



DRAFT PORTFOLIO HOLDER DECISION NOTICE

PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR PLANNING AND ACCESS

TOPIC – PLANNING MANAGEMENT DIVISION BUSINESS PLAN 2010/11 ONWARDS

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Corporate Director (Governance), the Chief Executive and the Head of Finance are consulted together with Chairman and Vice Chairman of the Principal Scrutiny Committee and all Members of the relevant Scrutiny Panel (individual Ward Members are consulted separately where appropriate). In addition, all Members are notified.

Five or more of these consulted Members can require that the matter be referred to Cabinet for determination.

If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Committee Administrator by 5.00pm on Friday 7 May 2010.

Contact Officer:

Simon Finch, Head of Planning Management, Tel 01962 848 271,

Email: <mailto:sfinch@winchester.gov.uk>

Committee Administrator:

Nancy Graham, Tel: 01962 848 235, Email: ngraham@winchester.gov.uk

SUMMARY

Approval is sought to the detailed Business Plan for this Division. The Business Plan sets out the key actions that the Division will undertake over the coming five year period, with SMART (Specific, Measurable, Agreed, Resourced and Timed) targets (both through actions and performance indicators) by which progress will be measured and monitored. The Plan also gives additional information about the role of the Division, the resources allocated to it (in terms of both staff and budgets) and the key risks that are being addressed through its work.

Key actions to be undertaken in this Division are:

- Exceed CLG performance targets for the determination of planning applications for 2009/10 (NI157).
Majors – 62% in 13 weeks (CLG = 60%)
Minors – 67% in 8 weeks (CLG = 65%)
Others – 82% in 8 weeks (CLG = 80%)
- Meet CLG target for number of appeals allowed (30%) following our decision to refuse permission (BVPI204) (% target set locally)
- Continuing to maximise IT development within the division.

The Head of Division is satisfied that the actions put forward in this Business Plan will work towards the Council's objectives, as set out in the Sustainable Community Strategy 2009-14 and Corporate Business Plan or otherwise ensure that the Council meets the statutory obligations put on it by central Government. Other than where indicated, these actions can be achieved within the resources available. Plans are in place, or will be developed, to ensure that targets shown for key performance indicators can be achieved in the timescales shown

PROPOSED DECISION

That the Business Plan for the Planning Management Division be approved as attached at Appendix A.

REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Business Plans form an important part of the Council's performance management process as they set out the key actions for the coming year. The Business Plan put forward for adoption sets out the actions that will best help the Council achieve the outcomes as set out in the Sustainable Community Strategy and meet its statutory obligations within the resources available to it.

The Environment Scrutiny Panel has been consulted on the Business Plan and raised the following issues:

None.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

N/A

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

None.

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

N/A

Approved by: (signature)

Date of Decision

Councillor Keith Wood. Portfolio Holder for Planning and Access

Planning Management Division Business Plan 2010 - 2015

1. Brief Description of the Service and its Purpose

Planning Management includes Development Control, Planning Support, Enforcement and Development Control Highways. It currently comprises 40.93 full time employees and in 2009/10 provided the service at a net cost of c£1.2 million to the Council.

Development Control is a statutory function with responsibility for the determination of planning applications and administration of the planning appeals process, as required by the Town and Country Planning Acts. Planning advice is given to developers and their representatives and 'expert' advice is interpreted and co-ordinated.

Development Control Highways provides specialist advice to development control on the highways safety and parking aspects of planning applications, providing technical advice to developers and the development control function.

Enforcement ensures that planning permissions and conditions are complied with and takes further action where appropriate, as well as taking a pro-active role in dealing with unauthorised development and activities and implementing the requirements of the high hedges legislation.

