

PLANNING AND HIGHWAYS COMMITTEE 21st JULY 2009

DEVELOPMENT CONTROL PERFORMANCE 2008/2009

REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to inform Committee of the performance of Development Control Service in the year 2008/2009

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 2008/2009 was 1318 and the total number determined was 1367. These represent significant decreases from the levels in 2007/2008, which were 2143 and 2005 respectively. At the end of the period there were 204 applications on hand awaiting determination, including 6 major applications
- 3.2 While the overall number of applications has declined significantly (38.5%) the number of major and therefore more complex applications has only declined from 82 in 2007/2008 to 60 in 2008/2009, a decrease of 26.83%.
- 3.3 The total figures for 2008/2009 breakdown into:-
- 60 major applications (housing applications of more than 10 units and other applications involving more than 1000sq m of development), of which 95.00% were determined within the national target of 13 weeks;
 - 339 minor applications (applications which fall below these thresholds), of which 97.35% were determined within 8 weeks and;
 - 968 other applications, which include householder applications, minerals, changes of use, advertisement consents, listed building and conservation area consents, of which 98.04% were determined within 8 weeks.
- 3.4 Throughout 2008/2009 the Council's performance has continued at the improved levels achieved in 2007/2008 such that national targets for the determination of applications have been well exceeded in all three areas "major (65%), minor (80%) and other (80%).

- 3.5 Until 2006/2007 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 2008/2009 are detailed in Appendix 4.
- 3.6 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 2008/2009 29.73% of appeals against the Council's decisions were allowed, which represents a significant improvement from the figure of 42.86% in 2007/2008.
- 3.7 In 2007/2008 a pattern of increased numbers of appeals upheld had been apparent across Tyne and Wear and the trend was a cause for concern. A training session was held in 2008 with a senior Inspector from the Planning Inspectorate and this has helped to produce the improved figures in 2008/2009.
- 3.8 Of these appeal figures only 4 decisions taken by sub-committee were appealed against. Three of these appeals were allowed and one was dismissed (75%).
- 3.9 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.
- 3.10 In Sunderland's case over the year 7 departure applications were granted planning permission out of a total of 12 submitted, see Appendix 6. This is a similar ratio to 2007/2008 (2 approved out of 3), but the overall figure for departure applications was higher. The figure reflects, as could be expected, the use of the UDP (adopted in 1998) as the main policy basis on which to judge applications and that the Council is working to replace it with the Local Development Framework.
- 3.11 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 2007/2008 (940).
- 3.12 Tree Protection work, shown in Appendix 8, also forms a small but important and specialised part of Enforcement. However, a proportion

of tree protection work is proactive and 3.64% of the tree casework relates to procedures to make new tree preservation orders (2.86% in 2007/2008) 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. In February 2009 the Tree Officer left the Council's employment and for the present tree work is being undertaken by Development Control Officers, with specialist advice from an arboriculturist in Community and Cultural Services.

- 3.13 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.
- 3.14 The details of the Section 106 agreements negotiated and signed in 2008/2009 are shown at Appendix 9.
- 3.15 Appendix 11 details the 6 major planning application on which decisions were still outstanding at 31st March 2008.
- 3.16 Measures taken in response to reduced planning application workload in 2008/2009 have been to not replace staff moving within the Planning and Environment Service or out of the Council's employment, although the posts remain on establishment, and to assign on a short term basis both some professional and technical staff to assist the Policy Section in relation their work on the LDF and the SHLAA (Strategic Housing Land Assessment and Allocation).
- 3.17 In addition from the beginning of July 2009 two planning officers will commence a secondment to the Implementation Section. This gives the Development Control Service the flexibility both to respond to current reduced workload but also to recall these professional members of staff to DC duties once application workload increases. In the meantime the Implementation Section benefit by filling vacant positions.

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. The Improvement Plan has been kept under review, with targets being stretched and new initiatives added to ensure that the service continually improves.
- 5.0 RECOMMENDATION
- 5.1 The Committee is recommended to note the contents of this report and the Review of Development Control Performance 2008/2009 document.