

Report for: Regulatory Committee

Title: Planning Services 2018/19 year end Development Management and Building Control performance update

Report authorised by : Emma Williamson, Assistant Director, Planning

Lead Officer: Dean Hermitage, Fortune Gumbo, Bob McIver

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** for information

- 1. Describe the issue under consideration**
A report on the work of the Development Management and Building Control services in the financial year 2018/19 (April – March).
- 2. Recommendations**
 - a) That this report be noted
- 3. Reasons for decision**
Not applicable
- 4. Alternative options considered**
This report is for noting and as such no alternative options were considered.
- 5. 2018/19 (April – March) report**

Development Management

- Applications during **2018/19: 3547**
- Applications in same period **2017/18: 3404**
- Number of cases on-hand end Q4 2019: **493**
- Appeals during **2018/19: 101**
- Appeals dismissed (won) during **2018/19: 67**
- Cumulative performance (applications in time) **2018/19:**
 - Majors : **100%**
 - Minors : **98%**
 - Others : **98%**
 - PSO : **90%**
 - Validation: **8 working days**

As requested previously at Regulatory Committee, Appendix One explains the categories of applications.

Performance overview

- 5.1 Performance was at 100% for 'Majors' Applications and remains at the top quartile in London. Our performance for 'Minor' applications has been maintained and also remains at the top quartile in London at 99%. 'Other' applications are also maintained at top quartile in London at 98%. Performance has continued to improve and we expect to continue to be top quartile in all categories.
- 5.2 In 2018/19 we have decided a total of 28 'Major' applications compared to 32 decided during the same period in 2017/18. In terms of submitted applications the income for 2018/19 from Major application fees was approximately £660,000 compared to approx. £745,000 in the previous year. The average time of decision has increased from 233 to 248 days between these time periods, however all of these have been subject to planning performance agreements / extensions of time which are mutually agreed with applicants and encouraged in national guidance. The level of major applications submitted in the latter part of this year has reduced over previous years. The Government has three measures of performance which the Council must remain within thresholds for. If we breach these thresholds we will be designated as a poorly performing planning authority and developers will then have the option of applying directly to the Planning Inspectorate for Planning permission. This would mean that we don't get the fee income for that application but we are still required to undertake the consultation. In addition we lose the democratic right to determine the application. The first of these measure is our performance on a two year rolling period for determination of major applications. We are at 100% for this measure (the threshold is 50%)
- 5.3 In 2018/19 we have decided 519 'Minor' applications compared to the 606 'Minor' applications decided during the same period in 2017/18. There is an increase in average decision time from 69 days to 76 days. During 2018/19 we have decided 1201 'Other' applications compared to the 1197 'Other' applications decided during the same period in 2017/18. The cumulative average decision time has slightly increased from 57 days to 60 days. Officers are continuing to address the reasons for these rises in average decision time and implementing measures to address this. The second of the government thresholds relates to performance on minor and other applications over a two year period. We are at 98% on this measure (the threshold is 70%). The third of the government thresholds relates to overturns of refusals of applications on appeal and relates to minor and other applications. We are at 2% on this measure (the threshold is to remain below 5%).
- 5.4 The length of time taken to validate an application has decreased from an average of 9 to 8 days, this is a product of the Systems thinking approach where there is a delay before validation rather than before decision.
- 5.5 Officer caseloads have remained at around 40 throughout the 2018/19 financial year. The number of on hand applications is around the same as this time last year and this is a reflection of our new approach as well as a focus on resolving a backlog of long standing applications. The on hand applications have remained between 450 and 500 cases throughout the financial year with the peak during November 2018 at 555 on hand applications, and the lowest during

January 2019 at 437 on hand applications. As of the end of Q4, there are currently 493 on hand applications. The number of applications over 26 weeks is now at around 36. These cases are all complex or awaiting section 106 sign off.

Pre-application advice

- 5.6 During 2018/19 (April – March) there have been 167 pre-application meetings generating a total of £227,570 of income compared to £205,677 generated from 158 pre-application meetings last year within the same period. In 2018/19 (April – March) there have been 115 householder pre-application meetings generating £36,863 of income compared to £45,290 generated from 147 last year within the same period.
- 5.7 The use of Planning Performance agreements (PPA's) has decreased in the last year and income was £352,000 compared to £789,000 in the previous year.
- 5.8 Meeting the deadline for providing advice following pre-application meetings is steadily improving and continues to be a focus for the team.

