



18th September 2007

REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL

Development Control Performance Update Report

1. PURPOSE OF REPORT

To advise Members of the Development Control Committee of the latest performance and outcomes regarding development control matters and in particular to: -

- i) The 1st quarter's performance figures for applications determined between 1st April and 30th June 2007.
- ii) The decisions made by the Planning Inspectorate on appeals lodged with the Secretary of State between 1st April and 30th June 2007.
- iii) A quarterly progress report of enforcement proceedings.

2. RECOMMENDATIONS

That the Committee notes the report.

3. FINANCIAL IMPLICATIONS

None arising from this report

4. POLICY IMPLICATIONS

Within Council policy. All planning applications and enforcement proceedings relate to local and national planning policy.

5. LEGAL IMPLICATIONS

The briefing of members as to the outcome of individual appeals made by the Planning Inspectorate will enable members to keep abreast of planning issues as may be raised within individual cases. Appeal decisions are material considerations

and can be material considerations in the determination of subsequent applications where relevant.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

None arising from the report.

7. **ENVIRONMENTAL IMPACT**

The impact of decisions made by the Planning Inspectorate on the environment is included in decision letters.

8. **WARD(S) AFFECTED**

All.

9. **CONSULTEES**

Officers in Legal Services have been consulted in the preparation of this report.

10. **CONTACT OFFICER**

David Elsworthy - Extension: 2409

11. **BACKGROUND PAPERS**

All published.

David Elsworthy, Head of Planning and Building Control

DEVELOPMENT CONTROL COMMITTEE –

18th September 2007

Development Control 1st Quarter Performance Update Report

i) BVPI 109 a), b), and c): Speed of planning applications determined between 1st April 2007 and 30th June 2007 (2006/07 equivalent figures in brackets)

Application type	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Out Turn for 2006-7
a) Major applications Within 13 weeks (target = 60%)	60% (68.75%)	(84%)	(52%)	(87.5%)	(71.95%) in 2006/7
b) Minor applications Within 8 weeks (target = 65%)	93.88% (67.86%)	(76.81%)	(88.33%)	(92.77%)	(81.6%in 2006/7)
c) Other applications Within 8 weeks (target = 80%)	95.90% (88.37%)	(91.74%)	(93.06%)	(93.68%)	(91.57% in 2006/7)

- 12.1 I am pleased to report that overall performance levels in the first quarter are meeting or exceeding government targets although major applications performance has slipped back slightly when compared to the first quarter last year. This is primarily due to the high number of applications that have been subject to protracted S106 agreements and the volume of work.
- 12.2 Members will note that the performance in the ‘minor’ and ‘other’ categories is particularly impressive representing the highest recorded figures for these categories that Walsall has ever achieved.
- 12.3 The continued high level of performance and further customer service development will rely heavily on the retention and recruitment of staff and the continued use of the new development control governance arrangements. To this end I am pleased to advise members that we have no vacant posts in the service and therefore I hope that performance and customer service levels can be maintained or improved still further.

ii) Decisions made by the planning Inspectorate between 1st April and 30th June 2007

- 12.5 The following decisions have been made by the Planning Inspectorate between 1st April and 30th June 2007.

App No.	Address	Proposal	Decision	Officer Rec	Comments
1. 06/0327/FL/E3	R/o 119-133 Erdington Road Aldridge		Withdrawn	Approve	
2. 04/2276/WA/M1	Highfields South Quarry		Withdrawn	Non determin	Approval of a subsequent

				ation	application
3. 06/1857/AD/W4	Middleton Group of Companies, Bescot Crescent	Wall mounted portrait advertising poster	Dismissed	Refuse	Detrimental to highway safety and the design of the building
4. 06/0620/FL/W6	41 Castle Drive, Willenhall	Change of use to take away	Dismissed	Refuse	Detrimental to the amenity and living conditions in the area
5. 06/1039/H4	1 Truro Road	Single storey extension to dwelling	Dismissed	Refuse	Design is detrimental to the character of the area
Performance to date from 1 st April, 2007 to 30 th June 2007 Target = 30%			0 appeals not decided in accordance with Councils decision = 0%	0 appeals not decided in accordan ce with officer recomme ndation = 0%	Total number of appeals = 2 that relate to BVPI 204. Appeals against non determination, conservation / listed building consent, adverts and those withdrawn are not included.

12.6 The above outcomes show that 0% of appeals were not determined in accordance with the councils' decisions between 1st April 2007 and 30th June 2007 (0% not determined in accordance with the officer's recommendation). At this stage it is too early to make any judgements as to performance given that only two outcomes can be considered in this period against the target set by the Council of 30%. However, it is pleasing to note that despite the low numbers of appeals determined at this stage both have been dismissed.

12.7 The ability of the council to defend a high percentage of its decisions is particularly important as all local planning authorities are assessed on this basis as part of an annual statutory performance indicator (BVPI 204 the percentage of appeals allowed against the authority's decision to refuse planning applications). The government uses this performance indicator in its assessment of the performance of the council and also in allocation of Planning Delivery Grant.

iii) Progress on Enforcement Proceedings

12.9 A table to show progress made on enforcement matters authorised by the Committee is attached at appendix A. Members will see that steady progress is being made on many cases although some delay is being experienced on several matters due to legal and other complexities. Members will also note that the number of cases on hand is increasing which is causing difficulties in the legal and enforcement teams capacity to deal with all matters as effectively as one would wish. Members will also note that there are other matters being dealt with by the planning enforcement team under delegation in addition to these matters and the most notable of these are included in part B of the table.