

PLANNING AND HIGHWAYS COMMITTEE 22nd JUNE 2010

DEVELOPMENT CONTROL PERFORMANCE 2009/2010

REPORT OF THE DEPUTY CHIEF EXECUTIVE

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 2009/2010

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 2009/2010 was 1200 and the total number determined was 1137. These represent a further fall in numbers of planning applications received compared with the previous year 2008/2009, which were 1318 and 1367 respectively. At the end of the period there were 191 applications on hand awaiting determination, including 6 major applications.

- 3.2 As the overall number of applications has continued to decline so the number of major and therefore more complex applications has also declined from 60 in 2008/2009 to 43 in 2009/2010, a decrease of 28.3%.

- 3.3 The total figures for 2009/2010 breakdown into:-

- 43 major applications (housing applications of more than 10 units and other applications involving more than 1000sq m of development), of which 93.02% were determined within the national target of 13 weeks;
- 299 minor applications (applications which fall below these thresholds), of which 96.66% were determined within 8 weeks and;
- 795 other applications, which include householder applications, minerals, changes of use, advertisement consents, listed building and conservation area consents, of which 98.74% were determined within 8 weeks.

- 3.4 Throughout 2009/2010 the Council's performance has continued at the improved levels achieved in 2008/2009 such that national targets for the determination of applications have been well exceeded in all three areas major (60%), minor (65%) 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 2009/2010 are detailed in Appendix 4.
- 3.6 Although the Government's performance indicators no longer measure the proportion of successful appeals against the Council's decisions to refuse planning permission, they remain as local quality of service indicators. These are considered in Appendix 5 in terms of the Council's own performance. In 2009/2010 35.90% of appeals decided were allowed, which represents an increase from the figure of 29.73% in 2008/2009.
- 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 helped to produce the improved figures in 2008/2009. The 2009/2010 figures though showing an increase in appeals upheld from 2008/2009 remain lower than the 2007/2008 figure (42.85%)
- 3.8 Only 5 decisions taken by sub-committee were appealed against. Three of these appeals were allowed and two were dismissed (40%). One of the successful appeals was against a refusal of permission decided against officers recommendation.
- 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 During 2009/2010 two departure applications were granted planning permission out of a total of 8 submitted, see Appendix 6. This is fewer than in 2008/2009 (7) and the overall figure for departure applications was lower than the 12 in 2008/2009. The figures reflect, as could be expected, the age of the UDP (adopted in 1998) as the main policy basis on which to consider proposals although work to replace it with the Local Development Framework is currently ongoing.
- 3.11 Enforcement Action is effected at the discretion of the Council. It covers a wide area of work, including the regularisation of unauthorised development and advertisements; unauthorised works to listed buildings and demolition works in Conservation Areas; works to address neglected land and buildings; and unauthorised works to or removal of protected trees. The details of workload, in terms of numbers and percentage of cases by type are set out in Appendix 7. In total 1031 enforcement investigations were undertaken over the year. This represents an increase from 2008/2009 (965).

- 3.12 Tree Protection work, shown in Appendix 8, also forms a small but important and specialised part of Enforcement. A small proportion of tree protection work is proactive and 1.25% of the tree casework relates to procedures to make new tree preservation orders (3.64% in 2008/2009) with the remainder of the work covering applications for 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 during the process of determining planning applications.
- 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 demands brought about by major development proposals for housing, employment and retailing 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 can involve payment of financial contributions to improve the infrastructure requirements, where viable, within the overall cost of the development project.
- 3.14 The details of the Section 106 agreements completed in 2009/2010 are shown at Appendix 9.
- 3.15 Appendix 11 details the 6 major planning application on which decisions were still outstanding at 31st March 2010.
- 3.16 To address the continued reduced planning application workload during 2009/2010 steps have been taken to manage vacancies and to redeploy Development Control staff into other service areas within Planning and Environment and in one case elsewhere within the Council. By these means staff numbers have been reduced to 38 from 40 in 2008/2009. That figure was itself a reduction of 6 from the figure of 46 during 2007/2008. The current figure has further reduced to 36 from 1st June 2010. In addition the administrative sections of Development Control and Building control have been combined into one.
- 3.17 By these processes it has been possible to retain professionally qualified staff who will be available to respond to the economic upturn when it arrives.

4.0 CONCLUSION

- 4.1 Development Control continues to maintain its high levels of service in relation to Government targets. It is now consistently performing well

above the national targets of 60% of decisions on major applications within 13 weeks, 65% of decisions on minor and 80% on other applications within 8 weeks.

- 4.2 Performance regarding major applications has been maintained by steps taken in previous years to manage their progress and to speed up the completion of 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 cooperation of Chairs to call special sub-committee meetings has maintained this position during 2009/2010. Finally the introduction of the 1APP application form and validation criteria in 2008 has also helped, although the latter is being reviewed following new Government advice issued in April 2010.
- 4.3 The Improvement Plan which was endorsed by Committee in October 2006 sets 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 2009/2010 document.