



DRAFT PORTFOLIO HOLDER DECISION NOTICE

PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORT

TOPIC – PLANNING CONTROL BUSINESS PLAN 2008/09 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(s) (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 Monday 31 March 2008.

Contact Officers:

Case Officer: Fiona Tebbutt, Tel: 01962 848 551, Email: ftebbutt@winchester.gov.uk

Committee Administrator:

Frances Maloney, Tel: 01962 848 155, Email: fmaloney@winchester.gov.uk

SUMMARY

Approval is sought to the detailed Business Plan for this Division. The Business Plan sets out the key tasks that the Division will undertake over the coming five years, 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:

- To exceed the DCLG performance targets for the time taken to determine planning applications.
- To upgrade the Planning Improvement Plan to reflect new priorities and corporate projects in order to meet the performance targets agreed by the Council and to improve customer service.
- Continue to maximise IT development including improving and maintaining the planning element of the Council's website.

The Head of Division is satisfied that the actions put forward in this Business Plan will work towards the Council's corporate objectives, as set out in the Corporate Strategy 2008-13 or otherwise ensure that the Council meets the statutory obligations place 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 timescale shown.

PROPOSED DECISION

That the Business Plan for the Planning Control 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 its corporate objectives and meet its statutory obligations within the resources available to it, as far as can be seen in the light of current circumstances. While alternative approaches would be possible in many parts of the Plan, the actions being recommended are believed to give best value to the authority.

The Environment Scrutiny Panel has been consulted on this 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 Transport

Planning Control Division Business Plan 2008 - 2013

1. Brief Description of the Service and its Purpose

Planning Control includes Development Control, Development Control Administration, Development Control Highways, Enforcement and Landscape. It currently comprises 49 full time employees and in 2007/08 provided the service at a net cost of £1 629 980 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.

Landscape provides specialist advice to development control on the open space and landscape aspects of planning applications and determines applications for works to protected trees. They process environmental improvement schemes, provide advice to wildlife and countryside groups, advise on local plan policy formulation and ensure the utilisation of financial contributions received from developers to address local deficiencies in open space, play and sports facilities across the District.

2. Links between Council strategic priorities and services

<i>Strategic priority</i>	<i>Departmental responsibility</i>
Economic Prosperity	Development Control enables the provision of homes (including affordable housing), employment and amenities in urban and rural areas through the determination of planning applications and the application of development plan policies and central government guidance.

<p>High Quality Environment</p>	<p>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.</p> <p>Ensuring all development is 'fit for purpose' and impacts are mitigated against 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 and produce high quality design.</p>
<p>Safe and Strong Communities</p>	<p>Integrating forms of developments that are safe and accessible to all through the determination of planning applications and the application of development plan policies and central government guidance.</p>
<p>Efficient and Effective Council</p>	<p>Continue to improve efficiency of service delivery and facilitate a wider understanding of the planning function and the role of consultees and third parties.</p>

3. Summary of Progress in 2006/07

1. Determination of planning applications

Between April 2007 and February 2008 there has been a sustained improvement in the speed of determination of planning applications, with the CLG target for all categories of application being met. The table below shows the increase over the last three years.

	05/06	06/07	07/ 08
Major applications (CLG target 60% in 13 weeks)	60.78	67.12	67.90
Minor applications (CLG target 65% in 8 weeks)	54.74	62.29	69.43
Other applications (CLG target 80% in 8 weeks)	76.05	85.08	84.90

The first quarter of 07/08 saw all three planning application turn around times exceeding the CLG targets for the first time since 2004, and the fact that this has continued is the result of the time and effort, within and outside the service, that has been put into improving the planning application process, increased and improved monitoring, developing the use of IT and continued staff commitment.

