

## **MID-YEAR DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2012/2013**

### **Purpose of the Report**

To provide members with a mid-year report on the performance recorded for Development Management (Development Control) between 1 April 2012 and 30 September 2012. Figures for 2010/11 and 2011/12 are also provided for comparison as are targets set within the Planning and Development Service Plan for 2010/11 to 2013/14.

### **RECOMMENDATIONS**

- (a) That the report be received.**
- (b) That the Head of the Planning and Development continue to operate mechanisms to maintain current high performance levels and improve the service provided for those procedures where our level of performance still needs to be addressed.**
- (c) That the next 'Development Management Performance Report' be submitted to Committee around May 2013 reporting on performance for the complete year 2012/13.**

### **Reasons for Recommendations**

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**

- 1.1 For many years an extensive set of indicators have been collected to monitor the performance of the Development Control or Development Management Service. 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 area.**

### **2. Matters for Consideration**

- 2.1 There is an Appendix attached to this report.**

**APPENDIX 1: 'NATIONAL AND 'LOCAL' PERFORMANCE INDICATORS FOR DEVELOPMENT CONTROL, 2010/11, 2011/12 and 2012/13:** Contains quarterly and annual figures for the national and 'local' Performance Indicators applicable during 2012/13 (comparative figures for 2010/11 and 2011/12 are also shown).

National Indicators (NI) 157(a), (b) and (c) are also reported to Cabinet within the quarterly Financial and Performance Management Report.

This report is a commentary on the national and local performance indicators as set out in detail in Appendix 1.

### **3. The Performance Achieved**

Eight non-financial indicators were included in the 2011/12 – 2013/14 Planning and Development Service Plan relating to Development Management. 7 of these indicators have "targets" for 2012/13. It is currently predicted that the target set is likely to be met in only one case, in a further 5 it is predicted that the target is unlikely to be achieved, and in one case it is not possible to predict the likely outturn figure.

***INDICATOR - NI 157: Percentage of applications determined within timescales:-***

- (a) 75% of 'Major' applications determined within 13 weeks**

- (b) **85% of 'Minor' applications determined within 8 weeks**
- (c) **95% of 'Other' applications determined within 8 weeks**

National Indicator NI157 relates to the three categories of applications as above. The above challenging "top quartile" targets for 2012/13 have been set 'locally', although the targets set by Government (60%, 65% and 80% respectively) still currently remain. 'Major' applications are defined as those 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 developments which do not meet the criteria for 'Major' developments nor the definitions of Change of Use or Householder Development. 'Other' applications relate to those for Change of Use, Householder Developments, Advertisements, Listed Building Consents, Conservation Area Consents and various applications for Certificates of Lawfulness, etc.

- (a) In dealing with '**Major**' applications during 2011/12 we determined 81.8% within 13 weeks against the then 'local' target of 75% (and the Government's target of 60%). That was comfortably "top quartile" performance. Performance for the first half of 2011/12 was 70% which is below the local target. The predicted result for the year 2012/13, based on performance up to the end of October, the applications in hand, and the limited number of application for Major development expected to be received over the next 6 months, is that we will fall significantly short of achieving the 75% target, but still above the national target of 60%. The latest national information available (for the year ending March 2012) indicates that top quartile performance that year was anything over 68% (national performance on Majors having declined) so that figure should be borne in mind.

Performance figures for this category can fluctuate significantly as they are based on only a relatively small number of applications. The Council has to avoid unreasonable behaviour in its decisions whether to allow more time for the securing of planning obligations (Section 106s) where a proposal is acceptable provided a planning obligation is secured, and in most but not all cases it is the need to do this which is the reason for the failure to determine the application within time. Various strategies and procedures are being employed to reduce the risk of this happening, and a quarterly report is provided to the Committee on decisions to extend the periods within which such obligations can be secured

#### **TARGET FOR 2012/13 UNLIKELY TO BE ACHIEVED**

- (b) During 2011/12 91.9% of '**Minor**' applications were determined within 8 weeks against the 'local' target of 85% (Government target is 65%). That it is now known was comfortably 'top quartile' performance, anything of 80% or over being "top quartile".

Performance for the first half of 2012/13 was 88.9% and the predicted result for the year against the 'local' target of 85%, taking into account actual performance up to the end of October, is that this target is likely to be achieved, although there are still 5 months to go. If so the performance will have been very creditable indeed.

#### **TARGET FOR 2012/13 LIKELY TO BE ACHIEVED**

- (c) During 2011/12 94.8% of '**Other**' applications were determined within 8 weeks. That it is now known was comfortably 'top quartile' performance, anything of 80% or over being 'top quartile'

Performance so far this year is running at 94% compared with the 'local' target of 95% (Government target is 80%). The prediction for the year is around 93% which is some 2% short of the local target. Whilst this is somewhat disappointing it does reflect the consequences which a failure to determine a relatively small number of applications has on the performance level achieved. Upon reflection the 95% target is probably unrealistic. 93% would still be a very creditable performance.