2. Links between Council strategic priorities and services

<i>Strategic priority</i>	<i>Departmental responsibility</i>
Economic Prosperity	Planning Management enables the provision of homes (including affordable housing), employment, services/facilities and amenities in urban and rural areas through the determination of planning applications and the application of development plan policies and central government guidance.
High Quality Environment	Reduction in travelling through appropriate location of development and use of green travel plans in planning applications, and support of and participation in corporate initiatives such as the Biodiversity Action Plan, sustainability and climate change. Ensuring all development is 'fit for purpose' (place making and high quality design) whilst making sure impacts are mitigated through the uses of conditions and Section 106 and 278 agreements/unilateral undertakings. Ensuring that planning and listed building permissions granted take account of the need to preserve and enhance the historic environment, respect the character of the countryside and produce high quality design.
Safe and Strong Communities	Integrating forms of developments that are inclusive, safe and accessible to all through the determination of planning applications and the application of development plan policies and central government guidance.
Efficient and Effective Council	Continue to improve stakeholders' perception and efficiency of service delivery and facilitate a wider understanding of the planning function and the role of consultees and third parties.
Inclusive Society	Planning Management helps to deliver development which serves and supports all elements of society including through the provision of affordable and other housing and community facilities and services.
Health & Well Being	Planning Management can help to promote health and well being through the design of new development including the provision of play, recreation facilities and open space.

3. Summary of Progress in 2009/10

1. Determination of planning applications

Between April 2009 and April 2010 the Council has struggled to sustain the strong performance achieved in recent years particularly in terms of minor applications. This is the result of an up-turn in workload with the submission of very major applications, such as Barton Farm, Whiteley town centre and Pitt Manor, and the level of resources available particularly in the Planning Support Team. The minor category is particularly sensitive to any delays in the system as some of the most controversial and challenging proposals fall under this heading. The target date for the determination of these applications is only 8 weeks. Consequently any factors which delay the processing of these applications can take them beyond their target date.

	06/07	07/08	08/09 *	09/10
Major applications (CLG target 60% in 13 weeks)	60.78%	66.30%	79.78%	64.20%
Minor applications (CLG target 65% in 8 weeks)	68.93%	69.89%	69.77%	46.75%
Other applications (CLG target 80% in 8 weeks)	84.06%	85.57%	84.42%	68.61%

2. Development Control Performance Improvement Plan

The revised Planning Performance Improvement Plan, which incorporated the issues identified by the Planning Advisory Service during their Peer Review in December 2006, identified a series of actions which were categorised as being short, medium and long term. The long term aims were originally due for completion by December 2007. All 9 short term aims have been completed. Of the 7 medium term aims, 3 have been completed and 2 have been partially met. Of the 13 long term aims 10 have been completed with some being regarded as on-going commitments. It is considered that the most important actions have now been completed and planning service delivery has improved as a result. 2 of the outstanding actions relating to the monitoring of planning obligations and the review and up-dating of standard conditions and refusal reasons are on-going pieces of work for completion over the next 12 months. A further 2 actions regarding the development of a

Planning Charter and use of electronic consultations on planning applications are considered still to be relevant and these will therefore be progressed over the next year. The remaining actions are considered to be no longer relevant. No further work will be undertaken in those areas.

3. National Planning Application Form (1 APP)

In April 2008 the national planning application form/requirements, and local list of requirements for Winchester, were successfully introduced resulting in a clearer framework for the submission and validation of applications within the District. Winchester also played a leading role in the introduction of the form throughout Hampshire working closely with the local planning authorities and other interested parties. This has provided greater clarity for applicants and has improved the level of information supplied with applications which has aided the decision making process. A review of the 1APP local list of requirements is likely to be needed during the next 12 months.

4. West of Waterlooville

Outline planning permissions for the development the whole of the major development area (MDA) at Waterlooville have been granted by Winchester City Council and Havant Borough Council. The development will include a mix of; housing (2000 residential units), employment, open space, a household waste recycling centre, school, cemetery, local centre and other community facilities.

The Design Code and first reserve matters application for 110 dwellings at the northern part of the MDA have also been approved by both authorities and development is now well underway on site. An application for Phase 2 of the Taylor Wimpey development is expected this summer. However, the Grainger part of the MDA has not proceeded as is in the process of being re-planned. A further outline application should be submitted by August this year.

5. Silver Hill Development

Planning permission for the development was issued in February 2009 following completion of the S106 agreement and other post committee work. However, the economic climate has delayed the project and Thornfields has recently been placed in administration. Consequently there is little prospect that the development will begin in the near future.