Systems Thinking (Planning Solutions Team)

- 5.9 The end to end times of Planning Decisions has raised since 2017/18 although has reduced over the year.

	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Received	2951	3479	3907	4019	3399	3547
Approved	2372	2807	2935	3255	2659	2963
Refused	338	470	709	506	385	356
Average day	73	76	69	61	54	62

- 5.10 IT issues continue to hinder further improvement and a new system is still under consideration.

Planning Decisions

- 5.11 The Planning Committee met 9 times during 2018/19 and resolved to grant planning permission for 1,354 residential units, a school extension and 5,860 sq.m. of commercial/leisure/retail floorspace. It resolved to refuse against officer recommendation 218 residential units and 1,679 sq.m. of A1-A4 floorspace and resolved to refuse in line with officer recommendation 256 residential units and 1,450 sq.m. of commercial space. The fourth of the government thresholds relates to overturns of refusals (officer and committee) on major applications on appeal. We are currently at 3% on this measure (the threshold is to remain below 10%). It should be noted that because the number of major applications that we determine is relatively low it does not need many appeals to be lost to bring us close to this threshold. Currently it would require 6 appeals to be lost to take us over the threshold.

Period	Majors determined	Number of major appeals on these applications
Apr 17 - Mar 19	60	6

Planning Enforcement

- Enforcement complaints received during 2018/19 (April – March): **898**
 - Enforcement notices served during 2018/19 (April – March): **97**
- 5.12 Improvement of the planning enforcement team is ongoing and performance has improved significantly over the year with notifications of decisions within the 8 week at 96%. There has been a marked improvement in the rate at which the enforcement complaints received from members of the public are acknowledged.
- 5.13 Planning Enforcement have undertaken a number of prosecutions against owners who have failed to comply with existing enforcement notices. In addition to the prosecution proceedings, there has been a concerted effort in securing confiscation sentences under the provisions of Proceeds of Crime Act (POCA) 2002. There are a number of prosecutions which are still going through the courts.
- 5.16 The new Enforcement Plan, as previously endorsed by the Committee is now available online and in operation.

Building Control

- Fee earning Applications received 2018/19 (Apr - March) - 961
 - Fee earning Applications received 2017/18 (Apr – March) – 1049
 - Fee income from applications 2018/19 (Apr - March) – £604K
 - Fee income from applications 2017/18 (Apr – March) – £686K
 - Site inspections 2018/19 (Apr - March) – 6,547
 - Site inspections 2017/18 (Apr - March) – 6,433
- 5.17 Fee earning applications over the year were slightly lower than last year, in addition fee income was also lower. Site inspections, an ever more critical element of our work and how we ascertain compliance, were slightly up over the year. Building Control continue to be asked to check applications outside of our Borough (a sign that we are considered contactable, approachable and reliable), although we have to be careful in not taking on more applications than we can service, especially as the work on the major sites in the Borough are becoming more surveyor intensive, requiring more and more inspections. Fee income continues to look positive, partly due to larger projects, such as Clarendon Road and THFC being on site as well as works starting on further large schemes within the Borough.

APPENDIX ONE

Definitions of Categories of Development

Major Development

- 10+ dwellings / over half a hectare / building(s) exceeds 1000m²
- Office / light industrial - 1000+ m² / 1+ hectare
- General industrial - 1000+ m² / 1+ hectare
- Retail - 1000+ m²/ 1+ hectare
- Gypsy/traveller site - 10+ pitches
- Site area exceeds 1 hectare

Minor Development

- 1-9 dwellings (unless floorspace exceeds 1000m² / under half a hectare)
- Office / light industrial - up to 999 m²/ under 1 hectare
- General industrial - up to 999 m²/ under 1 Hectare
- Retail - up to 999 m²/ under 1 hectare
- Gypsy/traveller site - 0-9 pitches

Other Development

- Householder applications
- Change of use (no operational development)
- Adverts
- Listed building extensions / alterations
- Listed building demolition
- Application for relevant demolition of an unlisted building within a Conservation Area
- Certificates of Lawfulness (191 and 192)
- Notifications
- Permissions in Principle (PiP) and Technical Detail Consent (TDC)

PS0

Approval of details, discharge of conditions, non-material amendments