

## **Development Control Performance**

Quarter July – Sept 2014

### **SUMMARY**

- 1.1 This report gives details of our statistical performance reported to the Department for Communities and Local Government (CLG) on decisions made during the period July-Sept 2014.

### **RECOMMENDATION**

- 2.1 To note the report.

### **REASONS FOR RECOMMENDATION**

- 3.1 The report is for information.

### **SUPPORTING INFORMATION**

- 4.1 Our performance levels are shown on the tables in 4.2. Members should be aware that there are some categories of application that are not included in the CLG return but still represent significant work undertaken by the section. These include:
- Applications for works to trees protected by a Tree Preservation Order or within a Conservation Area
  - Applications by Telecommunications operators for Prior Notification determination
  - Applications for Prior Notification determination of proposed demolition
  - Applications for Hazardous Substances Consent
  - Applications for Discharge of/Compliance with conditions of a previous permission
  - Non-material amendments
  - Applications called-in for determination by the Secretary of State for the DCLG
  - Applications which are withdrawn, or finally disposed of
  - Major applications subject to a Planning Performance Agreement (PPA), or an extension of time which have been adhered to
  - Applications subject to an Environmental Impact Assessment (EIA)
  - Applications for Prior Notification determination for single storey rear extensions
  - Applications for Prior Notification determination for Change of Use from offices, retail or agricultural uses to residential or from various uses to a state funded school
  - Applications for Certificates of Lawful Development

4.2

<b>Application Category</b>	<b>Government Target</b>	<b>July-Sept Actual Performance (change from previous quarter)</b>
Major	60% in 13 weeks	<b>100%</b> (+50%)
Minor	65% in 8 weeks	<b>57%</b> (+13%)
Other	80% in 8 weeks	<b>61%</b> (+4%)
Total Number Determined	-	323 (-65)
Total Number Received	-	346 (+44)

<b>Application Type</b>	<b>Number of applications determined by category</b>
<b>Major:</b> Residential	8
Offices/Light industrial	2
General industrial/warehousing	3
Retail and distribution	1
Gypsy and Traveller pitches	0
Others	4
<b>Total</b>	<b>18</b>

<b>Minor:</b> Residential	29
Offices/Light industrial	21
General industrial/warehousing	0
Retail and distribution	8
Gypsy and Traveller pitches	0
Others	36
<b>Total</b>	<b>94</b>

<b>Others:</b>	
Change of use	32
Householder	130
Advertisements	37
Listed Building Consent	10
Conservation Area Consent/Dem in CA	2
<b>Total</b>	<b>211</b>
<b>Total</b>	<b>323</b>

- 4.3 Of the decisions made in this statistical return this quarter, 94% were made under delegated powers.
- 4.4 Major applications: The increased use of Planning Performance Agreements (PPA), and written agreements from applicants for the extension of time for a decision, as outlined in my report to the November 2013 meeting, has led to a 100% performance figure for Major applications being achieved this quarter.
- 4.5 The PPA process is a collaborative one between the Council and developers and, whilst the use of a PPA does not provide any guarantee that a scheme will receive permission/development consent, it does demonstrate that there is a clear programme for determining an application based on a range of parameters that are established through positive engagement. This provides the Council and developers with greater clarity that, even though an application may extend beyond its statutory period for determination, there is a degree of certainty surrounding the processes and timelines involved with individual applications.
- 4.6 In this quarter, of the 18 Major applications detailed in the above table, 12 were excluded from the performance measures because they were subject to written agreements with the developers. The remaining 6 were all determined within the statutory 13 week period.

