

# REPORT FOR DECISION

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>16<sup>th</sup> OCTOBER 2012</b>
<b>SUBJECT:</b>	<b>DEVELOPMENT MANAGEMENT PERFORMANCE</b>
<b>REPORT FROM:</b>	<b>DEVELOPMENT MANAGER</b>
<b>CONTACT OFFICER:</b>	<b>JOHN CUMMINS</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report provides a brief analysis of performance within Development Management Team for the period 1 <sup>st</sup> April 2012 to 30 <sup>th</sup> September 2012 with comparisons from previous years
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to note the report.
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework?      Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management N/A
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No (Each application is considered having regards to these requirements)
<b>Considered by Monitoring Officer:</b>	No      Not required

<b>Wards Affected:</b>	All
<b>Scrutiny Interest:</b>	No

**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

- 1.1 The performance of the of the Development Management function continues to be the subject to considerable scrutiny, and following a review of National Indicators, NI157 relating to the processing of Planning Applications, has been retained. This measures the speed of decision making for 3 categories of application – Major, Minor and Other (which includes house extensions).
- 1.2 The last of these categories is also included within the suite of Local Priority Indicators. In section 3.0 there is a table of current and past statistics.
- 1.3 The Government has now introduced the ‘Planning Guarantee’. This is particularly important following recent Government announcements about taking away local decision making from ‘poorly performing’ council’s. To date no measures have been formally set but the recent publication of performance against the Governments ‘planning guarantee’ gives a clear indication of some of the measures that appear to be taken into account and an extract of that and this is discussed in section 4 below.
- 1.4 The importance of a speedy and efficient service is however also linked to good standards of customer service and applicants should expect a reasonable prompt determination of their planning application.
- 1.5 The statistics for development control are submitted to the Department of Communities and Local Government on a quarterly basis and are published regularly.

**2.0 Application Caseload and Fees**

- 2.1 The situation in Bury has been mixed and given the fact that there is no ‘national trend’ forecasting remains very difficult in the current climate.

The Benchmarking work carried out in 2011 has, however, started to give us a better insight into producing forecasts and this is something that will be developed during 2012/13. The number of applications received in 2011/12 was down 5% to 1,245 and the fees were also down by 8% at £403,852.

- 2.2 In the first half of 2012, 674 applications have been received for planning applications and discharge of conditions and £217,662 of fees have been received. During this period fees have been introduced for 'Pre-application charging' and these have brought in £2,170 which are included in the income. In addition to the planning applications a total of 121 pre-application enquiries have been received.
- 2.3 In total 840 applications have been received in the 6 month reported upon which includes 45 applications received for works to protected trees (Trees covered by Tree Preservation Orders and Conservation Areas), and one new TPO has been designated in Holcombe.
- 2.4 The staffing of the Development Management team has remained constant and at 2011/12 levels.
- 2.5 Part of the work of the team also involves handling Appeals against the decisions of the Council on planning applications and a separate report is also presented to this PCC on performance on that area of work.

### 3.0 Speed of Decisions

Currently, all 3 categories of application are being decided well above the Government targets and the service is amongst the best performing Councils in the Country. (2011/12 figures in brackets)

	Target	No. of decisions	No. decided within target	% within target
<b>Majors</b>	60% within 13 weeks	10	7	70% (79%)
<b>Minors</b>	65% within 8 weeks	115	98	85.2% (88.05%)
<b>Others</b>	80% within 8 weeks	396	356	90% (95%)

- 3.1 The speed of performance in respect of Committee decisions is understandably below the set targets and was 59% (50%) which is an improvement over last years figures and is due to better targeting of applications to specific committee dates as a result in an increase in pre-application enquiries ensuring application are full and complete upon submission.
- 3.2 The percentage of all decisions which have been delegated to officers has is similar at 90.7% (90.5%). This continues to be at the bottom end

of the averages for Councils and many authorities have now hit figures of 98%.

#### **4.0 Service changes.**

4.1 The first half of the year has seen a number of developments and changes both internally and externally and we intended to amend the way that we report on performance on in future.

4.2 Externally:

- New challenges continue at pace with government looking at bringing in new legislation to simplify planning including:
  - New consent for house and loft extensions
  - New regime for flags
  - New permitted development for flats above shops
  - New Change of use from Office to Residential
  - Renegotiation of S.106 for Affordable Housing
  - New requirements for a Council to demonstrate how they have been proactive in encouraging development when they determine applications
- The NPPF (National Planning Policy Framework) has now been published and this is impacting on decisions at both national and local level.
- Local Fees Setting has not progressed and as such the rate payers of Bury have to subsidise most types of application. However, we are awaiting a 15% increase on fees but regulations have to be laid before parliament. The 15% increase will go some way to remove the burden on local tax payers and will amount to around £65,000 in a full year. Unfortunately we do not know what this will be in the current year.
- The economic recession has continued to depress the number of applications received. The service has continued to react to newer challenges and workloads relating to enquires, and pre-application enquiries are now charged for on major applications and this has brought in £2,170 since July.
- The proposed new regulatory regime for Sustainable Urban Drainage has been delayed until 2013 and the processing of these applications will be handled by the technical team.

4.3 Internally:

- Budget pressures continue to be a challenge for the team and renegotiations of contracts with suppliers is reducing overheads.
- Outcomes tour has been completed and a separate report is to be produced.
- One delegated Householder decision is subject to a Judicial Review by the neighbour. The application was for a small side extension to house a domestic lift for an elderly relative. The lift shaft was akin to a redundant chimney in appearance and was approved under delegated powers. However, the neighbour, who had objected and is a Barrister and District Judge, has now started a Judicial Review of the decision and as such we are now considering what we should do as officers. We are satisfied that the correct decision was made but any challenge in the Courts will have cost implications for the Council.

- 4.2 Following on from the announcements of Government , new performance measure are being looked at based on the Governments 'Planning Guarantee'. This concept would involve decision making powers being taken from poor performing Councils . On the basis of the most recent published figures we are performing well but all AGMA authorities are working together to develop a new regime to give early warning of any potential problems.

**Local Authority Planning Guarantee Monitoring Statistics 2011-12**

Local Authority	Total number of planning decisions	No. of all planning decisions determined within 26 weeks	% of all planning decisions determined within 26 weeks	No. of major planning decisions determined within 26 weeks	% of major planning decisions determined within 26 weeks
Bury	983	978	99%	29	91%
Bolton	...	...	...	...	...
Oldham	1108	1091	98%	27	84%
Manchester	2117	2078	98%	73	87%
Rochdale	989	972	98%	37	88%
Salford	987	949	96%	46	73%
Stockport	1671	1614	97%	20	61%
Tameside	880	857	97%	28	78%
Trafford	...	...	...	...	...
Wigan	1260	1207	96%	38	69%

**5.0 Conclusion**

- 5.1 Performance of decision making is a major factor in external views of the service and good performance is key to both customer care standards and recognition from the DCLG and other inspection regimes.
- 5.2 The current performance levels have been maintained by a sustained focus on performance issues by all staff and continue to be exceptional despite the slight fall on previous years and reflect well on all staff involved.

**List of Background Papers:- None**

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