

Development Control Committee



Forest Heath
District Council

Title of Report:	Quarterly Monitoring Report of Development Management Services	
Report No:	DEV/FH/16/003	
Report to and date/s:	Development Control Committee - 3 February 2016	
Portfolio holders:	Councillor James Waters Portfolio Holder for Planning and Growth Tel: 07771 621038 Email: james.waters@forest-heath.gov.uk	
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Purpose of report:	To update Development Control Committee with regard to performance and key trends relating to Development Management, Planning Enforcement and Appeals on a quarterly basis.	
Recommendation:	It is recommended that Members note the update on performance and key trends.	
Key Decision:	<i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	• N/A	
Alternative option(s):	• N/A	
Implications:		
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Update to note only		Update to note only
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		None	

1. Key issues and reasons for recommendation(s)

1.1 Introduction

1.1.1 This report will provide headline information on the performance of Development Management, Planning Enforcement and Appeals. It will also provide service improvement updates and an analysis of key trends in the service. Please note that whilst the report will provide updates on notable cases in Enforcement and Appeals, any site specific questions relating to ongoing cases should be directed to the relevant Case Officer or Manager outside of the consideration of this performance report.

2. Performance Updates:

2.1 Development Management:

Performance: Development Control Committee is an integral part of the development management process, and plays a key role in determining applications. It is therefore important that the Committee is aware of how the service is performing against the Key Performance Indicators agreed by the Council. This performance is also reported to Performance and Audit Committee.

Appendix A shows performance against Key Indicators in Quarters 1 (April to June 2015), 2(July to Sept 2015) and 3(October to December 2015).

The performance targets for planning applications are based on the statutory expiry date for applications being determined as follows:

- Majors – no less than 60% of applications determined in 13 weeks
- Minors – no less than 65% of applications determined in 8 weeks
- Others – no less than 80% of applications determined in 8 weeks

The figures in Appendix A illustrate that there has been a sustained improvement in overall performance for Forest Heath looking at the 3 Quarters of 2015/16. Quarters 2 and 3 have seen all three determination targets exceeded. The total number of applications on hand (live applications still being considered) has risen slightly from Q2 from 95 to 98. There has been a concerted effort from officers to maintain a lower figure for on hand applications and there has been a massive effort from the team to meet and exceed these performance targets – this has only been achieved through officers working significant additional hours and doing overtime. Finally, the percentage of applications which are able to be registered “clean” (ie. all the information required to validate the application was available at the time the application was first submitted, without technicians seeking further information from the applicant/agent) has improved slightly from Q2 at 35%. This is one of the issues which will be tackled in forthcoming service improvements.

In the Autumn the Council received a letter from the Department of Communities and Local Government (DCLG) warning us that we were close to being designated as a poorly performing authority because the two year rolling average performance for Majors was close to the designation rate of 50%. The target had recently been increased from 40% to 50% within the target of a

decision in 13 weeks and it had been applied retrospectively against performance over the previous two years. The DCLG have now confirmed that our performance for the previous 2 years is 53%. The Planning Advisory Service will be working with the DM team shortly to look at how we can improve and sustain improved performance moving forward.

Capacity: There is currently one vacancy within the team – Senior Planning Officer (Maternity Leave). An agency planner has been retained to fill this gap in resources. Two Planning Technicians have recently been appointed as Planning Assistants within the DM team, this follows on from repeated failures to recruit a Planning Officer and the recent promotion of the Planning Trainee to the post of Planning Officer. Recent information received from the Planning Advisory Service shows that Officers’ caseloads are higher than the national average and that both authorities deal with a proportionally higher percentage of major applications compared to other similar authorities nationally.

Projections for applications received at end of 2015/2016 are slightly higher still than 2014/2015. Against the backdrop of capacity the performance improvements detailed above are not insignificant.