- 4.7 Members should be aware that the Planning Guarantee, introduced by the Government, allows planning applications to be submitted directly to the Secretary of State if the Local Planning Authority has a record of failing to decide applications for Major developments on time. The threshold for designation for such 'special measures' is where a Local Planning Authority determines 40% or fewer Major applications on time, an increase from the previous 30% threshold, or has more than 20% of Major decisions overturned at appeal - both indicators measured over the previous two years. Designations are made annually.
- 4.8 Our performance on Major applications over the two year period, July 2012-June 2014, was 50% - in excess of the 40% increased threshold for designation set by the Government. This is the qualifying period used by DCLG to identify those authorities who may be subject to 'special measures'. Members may like to note that the performance on Major applications for the previous two year period including the July-Sept 2014 quarter included in this report rises to 60%. Nevertheless, Members and Officers need to be aware of the possibility of future increases to 45% or 50%.
- 4.9 Minor applications: In this quarter we fell short of the Government set national target by 8% but had a 13% increase over the previous quarter.
- 4.10 Other applications: In this quarter we fell short of the Government set national target by 18% but this represents an increase of 4% over the previous quarter. Whilst these returns for minor and other applications are below government targets members will note that, including the application categories in paragraph 4.1, the team dispatched over 400 applications / notifications and certificates in the quarter.
- 4.11 Members should also note that, in addition to the quarterly returns to central government, the team are also measured by local targets using the corporate performance system 'DORIS' (Data for Outcomes that Really Improve Services).
- 4.12 DORIS is the performance management system for the Council and the Partnership. It is a web based tool for monitoring and reporting on performance. It currently contains performance information for the Council Plan and departmental business plans and the priority measures that form the Council Scorecard. With regards to planning performance this system seeks to assess the speed of determination in terms of wider local performance measures. For example, the system looks at the number of householder decisions made within 13 weeks to gauge how we perform with those decisions beyond the statutory 8 week period.
- 4.13 In terms of managing the section I am actively monitoring the income, workload and performance to seek to achieve an acceptable balance. I am pleased to be able to report that the filling of vacant posts, which I referred to in my report to the May 2014 meeting of this Committee, has helped us determine a total of 323 applications this quarter. The bulk of our workload is dealing with Householder applications, and in this quarter, we dealt with 63% of this type of application within the 8 week target figure.
- 4.14 To put the figures into context, the figures for 2013/14 are shown below:
- Majors: 76%
- Minors: 48%
- Others: 56%
- With one eye on the national targets, the team has a 'can do' attitude, where we seek to achieve a permission rather than refuse a scheme just to meet a target, a philosophy that I know Members have endorsed in the past.

<b>OTHER OPTIONS CONSIDERED</b>
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5.1 None.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Ian Woodhead 18/10/2014
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<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Ian Woodhead Tel:01332 642095 e-mail <a href="mailto:ian.woodhead@derby.gov.uk">ian.woodhead@derby.gov.uk</a> Communities and Local Government Statistical Release Appendix 1 – Implications
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<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 Members need to be aware that for all planning applications & reserved matters received from 1 October 2013, the following now applies:

*...For an application for planning permission or an application for reserved matters, if the LPA fails to issue a decision within 26 weeks then the LPA must refund the fee. It should be noted that there are a number of exceptions, including where the applicant and the LPA have agreed to an extended period, or where the applicant has submitted an appeal against non-determination (before 26 weeks), etc.*

- 1.2 There are no exceptions except where we have agreed an extension of time with the applicant or they have appeal non-determination. The extension needs to be agreed before the 26 week date and the team have put safeguards in place to avoid the potential for refunding applicants their fees.
- 1.3 This is an issue that will be monitored and colleagues across the Council will be reminded about the need to respect the importance of all deadlines within the application process.

**Legal**

- 2.1 None

**Personnel**

- 3.1 None

**IT**

- 4.1 None

**Equalities Impact**

- 5.1 None

**Health and Safety**

- 6.1 The on-going pressures associated with meeting performance targets and pressures being exerted by new legislation do have an impact on the morale of the team and this is something that is monitored.

**Environmental Sustainability**

- 7.1 None

**Property and Asset Management**

- 8.1 None

## **Risk Management**

9.1 None

## **Corporate objectives and priorities for change**

10.1 Our performance levels in dealing with planning applications have implications for delivering excellent services, performances and value for money (priority).