

AGENDA ITEM 5

DEVELOPMENT COMMITTEE

4 November 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 Q2 (July to September 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	Q2 July – Sept 10
157 (a): % 'major' applications determined in 13 wks	75.86 %	71.4 %	79.31 %	66.66 %	64.28 %	60%	0% (0/1)	42.86%
157 (b): % 'minor' applications determined in 8 wks	76.63 %	83.84 %	80.32 %	67.39 %	83.5 %	65%	80%	63.93%
157 (c) : % 'other' applications determined in 8 wks	91.63 %	92.43 %	92.87 %	81.28 %	90.23 %	80%	87.06%	91.01%

LOCAL: % all applications determined in 8 weeks	85.73 %	87.53 %	86.18 %	74.93 %	86.65 %	80%	83.44%	77.07%
LOCAL: % householder applications determined in 8 weeks	95.89 %	94.01 %	95.65 %	83.00 %	91.98 %	90%	89.23%	94.34%

3.2.2 Planning application performance for the second quarter has shown performance figures sustained for 'minor' and 'other' applications determined within 8 weeks. Performance for householder application has improved significantly from quarter one but the overall determination of application in 8 weeks is slightly below target, this will hopefully improve into the next quarter. However, over the first half of the year this averages out to 80% which is on target.

3.2.3 Performance for major application is still poor but is an improvement on quarter one. In this quarter we have determined 7 major application with only three within 13 weeks. This is down as a number of these application are historic ones which have been waiting Section 106 agreements.

3.2.4 Throughout the first half of the year it is evident that the amount of workload has increased, albeit a slight increase, compared to the first half 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	Q2 July – Sept 2010
188: % of decisions delegated to officers	86.54%	85.85%	87.15%	91.70%	92.89%	90%	93.42%	83.54%
204 : %age of appeals against refused applications dismissed	66.66%	50.00%	55%	46.57%	62.5%	66.66%	100%	62.5%
219a: no of Conservation Areas in Borough	44	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%)	30 (68%)
219c: % of Conservation Areas with published management proposals	12	18 (41%)	21 (48%)	21 (48%)	30 (68%)	36 (82%)	30 (68%)	30 (68%)
205 : quality of Planning Service checklist	72%	83%	83%	94.44%	94.44%	94%	94.44%	94.44%

3.3.2 Planning appeal performance (BVPI 204)

The table below indicates the Council's appeal record for quarter 2, 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	4	2
Committee, in accordance with recommendation	1	
Committee, departure from recommendation		1

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 July and 30 September 2010, 67 new cases have been received, an increase of 30 on the previous quarter, and 55 cases were concluded. The service plan requires that 8.3% of cases per month are closed on a pro-rata basis, making 100% for the year. For the quarter alone, 8.3% would equate to 17.3 cases/month, whereas officers actually resolved 18.3 cases/month or 8.8%. For the first half of the year, the service had closed 9.6% case/month, in excess of the overall total of the previous year.

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 77.6% 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 September 2010.

4.4 There have been no appeals decided within this quarter.

4.5 Table of performance

Indicator	2009/2010 Overall	Q1 10/11	Q2 10/11
No. of Cases Received	231	37	67
No. of Cases Closed	238	65	55
% 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%	(18.3) 8.8%
Cases reaching a course of action decision within 8 weeks (target 70% of cases)	71.5%	75.6%	77.6%
Appeals against enforcement notices dismissed (target 100% of appeals)	N/A	N/A	N/A

4.6 With the large increase in the number of recorded cases received in the second quarter of 2010, compared to the first quarter, the service have not managed to close as many cases, focusing on the investigation of new cases. Although officers have still managed to close a high number of cases, continuing the trend which officers set last year by maintaining more cases being closed so far this year than have been received.

4.7 The Planning Enforcement Service has met the targets for this quarter. The figures and measurable increases in performance should be commended. 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 half of the year has increased compared to the first half for last year (2009/2010). Whilst the team should be commended for their performance levels in the second 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. Already there is evidence that whilst performance is being met it is only slightly above target and in some area performance is slightly below target.

6. SUMMARY AND CONCLUSION: HOW ARE WE PERFORMING?

6.1 This report has shown that in quarter two 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; major development and overall percentage of applications determined in 8 weeks are down. Performance for appeals and number of application is also below target, however, when averaged out for the first half of the year it is expected than targets should be met. With regards to major developments in quarter 2 this is down as we have managed to clear some historic application which have been awaiting Section 106 agreements.

6.3 The number of applications for the first half of this year (April – Sept) has increased from this time last year and there is a concern that if workload continues to increase then this

may effect performance levels in the future. There are already some signs that there is a fall in performance levels either by not meeting identified target or only just achieving identified targets in other areas.

- 6.4 The Enforcement Team's figures for quarter 2 are above target and the enforcement team should be commended for their work and efforts.