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, split the actions into short, medium and long term ones, with the long term aims due for completion by December 2007. Regular reports have been received by the Environment Scrutiny Panel (most recent being 28 Jan 2008) and the Planning Development Control Committee on progress with the Improvement Plan and out of a total of 9 short term aims 7 have been completed and all of the 7 medium term aims are ongoing. Of the 12 long term aims 1 is complete, 1 is not started and the remainder are in progress/ongoing. Some of the delays have been because of the need to focus on other corporate requirements or because of delays with corporate projects, but all will be completed in due course, and the Improvement Plan will be revised following approval of the Business Plan.

3. National Planning Application Form (1 APP)

Following the announcement by the Government that a national planning application form is to be introduced in April of this year (delayed from Oct 2007), Winchester has played a leading role in the introduction of the form throughout Hampshire. There has been a co-ordinated approach, with considerable investment of time towards clarifying procedures, consultation, training, liaison with the government and getting the correct IT in place. Winchester will be going live at the end of February and the Planning Portal has cited the consultation process and work carried out by this authority as an example of best practice.

4. West of Waterlooville

Following the resolution by Winchester City Council and Havant Borough Council on 30th November 2006 to grant outline planning permission on land to the north west of this major development area, both Councils resolved to grant outline planning permission for the southern part of the site, with permissions being for further residential units, employment and commercial uses, primary school, local centre, allotments, cemetery, open space, recreation, play areas and associated access and infrastructure.

Both outline consents have now been issued and reserved matters applications are being submitted. Work on conditions, legal obligations and design codes is ongoing.

The applications represent the culmination of many years of negotiations between both local authorities and the applicants and other bodies, and are an excellent example of successful joint working between Havant Borough Council and Winchester City Council, which will continue.

5. Silver Hill Development

After extensive pre-application and post submission work the application from Thornfields the Planning Development Control Committee resolved to approve the application on 27 March. Work is ongoing on minor revisions, compulsory purchase, discharge of conditions and finalisation of the legal agreement and cones to involve detailed negotiations with the applicant and consultees.

Work is also ongoing on proposals by London and Henley for a smaller part of the overall site.

4. Service Priorities 2008/13 – Key Priorities

A) Key Service Priorities 2008/09

Target No.	Why are we doing this?	What will we do?	When will we do it?	How will we measure our success?	How much time / money will it take?	Who's Accountable?
1.	To meet our service delivery targets	Exceed CLG performance targets for the determination of planning applications for 2006/7(BVPI109). Majors – 62% in 13 weeks (CLG = 60%) Minors – 67% in 8 weeks (CLG = 65%) Others – 82% in 8 weeks (CLG = 80%)	March 2009	Regular monitoring and reporting to DC and Scrutiny Committees. Achieving the targets within the specified timescales	1 day/wk – Head of Planning Control 1 day/wk – DC Team Manager's	Head of Planning Control
2.	To meet our service delivery targets	To upgrade the Planning Improvement Plan to reflect new priorities and corporate projects in order to meet the performance targets agreed by the Council and to improve customer service.	May 2009	Assessing our performance against the targets specified in the Improvement Plan and more efficient working.	1 day/wk – Head of Planning Control	Head of Planning Control
3.	To meet our service delivery targets	Meet CLG target for number of appeals against our decision to refuse planning permission (25%) that we lose (BVPI204)	March 2009	Regular monitoring and reporting to PDC and Scrutiny Panel. Achieving the required target	Case Officer time in dealing with appeals – 2 days per week. Appeals officer time in carrying out associated administration – 1 x FTE	Head of Planning Control

Target No.	Why are we doing this?	What will we do?	When will we do it?	How will we measure our success?	How much time / money will it take?	Who's Accountable?
4.	To meet corporate priorities (safe and strong communities and an efficient and effective Council) and legislative requirements	Continue to maximise IT development. Including improving and maintaining planning element of Councils web site, participating fully and pro-actively in implementation of corporate EDRMS, fully developing and exploiting the CAPS system, including updating all templates, assisting in implementation and introduction of upgrades, participation in CAPS testing, co-ordinating CAPS training for new and existing staff, co-ordination of e-consultation on planning applications, implementation of the national planning application form (1APP project), establishing a comprehensive database for new S106 agreements.	Throughout the year	Internal updates/checks and reporting to Scrutiny Panel. Reduction in down time. More efficient working	Extension of contract for 1 additional temporary FTE (Scale 5 - £35,000)	Head of Planning Control / Head of IM&T
5.	To meet corporate priorities (safe and strong communities and an efficient and effective Council) and legislative requirements	To participate fully and pro-actively in the corporate equalities work for the planning service	Ongoing	Internal updates/checks and reporting	0.5 day/week – Head of Planning Control	Head of Planning Control

