

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 10 NOVEMBER 2016  
REPORT OF THE DIRECTOR (GOVERNANCE)

DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

FIRST QUARTER 2016/2017

(All wards)

**1 Introduction**

1.1 This report relates to the performance of the Development Management Service over the three month period July 2016 to September 2016.

**2 Recommendation**

2.1 That Members note the content of this report and offer any relevant comments.

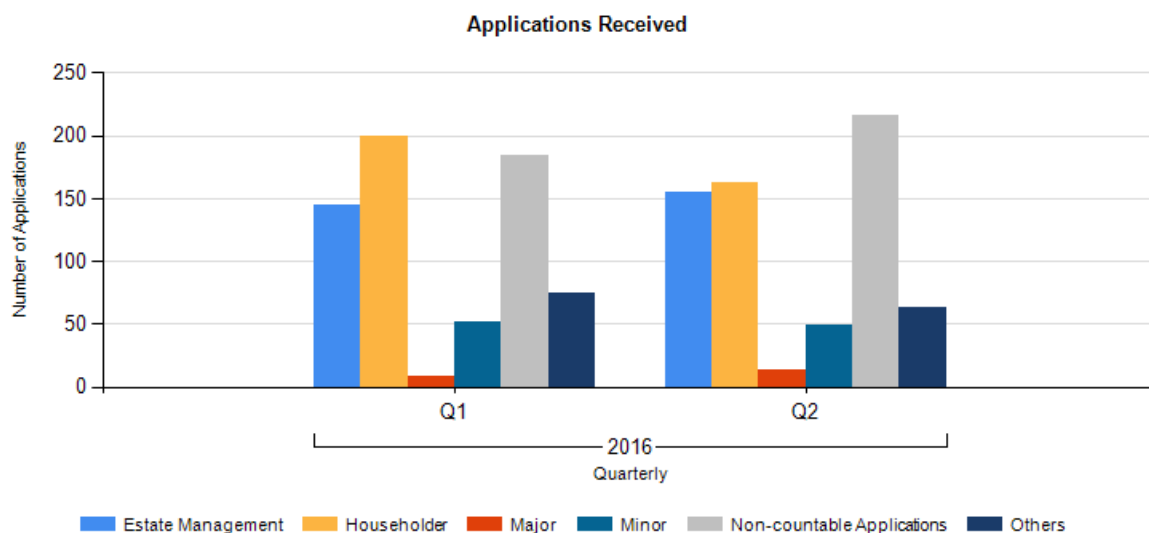
**3 Application Numbers**

3.1 The table below shows the number of applications that have been received over the previous four quarters.

3.2 Major applications are those with 10 or more dwellings, sites of 1 hectare or more, or provision of 1,000m<sup>2</sup> new floor area or more.

Minor applications include (but are not limited to) up to 9 dwellings, gypsy and traveller sites and commercial proposals not falling within the major category.

Others include (but are not limited to) householder, advertisements and listed building applications.