Appendix 1 : Appeal decisions

Proposal: 09/00821/FUL and 09/00822/LBC Conversion of barn into a single dwelling and formation of garage/studio in adjoining building also demolition of lean-to potting shed at Easthorpe Manor, Manor Road, Easthorpe

Level of decision: Delegated

Reasons for refusal:

- Unsustainable location
- Not meeting identified housing need
- Insufficient archaeological information

Inspector's conclusions: Dismissed – The Inspector concluded that the appeal site was in a reasonably sustainable location and the scheme would serve to preserve both the building and the appearance and character of the Easthorpe conservation area. The location of the site and the advantages of the proposal in terms of the preservation of the building are such that they outweigh conflict with LP Policies OS2 and C7, neither of which feature in the Council's reasons for refusal of the scheme. The development would do little to address an identified imbalance of housing provision within the area but consider the advantages of the scheme outweigh any conflict with what appears to be an aspirational objective that is as yet not enshrined in any adopted local planning policy. Nonetheless, the findings on these issues do not outweigh the conclusion that the lack of information on the scheme's impact on a site that has been shown to have archaeological interest is a serious drawback of the scheme. To condone a proposal that would run counter to the thrust of advice within PPS5 and LP Policy BE11 would be unacceptable. Accordingly, the appeal was dismissed.

Proposal: 09/00688/FUL Erection of a two storey dwelling at Paddock House, 28 Main Street, Goadby Marwood

Level of decision: Delegated

Reasons for refusal:

- Unsustainable location
- Not meeting identified housing need

Inspector's conclusions: Dismissed - It was concluded that Goadby Marwood is not a sustainable location as envisaged in PPS guidance, and as acknowledged by the appellant and to grant permission for the proposed dwelling where there is no demonstrated housing need would undermine the objective of guiding development to locations which do have sustainable credentials.

Proposal: 09/00695/FUL New dwelling at 25 High Street, Waltham On The Wolds

Level of decision: Delegated

Reasons for refusal:

- Impact on the open countryside
- Not meeting identified housing need

Inspector's conclusions: Dismissed - It was concluded that that the proposal would amount to an extension of the village into open countryside, harmful to the rural character and appearance of the area and in conflict with the purposes of national planning policy and LP policy OS2 and the proposal would be harmful to the character and appearance of the conservation area as a whole. The Inspector also considered the housing need argument but concluded that the evidence base has not been subject to detailed scrutiny through public inquiry and no clear policies have been drawn to their attention that give effect to the approach advocated. The weight that he could give to it as a material consideration in this appeal is therefore limited.

Proposal: 09/00941/FUL Alterations to stable block; change of use of two stables into garages and new access drive with gates and gabion wall at Corn Close, 9 South Street, Scalford

Level of decision: Committee

Reasons for refusal:

- unwarranted extension into the surrounding countryside.

Inspector's conclusions: Allowed - It was concluded that there would be no harm to the character and appearance of the countryside, or the setting, character or appearance of the Scalford Conservation Area. There is no conflict with national or local planning policies. The appeal should therefore be allowed. This appeal was also the subject of an application for costs. The Inspector refused the application for an award of cost as he considered that the Council presented credible evidence on reasonable planning grounds related to the main issues of the case, in support of its reason for refusal. It did not therefore behave unreasonably.

Proposal: 08/00990/FUL 8 Wind Turbines and associated infrastructure, including access roads, control building, transformers, wind monitoring mast and road improvements at Field No 2700, Main Street, Normanton

Level of decision: Committee (appeal against non-determination)

Reasons for refusal:

- significant direct and cumulative adverse effects on the setting and visual amenity of a number of heritage assets including Belvoir Castle, Bottesford Church and Bennington Grange, and on the whole historic landscape of the Vale of Belvoir which contains these historic buildings and monuments of outstanding and international significance..

Inspector's conclusions: Dismissed - The Inspector concluded that having considered a wide range of potential effects that might flow from the construction and operation of the Palmers Hollow windfarm, he finds that many of these should not preclude the development from taking place. However, in some areas I find that the proposals would have a significant impact. These impacts need to be judged in the light of Government policy and strategy, which places a great sense of urgency on the need to increase wind energy generation. Nevertheless, this is not to be achieved at any cost and it remains important to take account of the wider consequences of such development. He considered that effects on landscape, heritage and residential amenity are of sufficient moment to justify rejecting this scheme, despite its capacity to contribute towards renewable energy production. While conditions can address certain impacts, the harmful effects cannot all be overcome or significantly ameliorated by way of conditions. Accordingly, the appeal

was dismissed.

Proposal: 09/00349/FUL Two storey dwelling on land adjacent to number 64 at Glebe House, 64 Church Lane, Long Clawson

Level of decision: Delegated

Reasons for refusal:

- Impact on the character and appearance of the streetscene
- Impact on residential amenities
- Lack of ecological information

Inspector's conclusions: Allowed - It was concluded that the proposal development would be in keeping with, and would not harm, the streetscene or the character or appearance of the area and that the development would not significantly harm the living conditions of neighbours. It would be consistent with the aims of Policies OS1 and BE1 of the Melton Local Plan.

Proposal: 10/00449/FUL Retrospective application for the addition of a chimney to the two storey outbuilding, ground floor workshop and store with first floor studio with linked single storey sunroom at Lilac Farm, 18 Post Office Lane, Redmile

Level of decision: Delegated

Reasons for refusal:

- Impact on the streetscene and designated Conservation Area

Inspector's conclusions: Allowed - It was concluded that the Inspector was in no doubt that this chimney does not harm the Conservation Area, particularly given the limited public views of it, and that it makes a modest positive visual contribution. It preserves and enhances the character and appearance of the Conservation Area. For these reasons the appeal was allowed.

This appeal was also the subject of a cost application, the outcome of which is currently unknown.