B) Other Services we aim to deliver 2008/13

Why are we doing this?	What will we do?	When will we do it?	How will we measure our success?	How much time / money will it take?	Who's Accountable?
To meet corporate priorities. (economic prosperity, high quality environment, safe and strong communities)	Contribute to the post decision stages of the West of Waterlooville major development area, including discharging conditions, monitoring development, dealing with reserved matters and other related planning applications and working efficiently in conjunction with Havant Borough Council,	Ongoing – throughout the phases of the development	Internal updates/checks	1 additional temp FTE and within existing resources (Team Leader – 1day/week; Planning Officer 2 day/week)	HPC
To meet corporate priorities. (economic prosperity, high quality environment, safe and strong communities)	Continue to play a full and constructive part in the revitalisation and redevelopment of the currently neglected area of Silver Hill, including finalising the legal agreement, issuing the decisions and the implementation of any planning permissions and associated conditions and legal agreements.	Ongoing	Internal updates/checks	Within existing resources (Team Leaders – 2 days/week; Planning Officer – 1 day/week) and from planning application fee income	HPC
To meet corporate priorities. (economic prosperity, high quality environment, safe and strong communities)	To carry out pre-application and application work associated with the new LDF allocations, including discussions with applicants and consultees, parish councils and members of the public where appropriate.	Ongoing	Internal updates/checks	1 additional FTE per major application/site and within existing resources (Team Leader/Planning Officer – 1 day/week)	HPC
To meet corporate priorities (Economic prosperity, high quality environment and an efficient and effective Council) and legislative	To continue to participate fully in the Hampshire DC collaboration projects being led by HIPOG and PAS/IdEA	Ongoing	Internal updates/checks	Within existing resources (HPC – 2 days/month; Planning and other officers – 2 days/month)	HPC

Why are we doing this?	What will we do?	When will we do it?	How will we measure our success?	How much time / money will it take?	Who's Accountable?
requirements					
To meet corporate priorities. (economic prosperity, high quality environment, future, safe and strong communities)	Expand the skills/resource available within and to the team to enable full consideration of sustainability and ecology issues within the development control process.	Ongoing	Improved sustainability of development	Additional resource within the Council – 1 FTE. Training for officers - £5000	HPC/DO
To meet corporate priorities (economic prosperity, high quality environment, safe and strong communities, a modern council)	Continue to provide training for Councillors and staff in relation to matters such as design, sustainability, the LDF process, role within the planning process, changes in legislation and equalities.	Ongoing	Improved speed and quality of decisions, increased confidence of Councillors, raised profile and understanding of these issues	£5000 for hire of rooms, production of material, and speakers. Within existing resources (0.5 day/month HPC; 0.5 day/month CSS; Legal/Planning Officers – 2 day /event + attendance at the event)	HPC/CSS
To meet corporate priorities (economic prosperity, a modern council)	Update planning charter, provide enforcement charter and update and initiate new guidance notes for customers	Dec 2008	Improved speed and quality of decisions, increased customer awareness and confidence, and management of public expectation	Within existing resources (HPC 1 day/month; All team Leaders – 1 day/month)	HPC
To meet corporate priorities (economic prosperity, high quality environment,	To participate fully in all corporate projects, including those relating to flexible working, local access points, sustainability, business continuity and,	Ongoing	Improved service delivery and corporate awareness.	HPC – 4 days/month TM's – 1 day/month	HPC

