

AGENDA ITEM 5

DEVELOPMENT COMMITTEE

2nd February 2012

REPORT OF APPLICATIONS AND ADVICE MANAGERS

DEVELOPMENT CONTROL PERFORMANCE: 2011/12 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 2011), 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 BVPI MEASURES OF PERFORMANCE OUTCOMES AND CURRENT POSITION

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

Indicator	2005/ 06	2006/ 07	2007/ 08	2008/ 09	2009/ 10	2010/1 1	TAR GET 11/12	Q1 April – June 11	Q2 July – Sept 11	Q3 Oct – Dec 11
157 (a): % 'major' applications determined in 13 wks	75.86 %	71.4 %	79.31 %	66.66 %	64.28 %	53.33 %	60%	0% (0/1)	0% (0/1)	50%
157 (b): % 'minor' applications determined in 8 wks	76.63 %	83.84 %	80.32 %	67.39 %	83.5 %	73%	65%	75.51%	68%	57.57%
157 (c) : % 'other' applications determined in 8 wks	91.63 %	92.43 %	92.87 %	81.28 %	90.23 %	88.86 %	80%	86.74%	83.54%	68.75%

LOCAL: % all applications determined in 8 weeks	85.73 %	87.53 %	86.18 %	74.93 %	86.65 %	81%	80%	82%	76.92%	62.87%
LOCAL: % householder applications determined in 8 weeks	95.89 %	94.01 %	95.65 %	83.00 %	91.98 %	91.49 %	90%	89%	81.48%	65.21%

3.2.2 Planning application performance for quarter three has shown performance figures below target in all areas.

3.2.3 Performance for major applications has improved slightly with a major application being determined within the 13 week deadline, but this is still below target. Overall the performance figures for quarter three are not considered to be satisfactory.

3.3 QUALITATIVE MEASURES

3.3.1 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	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	TARGET 11/12	Q1 Apr – June 11	Q2 July – Sept 11	Q3 Oct – Dec 11
188: % of decisions delegated to officers	86.54%	85.85%	87.15 %	91.70%	92.89%	89.52%	90%	92.71%	87.69%	90.98%
204 : %age of appeals against refused applications dismissed	66.66%	50.00%	55%	46.57%	62.5%	71.43%	66.66%	100%	50%	50%
219a: no of Conservation Areas in Borough	44	44	44	44	44	44	44	44	44	44
219b: % of Conservation Areas with character appraisal	12	18 (41%)	21 (48%)	22 (50%)	30 (68%)	30 (68%)	36 (82%)	30 (68%)	30 (79%)	35 (79%)
219c: % of Conservation Areas with published management proposals	12	18 (41%)	21 (48%)	21 (48%)	30 (68%)	30 (68%)	36 (82%)	30 (68%)	30 (79%)	35 (79%)
205 : quality of Planning Service checklist	72%	83%	83%	94.44%	94.44%	94.44%	94%	94.44%	94.44%	94.44%

3.3.2 Planning appeal performance (BVPI 204)

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	1	1
Committee, in accordance with recommendation		
Committee, departure from recommendation		

3.4 DEVELOPMENT OF THE SERVICE

The 2011/12 Service Plan has been agreed, reports on progress will feature in the report for Quarter Four.

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 Calculating the '8 Week' figure is more complex, and is dependent on whether the case has been closed, awaiting compliance with a request where we've allowed a time beyond the 8 weeks or we have an application pending. All these cases would have reached a 'decision' once the perpetrator had been formally advised of the local planning authority's position and the necessary action has been taken by the perpetrator, but the case may not have been officially 'closed'.

