

DEVELOPMENT COMMITTEE

30th JANUARY 2013

REPORT OF APPLICATIONS AND ADVICE MANAGERS

DEVELOPMENT CONTROL PERFORMANCE 2013/14 (QUARTER 3)

1. PURPOSE OF THE REPORT

- 1.1 To advise the Committee, of the Performance Indicator outcomes related to the determination of planning applications for Q3 (October to December 2013), 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.

% of decisions delegated to officers	92.89%	89.52%	91.37%	88.55%	90%	83.78%	93.88%	78%
%age of appeals against refused applications dismissed	62.5%	71.43%	58.82%	71.43%	66.66%	42.86%	66.66%	75%

3.4.2 Planning appeal performance

The table below indicates the Council's appeal record for quarter 3, 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	2	
Committee, in accordance with recommendation	1	
Committee, departure from recommendation		1

3.4.3 DEVELOPMENT OF THE SERVICE

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 Q1	2013/2014 Q2	2013/2014 Q3
No. of Cases Received	231	196	158	192	55	47	43
No. of Cases Closed	238	206	117	252	43	80	84
% Resolved per month against annual total (target 8.3% per month)	8.6% 103% total for the	8.75% 105% total for	7.4% (74% total for the	10.9% 131.25% total for the	6.5%	14.8%	15.8%

= 100% per year)	year	the year	year)	year			
Cases reaching a course of action decision within 8 weeks (target 70% of cases)	71.5%	78%	79.25%	80.45%	84%	74%	81%
Appeals against enforcement notices dismissed (target 100% of appeals)	N/A	N/A	100%	N/A	N/A	N/A	N/A

4.7 Meeting all of the performance targets for the enforcement service is particularly encouraging as the team have dedicated a considerable amount of time in the months coming up to Christmas on licensed premises and taxi licensing with a view to seeking limiting possible problems over the Christmas period, unfortunately limiting officer time on planning enforcement cases.

5 WORKLOAD CONTEXT

5.1 The number of applications received in the first three quarters has slightly increased comparable to the first three quarters for last year (2012/2013).

6. SUMMARY AND CONCLUSION: HOW ARE WE PERFORMING?

6.1 This report has shown that in quarter three there has been a slight drop in standards of performance in some areas. However, in some areas this is only slightly below target and it is expected to improve going into the next quarter. The level of performance will be monitored closely into the next quarter.

6.2 Target levels for appeals have been achieved for quarter 3.

6.3 The Enforcement Team's figures for quarter 3 are good and have achieved targets.

Appendix 1 : Appeal decisions

Proposal: 12/00585/COU Change of use of buildings from agricultural use to ancillary uses (home office) at The Homestead, 40 Main Street, Hoby

Level of decision: Committee

Reasons for refusal:

- The change of use is not for employment purposes and would not give rise to economic development, nor is there a justified need for such a development in this unsustainable location.

Inspector's conclusions: Allowed – The Inspector concluded that the proposal would be consistent with national and local planning objectives relating to the rural economy, sustainable development, and the protection of the countryside.

Proposal: 12/00504/FUL Demolition of existing bungalow and detached garage then addition of 2 one and a half storey detached new dwelling houses with off road parking and turning (amendments to design of plot 2) at Old Orchard, 10 High Street, Somerby

Level of decision: Committee

Reasons for refusal:

- The proposal fails to contribute to a sustainable and balanced housing market

Inspector's conclusions: Dismissed – The Inspector concluded that the proposed dwellings would not have an adverse effect on the character and appearance of the Conservation Area in terms of design and layout, they consider that this matter would not outweigh the harm the proposal would do to the Councils clear objective of achieving a balanced housing supply. Thus, the proposal would be contrary to Policy in the Framework.

Proposal: 13/00087/ADV One non-illuminated poster panel at the Electricity Sub Station Snow Hill, Melton Mowbray

Level of decision: Delegated

Reasons for refusal:

- The advert would create an unnecessary and over dominant appearance in such a prominent, gateway and thoroughfare location and would be detrimental to the visual amenity of the town in general. Furthermore the proposal, if approved, could set a precedent for similar advertisements of this nature, the cumulative impact of which would be detrimental to the character of the area.

Inspector's conclusions: Dismissed – The Inspector concluded the proposed development would be unduly large and prominent and would be incongruous and significantly harm the visual amenity of the area. There would be conflict with the National Planning Policy Framework which, at paragraph 67, states that poorly placed advertisements can have a negative impact on the appearance of the built environment.

Proposal: 13/00262/FULHH Erect a pitched roof onto the existing outbuilding to form a family annex with an attached timber clad home office and store at 51 Thorpe Road Melton Mowbray

Level of decision: Delegated

Reasons for refusal:

- The proposed development by reason of the height of the roof and its additional massing would have an overbearing impact upon the outlook and residential amenity of residents of 40 Kings Road.

Inspector's conclusions: Dismissed – The Inspector concluded that the proposal would have an overbearing effect on the neighbours to the rear, creating an unacceptable sense of enclosure. In particular, it would dominate outlook from the rear kitchen window and would be unacceptably dominant and overbearing to these neighbours when in their rear garden, making this a less pleasant place to use.