

COMMITTEE **PLANNING COMMITTEE**
DATE **JULY 2012**
SUBJECT **SUMMARY OF PERFORMANCE OF THE PLANNING DEPARTMENT BETWEEN Jan-June 2012**
REPORT OF **Leigh Palmer Development Manager within Planning Department**

Ward(s) ALL

Purpose This report provides a summary of performance in relation to key areas of performance for the Development Management Service of the period Jan-June 2012.

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Recommendation That Members note the content of this report.

1 Background

- 1.1** Members will be aware that together we deal with a whole host of planning applications covering a range of differing forms of development.
- 1.2** Given the many varied types of planning application received Central Government require that all Councils report their performance in a consistent and coherent manner. To this end and for reporting reasons the many varied applications are clumped together into three broad categories Major, Minor and Others.
- 1.3** In broad terms the types of applications falling into these categories are outlined in the table below.

Major Development	Minor Development	Other Development
10+ dwellings / .5Ha and over	1-9 dwellings / under .5Ha	Householder applications
Office/light industrial - 1000+ sq m/ 1+ Hectare	Office/light industrial - Up to 999 sq m/ under 1 Hectare	Change of Use (no operational development)
General Industrial - 1000+ sq m/ 1+ Hectare	General Industrial - Up to 999 sq m/ under 1 Hectare	Adverts
Retail - 1000+ sq m/ 1+ Hectare	Retail - Up to 999 sq m/ under 1 Hectare	Listed building extensions/alterations
Gypsy/traveller site 10+	Gypsy/traveller site 0-9	Listed building demolition
		Conservation Area application

pitches	pitches	(demolition) Certificates of Lawfulness (191 and 192) Notifications (overhead lines etc no p. app. required)
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1.4 In analysing the performance for the processing of these differing types of application the Government do allow 13 weeks for processing major applications and 8 weeks for processing the Minor and Other categories.

1.5 The figures below give the development control performance figures against these categories and over a number of comparative quarters.

1.6 In addition this report also analyses the Councils planning appeal record. Any planning decision to refuse a planning application is subject to a formal legal appeal process through the Planning Inspectorate.

1.7 As members will be aware the majority of the applications received are granted planning permission, however for those that are refused and challenged through to an appeal it is considered important to analyse the appeal decisions in order to determine and evaluate whether lessons need to be learnt, or interpretations need to be given different weight at the decision making stage.

1.8 In addition the evaluation of the appeal decisions will also go some way to indicating the robustness and the correct application of the Councils current and emerging policies.

2 Context

2.1 Planning Performance (speed of Decision)

2.2 The table below are the performance figures for the development in relation to the processing of applications across the nationally recognised criteria. These are broken down by quarters and so that performance can be assessed on a rolling basis.

Table 1

Code & Short Name	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	National Target
Major applications	57%	29%	67%	100%	80%		60%
Minor applications	41%	56%	69%	77%	80%		65%

Other applications	53%	43%	84%	86%	88%		80%
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2.3

Planning performance (Delegation Rate and Appeals)

For the first six months of this calendar year the following breakdown of planning statistics are relevant. The appeals record is analysed further at the end of the report.

Table 2

338 planning applications received	308 (91%) Planning application decided at Delegated	26 (8%) Planning applications refused	23 Appeals received
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3. Analysis of the Performance & Appeal Decisions

3.1 Planning application record

3.2 Members will note that Development Management performance as identified in Table 1 has improved significantly during the past year.

3.3 Low performance figures in earlier quarters were a result of the office move and the rollout of the new back office software systems. In the latter quarters it is clear than the service is performing in excess of the National Targets.

3.4 The improved performance is an indication that staff throughout the Planning Service are now more familiar with the operational requirements of the new software and are becoming more confident with the Agile working methods adopted by the Council.

3.5 Appeal record

For the survey period the Council received 23 appeal decisions a summary of these appeals is contained within Appendix 1. Data from these appeal decisions has been incorporated within Table 3 so that comparisons with other years can be drawn out.

	1	2	3	4
	Approve/ Allowed	Approve/ Dismissed	Refuse/ Allowed	Refuse/ Dismissed
2005	5 (35%)	1 (7%)	4 (29%)	4 (29%)
2007	5 (22%)	0	2 (9%)	16 (70%)
2009	11 (29%)	3 (8%)	8 (21%)	16 (42%)
2012	4 (17%)	0	5 (22%)	14 (61%)

3.6

Column 1 Officer recommendation for approval – Member overturned –Appeal allowed It is important to keep a watching brief on this column as this is often the scenario where the costs are awarded against the Council. Notwithstanding this at the time of reporting it is acknowledged that the % of cases in this column is markedly lower than in previous years and as such is an indication that together officers and committee are being consistent in the application of established policy and National Advice.

3.7

Column 2 Officer recommendation for approval –member overturned – appeal dismissed (officers were wrong/Members were right). This shows that officers are not always right, but the volume of cases involved in this category are modest.

3.8

Column 3 Officer recommendation for refusal – Member support for refusal (Committee or Delegated) – Appeal allowed – Officers and Members were wrong. This shows officer and Members are in tune but the officers have been over zealous with their recommendation and it has not been supported by the Planning Inspectorate. This % has remained constant over time but again this needs to be monitored as it is an indication that Officers may not following planning policy/advice and skewing recommendations following neighbour concerns or trying to second guess the outcome of planning committee. In essence it is important that officers do not shy away from making difficult recommendations if the recommendation is in accordance with National Advice and Local Policies.

3.9

Column 4 Officer recommendation for refusal – Member support for recommendation (committee or delegated decisions) – appeal dismissed (officers and Members were right). This column shows when officers and Members are in tune and supported by the Planning Inspectorate. The higher the % the better.

3.10

Appeal Costs:- As members will be aware the appeal process can award the costs of the appeal to any party where the counter party has acted in a unreasonable manner. During the survey period we have received two costs awards against the Council, these are listed below. To date no specific costs amount has been submitted to the Council.

3.11

EB/2010/0759 Land to the Rear of 18 34 Rangemore Drive redevelopment for residential purposes where the Inspector awarded costs to the appellant as the Council had acted unreasonably. At the time of writing no costs claim had been received.

3.12

EB/2011/0733 78 Terminus Road Change of use from A1 retail to A2 Financial & Professional Services. At the time writing no costs claim had been received

It is the intention to report the appeal decision on a rolling quarterly basis and as such over time greater conclusions would be able to be drawn.

4. Human Resources

4.1 There are no financial-resource implications for this monitoring as it can be delivered within the existing staffing establishment.

5 Legal

5.1 Save for the costs claims as referred to above there are no other legal issues arising from this report.

Background Papers:

Appeal decision as reported and attached

Leigh Palmer

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APPENDIX 1