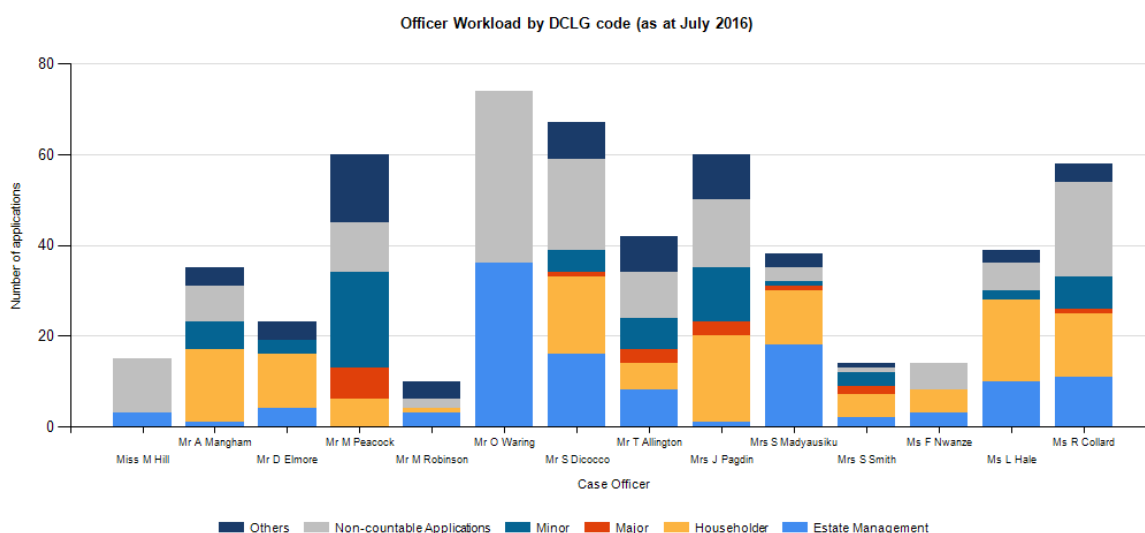


The 'not countable' category are those applications which are not reported to the Department for Communities and Local Government (DCLG). Such applications include, but are not limited to, estate management, prior approvals, discharge of conditions, tree preservation orders, etc.

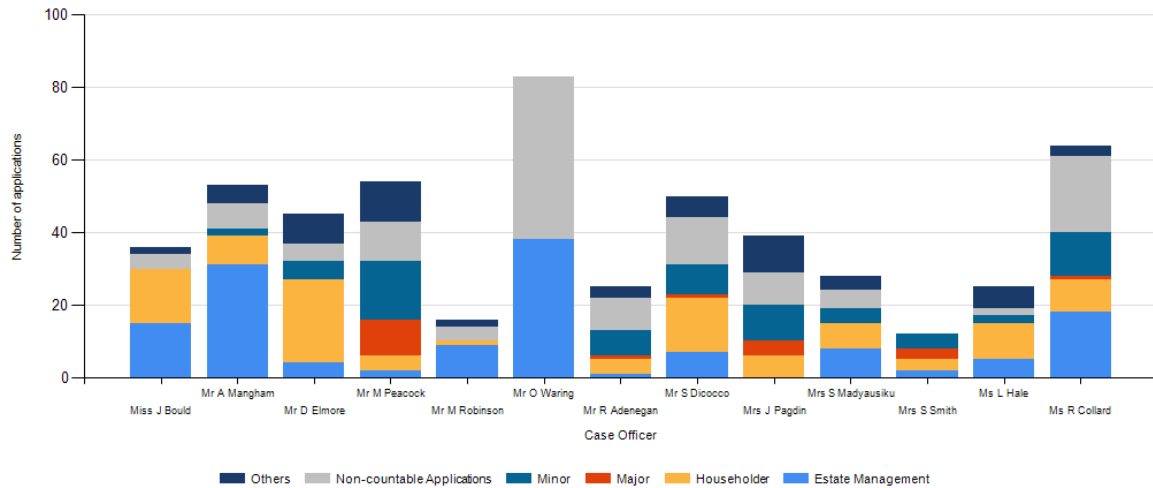
- 3.3 From the tables above, it can be seen that the number of householder applications has seen a decrease in the last quarter, estate management and non-countable applications have increased and majors, minors and others have remained fairly comparable in relation to previous quarters. Overall the numbers remain fairly static with 729 received in the first quarter compared to 718 in this quarter.

### Workload

- 3.4 Across the Planning team there are 3 Principal Development Management Officers (full-time equivalent); 3 Senior Development Management Officers; 3 Development Management Officers and 2 Assistant Development Management Officers. Within the Enforcement team there is a new Principal Enforcement Officer, Senior Enforcement Officer and Assistant Enforcement Officer.
- 3.5 In relation to resources, the Principal Officers, as well as dealing with a caseload of applications also determine applications processed by other officers as well as manage a team of officers. Case officers deal primarily with all types of applications as well as appeals. All officers are full time with the exception of job-share across 2 of the Principals, 1 of the Assistant Development Management Officers who works 18 ½ hours per week whilst the other Assistant also covers the duty planning advice service each morning so has less time to deal with applications.
- 3.6 The table of workload from the previous performance report has been included for comparative purposes below. The first table shows workload as at July 2016.



Officer Workload by DCLG code (as at October 2016)



3.7 Based on the charts above, the average caseload across the Development Management Officers is 44 on hand for Officers and 26 on hand for Principals. This equates to approximately 220-264 cases per Officer across a 12 month period, which is more than is recommended by the RTPI, as reported to the Committee in August 2016.

