

REPORT TO PLANNING COMMITTEE

DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2014/2015

Purpose of the report

To provide members with an end of year report on the performance recorded for Development Management (Development Control) between 1st April 2014 and 31st March 2015. Figures for 2012/13 and 2013/14 are also provided in all but one case for comparison, as are the targets set out within the 2014/15 Planning and Development Service Plan .

Recommendations

- (a) That the report be received**
- (b) That the Head of the Planning and Development, with the Development Management Team Manager, seeks to maintain performance of the Development Management team where satisfactory and improve the service provided where our level of performance falls significantly below the targets set for 2015/16 in the Planning and Development Service Plan**
- (c) That the 'Mid-Year Development Management Performance Report 2015/16' be submitted to the Committee around October 2015 reporting on performance achieved for the first half of 2015/16 in relation to these targets**

Reasons

To ensure that appropriate monitoring and performance management procedures are in place and that the Council continues with its focus on improving performance, facilitating development and providing good service to all who use the Planning Service.

1. Background:

For many years information on an extensive set of indicators have been collected to monitor the performance of Development Management. These include both 'National Indicators' and those devised by this Council – 'local indicators'. These indicators have changed over time and officers have sought to ensure that the right things are being measured to enable us to improve performance in every appropriate area. The range of indicators used reflects the objective of providing a *balanced end to end* development management service, including dealing with pre-application enquiries, breaches of planning control, considering applications, and approving subsequent details and delivering development. The measurement of the quality of a Planning Service is however difficult to achieve. Inevitably the focus is upon those outputs that are capable of measurement.

2. Matters for consideration:

There is an Appendix attached to this report:-

APPENDIX 1: 'NATIONAL AND 'LOCAL' PERFORMANCE INDICATORS FOR DEVELOPMENT MANAGEMENT 2012/13, 2013/14, and 2014/15: Contains quarterly and annual figures for the 'local' Performance Indicators applicable during 2014/15 (comparative figures for 2012/13 and 2013/14 are also shown).

This report is a commentary on the performance achieved against the local performance indicator targets as set out in detail in Appendix 1. It follows on from a report that was considered by the Planning Committee at its meeting on the 18th November 2014 which reported on the mid-year performance figures and gave predictions on whether the targets for 2014/15 would be likely to be achieved.

The Council's Finance, Resources, and Partnerships Scrutiny Committee and subsequently Cabinet receives a quarterly Financial and Performance Management report on a series of performance indicators including the three below which related to the speed of determination of planning applications, and any indicators failing to meet the set targets are reported by exception.

3. The performance achieved and the targets for 2015/16

6 indicators were included in the 2014/15 Planning and Development Service Plan relating to Development Management. These are referred to in the commentaries below. Members will note that out of these 6 performance indicators, the target set has been met in 1 case, but it has not been achieved in the other 5 cases.

The also provides the targets for 2015/16 which have been agreed with the previous Planning Portfolio holder. Members are reminded that the Planning Peer Review Team in their final report of August 2014 made the following observation

“The Council’s service plan has a range of challenging targets that are mainly focussed on speed but which include preapplications and enforcement. The service failed to reach these stretch targets in 6 out of 7 areas in 2013/4. One target involving customer satisfaction has not been met for three years. We think it is important to reassess these stretch local targets to see if they remain priorities for councillors and the public. Again this is part of our concern to create some ‘space’ for better communication and engagement, management and training”

When the Review Team’s report was considered by Cabinet last November, amongst the actions agreed by Cabinet was that the current targets should be reviewed in consultation with the Portfolio holder. This was done earlier this year, and revised targets have been agreed and they are referred to within this report.

