

Report of	Meeting	Date	Item No
Director of Development and Regeneration	Overview and Scrutiny Committee	20 th February 2007	***

DECISIONS ON MAJOR PLANNING APPLICATIONS

PURPOSE OF REPORT

- To advise Committee on the impact of Best Value Performance Indicators (BVPI's) on the decisions made on planning applications in particular the more complex applications and the length of time they take for a decision.

CORPORATE PRIORITIES

- This report does not affect corporate priorities.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	Information	4
Reputation	Regulatory/Legal	
Financial	Operational	
People	Other	

BACKGROUND

- There are three BVPI's relating to planning applications and these are set out as follows: -

Best Value Performance Indicator	Target
109a Major Planning Applications	60% of applications within 13 weeks
109b Minor Planning Applications	65% of applications within 8 weeks
109c Other Planning Applications	80% of applications within 8 weeks

Figures on planning applications are reported to the Department of Communities and Local Government (DCLG) through the Councils PS1/PS2 returns on planning applications. The DCLG requires 100% compliance with these targets. Failure to meet any of the three targets would result in: -

- The Council becoming a standards authority which may involve intervention from appointed Inspectors;

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- ii. Impact on the amount of Planning Delivery Grant (PDG) that the Council will receive. Although this will change after March 2007 there is no indication as yet what criteria will be considered in assessing PDG monies.
 - iii. Impact on CPA re-assessment
- 5. Since March 2004 the Council has met with all the required BVPI's relating to planning applications. This has had the effect of securing PDG monies, which has assisted the Council in improving performance and also funded the E-planning project, which is fundamental in providing full e-access to planning applications for the Chorley community. This is due to go live in April 2007.
- 6. Major applications which are the more complex ones are defined as: -
 - i. Applications for at least 10 new residential units;
 - ii. Residential sites of 0.5 hectares or more;
 - iii. The creation of or change of use of 1,000 sq metres or more of non-residential gross floorspace;
 - iv. And non-residential sites of over 1 hectare in size.
- 7. There is limited time available to deal with planning applications. For the majority of applications this is 8 weeks. Major planning applications, which are the more complex cases, have 13 weeks in which to be determined. During the process of dealing with an application it may become apparent that further information or amendments are necessary before it may be considered acceptable. For example it is a requirement under the Habitats Directive that where there is a potential for protected species to be affected that an appropriate ecological study must be provided with the application. This cannot be conditioned through a planning permission and certain studies such as for Great Crested Newts and bats can only be conducted at certain times of the year.
- 8. In such circumstances the applicants are advised to withdraw the application or it will be refused on the basis of lack of information or an unacceptable scheme. This is not an unusual situation and all Local Planning Authorities apply the same practice. Most applicants prefer to withdraw the application and then re-submit with all the appropriate detail. To defer the applications until all the information has been submitted is not an advisable option as this would take those applications over the 8 or 13-week period and therefore miss the target date. There is no opportunity to "stop the clock ticking" in such circumstances and to do so would leave the Council open to criticism which may impact on PDG awards where BVPI's have been qualified and meeting the actual BVPI's themselves.
- 9. As a small Local Planning Authority we receive a limited number of major planning applications a year. It is crucial that the Council maintains its vigilance as it only takes a small number of decisions beyond the target date to impact on performance. There are of course going to be some applications where targets are not met for example some of the larger schemes on the Strategic Regional Site which are more complex and require more complicated S. 106 Agreements. Providing that the targets are not missed overall then this has not been an issue. It is essential however that this situation is closely monitored to ensure that there is 100% compliance with the targets.
- 10. It is useful for members to have some idea of the numbers of major planning applications that the Council has determined or have been withdrawn and re-submitted since March 2005. The following table provides some detail on those figures. Members should also note our performance for 2005/2006 and from April 2006 to the end of January 2007 on Major applications. It can be seen that we are maintaining our performance with the potential to exceed it over last year's performance figures.

Year	No.s determined	No.s withdrawn	No.s resubmitted	Performance against target
2005/2006	42	14	4	60%
2006/31/1/07	27	10	3	70%

11. All the three BVPI's relating to planning applications are monitored on a month by month basis by the Development Control Manager rather than quarterly. Where there is a particular concern especially within 4 weeks of the final accounting period the situation is monitored on a week by week basis where corrective measures may be taken to ensure compliance with targets.

12. **COMMENTS OF THE DIRECTOR OF FINANCE**

Any comments received will be reported verbally.

13. **COMMENTS OF THE HEAD OF HUMAN RESOURCES**

There are no direct HR implications from the report

RECOMMENDATION(S)

14. That current practices and procedures continue and to note the report for information.

JANE MEEK
DIRECTOR OF DEVELOPMENT AND REGENERATION

Report Author	Ext	Date	Doc ID
Wendy Gudger	5349	6 th February 2007	NEWREP