

DEVELOPMENT CONTROL PERFORMANCE 2007/2008

REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to advise Committee of the performance of Development Control in the year 2007/2008

2.0 BACKGROUND

- 2.1 To assist Members in monitoring and appraising the Development Control Service a review of workload and performance has been prepared and is appended to this report.

3.0 SUMMARY

- 3.1 The total number of planning applications received in 2007/2008 was 2143 and the total number determined was 2005. At the end of the period there were 370 applications on hand awaiting determination. These represent slight decreases from the levels in 2006/2007.
- 3.2 However, the overall number of applications is still historically high and in addition the number of major and therefore more complex applications rose from 71 in 2006/2007 to 82 in 2007/2008, an increase of 15%.
- 3.3 The total figures for 2007/2008 breakdown into:-
- 82 major applications (housing applications of more than 10 units and other applications involving more than 1000sq m of development), of which 95.12% were determined within the national target of 13 weeks;
 - 473 minor applications (applications which fall below these thresholds), of which 92.6% were determined within 8 weeks and;
 - 1450 other applications, which include householder applications, minerals, changes of use, advertisement consents, listed building and conservation area consents, of which 97.72% were determined within 8 weeks.
- 3.4 In previous years the Council's planning function was also performance assessed in relation to its implementation of e-government. This is no longer the case. However, for the purposes of its own Improvement Plan e-planning remains a priority and areas on which the service has been focussing in 2007/2008 are detailed in Appendix 4.

- 3.5 The Government's performance indicators also measure the proportion of successful appeals against the Council's decisions to refuse planning permission. These are considered in Appendix 5 in terms of the Council's own performance. In 2007/2008 42.86% of appeals against the Council's decisions were allowed, which represents a deterioration from the figure of 22.9% in 2006/2007. Although a similar pattern of increased numbers of appeals upheld is apparent across Tyne and Wear the trend is a cause of concern. A training session was recently held with a senior Inspector from the Planning Inspectorate and it is the intention to have further training on the production of appeal statements and evidence.
- 3.6 Of these appeal figures only 2 decisions taken by sub-committee were appealed against. One of which was successful and one was dismissed (50%).
- 3.7 The second quality of service indicator relates to the number of applications which were granted permission which constituted "departures" from the statutory development plan, i.e. the City of Sunderland Unitary Development Plan and the Regional Spatial Strategy.
- 3.8 During 2007/2008 the number of departure applications declined markedly from the previous year, only 3 such applications were submitted as compared with 20 in 2006/2007. In Sunderland's case over the year, 2 of the 3 departure applications were granted planning permission i.e. 66.67%, which is broadly similar to the figure in the previous year (65%). Further details are available in Appendix 6. The approvals figure reflects, as it should do, that the UDP is now old having been adopted in 1998 with a plan period running to 2006 and that the Council is working to update it and to replace it with The Local Development Framework (LDF). UDP policies are now saved until the LDF is adopted.
- 3.9 Enforcement Action is at the discretion of the Council. It covers a wide area of work, including the regularisation of unauthorised development and unauthorised advertisements, unauthorised works to listed buildings and demolition works in Conservation Areas and works to address neglected land and buildings and unauthorised works to or removal of protected trees. The details of workload, expressed as numbers and percentage of cases by type are at Appendix 7. In total 965 enforcement investigations were undertaken over the year. This represents a slight increase from 2006/2007 (940).
- 3.10 Tree Protection work, shown in Appendix 8, also forms a small but important and specialised part of Enforcement (7.24% of cases). However, a proportion of tree protection work is proactive and 2.86% of the tree casework relates to procedures to make new tree preservation orders (1.33% in 2006/2007) with the remainder of the work covering applications proposing works to protected trees, under both TPOs and

in Conservation Areas. It also includes negotiations between applicants and the Tree Officer on the need to consider and protect trees both at the pre application stage and within the process of determining planning applications.

- 3.11 Section 106 Agreements are agreements between applicants and the Council to address issues raised by planning applications which cannot be covered satisfactorily by planning conditions. They usually relate to the pressures which proposals contained in major applications for housing, employment and retailing will place on existing physical and social infrastructure. Typical examples include impact on the capacity of the local transport network to accommodate journeys generated by the development, the number of new children to be accommodated in schools in the area and the need for additional openspace/playspace generated by new housing development. Resolving these issues usually involves payment of financial contributions to improve the infrastructure requirements.
- 3.12 The details of the Section 106 agreements negotiated and signed in 2007/2008 are shown at Appendix 9.
- 3.13 Throughout 2007/2008 the Council's performance has continued at the improved levels achieved in 2006/2007 such that national targets for the determination of applications have been well exceeded in all three areas "major, minor and other".
- 3.14 Appendix 11 details the 6 major planning application on which decisions were still outstanding at 31st March 2008.

4.0 CONCLUSION

- 4.1 Development Control continues to improve its levels of service in relation to Government targets. It is now consistently performing at levels above the national targets of 65% of decisions on major applications within 13 weeks, 80% of decisions on minor and 80% on other applications within 8 weeks.
- 4.2 The improved performance regarding major applications was largely due to steps taken to actively monitor their progress and to speed up the drawing up of section 106 agreements, particularly the procedure at sub-committee of using dual recommendations, agreed by Planning and Highways Committee on 21st November 2006. In addition the willingness of Chairs to call special sub-committee meetings has maintained this position during 2007/2008.
- 4.3 The Improvement Plan which was endorsed by Committee in October 2006 set out the timescales for the delivery of actions which have helped to ensure that the service improvements reported last year have been maintained this year.

5.0 RECOMMENDATION

- 5.1 The Committee is recommended to note the contents of this report and the Review of Development Control Performance document.