

Annual Report on Planning Performance	28th August 2019
Planning Committee	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Protecting and Enhancing our Environments and Assets
Outcome	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
Lead Officer	Denise Dickson
Cost: (If applicable)	N/A

FOR NOTING

1.0 Background

1.1 Schedule 4 of The Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 sets out the statutory performance targets for the Planning Department for major development applications, local development applications and enforcement cases and these are reflected in Council's Performance Improvement Plan 2018-19 and the Planning Department Business Plan 2018-2019.

1.2 The statutory targets are:

- Major applications processed from date valid to decision or withdrawal within an average of 30 weeks
- Local applications processed from date valid to decision or withdrawal within an average of 15 weeks
- 70% of all enforcement cases progressed to target conclusion within 39 weeks of receipt of complaint.

1.3 The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. It provides the official statistics for each Council on each of the statutory targets and is published quarterly and on an annual basis. The 2018/19 Annual Statistical Bulletin was published on 20th June 2019 providing planning statistics for this period. It also provides a summary of Council progress across the three statutory targets.

2.0 Details

Website link 1

<https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-2018-march-2019> provides the link to the published bulletin.

Development Management Planning Applications

- 2.1 Table 1 below provides a summary of performance in relation to the statutory targets for major development applications and local development applications for the 2018-19 business year and provides a comparison of performance against all 11 Councils.

Table 1: Planning Applications

2018/19	Major		Local		Total		Live	
	Rec'd	Dec'd/ W/D	Rec'd	Dec'd/ W/D	Rec'd	Dec'd/ W/D	Total	Over 12mths
Planning Applications	18	12	1,181	1,238	1,199	1,250	760	137 (18.0%)
Rank	2 nd	6 th	5 th	5 th	5 th	5 th	3 rd	5 th (%)
Average Processing Times	49.6 weeks		21.6 weeks					
Rank	6 th		11 th					
Approval Rate	88.9%		93.3%		93.3%		9 th Rank	

Source: Northern Ireland Planning Statistics: 2018/19 Annual Statistical Bulletin

- 2.2 In the 2018/19 business year, Causeway Coast and Glens Borough Council received the 2nd highest number of major applications out of the 11 Councils for the second year in a row. In comparison to the 2017/18 Business year, the number of major applications received has remained the same while the number of decision/withdrawn applications increased by 2. Nevertheless, the average processing times for major applications has improved by 8.8 weeks when compared to 2017/18 with average processing time of 49.6 weeks, edging closer to the 30 week statutory target. In terms of applications received, this Council received the 2nd highest number of commercial applications and the 5th highest number of residential applications reflecting a continuing interest in both investing in and living in this Borough. The number of live applications is 3rd highest out of the 11 Councils even though the number of decisions/withdrawn applications increased by 101 applications compared to 2017/18.
- 2.3 The Planning Department is failing to meet the statutory target for both major and local applications and this reflects two key areas for concern - the number of over 12month applications in the system and the length of time taken to process local applications. It is acknowledged that steps were taken over the business year to address this issue by employing additional staff on a temporary basis. The recruitment of these additional staff was only complete in January/February 2018 and staff employed have minimal experience; 2 further additional staff were recruited in January 2019. The impact of these additional staff has started to bear fruit with the improvement in the average processing times for major applications and the continual improvement each quarter of 2018/19 on the percentage of local applications processed within the 15 week target, resulting in a 4.5% improvement compared to 2017/18. However, with a large number of staff on either temporary contracts or agency, the staffing resource is volatile and subject to sudden impact should those staff gain a permanent position elsewhere.

- 2.4** Although the over 12 month applications were carefully monitored to ensure progress, a number of factors impacted on the ability of staff to reduce the number of over 12 month applications in the system over the year. Although the number increased, it remains the 5th lowest in terms of percentage of live applications when compared to the other 10 Council's.
- 2.5** In analysing the key reasons why applications are slow to progress, the key reason continues to be the level of negotiation on planning applications resulting in amended plans or additional information that requires re-consultation, re-notification and re-advertisement. Each re-consultation can add on average 4 weeks to the processing of an application. An analysis of those applications that fell within the 15–22 week category (12.8% of applications decided) indicates that 44% of applications did not meet the 15 week target due to agent delays and 29% due to officer delays.
- 2.6** As continual negotiation is not an efficient use of staff time and resources, consideration must be given as to how to improve the development management process. It is proposed to carry out a review of the development management process to identify blockages and hold a workshop with Planning Committee Members to develop and agree a more efficient process.
- 2.7** With the recruitment of the additional staff, caseloads have now reduced to a manageable level and therefore, this should add to improvements in processing times.

