

# Quarterly Performance Report – Planning

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**Report Period** Quarter 4 (Jan – March, 2012)




## Introduction

The report is produced on a quarterly basis and provided to Executive members for review and assurance and will be available for Overview and Scrutiny Committees as part of their Forward Work Programmes.

The report consists of an overview of the key messages to highlight across all work streams in Planning, which is followed by highlights from each service area. Parts 2 and 3 of the report include an assessment of performance in the quarter from the following sources:

- Improvement Plan Monitoring
- Strategic Assessment of Risks and Challenges
- Performance Indicators and Outcome Measures
- Improvement Target Action Plan Monitoring
- Key Actions from Service Plan Monitoring
- Internal and external regulatory reports
- Customer satisfaction and feedback
- Awards and accreditations
- Resource Management (HR, ICT, Finance, Assets)

## RAG Status

|   |   |
|---|---|
| RED equates to a position of under-performance, downward trend, non-achievement of target, non-achievement of action milestones.  |  |
| AMBER equates to a mid position where improvement may have been made (i.e. improved trend) but the target for the year is unlikely to be reached, or where action milestones have been deferred or narrowly missed. |  |
| GREEN equates to a position of positive trend on performance, meeting target and achieving action milestones.   |  |

## 1. Foreword

Report highlights for this quarter are the following items: -

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|---|--|
| <b>Planning<br/>Strategy and<br/>Built<br/>Conservation</b> | <p>The Unitary Development Plan was adopted in September 2011 and its use as the sole policy basis for recommendations made at planning committee has now been established. This should now provide the Committee with a sound and up to date basis on which to make decisions on planning.</p> <p>The Council has also approved Supplementary Planning Guidance (SPG) to support UDP policy S11 Retention of Local Facilities, and a development brief to guide development of the housing allocation in Broughton, referred to as the 'Compound Site'.</p> <p>A further development brief for the housing allocation in Sychdyn has been prepared and consulted on, and will be presented to the Council for approval as SPG in the near future.</p> <p>A new piece of SPG which updates the current approach to seeking developer contributions to address school capacity has also been through several stages of consultation and revision, and has now been recommended by the Planning Protocol Working Group in March 2012 to go to Council for approval.</p> <p>The Council resolved at its meeting on 27<sup>th</sup> March 2012 to write to the Welsh Government to request that the necessary secondary legislation be created to allow the Council to commence with its Local Development Plan (LDP).</p> <p>A significant amount of good work and positive outcomes have been achieved both by the conservation and design officer, and the team in general. For example, a temporary consent has been issued to allow the proposed development at Pen y Bont Farm to go ahead which will ensure the long term preservation of this listed building. Similarly, the new owner of Bryn Awel in Pentre Halkyn is working closely with the C&amp;D officer to ensure that this significantly damaged and neglected grade II Georgian Welsh farmhouse will be repaired and restored to a beneficial residential use. There are a number of other historic buildings which are classified as being 'at risk' where the Conservation and Design officer is negotiating with the owners or their agents to secure appropriate and pragmatic solutions to preserve these important buildings.</p> <p>A new procedure for the designation of Buildings of Local Interest has been drawn up for agreement by the Executive in the near future. Whilst not up to listing standards, there are nevertheless a significant number of locally important buildings which this new procedure aims to protect to prevent their loss to the local scene.</p> <p>In relation to the excellent work being done on the Townscape Heritage Schemes in Holywell and Flint, the longer running of the two schemes in</p> |
|---|--|