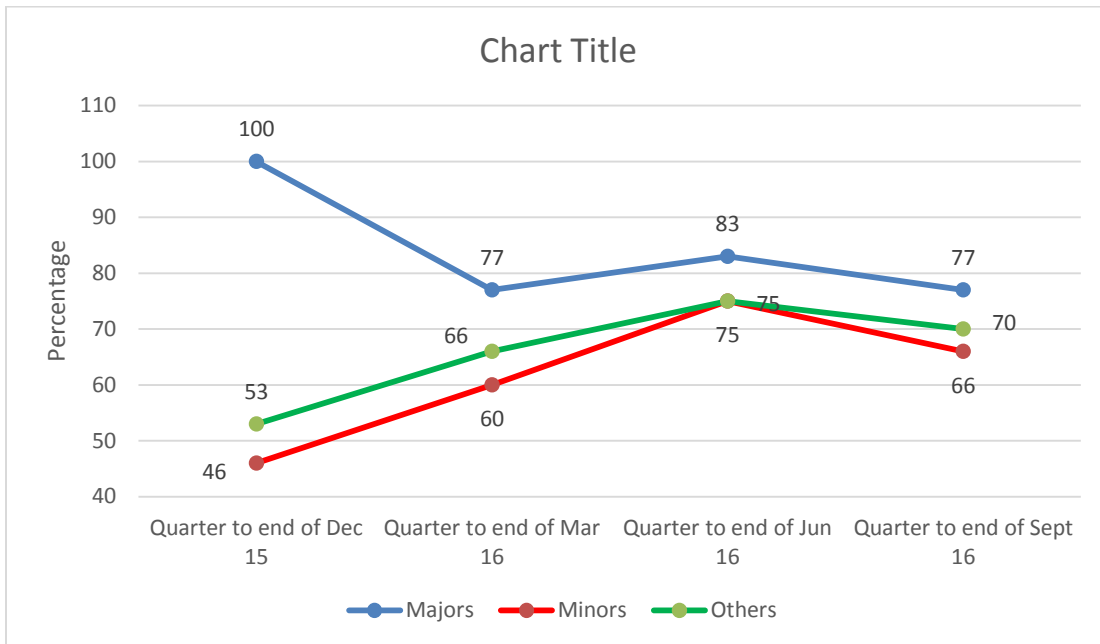
3.8 It can be seen that there is generally a slight reduction across the Service in the number of applications that officers are dealing with. However, in some instances cases have increased. This is due, for example, to one of the officers being involved with a hearing during the last quarter which took a significant amount of time to prepare for. The numbers of applications being received remains high, however measures are being put in place to try and speed the process of dealing with these through, primarily, further improvement to processes and the IT system.

## 4 Performance

### Applications

4.1 Government (DCLG) monitor local planning authorities on their speed of making decisions in relation to major applications. A recent consultation mooted the potential of also monitoring performance in relation to minor applications. No outcome has been published further to this consultation. In relation to major applications, the target at national level is to determine 40% of such applications within the statutory period of 13 weeks over a rolling two-year period. For authorities who under-perform against this target, they will be classed as 'poorly performing' and applications for major development may be made by developers directly to the Planning Inspectorate should the target be missed. In addition, the Council has a local performance indicator for majors of 70%.