4.3 Table of performance

Indicator	2009/2010 Overall	2010/11 Overall	Q1 11/12	Q2 11/12	Q3 11/12
No. of Cases Received	231	196	43	33	42
No. of Cases Closed	238	206	36	43	14
% 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	(12) 7%	(14.3) 10.8%	(4.6) 3.4%
Cases reaching a course of action decision within 8 weeks (target 70% of cases)	71.5%	78%	70%	76%	86%
Appeals against enforcement notices dismissed (target 100% of appeals)	N/A	N/A	100%	100%	N/A

- 4.4 The third quarter has been a busy time for the enforcement service, with training a number of Parish Council's in planning enforcement matters, an increase in the number of complaints received over the previous quarter and the Christmas Break. Whilst the number of cases resolved has fallen below the target, the number of cases reaching a course of action has increased well above target. This indicates that there has been an influx of cases that have required some remedial action by the Council or the developers for which time is required to deal with before the matter can be closed.

5 WORKLOAD CONTEXT

- 5.1 Members will be aware that the above statistics have been delivered in a changing structure. The number of applications received in the third quarter has been about the same compared to the third quarter for last year (2010/2011). The restructure would appear to be currently having an impact on application turnaround with delays being experienced through the administration process. Some of the initial problems experienced with processing and validating application would appear to have had the most impact on this quarters figures. However, these processes are being looked at very carefully and performance is expected to improve when new working processes are embedded.

6. SUMMARY AND CONCLUSION: HOW ARE WE PERFORMING?

- 6.1 This report has shown that in quarter three standards of performance are below target with no targets being reached.
- 6.2 There has been a slight improvement in the turnaround of major applications but this still remains a concern. The drop in performance is considered to be due to a period in the workload when we have experienced a high level of backlog in the registering and processing of applications. This has had a knock on effect onto the Officers as they received the applications later on in the process and therefore if any additional information was required, or an advertisement or amendments needed then the application would go out of time.
- 6.3 This quarter figures are considered to be fairly poor compared to the standards we have been able to deliver previously. However, the problem has been identified and is being closely monitored so it is hoped that this is a temporary problem and something which will improve as we go into the final quarter.
- 6.4 The Enforcement Team's figures for quarter 3 are above target for the eight weeks but below target for resolution, however, given the changes to working practices the enforcement team should be commended for their work and efforts.
- 6.5 This quarter has seen an increase in the number of character appraisals and published management proposal for Conservation Areas. This is an area of good performance and should be noted. It is hoped by the end of the next quarter that the targets will have been reached.

Appendix 1 : Appeal decisions

Proposal: 10/00801/FUL Erection of a pair of semi-detached 3 bedroomed dwellings at Asfordby Methodist Church, Main Street, Asfordby

Level of decision: Delegated

Appeal against the imposition of a condition

Inspector's conclusions: Allowed – This appeal related to an appeal against the imposition of a condition that required the developer to satisfy prior to commencement of development the condition stated;

The development hereby approved shall not commence until such time as a detailed scheme has been submitted to, and approved in writing by the Local Planning Authority, to demonstrate how alternative community facilities – to replace the one lost by the approved redevelopment of the site – are to be created within the local area. The dwellings hereby approved shall not be occupied until such time as the approved scheme has been implemented to the satisfaction of the Local Planning Authority.

The Inspector concluded that replacement facilities had been provided with no evidence that there is an identified need for more. The community facilities or groups that previously met at the chapel have been able to find local venues. To the contrary, local groups have used existing venues and that this has increased numbers attending and increased the viability of those venues. That there is no local need to retain the chapel as a local community facility or to provide additional community facilities or space as a result of its loss. The condition is therefore rendered unreasonable and unnecessary as it would be contrary to Local Plan policy CF4 and the appeal was allowed. In essence, the requirements of the condition have been met by the appellants and as a result it has no continuing purpose.

Proposal: 11/00005/FUL Renewal of temporary planning permission for mobile home at Kirby Barn Farm, Thorpe Satchville Road, Kirby Bellars

Level of decision: Delegated

Reasons for refusal:

- The mobile home, by virtue of its siting and design, is an inappropriate development which has a detrimental impact on the rural character and appearance of the open countryside.

Inspector's conclusions: Dismissed – The Inspector concluded that it is not considered that there is sufficient justification for renewal of the temporary permission and as things stand there is insufficient evidence of financial viability.