INDICATOR Percentage of applications determined within the following timescales:-

- (1) % of ‘Major’ applications determined ‘in time’**
- (2) % of ‘Minor’ applications determined within 8 weeks**
- (3) % of ‘Other’ applications determined within 8 weeks**

‘Major’ applications are defined as those applications where 10 or more dwellings are to be constructed (or if the number is not given, the site area is more than 0.5 hectares), and, for all other uses, where the floorspace proposed is 1000 square metres or more or the site area is 1 hectare or more. ‘Minor’ applications are those for developments which do not meet the criteria for ‘Major’ development nor the definitions of Change of Use or Householder Development. ‘Other’ applications relate to those for applications for Change of Use, Householder Developments, Advertisements, Listed Building Consents, Conservation Area Consents and various applications for Certificates of Lawfulness, etc.

The Government no longer sets “targets’ for the speed of determination of applications, but instead has brought in a system of designation of poorly performing planning authorities – which includes the setting of a threshold relating to the speed of determination of Major applications, below which designation is likely. Designation as a poorly performing Local Planning Authority would have significant and adverse consequences for the Council. In June 2014 the Government confirmed that they were lifting the designation threshold from 30% to 40%, and that it remains their intention to lift the threshold progressively in future years. Indeed the Chancellor in his Autumn 2014 Statement announced that the Government would be keeping the speed of decisions on major applications under review, with the minimum performance threshold increasing to 50% of major decisions on time as performance continues to improve.

The other designation criteria relates to appeal performance and the Council’s performance in this respect was considered in the Annual Appeals Performance report presented to the 26th May 2015 Planning Committee.

The Council is required in any case to determine applications in a timely manner and in the case of each application there is a date after which an appeal can be lodged against the Council’s failure to determine it. That date can be extended by agreement with an applicant, but delays in the determination of applications are often quoted by various stakeholders as a symptom of a poor planning system, and the applicant’s interests are not the only ones that need to be considered. If an Inspector, in any subsequent appeal, was to conclude that there was not a substantive reason to justify delaying the determination of an application, or that the Council had delayed development which should clearly be permitted, then it would be likely that costs would be awarded.

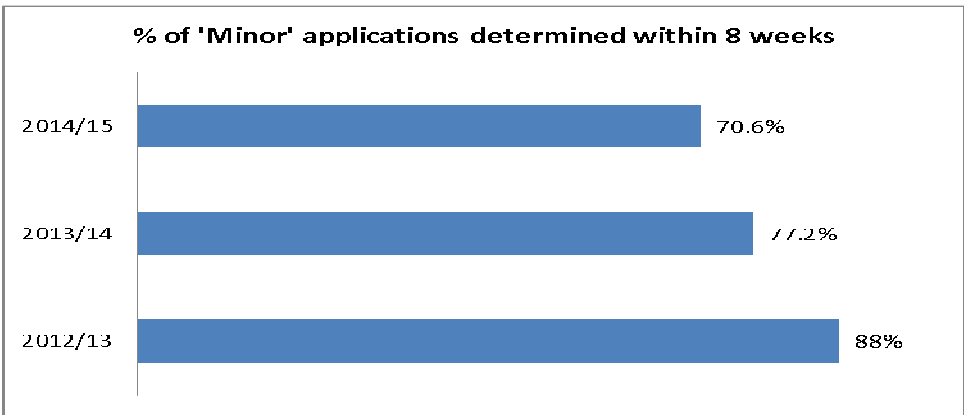
(1) In dealing with ‘Major’ applications during 2014/15 a new indicator measuring decisions defined by the Government as having been made ‘in time’ was adopted to reflect the Government’s designation criteria. We determined 86.4% of the 22 such applications “in time” against a target of 70%.

TARGET ACHIEVED

Performance has significantly exceeded the target for dealing with ‘Major’ applications largely reflecting a new focus on the obtaining of agreements by applicants to extend the determination period. To ensure that there continues to be

appropriate focus on good performance, to recognise the importance to the economic wellbeing of this area of facilitating developments of this scale, and to avoid any possibility whatsoever of designation, the same 70% target is to be used for this indicator in 2015/16.

