

AGENDA ITEM 6

DEVELOPMENT COMMITTEE

22 July 2010

REPORT OF PRINCIPAL PLANNING OFFICER

DEVELOPMENT CONTROL PERFORMANCE 2010/11

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 to June 2010), 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 | TARGET 2010/11 | Q1 April – June 10 |
|--|-------------|-------------|-------------|-------------|-------------|-------------------|--------------------------|
| 157 (a): % 'major' applications determined in 13 wks | 75.86 % | 71.4 % | 79.31 % | 66.66 % | 64.28 % | 60% | 0% (0/1) |
| 157 (b): % 'minor' applications determined in 8 wks | 76.63 % | 83.84 % | 80.32 % | 67.39 % | 83.5 % | 65% | 80% |
| 157 (c) : % 'other' applications determined in 8 wks | 91.63 % | 92.43 % | 92.87 % | 81.28 % | 90.23 % | 80% | 87.06% |

| | | | | | | | |
|---|------------|------------|------------|------------|------------|------------|--------|
| LOCAL: % all applications determined in 8 weeks | 85.73 % | 87.53 % | 86.18 % | 74.93 % | 86.65 % | 80% | 83.44% |
| LOCAL: % householder applications determined in 8 weeks | 95.89 % | 94.01 % | 95.65 % | 83.00 % | 91.98 % | 90% | 89.23% |

3.2.2 Planning application performance for the first quarter has shown performance figures sustained for 'minor' and 'other' applications determined within 8 weeks. Performance for householder application is only slightly below target and this will hopefully improve into the next quarter.

3.2.3 Performance for major application is poor for the first quarter, however, there has only been one major determined in this quarter which failed to be determined in 13 weeks. It is hoped that there will be an improvement in this in the next quarter.

3.2.4 Throughout the first quarter it is evident that the amount of workload has increased compared to the first quarter for last year. If workload does increase as it is evident at the moment then with current staffing levels performance may start to suffer.

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 | TARGET) 2010/11 | Q1 April – June 2010 |
|---|---------|-------------|-------------|-------------|-------------|----------------------------|----------------------------|
| 188: % of decisions delegated to officers | 86.54% | 85.85% | 87.15% | 91.70% | 92.89% | 90% | 93.42% |
| 204 : %age of appeals against refused applications dismissed | 66.66% | 50.00% | 55% | 46.57% | 62.5% | 66.66% | 100% |
| 219a: no of Conservation Areas in Borough | 44 | 44 | 44 | 44 | 44 | 44 | 44 |
| 219b: % of Conservation Areas with character appraisal | 12 | 18 (41%) | 21 (48%) | 22 (50%) | 30 (68%) | 36 (82%) | 30 (68%) |
| 219c: % of Conservation Areas with published management proposals | 12 | 18 (41%) | 21 (48%) | 21 (48%) | 30 (68%) | 36 (82%) | 22 (50%) |
| 205 : quality of Planning Service checklist | 72% | 83% | 83% | 94.44% | 94.44% | 94% | 94.44% |

3.3.2 Planning appeal performance (BVPI 204)

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 | | |

3.4 DEVELOPMENT OF THE SERVICE

The 2010/11 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 Between 1 April and 30 June 2010, 37 new cases have been received and 65 cases were concluded in the first quarter. The service plan requires that 8.3% of cases per month are closed on a pro-rata basis to make 100% for the year. For the quarter alone, 8.3% would equate to 12.3 cases/month, whereas we actually resolved 21.7 cases/month or 14.6%.

4.3 Calculating the '8 Week' figure is more complex, and is dependant 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'. Quarterly figure is 75.8% of cases received reached a 'course of action' during the quarter, with further 7 'undecided' cases still within 8 weeks of receipt as of 30 June 2010.

4.4 There have been no appeals decided within this quarter.

4.5 Table of performance

| Indicator | 2009/2010 Overall | Q1 10/11 |
|--|---------------------------------|--------------|
| No. of Cases Received | 231 | 37 |
| No. of Cases Closed | 238 | 65 |
| % Resolved per month against annual total (target 8.3% per month = 100% per year) | 8.6% 103% total for the year | (21.7) 14.6% |
| Cases reaching a course of action decision within 8 weeks (target 70% of cases) | 71.5% | 75.6% |
| Appeals against enforcement notices dismissed (target 100% of appeals) | N/A | N/A |

4.6 There has been a low number of recorded cases received in the first quarter of 2010, which has allowed time to re-visit a number of old cases and we have managed to close a number of the older outstanding matters, continuing the trend which officers set last year by maintaining more cases being closed than being received.

4.7 The Planning Enforcement Service has met the targets for this quarter. The figures and measurable increases in performance should be commended for enforcement. The objective of the service is to maintain this high level of performance for the next quarter.

5 WORKLOAD CONTEXT

5.1 Members will be aware that the above statistics have been delivered in a changing workload context. The number of application received in the first quarter has increased compared to the first quarter for last year (2009/2010). Whilst the team should be commended for their performance levels in the first quarter there is some concern that the capacity of the team is fully stretched and if workload continues to increase as it has started to then it may be very difficult to sustain performance figures.

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. The team should be commended for their work and efforts.

6.2 Some targets have not been met, however, target levels for major developments is not considered to be a realistic measure as we only determined one major application in this quarter which went beyond the 13 week target. The number of householder applications determined was only slightly below target and this will hopefully improve in quarter two.

6.3 The number of applications for the first quarter of this year has increased from this quarter last year and there is a concern that if workload continues to increase then this may effect performance levels in the future.

6.4 The Enforcement Team's figures for quarter 1 are above target and the enforcement team should be commended for their work and efforts.

Appendix 1 : Appeal decisions

Proposal: 09/00764/FUL First floor extension above garage and balcony to bedroom at 42 Valebrook Road, Stathern

Level of decision: Delegated

Reasons for refusal:

- The proposed development would have a detrimental impact on the occupants of the neighbouring property to the north of the site, by reason of overbearing and an over dominant affect as a result of the mass on the boundary resulting from the proposed siting and height of the proposed first floor extension.
- The scale and mass of the extension would lead to a cramped appearance in the streetscene to the detriment of the character and appearance of the area

Inspector's conclusions: Split Decision – the Inspector dismisses the appeal insofar as it relates to the construction of a first floor extension above the garage. The Inspector concluded that an extension of this height, scale and mass rising above the patio area of No. 40 would have a significant impact on the enjoyment of the property and its ground floor windows. The proposed extension would also have a sufficient impact on sunlight to No. 40 to justify the refusal of planning permission. The Inspector concluded that the first floor extension would have an adverse impact on the living conditions of the occupiers of No. 40 Valebrook Road. However ,the Inspector was not satisfied that the extension would be unacceptable in terms of its impact on the character of the area.

With regards to the balcony, the Inspector allowed the appeal and granted planning permission insofar as it relates to a balcony to an existing bedroom. The Inspector considered that the Council did not raise a specific objection to the balcony and concluded that this element would be satisfactory and issued a split decision.