Enforcement

- 2.8** Table 2 below shows statistics in relation to enforcement for the 2018/19 business year. Of note is that of the cases closed, 27.3% were as a result of no breach of planning control being identified and 25.3% were remedied or resolved. Furthermore, the Enforcement team issued the 3rd highest number of prosecutions and had the 3rd highest number of convictions out of the 11 Councils.

Table 2: Enforcement

2018/19	Open	Conclude	Conclusion Times	Court Action	
			70% within 39wks	Prosecutions	Convictions
Cases	294	331	80.1%	20	4
Rank	6th	5th	6th	3rd	3rd

Source: Northern Ireland Planning Statistics: 2018/19 Annual Statistical Bulletin

- 2.9** Although meeting the statutory target for concluding enforcement cases within 39 weeks, the Council's performance is the second slowest out of the 11 Councils. This is reflective of the number of warning letters sent to offenders and the resulting time that passes before taking formal action. Therefore, Officer's will review the Council's Enforcement Strategy over this business year to reduce the length of time spent negotiating with offenders to resolve breaches before moving to take formal action.

A paper on the review will be presented to Planning Committee at a future date for agreement.

Other Activity by Planning Department

2.10 Tables 3 and 4 below indicate the level of other activity carried out by the Planning Department over the 2018/19 business year.

Table 3: Other Activity

	2017/18 received	2018/19 Received
Discharge of Conditions	86	48
Certificate of Lawful Development	33	43
Pre Application Discussions	57	52
Non Material Change	38	27
TPOs	10	14
Pre Application Notice	19	17
Total	243	201

Source: Northern Ireland Planning Statistics: 2017/18 Annual Statistical Bulletin

Table 4: Correspondence, Complaints and Appeals

	2017/18 Received	2018/19 Received
Complaints Stage 1	23	27
Complaints Stage 2	9	9
Complaints Stage 3	12	4
Complaints to Ombudsman	4	3
Judicial Review Decision	1	2
General Correspondence	600	734
Request For Information (EIR/FOI)	68	60
Planning Appeal Decisions	24	22
Total	741	861

Source: Unvalidated Statistics – Internal Reports

2.11 In addition to the formal applications received, the Planning Department received 201 other types of applications relating to planning applications and dealt with some 861 pieces of correspondence, complaints and appeals.

2.12 Of note, is that the two JR decisions were in favour of Council and the grounds for challenge were not upheld by the court in either case. Of the 22 decisions made by the Planning Appeals Commission, the Planning Department successfully defended its decision on 16 appeals (72.7%).

Income

2.13 Table 5 below provides a breakdown of the income generated by the Planning Department in 2018/19. Of note, when compared to the 2017/18 business year, income generated in 2017/18 increased by £12k and £218.5k above the predicted

income for the year. Furthermore, Planning remained well within its financial budget for 2018/19.

Table 5: Income and Budget

	2017/18 Received	2018/19 Received
Planning Applications	£1,318,919.60	£1,343,264.67
Property Certificates	£123,647.50	£111,250.00
Total	£1,442,567.10	£1,454,514.67

Source: Unvalidated Statistics – Internal Reports

Conclusion

- 2.14** In conclusion, performance within the Planning Department remains steady in terms of applications received and determined and enforcement activity. Planning continues to meet its statutory target for conclusion of enforcement cases. Progress has also been made in processing times for major applications and the percentage of local applications processed within target. However, with fixed term contracts coming to an end this year and the following business year, and the level of planning applications maintained at a steady level, consideration must be had to the need to make these posts permanent in order to reduce the risk of caseloads increasing for staff and the resultant negative impact on processing times of applications.

3.0 Recommendation

- 3.1 IT IS RECOMMENDED** that the Planning Committee note the Planning Departments Annual report.