisions delegated to officers	87.15%	91.70%	92.89%	89.52%	91.37%	88.55%	91%	90%	94%
%age of appeals against refused applications dismissed	55%	46.57%	62.5%	71.43%	58.82%	71.43%	68.42%	66.66%	100%

3.4.2 Planning appeal performance

The table below indicates the Council's appeal record for quarter 1, with key information associated with a selection of the appeals detailed in Appendix 1 below.

Appeals by decision background:

Decision type	No. of appeals dismissed	No. of appeals allowed
Delegated	1	
Committee, in accordance with recommendation		
Committee, departure from recommendation	1	

3.4 DEVELOPMENT OF THE SERVICE

3.4.1 The 2013/14 Service Plan has been agreed, reports on progress will feature in future versions of this report.

4 ENFORCEMENT SERVICE PERFORMANCE

4.1 The service plan requires a number of local performance indicators for enforcement. This is the second year that the figures have been collated and it is intended that in future figures will be monitored against past performance. Below are the indicators (and targets) used to assess the performance of the service;

- Planning Enforcement : % cases resolved per month against annual total of all cases (TARGET: 8.3%/month 100%/year)
- Planning Enforcement : cases reaching 'course of action' decision within 8 weeks (TARGET: 70% of cases)
- Planning Enforcement: % appeals against enforcement notices dismissed (TARGET: 100% of appeals)

4.2 There has been no enforcement appeals decided in the last quarter.

4.3 Table of performance:

Indicator	2009 /2010 Overall	2010/ 11 Overall	2011/ 12 Overall	2012/ 2013 Overall	2013/ 2014 Overall	2014/15 Q1
No. of Cases Received	231	196	158	192	184	60
No. of Cases Closed	238	206	117	252	244	38
% Resolved per month against annual total (target 8.3% per month = 100% per year)	8.6% 103% total for the year	8.75% 105% total for the year	7.4% (74% total for the year)	10.9% 131.25 % total for the year	11%	6.4%
Cases reaching a course of action decision within 8 weeks (target 70% of cases)	71.5%	78%	79.25 %	80.45%	79.6%	75%
Appeals against	N/A	N/A	100%	N/A	N/A	N/A

enforcement notices dismissed (target 100% of appeals)						
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4.8 The figures for quarter 1 are met in respect of the 8 week target but have not met the resolution target. However, these are expected to improve in the next quarter.

5 WORKLOAD CONTEXT

5.1 The number of applications received in the first quarter has slightly increased comparable to the first quarter last year (2013/2014). However, it is apparent how the nature of the applications received has changed.

6. SUMMARY AND CONCLUSION: HOW ARE WE PERFORMING?

6.1 This report has shown that in quarter one standards of performance is satisfactory with the majority of targets being met and those that aren't are only marginally below. The team should be commended for their work and efforts.

6.2 Some targets have not been met, target levels for householder applications is down in this first quarter.

6.3 The Enforcement Team's figures for quarter 1 are slightly below target, however, it is hoped that these will improve in the next quarter.

Appendix 1 : Appeal decisions for Quarter 1

Proposal: 13/00746/OUT Residential development of 2 No dwellings, 1 No bungalow at Eastcote, 91 Grantham Road, Bottesford

Level of decision: Delegated

Reasons for refusal:

- The proposed development, by virtue of its positioning forward of the established and coherent building line formed by the layout of nos 73 - 99 Grantham Road, would be out of keeping with the form and character of the area, to the detriment of its character and appearance.
- The proposed type of houses does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area.
- Insufficient information has been submitted by the applicant for the Local Planning Authority to be able to assess the impact the proposed development will have upon protected species.

Inspector's conclusions: Dismissed – The Inspector concluded that the creation of a single-storey dwelling in the front of the two-storey properties would be inconsistent with the distinctive layout of the settlement pattern. Visually, the scheme would harm the appearance of the street scene and the development would not harmonise with its surroundings due to the built-form and siting of the bungalow. With regards to the ecology information in relation to protected species the Inspector concluded that there is a reasonable likelihood of species being present and affected by the development. Therefore, an ecological report would be required prior to the grant

of planning permission in order to make a proper assessment of the development's effect upon protected species. Finally in respect of housing need the Inspector states that it is reasonable to consider the location of the site and the scale of the development rather than taking a broad brush approach. In this context, the street is characterised by large detached properties located in spacious settings. The two three-bedroom dwellings would be complementary to the type and size of adjacent housing, but the two-bedroom bungalow would also add to the mix. The Inspector concluded that the development would satisfy the main aims and objectives of the Framework because of the type and size of housing proposed combined with the sustainable location of the site and that the proposed development would not undermine the Council's aim to achieve a balanced housing supply. However, the appeal was dismissed on the impact on the character of the area and insufficient information in relation to protected species.

Proposal: 11/00677/OUT Erection of a 50 m to hub height single wind turbine generator with associated transformer, foundations, crane hard standing and upgraded access at Hindle Farm, Melton Spinney Road, Thorpe Arnold

Level of decision: Committee

Reasons for refusal:

- The development would constitute a prominent feature in the open countryside which would fail to protect or enhance its distinctive local character and is not capable of mitigation or adequate compensation. The proposed type of houses does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area.
- The proposed development by virtue of its height, elevated position in the landscape and movement would result in an intrusive and overdominant feature which would dominate the outlook of the occupants of Ashfield House, to the detriment of their amenity.

Inspector's conclusions: Dismissed – The Inspector concluded that there would be landscape harm by virtue of the size and scale of the wind turbine, its materials and rotational movement. In respect of the impact on Ashfield House and other properties the Inspector concluded that the proposal would not make the dwelling unacceptable or unpleasant to live in. In conclusion the Inspector considered this to be a finely balanced case, the visual intrusion and landscape harm which would occur over a significant distance because of topography and siting would not be justified by the extent of energy produced. Therefore, the harm outweighed the benefit and the appeal dismissed.