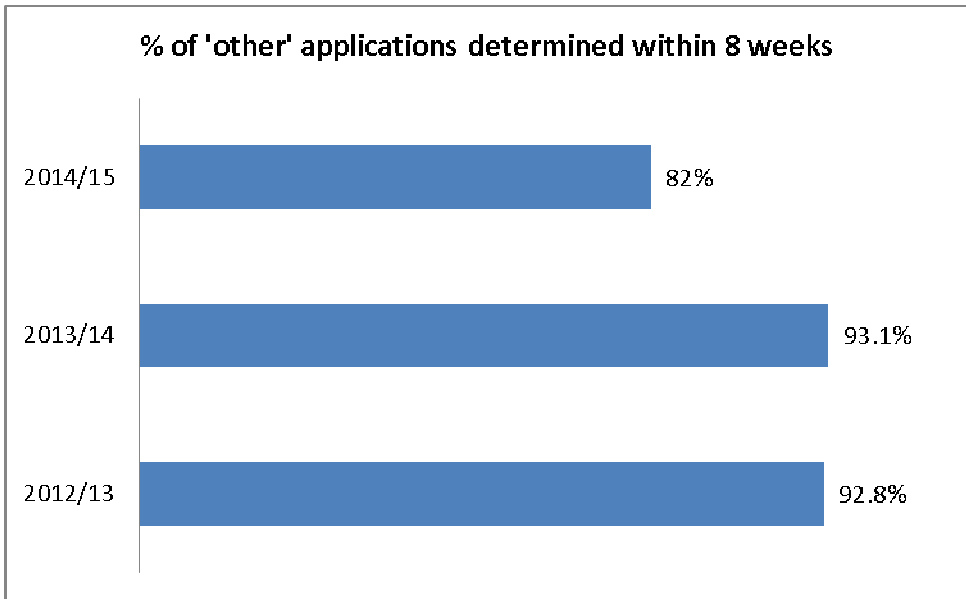
(2) During 2014/15 70.6% of the 218 **'Minor' applications** were determined within 8 weeks against the 'local' target of 85%. Comparison with performance in previous years is indicated below.



TARGET NOT ACHIEVED

Performance on Minor applications did not achieve the target, falling short by almost 15%, and dropped significantly for the third consecutive year. This was primarily as a consequence of a period when posts have been vacant and staff have been absent for long periods due to illness. The vacant posts were filled by September 2015 but absence due to sickness continued until February 2015. Since January 2013 there has been a steady increase in the number of Minor applications received. The backlog of undetermined Minor applications had, and continues to have, an impact on performance against this indicator. However it is hoped that performance will improve in 2015/16 once the backlog of undetermined applications already 'out of time' has been cleared. The target for this indicator has been reduced by 10% down to 75% for 2015/16, still above the former national target, but somewhat lowered to allow some time for improved quality of decision making and communications with the various parties involved.

(3) During 2014/15 82% of the 366 **'Other' applications** were determined within 8 weeks. The 'local' target was 92.5%. Comparison with performance in previous years is indicated below



