

Annual Report on Planning Performance	22nd August 2018
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	Head of Planning
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 2017-18 and the Planning Department Business Plan 2017-2018.

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 2017/18 Annual Statistical Bulletin was published on 21st June 2018 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-2017-march-2018> 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 2017-18 business year and provides a comparison of performance against all 11 Councils.

Table 1: Planning Applications

2017/18	Major		Local		Total		Live	
	Rec'd	Dec'd	Rec'd	Dec'd	Rec'd	Dec'd	Total	Over 12mths
Planning Applications	18	9	1,268	1,050	1,286	1,059	818	109 (13.3%)
Rank	2 nd	9 th	5 th	5 th	5 th	5 th	4 th	7 th (%)
Average Processing Times	58.4 weeks		20.4 weeks					
Rank	8 th		10 th					
Approval Rate	66.7%		94.6%		94.3%		6 th Rank	

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

- 2.2 In the 2017/18 business year, Causeway Coast and Glens Borough Council received the 2nd highest number of major applications out of the 11 Councils, and has the 4th highest number of live applications. In comparison to the 2016/17 Business year, the number of major applications received has almost doubled (44% increase). In terms of applications received, this Council received the 2nd highest number of commercial applications and the 4th highest number of residential applications reflecting a continuing interest in both investing in and living in this Borough. The number of live applications has increased by almost 17%.
- 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 within the 2016/17 business year to address this issue by employing additional staff on a temporary basis. However, the recruitment of these additional staff was only complete in January/February 2018 and staff employed have minimal experience. Therefore, the impact on performance will only become apparent in 2018/19.
- 2.4 Members have also agreed the review of the Over 12month Action Plan for 2018/19. However, it will take a period of time for progress to be made in this area. By focusing on these applications over the coming months it is anticipated that this category will be reduced to 10% of the number of live applications by the end of this business year.
- 2.5 In analysing the key reasons why applications are slow to progress, it became apparent that almost half of the applications are as a result of continued negotiations to achieve a suitable scheme whilst almost one third is due to lack of progress by Planning Officers.

- 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 hold a workshop with Planning Committee Members to develop and agree a more efficient process including developing a Guide to Processing Planning Applications for Applicants and Agents.
- 2.7** Furthermore, in relation to the lack of progress on applications by Officers, from analysis it is clear that caseloads of staff at the HPTO/Planning Officer grade are excessive with half of Officers dealing with more than 60 applications at any time, and over 80 in one case. These are applications that are complex due to the type or location of the application. Realistically, staff at this grade should be dealing with less than 50 applications at any time. Furthermore, through the submission of Pre Application Notices, there is currently the potential for a further 14 major applications to be received over this business year. It is therefore important to plan for this increase by ensuring there are sufficient resources at the Planning Officer grade to process applications in a timely fashion. It is considered that there is a necessity for 2 additional staff at this grade to deal with these types of applications, not only in the interest of processing applications but also to alleviate work pressures on staff and reduce the risk of mistakes being made.

Enforcement

- 2.8** Table 2 below shows statistics in relation to enforcement for the 2017/18 business year. Of note is that of the cases closed, 29.4% were as a result of no breach of planning control being identified and 25% were remedied or resolved. Furthermore, the Enforcement team issued the 2nd highest number of prosecutions and had the 3rd highest number of convictions out of the 11 Councils.

Table 2: Enforcement

2017/18	Open	Conclude	Conclusion Times	Court Action	
			70% within 39wks	Prosecutions	Convictions
Cases	323	356	70.5%	9	2
Rank	5th	4th	10th	2nd	3rd

Source: Northern Ireland Planning Statistics: 2017/18 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 2017/18 business year.

Table 3: Other Activity

2017/18	Received	Rank
Discharge of Conditions	86	3 rd
Certificate of Lawful Development	33	8 th
Pre Application Discussions	57	5 th
Non Material Change	38	8 th
TPOs	10	6 th
Pre Application Notice	19	3 rd
Total	243	4th

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

Table 4: Correspondence, Complaints and Appeals

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

Source: Unvalidated Statistics – Internal Reports

- 2.11** In addition to the formal applications received, the Planning Department received 243 other types of applications relating to planning applications and dealt with some 741 pieces of correspondence, complaints and appeals.
- 2.12** Of note, is that of the 4 complaints made to the Ombudsman only one was considered worthy of investigation, and the decision on that case remains outstanding. Furthermore, the one judicial review referred to above was that taken by Council itself to quash the original decision on planning application LA01/2016/1328/F, hotel development at Ballyreagh Road, Portstewart, the subject of a further JR which is currently ongoing. Of the 24 decisions made by the Planning Appeals Commission, the Planning Department successfully defended its decision on 15 appeals (62.5%).

Income

- 2.13** Table 5 below provides a breakdown of the income generated by the Planning Department in 2017/18. Of note, when compared to the 2016/17 business year, income generated in 2017/18 increased by over £100k (7%) reflecting the increase in the number of major applications received and lower number of local applications received.

Table 5: Income

2017/18	Received
Planning Applications	£1,318,919.60
Property Certificates	£123,647.50
Total	£1,442,567.10

Source: Unvalidated Statistics – Internal Reports

Conclusion

2.14 In conclusion, performance within the Planning Department remains steady in terms of applications received and enforcement activity. However areas of concern remain with the number of applications in the system over 12months and the length of time taken to process local applications. Actions have been put in place in an attempt to improve performance in these areas. Nevertheless, caseloads of Planning Officers remain extremely high. Action is therefore required to address this issue.

3.0 Recommendation

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