4.2 The following table relates to the percentage of planning applications determined within set timescales.

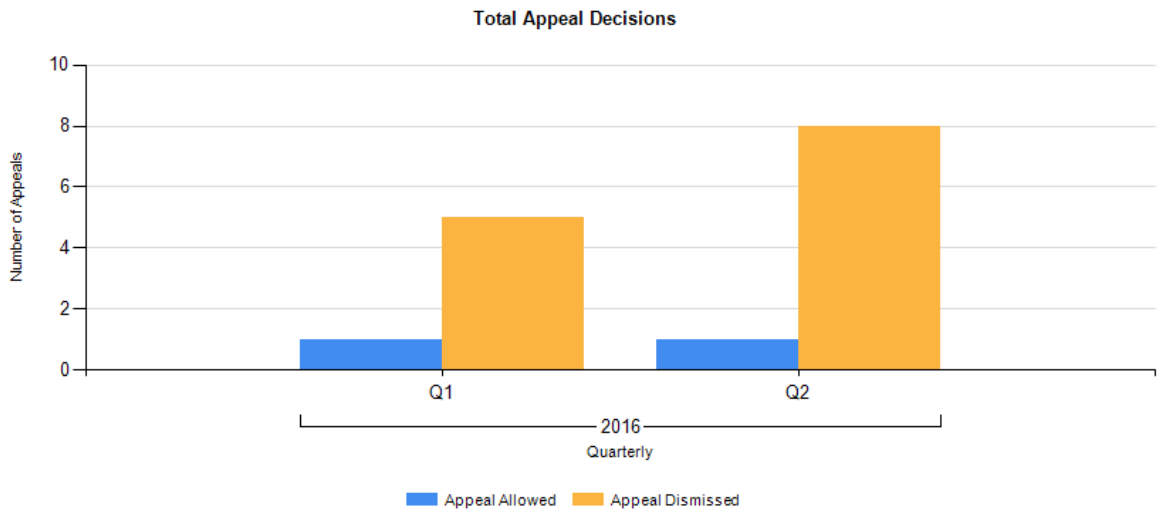


4.3 Over the last quarter there has been a decrease in performance across all application types. This has been due to the number of applications being received, restricted resources within the office as well as the number of applications being presented to Committee. Items going to Committee are often determined after their statutory expiry date and their preparation takes more time than for delegated items.

Appeals

4.4 As well as the Government monitoring authorities in relation to decisions on major applications, it also monitors quality in relation to the number of major applications overturned (i.e. allowed) at appeal. The threshold is for fewer than 20% of major applications to overturned at appeal over a rolling 2-year period. For authorities who exceed this target, they will be classed as ‘poorly performing’ and applications for major developments may be made by developers directly to the Planning Inspectorate. The last major application overturned at appeal was over 2 years ago and therefore the Council is meeting the Government’s target. It is worth highlighting that very few major applications are refused by the Council and thus very few can be appealed.

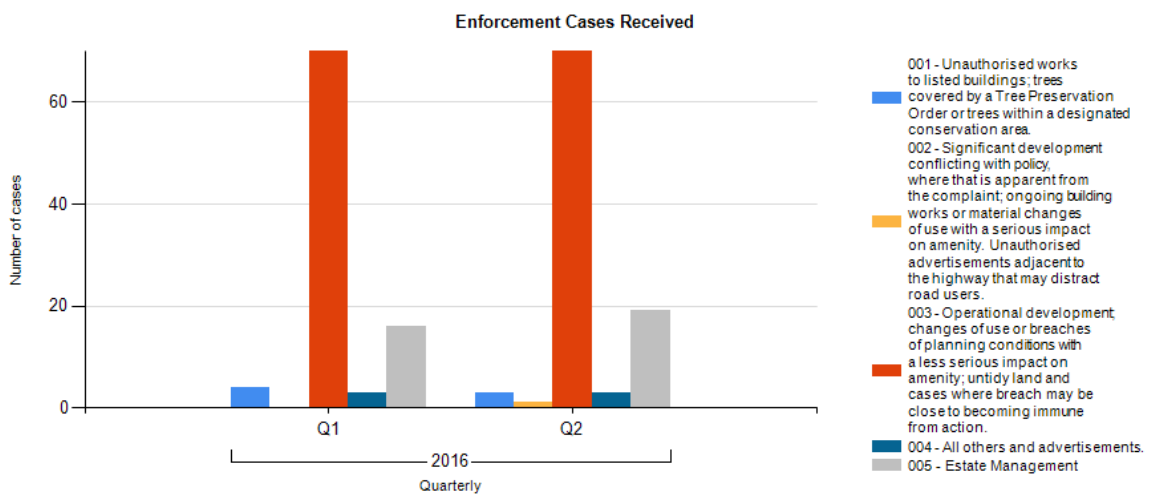
4.5 The chart below shows the number of applications and enforcement notices that have been allowed, allowed with conditions, dismissed and withdrawn. In the last quarter, the majority of applications have been dismissed (8) compared to allowed (1), thus meeting the Council’s local performance indicator of fewer than 33% being overturned, the figure being 12.5% allowed.