Why are we doing this?	What will we do?	When will we do it?	How will we measure our success?	How much time / money will it take?	Who's Accountable?
safe and strong communities, a modern council)	climate change				
Enforcement priority	Implement the recommendations arising from the Informal Scrutiny process of the Enforcement function, with a view to improving the performance of the team, raising the profile of the service and improving public understanding of the scope of the service.	Oct 2008	Regular monitoring and reporting to PDC and Scrutiny Panels	One additional FTE (Scale 4), HPC 1 day/month, ETM 1 day/wk. EDL 1 day/wk	HPC
Planning Administration priority	95% of all validations and consultations to be completed within 72 hours	Ongoing	Internal monitoring, weekly statistics and regular reporting to Scrutiny Panel	Within existing resources (PATM – 0.5 days/week)	HPC
Development Control priority	Continue the development of and increase the profile of the major applications team, with particular emphasis on planning performance agreements	Dec 2008	Improved quality of applications submitted, increased speed of determination, improved clarity of the planning process	Within existing resources. HPC 1 day/month, DCTM 1 day/wk	HPC
Development Control priority	Continue to provide an accessible and comprehensive pre-application advice service, and introduce a pre-application charging regime for non householder applications	June 2008	Improved quality of planning applications. Increased speed of determination. Reduced number of appeals.	Within existing resources (Planning Officers – 4 x FTE's)	HPC

Why are we doing this?	What will we do?	When will we do it?	How will we measure our success?	How much time / money will it take?	Who's Accountable?
			Increased income		

5. Resource Implications

A) Financial

2007/08 Revised			Service Activity	2008/09 Estimate			FTEs	Notes
Exp. £000's	Income £000's	Net £000's		Exp. £000's	Income £000's	Net £000's		
947	(947)	0	Planning Management & Support	935	(935)	0	3.00	
2,340	(1,311)	1,029	Development Control	2,389	(1,615)	774	33.54	
356	(13)	343	Enforcement	504	(13)	491	7.10	
317	(59)	258	Landscape	336	(46)	290	5.00	
3,960	(2,330)	1,630		4,164	(2,609)	1,555	48.64	

Key projected changes in financial requirements 2008/13

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 • Public expectations • Improved service delivery • E-government • Legislative changes • Submission of major development proposals 	<ul style="list-style-type: none"> • Turnover of staff/recruitment difficulties • 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
WORKFORCE IMPLICATIONS	
<p>Multi-skilling staff to be encouraged within teams and by additional training Exploring partnership working with other LPAs for specialist staff requirements to cover vacancies and share experience and expertise Assess training requirements through the appraisal process Staff absences and maintaining staffing levels Reduction in PDG and maintaining staffing levels</p>	

6. **Key Performance Indicators**

Ref. No.	What does this show?	Who reports this	Achieved 2004/05	Achieved 2005/06	Achieved 2006/07	Target 2007/08	Achieved at mid Feb 08	Target 2008/09	Target 2011/12
NI157	Speed of determining planning applications Majors – 60% in 13 weeks Minors – 65% in 8 weeks Others – 80% in 8 weeks	HPC	Major 44% Minor 54% Other 78%	Major 47% Minor 66% Other 86%	Major 61% Minor 55% Other 76%	Major 60% Minor 65% Other 85%	Major 68% Minor 69% Other 85%	Major 62% Minor 67% Other 82%	Major 70% Minor 72% Other 85%
<u>BVPI 111</u>	<u>Percentage of applicants satisfied with the Service received – tri-annual survey</u>	<u>HPC</u>	N/A	N/A	69%	N/A	N/A	72%	75%
PL1	Percentage of complaints responded to within 10 working days of receipt by Council	HPC	New	Software unavailable to report this	55%	60%	89%	95%	100%
PL2	Percentage of complaints responded to within 10 working days of receipt in Planning Department	HPC	N/A	N/A	N/A	New	91%	95%	100%
PL3	Percentage of complaints responded to within 20 working days of receipt	HPC	N/A	N/A	N/A	New	76%	80%	85%
DC1	Average number of cases per officer	HPC	New	150	140	140	130	130	130
DC2	Planning fee income	HPC	£577,191	£597,639	£733,760	£755,360	£593,000	£880,000	£900,000