#### **TARGET FOR 2012/13 UNLIKELY TO BE ACHIEVED**

Our performance generally in relation to the speed of determination of applications is good, and our performance for all three NI157 indicators has again exceeded the national targets. When the local targets were originally set by Cabinet the intention was to achieve top-quartile performance. As

indicated above it can now be confirmed that the Council achieved top quartile performance in 2011/12 in all three categories. For Majors our national ranking position out of 345 Authorities for this period was 18th, for Minors 9th and Others 20th. It is unlikely that the outturn figures for 2012/13 will be as good, but the position, in relation to other authorities, will not be known until much later on in 2013 when the national figures are released.

Members may be aware that the Government is pursuing its Planning Guarantee proposals. As part of this they have published a Planning Guarantee monitoring report which focussed on the percentage of all decisions made within 26 weeks, and the percentage of decisions on applications for major development made within 26 weeks. The figures for this Council were 99% and 91% respectively. 88% of all Local Planning Authorities determined 95% of all cases within 26 weeks, whilst 6% of all Local Planning Authorities determined 95% of Majors within 26 weeks. For all decisions our national ranking position was 52<sup>nd</sup> and for Major decisions 50<sup>th</sup>. Both represent 'top quartile' performance.

The Growth and Infrastructure Bill introduced to Parliament in October, and now at Committee Stage in the House of Commons, includes proposals to give applicants an option to choose to have their applications determined by the Secretary of State, rather than by the Local Planning Authority, where the Authority in question has been designated as a poorly performing planning authority.

In the Bill's Impact Assessment now published the Government has indicated that while the indicators to be used to assess whether a planning service is a good one have yet to be finalised, for the purposes of the assessment they have used

- **Timeliness**, defined as the average number of major applications decided within 13 weeks as a percentage of all major decisions, assessed over a two year period.
- **Proportion of major decisions overturned**, defined as the number of appeals involving major development that are lost, as a percentage of all major decisions made (and again assessed over a two year period).

With regard to the precise benchmarks for designating authorities as 'poor performing' these it is indicated will be subject to consultation but, for illustrative purposes only, they have assumed that the authorities whose timeliness measure is less than 30%, **or** whose proportions of major applications overturned is greater than 20%, will be subject to these measures. They have not published information on which Authorities would fall within this group.

Because of the potential importance of these measures to the Authority your officers intend to submit a further report to the Committee as soon as the Government's proposals become clearer.

***INDICATOR - Percentage of applicant/agents satisfied with the development management service received***

In some previous years the Council has undertaken an indepth survey of the satisfaction or otherwise of agents and applicants with the development management service received. Because of the resource implications and the view that new approaches to obtaining applicants and agents opinions should be used, the proposal to undertake the Council's own survey in 2011/12 as the Service Plan envisaged was withdrawn. As an alternative the Council participated in a 4 week benchmarking exercise run by the national Planning Advisory Service which included an applicants' postcard satisfaction survey. PAS have however not advised the Council of the results of that survey – apparently because of the limited number of responses to it.

The Service Plan for 10/11 to 13/14 does not envisage a survey of applicants and agents this year. The Council is participating in a further PAS benchmarking exercise that is now underway, and this again will include a light touch survey of applicants' and agents' opinions of the service that they have received.

**NO TARGET FOR 2012/13**

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***INDICATOR - Percentage of community who are satisfied with the development management service provided***

This information is obtained by a survey directed at those individuals who made comments on applications ('contributors') and the survey asks a series of questions aimed at ascertaining the level of service provided e.g. in bringing the application to their attention, dealing with their queries and informing them of the eventual decision etc. No such survey was undertaken in 2011/12.

It is intended to undertake such a survey in 2012/13 and the results of this will be the subject of a separate report to the Planning Committee. It is not possible to predict the result of that survey

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#### **SURVEY YET TO BE UNDERTAKEN**

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#### ***INDICATOR - Percentage of pre-application enquiries answered within 15 working days***

Performance for this local indicator recorded for 2011/12 was 70.5%. The figure so far this year is 69.2% and the predicted outturn for the whole year is around 70% although it is very difficult to be confident about such a prediction. The target, which is set in the current Service and Financial Plan is 85%. The Service puts a considerable emphasis on the provision of appropriate pre-application guidance and the shortfall relative to the target is a matter for some concern. Were proposals to be developed for charging for pre-application advice the timeliness of that advice could be the subject of complaint more often than it is now. Pre-application enquiries vary considerably in their nature. To give members some idea of volume the Service received some 600 such enquiries in the first 6 months of 2012/13.

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#### **TARGET FOR 2012/13 UNLIKELY TO BE ACHIEVED**

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#### ***INDICATOR - Percentage of applications for approvals required by conditions determined within 2 months***

The figure for 2011/12 was 64.4%. The figure so far this year is 64.3% and the prediction for the year is around 75% (performance improving following some procedural changes). The target for 2012/13 within the existing Service Plan is 80%. The Service received some 180 such applications in the first 6 months of 2012/13.

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#### **TARGET FOR 2012/13 UNLIKELY TO BE ACHIEVED**

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

Performance in this area was 85.4 % in 2011/12, and performance recorded so far this year is 79.3% compared with the 'local' target of 85%. The current prediction is that, as a result of reduced levels of support staff who "log in" complaints, it may well not be possible to achieve the target and the predicted performance is 80%.

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#### **TARGET FOR 2012/13 UNLIKELY TO BE ACHIEVED**