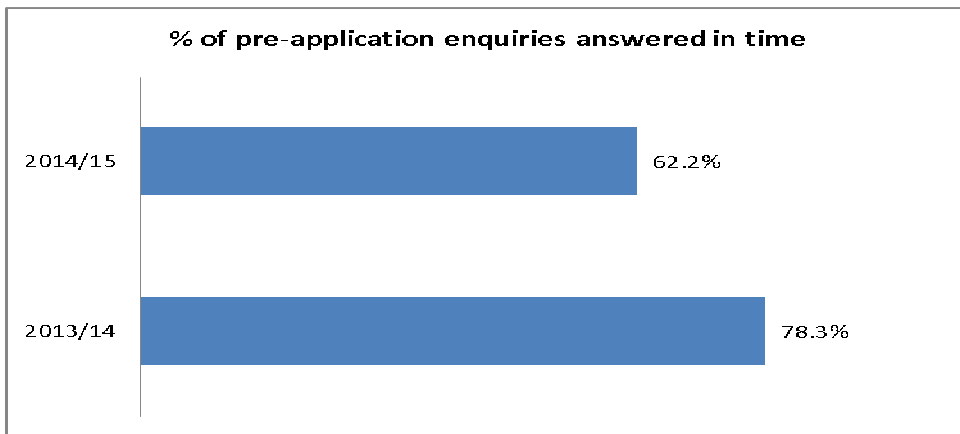
TARGET NOT ACHIEVED

The performance with respect to "Other applications" has been very commendable in previous years, however for reasons outlined above it was not possible to maintain this level of performance in 2014/15. The target has been lowered by 7.5% down to 85% for 2015/16, still some 5% above the former national target. It is hoped that this will

allow some time for improved quality of decision making and communications with the various parties involved, as well as releasing some capacity within the team to deal with the growing number of Minor applications and enforcement cases.

(4) INDICATOR - Percentage of pre-application enquiries answered in time

During 2014/15 62.2% of pre-application enquiries were answered 'in time'. The target for this 'local' indicator in 2014/15 was 80%. Comparison with performance in the previous year is indicated below.



TARGET NOT ACHIEVED

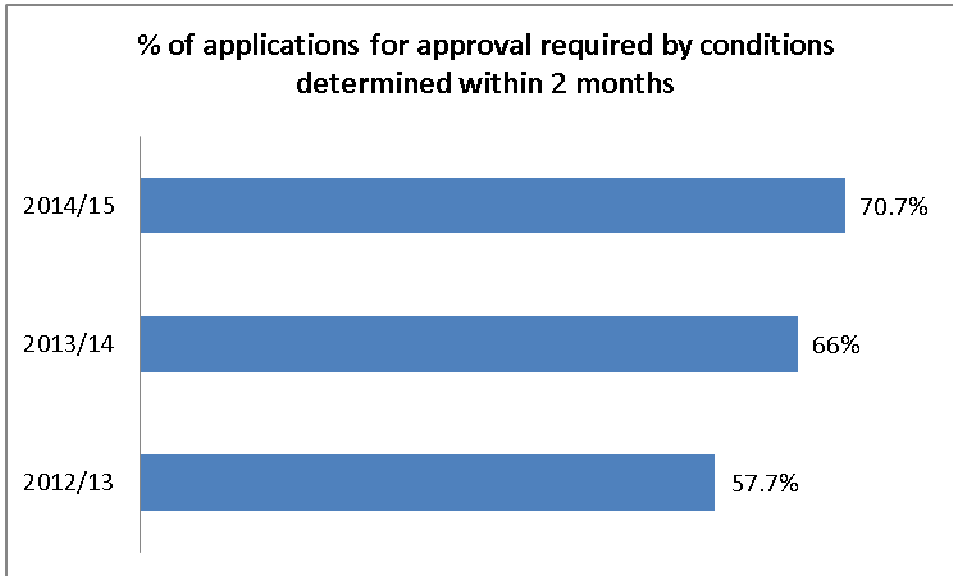
This indicator, introduced in 2013/14, allows for more time for enquiries concerning the more significant proposals, and so more accurately reflects the differing demands which various pre-application enquiries involve. For 'Major' pre-application enquiries the target response time is 35 calendar days, for 'Minor' pre-application enquiries the target response time is 14 calendar days, and for 'Other' pre-application enquiries the target response time is 10 calendar days. The decision as to when an enquiry has been answered can however sometimes be quite subjective, and clarification has recently been provided to officers on this aspect.

To give Members some idea of volume the Service received some 830 such enquiries in 2014/15, of which 24 were 'Major' pre-application enquiries; 225 were 'Minor' pre-application enquiries; and 581 were 'Other' pre-application enquiries.