Service Improvement:

The Development Management team is working through a Planning Improvement Plan devised following the work undertaken last year through BPR and the PAS Resource Review. There is much to be done including maximising the use of our software systems, improvements to our web pages, transferring the Planning Helpdesk to Customer Services, paperless files and e-consultation, along with the introduction of pre-application charging and a drive to improve the quality of submissions from agents with an Accredited Agents scheme for those that meet the required standards. There will be updates on this work moving forward.

2.2 **Enforcement:**

Quarterly Performance

On the 1st September 2015 there were 87 Forest Heath cases outstanding (West Suffolk total 298.) In the 3 months ending 30th November 2015, 42 new cases were raised for investigation and in the same period 52 cases were closed. Therefore as at 30th November 2015, 77 Forest Heath cases were outstanding, out of a total of 257 for West Suffolk as a whole.

This represents a welcome reduction in the caseload outstanding, despite receiving close to 400 new cases across West Suffolk in 2015.

Updates

Up to 60 historic West Suffolk cases have been targeted and the Enforcement team is working through these to determine whether or not there are still any outstanding matters. The monthly enforcement case list has been useful in this respect, as several cases have been closed on updates and information supplied by members. In addressing the backlog of more complex sites, the first cases have now resulted in the service of summons.

There were 90 responses to the Enforcement Survey which was undertaken to assist in the development of a West Suffolk Local Enforcement Plan. The plan will set a list of priorities, performance standards and procedures to implement proactive working. The first draft of this will be completed early in the New Year and will be distributed at that time.

Work continues in developing the Procurement framework with evaluation criteria agreed and tender documents now checked and approved by Legal Services. The next step will be to get expressions of interest from contractors and this will follow in the next few weeks.

Works continue to provide an electronic version of the Enforcement Register. The majority of this work has now been done with the last few historic cases having to be manually plotted from old paper copies to an electronic format.

Cases and Initiatives

A decision has been received on an Enforcement appeal at Brookside Stud, Badlingham. An Enforcement Notice had been served in relation to the creation of a separate dwelling. The Notice was upheld, but varied to allow a further period in which to comply.

A Listed Building Enforcement Notice has been served in relation to land at Mill House, Stores Hill, Dalham. An appeal has been received against this notice. Similarly a decision is expected in due course in relation to another site in Dalham relating to development at The Woodyard.

A new initiative will be trialled in Newmarket in the New Year which will target unauthorised banners and posters and address some of the clutter in and around the High Street. This will be reviewed after 3 months and if successful can be used to target other areas.

2.3 **Appeals:**

Appendix B gives an update on appeal decision received since the last report in October and appeals where a decision is still outstanding. The table highlights all appeals determined and received since 1 January 2015:

	FHDC
No of Appeals received 01/01/2015 - 31/12/2015	12
Appeals determined 01/01/2015 - 31/12/2015	10
Allowed	3
Dismissed	7
Split Decision	0
Appeal Allowed - Application refused contrary to Officer recommendation	2
Appeal Dismissed - Application refused contrary to Officer recommendation	0
No. of appeal decisions where LPA decision was delegated	8

Delegated appeals allowed	1
Delegated appeals dismissed	7
Split Decision	0
Appeal Type for decisions received	
Written Representation	10
Informal Hearing	0
Public Inquiry	0
No of Enforcement appeals received	3
Enforcement Dismissed	1
Enforcement Varied Decision	0
No of TPO appeals received	2
TPO Allowed - Delegated Refusal	1
TPO Dismissed - Delegated Refusal	1

It is pleasing to note the high percentage of dismissed appeals. Although looking at Appendix B it shows three recent appeals that have been allowed. These relate to one delegated refusal, a recommendation of refusal to committee which Members agreed with and one which was recommended for Approval at Committee but Members resolved to refuse. More detail on these three allowed appeals will be presented verbally at the meeting.

2.4 **Conclusions:**

Whilst the service continues to face significant challenges in terms of capacity and service delivery there has been a sustained improvement in performance as outlined above. Service Improvements are now top of the agenda and the team are making effective in-roads for delivery whilst working hard to maintain performance.