## 5 Enforcement

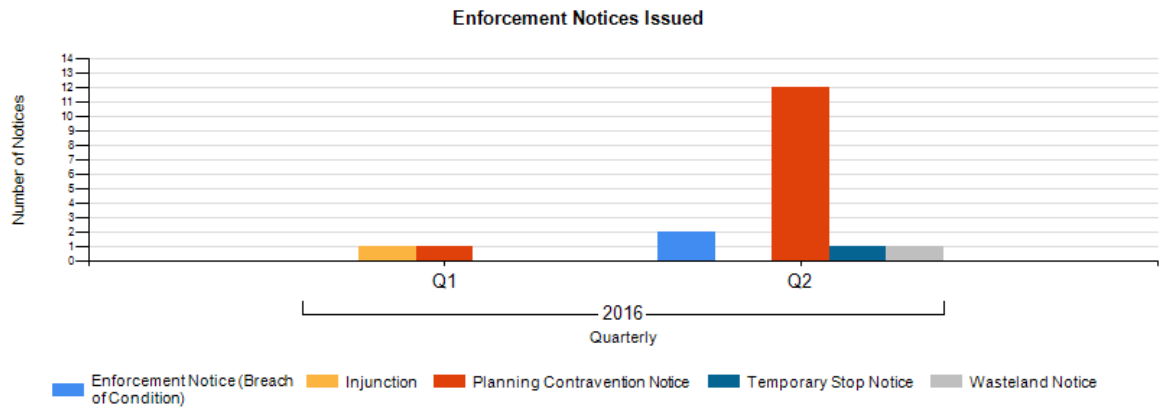
### Number of cases received

- 5.1 Enforcement continues to be really busy with the number of complaints received remaining consistently high. The majority of cases reported are those with a less serious impact upon amenity, shown in red. The number of estate management complaints over the previous two quarters remains consistent, shown in grey.



### Notices Issued

- 5.2 The chart below shows the number of enforcement notices issued. The issuing of an enforcement notice is the last resort for the Council. Government guidance requires local planning authorities to try to negotiate with a contravener to find alternative means by which an unacceptable development may be made acceptable. A significant amount of time is spent by the enforcement officers in negotiation.



- 5.3 Since the last performance report was presented to Committee, the enforcement team have been busy with, amongst other matters, the issuing of 12 Planning Contravention Notices. Planning Contravention Notices are used to establish the use of a site and to find out ownership and other details. They may only be used by the Council when a breach of planning control is suspected. They cannot be used as a 'fishing exercise'.
- 5.4 There are currently 279 outstanding enforcement cases (both planning and Estate Management), some of which are awaiting prosecution, notices to be served or in the case of estate management for arbitration. Others are being investigated with the aim to find an acceptable resolution for all. A report providing an update on enforcement action taken (i.e. notices issued) is attached to this agenda as a Part II (confidential) item.

## **6 Updates**

- 6.1 There have been a number of changes since the last performance report was presented to Councillors. In the last quarter, a Senior Planning Officer as well as Planning Support Officer have both left. The former has joined a neighbouring authority whereas the Support Officer is embarking on further study. Recruitment was undertaken to replace the Senior Officer as well as to appoint to a vacant post. However, no candidates were suitable and appointment could therefore not be made. Currently, we have 2 temporary agency officers in post. Recruitment will be initiated once again shortly and the Council is looking at ways to try and make these posts more attractive to suitable candidates. A new Principal Enforcement Officer also joined the Council at the start of November.
- 6.2 The turnover in staff as well as posts that have been vacant for some time until agency staff could be found has had impact upon the performance, as can be seen from section 4.2 and 4.3 of this report.
- 6.3 Planning Support has also had significant turnaround of staff in past the 18 months. This has resulted in a number of less experienced staff within the section. Recruitment for the Support Officer, referred to above, has been successful and the successful candidate will start in November. However, this has put additional pressure on the team to validate and register the high number of applications being received, efficiently and speedily.

## **7 Conclusion**

- 7.1 Case-loads of officers remain very high. The enforcement team continues to be busy with a greater number of estate management cases being reported than in the previous two quarters. A number of officers have left the authority and recruitment of new officers is challenging set against the shortage of planners generally. Against this, performance figures are good against a background of increasing numbers. The Council has not had any major applications go to appeal and so the Government's target of the number overturned has been met as well as the speed of decision making for major applications.

## **8 Equality Impact Assessment**

- 8.1 An Equality Impact Assessment (EIA) has not been carried out in connection with the recommendations in this report.

Author: Lisa Hughes

Date: 28 October 2016