The performance level achieved was significantly below the 80% target for reasons explained above. The target is to be maintained at 80% for this indicator for 2015/16 despite this performance level, given the importance of the pre-application service.

(5) INDICATOR - Percentage of applications for approvals required by conditions determined within 2 months

During 2014/15 70.7% of conditions applications were determined within 2 months against a target of 75%.. Comparison with performance in previous years is indicated below.

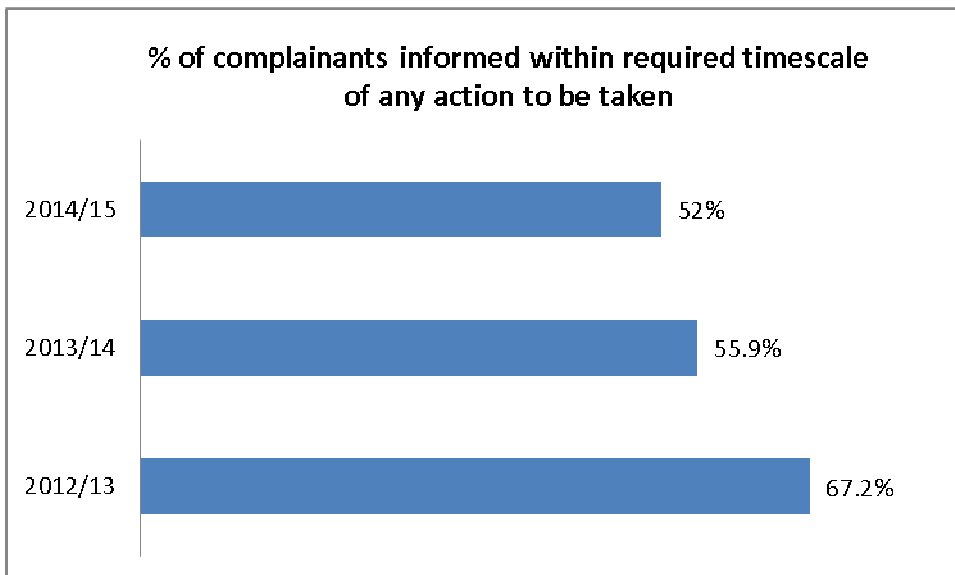


TARGET NOT ACHIEVED

Performance in 2014/15 improved notably from that achieved in 2013/14, which in turn was an improvement on the 2012/13 position. This was despite the staff resource issues that have been referred to within this report, although the 75% target was not achieved. The number of conditions applications dealt with in 2014/15 at 450 was higher than the number in 2013/14 (402) so the performance achieved was respectable. The target for this indicator is to be maintained at 75% for 2015/16. At national level there has been a new focus on local authorities' performance in dealing with applications for approvals required by conditions and various changes have been introduced which have to be addressed by the Service.

(6) INDICATOR - Percentage of complainants informed within the required timescales of any action to be taken about alleged breaches of planning control.

Performance in 2014/15 was 52% compared the 'local' target of 75%. Comparison with previous years' performance is indicated below.



TARGET NOT ACHIEVED

There was a slight increase in the number of new complaints received in 2014/15 (220) compared with the number in 2013/14 (199).

Performance was particularly low in the second quarter of the 2014/15 as a consequence of the absence of the Enforcement Officer for a significant period of that quarter in addition to other staff resource issues. This fed through into the annual performance achieved. Performance against this indicator has, however, been improving in the second half of the year with performance significantly exceeding the target for the final quarter. The target for this indicator will remain at 75% for 2015/16. It is considered that any further change in this target should be on the basis of a review of the Council's planning enforcement policy, rather than as a response to the continued failure to achieve the target levels over the last three years.

Source of information/background papers

- 1. General Development Control Returns PS1 and PS2 for 2012/13 – 2014/15**
- 2. Planning Services own internal records, produced manually and from its uniForm modules**
- 3. Planning and Development Service Plans for 2010/11 - 2013/14 and 2014/15**