6. Current Economic Situation

There are definite signs that the economy of the District is starting to recover and, whilst application numbers remain below the high numbers of a few years ago, the Council received several very major developments proposals in 2009/10 including 2000 houses at Barton Farm and the redevelopment of Whiteley town centre. Fee income has increased as a result and the overall position in this regard is good. A number of large scale proposals are expected in the coming year and so the workload is likely to increase and income should remain healthy.

The service responded to the economic downturn through vacancy management and this is reflected in the fact that currently there are vacant Senior, Principal and Team Leaders posts within Development Control. Given the improving picture the freezing of these positions will need to be kept under review. There is also a need to look at the level resources in the Planning Support Team in light of an increasing workload resulting from the size and complexity of applications being received and other changes made within the Council which have impacted upon the team. This is a constraint which will affect our ability to meet performance targets.

7. South Downs National Park

In 2009 the Government announced its intention to proceed with the designation of the South Downs National Park and this will come into effect in April this year. From April 2011 the National Park Authority (NPA) will take over responsibility for Planning Management and certain other Council functions. This will inevitably result in changes to the way services are delivered within this part of District. 40% of the City Council's area lies within the Park and historically this has tended to account for approximately 23% of our annual application caseload. It is envisaged, but not certain, that there will be a scheme of delegation agreed between the NPA and local planning authorities within the Park relating to the delivery of Planning Management services.

However the details of how this will work, including the financial arrangements, have yet to be established and discussions are on-going. If the NPA ultimately decides not to delegate its planning powers to the Council there will be a significant impact upon the Authority in so much as there will be a reduction in Planning Management workload. This would lead to a review of resources within the division. Alternatively, the agreement of a delegated arrangement will necessitate changes to the way the service is managed and delivered in the Park area from April next year which will have staff and other resource implications well beyond Planning Management division. The process of negotiating an agreement over the next 12 months is, in itself, a significant piece of work which is likely to require staff resources across a number of divisions including Legal, Environment, Cultural Services, IMT, Democratic Services and Strategic Planning.

4 Service Priorities 2010/15 – Key Priorities

A) Key Service Priorities 2010/11

Code	What will we do	Why are we doing this?	Planned Start Date	Milestones	Milestones Due Date	Action Due Date	Expected Outcome	Who's Accountable
PDC/001	S106 legal Agreements	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Effective monitoring of planning obligations to ensure compliance	Simon Finch
PDC/002	Planning Fees 2010/11	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Income received reconciled with the Council's financial system	Simon Finch
PDC/004	Review access to CAPS Uniform system	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Access reviewed, non-users deleted. Fewer licences required generating financial saving	Simon Finch
PDC/DEV/007	Contribute to the re-planning of the Grainger part of the MDA and to the post decision stages of the West of Waterlooville including discharging conditions, monitoring development, dealing with reserved matters and other related planning applications and working efficiently in conjunction with Havant Borough Council,	High Quality Environment	01 Apr 2009			31 Mar 2015	Creation of a high quality and sustainable urban extension to Waterlooville	Simon Finch

Code	What will we do	Why are we doing this?	Planned Start Date	Milestones	Milestones Due Date	Action Due Date	Expected Outcome	Who's Accountable
PDC/DEV/08	Continue to work on the Silver Hill redevelopment scheme as required following the granting of permission. Including discharging of conditions and planning obligations	High Quality Environment	01 Apr 2010			31 Mar 2011	Smooth delivery of a development which would enhance the city centre	Simon Finch
PDC/DEV/09	Work on major development areas - Start/continue work on North Whiteley/possible extension to Waterlooville MDA	High Quality Environment	01 Apr 2010			31 Mar 2011	Creation of a high quality and sustainable urban extension to Whiteley and Waterlooville	Simon Finch
PDC/DEV/012	Participation in corporate projects	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Provision of better and more integrated services	Simon Finch
PDC/DEV/019	Continue work on Barton Farm – determine new planning application to be submitted and deal with non-determination appeal.	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Determine application new and deal with the appeal case in an efficient and timely manner and	Simon Finch
PDC/DEV/017	To look at the possibility of making a local development order which would reinstate householder PD rights in Whiteley	High Quality Environment	01 May 2010			31 Mar 2011	Reinstatement of PD rights in Whiteley, thereby allowing residents to alter and extend their homes without having to apply to the Council in every case, or to conclude why this course of action would be inappropriate.	Simon Finch