|                               |  |
|-------------------------------|--|
|                               | <p>Holywell is due to be completed by the end of September 2012. This represents a significant milestone as it will have completed work on all targeted properties by the end date and will have utilised all of the common fund available. On completion, the project will have enabled the repair, restoration and re-use of a significant number of character buildings in the historic core of the town. Working in partnership with Regeneration colleagues, the THI officer has also been able to promote a further four schemes which will be funded from Rural Development Fund (RDF) money.</p> <p>In Flint, the scheme began slowly as its approval coincided with the economic recession. Despite this, a new four year programme of work has been agreed with the Heritage Lottery Fund, running from September 2011 until September 2015. This will target a common fund of £1.6m on the repair and restoration of 28 target properties in the town. Work is already underway on a block of four properties in Trelawny Square and an application has been received for the Old Sessions house in Church Street, as well as applications for schemes at 24, 52, 54, 56 Church Street, and 9 and 11 Feather Street. A further scheme is expected for work on the Town Hall in the near future.</p> <p>The THI officer is also assisting Regeneration colleagues with advice on the design of RDF funded schemes in Mold High Street.</p> |
| <b>Development Management</b> | <p>The number of planning applications received within Quarter 4(<b>253</b>) is up significantly on Q3 (<b>181</b>) though is down slightly in relation to the corresponding Q4 in 2010/11 (<b>261</b>). The number of planning permissions determined during the quarter (<b>193</b>) does, however, include some significant residential development proposals, some of which merely kept older permissions alive, but others reflect a genuine desire on the part of the development industry to commence or continue building in the new year and the quarter has seen an indication that the house building industry is showing signs of recovery.</p> <p>On an annual basis the returns for Yr. 2011/2012 show that the number of applications received (976) is down on the Yr. 2010/2011 total (992) although the number of applications determined is significantly higher, as is the percentage of applications approved (90.15%).</p> <p>Following Welsh Government's consultation on 'A Strategic Monitoring Framework for the Planning System' during Quarter 4, a new schedule of additional performance indicators is being trialled through the Ffynnon system. These include recording the number of permissions granted subject to s.106 Obligations, those within Flood Risk Areas, number of retrospective applications, etc. Flintshire, along with four other Authorities, has agreed to pilot this new system.</p>            |
| <b>Countryside</b>            | <p>Greenspace strategy - A wider steering group has been formed recognising the cross-Directorate implications of this piece of work. A visioning exercise is being planned for June 2012 for all internal and external stakeholders.</p>  |

Obtained £40 000 from WAG Ecosystem Resilience, Diversity and Compliance Fund in November 2011 for NE Wales Orchard Project in partnership with North Wales Wildlife Trust despite heavy competition with over £22million worth of bids received. The project had to be and was completed by end of March 2012.

Work on SSSI is ongoing and work on the Sect. 15 and 9 grant aid programmes is complete with over £40K drawn in grant aid from CCW.

Pond biodiversity audits completed including 10 ponds at Brookhill GCN mitigation site. The survey confirmed GCN breeding in all 10 ponds plus an exceptional invertebrate assemblage eg 13 species of Dragonflies/Damselflies, 8 species of Molluscs and 22 species of beetle in one pond alone. It confirms the mitigation continues to be successful.

Wildlife Corridor enhancement:- worked with FWAG/BASC to fund 1180m woodland green corridor fencing to support their much larger WFD funded project. Also restored/planted 460m hedgerow and supported the Flintshire Farmers Ploughing Society Hedge laying competition.

All FCC Better Woodlands Wales Contracts are now submitted and ratified by Forestry Commission in December.

Green Infrastructure action plan for the Lower River Dee is complete and will go forward with the Flintshire Coast action plan to Executive for approval.

The final claim for 'Year 5' of All Wales Coastal Improvement Programme was made on budget. The formal opening of the path is on 5<sup>th</sup> May 2012 and Flint was chosen to be the North Wales destination for the national celebration. To coincide with the launch, Flintshire has developed a leaflet and audio trail highlighting what Flintshire has to offer communities and visitors.

The Wepre Park Development Officer has concluded the first stage consultation and a landscape architect has drawn up plans for the old hall garden restoration. The application is on target to be submitted by the end of August 2012.

Halkyn - The Aggregate Levy Sustainability Fund application was successful with £175K of funding granted towards limekiln consolidation and interpretation such as virtual tours and a heritage trail. The CADW application is still awaiting a decision, but CCW and the Grosvenor Estate have confirmed their funding for the next two years and there have been positive discussions with Cadwyn Clwyd for RDP funding.