Ref. No.	What does this show?	Who reports this	Achieved 2004/05	Achieved 2005/06	Achieved 2006/07	Target 2007/08	Achieved at mid Feb 08	Target 2008/09	Target 2011/12
DC3	Net cost per planning application to the Local Authority	HPC	N/A	N/A	N/A	New	£343	£340	£360
DC4	Percentage of appeals allowed against refusals	HPC	25.41%	39.77%	25%	25%	28%	25%	25%
PA1	Percentage of all validations and consultations to be completed within 5 working days of receipt.	HPC	New	N/A	N/A	N/A	70.02%	95%	95%
PA2	Percentage of all validations and consultations to be completed within 3 working days of receipt	HPC	N/A	N/A	N/A	New	35.71%	80%	80%
ENF1	Number of enforcement site visits carried out within 10 working days	HPC	51%	Software unavailable to report this	60%	65%	52%	65%	70%
ENF2	Number of cases served an enforcement notice	HPC	23	20	20	20	27	20	20
ENF3	Number of enforcement cases opened	HPC	N/A	N/A	N/A	New	394	Not applicable	Not applicable
ENF4	Number of enforcement cases closed	HPC	N/A	N/A	N/A	New	491	Not applicable	Not applicable
ENF5	Total number of enforcement cases outstanding	HPC	N/A	N/A	N/A	New	465	Not applicable	Not applicable

7. Proposals for Consultation

What Research or consultation do we intend to carry out	How will we be doing it?	When will we be doing it ?	How will we use the results?
Agents requirements from the service	Continue running agents forum	3 times per annum. Meeting scheduled for March 2008	Information will help identify areas for improvement, assist in improving the quality of applications submitted and build up good customer relations
Planning agents and applicants satisfaction survey	Postal survey of agents and applicants	End of third quarter 2009	Information will help identify areas for improvement and areas where service provision is good.

8. Key elements of risk management

Area	Risk number	Rating	Cluster and MAP link	Short name	Risk ownership	Cause	Consequence	Action required
OP	0033	Likelihood – Unlikely Impact - Medium	Managerial/ Professional	Increased public scrutiny of planning process	Fiona Tebbutt	Increased expectation relating to service delivery. More decisions/processes disputed.	Increase in time/workload in dealing with customers. Increased legal appeals/Ombudsman cases, increase in complaints. Increased likelihood of reputation damage.	Ensure implementation of Planning Improvement Plan to ensure processes and procedures revised and maintained.
OP	0034	Likelihood – Probable Impact - Medium	Financial	Increased numbers and cost of appeals	Fiona Tebbutt	Increasingly litigious public attitude and increased awareness of planning process.	Increased legal costs and costs of officer time.	Monitor appeal outcomes and report implications to officers and Members.
OP	0037	Likelihood – Unlikely Impact - Medium	Financial	Award of planning delivery grant	Fiona Tebbutt	Variation in planning grant payments year on year	Uncertainty over budget planning	Put actions in place to ensure performance improves and government targets are met. Ensure strategy produced for dealing with impact of reduced PDG or its ultimate removal.
SR	0001	Likelihood – Possible Impact - Medium	Legislative	Implementation of new Government Legislation	Simon Eden	(1) Sudden or unforeseen changes in Central Government Policy or Political Control. (2) Inflexible system of internal control, (3) Unclear guidance from Central	(1) Less funding available (2) Change in targets and priorities (4) Inefficient deployment of resources (5) Reduced Staff morale and	Ensure key priority of meeting government targets for planning application turnover is achieved

Area	Risk number	Rating	Cluster and MAP link	Short name	Risk ownership	Cause	Consequence	Action required
						Government, Member or Community leaders (4) Poor control of contracts, partnership and projects.	confidence (6) Citizen criticism and reduced confidence (7) Difficult to plan medium and long term strategy and financial control (8) Local Government Take Over or Regionalisation	