Code	What will we do	Why are we doing this?	Planned Start Date	Milestones	Milestones Due Date	Action Due Date	Expected Outcome	Who's Accountable
PDC/DEV/018	Seek to agree arrangements for the handling of planning applications and enforcement functions in the National Park.	High Quality Environment	01 Jan 2010			01 Apr 2011	Agreement of a delegated arrangement which is capable of delivering efficient and effective planning management services within the park area.	Simon Finch
PDC/DEV/05	To participate in corporate equalities work	Inclusive Society	01 Apr 2010			31 Mar 2011	To ensure that the service provided is fully inclusive	Simon Finch
PDC/DEV/011	Produce planning charter and initiate new guidance notes for customers. Improve customer care.	Efficient and Effective Council	01 Apr 2009			31 Mar 2011	Improved customer service	Simon Finch
CSC/PROJ/001n	Achieve Customer Service Excellence Accreditation for the Planning service	Efficient and Effective Council	01 Mar 2011	Begin preparation of self-assessment	21 Mar 2011	31 May 2011	Improved customer service	Simon Finch
				Submit self assessment	30 Apr 2011			
				CSE Assessment	31 May 2011			

B) Other Services we aim to deliver 2010/11

Code	What will we do	Why are we doing this?	Planned Start Date	Milestones	Milestones Due Date	Action Due Date	Expected Outcome	Who's Accountable
PDC/DEV/01	Exceed CLG performance targets for the determination of planning applications	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Delivery of a timely and efficient planning service	Simon Finch
PDC/DEV/03	Meet targets for planning appeals (current target 30%)	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Prevention of inappropriate development	Simon Finch
PDC/DEV/013	Planning Enforcement – to continue the effectiveness of the service by reducing the number of open cases, resolving complaints more quickly in line with the new enforcement policy, resolving old cases where possible and enhancing the profile of the service	High Quality Environment Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Prevention of inappropriate development and improved customer satisfaction and enhanced Council reputation	Simon Finch
PDC/DEV/014	To provide specialist planning training for officers and elected members	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Increased knowledge & skills base for officers and elected members	Simon Finch
PDC/DEV/015	Annual forum to provide parish councils with an opportunity to feed back on the quality of the service.	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Improved relationship with Parish Councils	Simon Finch
PDC/DEV/016	Improve awareness within planning of other corporate priorities including tourism, housing and economic development to help deliver the appropriate outcomes	Efficient and Effective Council	01 Apr 2010			31 Mar 2011	Delivery of planning outcomes which are consistent with corporate priorities where this would not undermine planning policy and quality of the environment.	Simon Finch

5 Resource Implications

A) Financial

Divisional Summary

<i>Subjective Analysis</i>		<i>Actual 08-09</i>	<i>Original 09-10</i>	<i>Revised 09-10</i>	<i>Budget 10-11</i>
Expenditure	Employees	1,531,151	1,588,641	1,478,070	1,532,318
	Premises	1,156	10,500	10,500	10,500
	Transport	124,798	103,663	127,355	146,615
	Supplies & Services	194,807	187,254	245,194	142,851
	Third party payments	364,052	0	0	0
	Depreciation & Impairment Losses	1,373	589	6,746	7,476
	Expenditure Total	2,217,338	1,890,647	1,867,865	1,839,760
Income	Income	(1,483,803)	(1,304,763)	(1,343,513)	(1,483,513)
	Income (Internal)				
	Income Total	(1,483,803)	(1,304,763)	(1,343,513)	(1,483,513)
Support Services		726,576	744,665	711,091	711,091
Planning Total		1,460,111	1,330,549	1,235,443	1,067,338