Key figures:

£582K income generated from a £330K core budget

3854 volunteer hours managed

15 School groups and 718 children on our countryside education programme

|  |  |
|--|--|
| <b>Minerals and Waste Shared Service for North Wales</b> | <p>The Minerals and Waste Planning Service for North Wales commenced with Flintshire as the lead authority on 1st April 2011 and has now been operational for 12 months.</p> <p>The Service has been active in every partner authority area with the exception of Snowdonia National Park. Activity within the minerals aggregates sector remains depressed, however, reviews, changes in legislation, the introduction of legislation derived from the mining waste directive and quarry closures continue to generate planning work.</p> <p>A number of stalled mineral review sites are now being progressed, due in part to legislative changes that were triggered by circumstances in Flintshire. Programmes for prohibition and suspension orders will be drawn up in the next financial year.</p> <p>The Service has secured a 4 year contract for the North Wales Regional Aggregates Working Party from the Welsh Government, and there is the possibility of reviewing the Regional Waste Plan. The Service has provided a detailed consultation response to the Welsh Government's Capacity, Infrastructure and Markets Sector Plan, which is part of the Welsh Government's Zero Waste Strategy, and continues to have direct dialogue to achieve the best policy outcome.</p> <p>The Service has commenced chargeable monitoring and reporting visits across North Wales and Flintshire, with over 30 such visits made during the year, and is also carrying out other non-chargeable activities such as blast monitoring. These exercises will help raise compliance standards at operational quarry and landfill sites, and provide constructive dialogue to remedy any breaches of planning control that may be evident.</p> <p>The Service has also provided support to Denbighshire and Wrexham Planning Policy in preparation for their Examination in Public sessions for their respective Local Development Plans.</p> |
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## 2. Performance Summary

### 2.1 Improvement Plan Monitoring





#### KEYS

**Progress RAG** – Complete the RAG status using the following key: -

|          |   |
|----------|---|
| <b>R</b> | <b>Limited Progress</b> - delay in scheduled activity; not on track                   |
| <b>A</b> | <b>Satisfactory Progress</b> - some delay in scheduled activity, but broadly on track |
| <b>G</b> | <b>Good Progress</b> - activities completed on schedule, on track                     |







**Outcome RAG** – Complete the RAG status using the following key: -

|          |  |
|----------|--|
| <b>R</b> | <b>Low</b> - lower level of confidence in the achievement of outcome(s)            |
| <b>A</b> | <b>Medium</b> - uncertain level of confidence in the achievement of the outcome(s) |
| <b>G</b> | <b>High</b> - full confidence in the achievement of the outcome(s)                 |

| Council Priority  | Target Date | Progress RAG   | Outcome RAG   | Commentary  |
|---|-------------|--|---|-------------|
| <b>6. To protect and grow the local and regional economy, to be a prosperous County and to provide help and support for those vulnerable to poverty</b>   |             |  |   |             |
| 6.1 Adoption of UDP   | 09.11       |  |  | Section 3.1 |
| <b>8. To meet housing need in the County and to work with partners to ensure a sufficient supply of quality and affordable homes and housing services in the social , mixed tenure and private sector housing markets</b> |             |  |   |             |
| 8.6 Implement Section 106 funding policy  | On-going    |  |  | Section 3.1 |

## 2.2 Strategic Assessment of Risks and Challenges (SARC)



The table below summarises the position of SARCs at the end of the reporting period.

| SARC  | Previous RAG Status  | Current RAG Status  | Green Predictive |
|---|--|---|------------------|
| CL08<br>Climate Change and Flood Risk Management  |  |  | TBC              |
| CD03<br>Transition from UDP to LDP<br>Please see 3. 2 for further detail regarding the change in RAG status |  |  | Dec 2011         |
| CD04<br>Planning Protocol   |  |  | Sep 2011         |

### 2.3.1 Performance Indicators and Outcome Measures

The status of the indicators are summarised for the year end below:

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| Indicator   | Current Quarter Target (Q4) | Current Quarter Outturn (Q4) | Previous Annual Outturn | Annual Target | Annual Outturn (2011/ 12) | RAG   | Change e.g. Improved / Downturned |
|---|-----------------------------|------------------------------|-------------------------|---------------|---------------------------|---|-----------------------------------|
| * PLA/003<br>No. of Planning Appeals determined             | 75%                         | 60%                          | 58.33%                  | 75%           | 67.64%                    |  | Improved                          |
| PLA/004a<br>% Major applications determined within 13 weeks | 38%                         | 15.38%                       | 32.76%                  | 38%           | 29.31%                    |  | Downturned                        |