Budget Book Line Summary

<i>Budget Book Line</i>	<i>Actual 08-09</i>	<i>Original 09-10</i>	<i>Revised 09-10</i>	<i>Budget 10-11</i>
Operations Business Support	(0)	2	(730)	0
Planning Management & Support	(0)	(1)	30,965	21,672
Development Control	903,498	825,358	736,963	581,913
Monitoring & Enforcement	451,647	505,190	467,891	463,399
Planning Delivery	(781)	0	354	354
Grants	105,747	0	0	0
Planning Total	1,460,111	1,330,549	1,235,443	1,067,338

B) Workforce

KEY EXTERNAL DRIVERS	KEY INTERNAL DRIVERS
<ul style="list-style-type: none"> • Planning delivery grant and government performance targets • Planning on the web • Workload – rising volume/complexity of proposals • Public expectations/perception of the service • Improved service delivery • E-government • Legislative changes • Submission of major development proposals • Planning management agenda 	<ul style="list-style-type: none"> • Vacancy management • Lack of specialist staff • Involvement in corporate projects • Education of others involved in the service • No. of staff required to work on major development proposals
<p>WORKFORCE IMPLICATIONS</p>	

6 Key Performance Indicators

Code	Description	Managed by	How frequently is data gathered	Achieved 2007/08	Actual 2008/09	Target 2009/10	Target 2010/11	Target 2011/12
NI157	Speed of determining planning applications Majors – 60% in 13 weeks Minors – 65% in 8 weeks Others – 80% in 8 weeks	Simon Finch	Monthly	Major 66% Minor 70% Other 84%	Major 62% Minor 67% Other 82%	Major 62% Minor 67% Other 82%	Major 62% Minor 67% Other 82%	Major 62% Minor 67% Other 82%
PL1	Percentage of complaints responded to within 10 working days of receipt by Council	Simon Finch	Monthly	60%	95%	95%	95%	95%
DC1	Average number of cases per officer	Simon Finch	Annually	140	130	130	130	130
DC2	Planning fee income	Simon Finch	New	£755,360	£662,750	£837,750	£837,750	£837,750
DC3	Net cost per planning application to the Local Authority	Simon Finch	New	£357	£409	To follow	To follow	To follow
DC4	Percentage of appeals allowed against refusals	Simon Finch	Quarterly	25%	30%	30%	30%	30%
PA1	Percentage of all validations and consultations to be completed within 5 working days of receipt.	Simon Finch	Quarterly	N/A	95%	95%	95%	95%

Code	Description	Managed by	How frequently is data gathered	Achieved 2007/08	Actual 2008/09	Target 2009/10	Target 2010/11	Target 2011/12
PA2	Percentage of all validations and consultations to be completed within 3 working days of receipt	Simon Finch	Quarterly	New	80%	80%	80%	80%
ENF1	Number of enforcement site visits carried out within 15 working days	Simon Finch	Monthly	65%	65%	100%	100%	100%
ENF2	Number of cases served an enforcement notice	Simon Finch	Quarterly	20	15 as at 26.02.09	20	20	20
ENF3	Number of enforcement cases opened	Simon Finch	Monthly	New	342 as at 26.02.09	Not applicable	Not applicable	Not applicable
ENF4	Number of enforcement cases closed	Simon Finch	Monthly	New	420 as at 26.02.09	Not applicable	Not applicable	Not applicable
ENF5	Total number of enforcement cases outstanding	Simon Finch	Monthly	New	388 as at 26.02.09	350	350	350

7. Key elements of risk management

Risk Number	Short Name	Risk Ownership	Cause	Consequence	Current Risk Matrix	Target Risk Matrix	Linked Strategic Risk
OP0025	Incorrect or negligent professional advice/specification	Simon Finch;	Lack of suitably qualified staff. Incomplete training. Failure to maintain professional networks.	Failure to maintain service levels. Risk of litigation.			
OP0034	Increased numbers and cost of appeals	Simon Finch;	Increasingly litigious public attitude and increased awareness of planning process.	Increased legal costs and costs of officer time.			SR0009
OP0037	Award of planning delivery grant	Simon Finch;	Variation in planning grant payments year on year	Uncertainty over budget planning			SR0009