|   |     |         |        |     |               |   |            |
|---|-----|---------|--------|-----|---------------|---|------------|
| * <b>PLA/004b</b><br>% Minor applications determined within 8 weeks     | 65% | 42.31 % | 57.46% | 65% | <b>53.15%</b> |  | Downturned |
| <b>PLA/004c</b><br>% Householder applications determined within 8 weeks | 89% | 89.47%  | 86.76% | 89% | <b>85.85%</b> |  | Downturned |
| <b>PLA/004d</b><br>% Other applications determined within 8 weeks       | 81% | 42.86%  | 72.73% | 80% | <b>77.27%</b> |  | Improved   |
| * <b>PLA/005</b><br>% Enforcement cases resolved within 12 weeks        | 75% | 77.61%  | 52.41% | 75% | <b>73.12%</b> |  | Improved   |

### 2.3.2 Improvement Target Action Plan Monitoring

Key - ✓ on track, ✘ behind schedule, C completed

| Ref      | Action   | Progress |
|----------|--|----------|
| PLA/003  | LEAN review of Appeal procedures completed                             | C        |
|          | Implement recommendations of LEAN review<br><b>See paragraph 3.3.2</b> | ✓        |
|          | Internal Audit of Appeal Process (Brief agreed)                        | ✓        |
| PLA/004b | Performance monitoring on a 'case by case' basis                       | ✓        |
|          | Review delegated scheme/ S106 procedures – partly completed            | C        |
| PLA/005  | LEAN review of Enforcement procedures completed                        | C        |
|          | Implement recommendations of LEAN review – partly completed            | ✓        |

### 2.4 Key Actions from Service Plan Monitoring

The following table shows the progress made against key areas of improvement/actions identified in the Planning service plan. A ✘ indicates those areas which have incurred slippage or have been subject to a revised timetable and references the page number where commentary can be found to further explain the slippage/revised timescales: -

Key - ✓ on track, ✘ behind schedule, C completed

| Improvement Area                                | Progress | Commentary  |
|---|----------|---|
| Implementation of Development Management Manual | ✓        | Ongoing. The manual is a 'live' document, continually adapted to meet legislative and other changes |
| Review of Enforcement Policy and Procedures     | ✘        | See section 3.3   |
| Review of compliance with adopted procedures    | ✓        | See section 3.3   |
| Adoption of UDP                                 | C        | Adopted September 2011  |

|   |   |  |
|---|---|--|
| Implement recommendations from Making the Connections     | C | Now lead authority for N. Wales shared service from April 2011                         |
| Produce and Implement Staff Resource and Development Plan | ✓ |  |
| Monitor Divisional/Directorate Communications Plan        | ✓ |  |
| Develop and implement positive Change Management          | ✓ |  |
| Maintain financial support to Countryside Services        | ✓ | Addressed in Service Review  |
| Develop understanding of and responses to Customer Needs  | ✓ | On-going use of Planning User Groups   |
| Enhancing the role of IT                                  | ✓ | Enforcement team acting as a pilot for Flexible and Mobile Working initiative          |
| Officer/Member relationships                              | ✓ | Greater use of Planning Protocol Working Group and Member/Officer development sessions |
| Define management roles and staff responsibilities        | ✓ | Identified in Service Review   |
| Make decisions in the Public Interest                     | ✓ | All appeals decisions received at Planning Protocol Working Group                      |

## 2.5 Internal & External Regulatory Reports

The following internal or external audit/regulatory work has been completed during the quarter and the outcome of the work can be summarised as follows. Negative outcomes are discussed in more detail in section 3 and page numbers are referenced in the table below.

| Undertaken By  | Title & Date Report Received      | Overall Report Status |
|----------------|-----------------------------------|-----------------------|
| Internal Audit | CD0200P1 – Performance Indicators | ✓                     |

## 3. Exception Reporting

### 3.1 Improvement Plan Monitoring

6.1 – Adoption of UDP – Adopted at Council in September 2011. Commencement Order on Local Development Plan sought from Council in March 2012.

8.6 – Implement Section 106 funding policy – Work in association with other North Wales authorities on S106 work and Community infrastructure Levy has resulted in finalised reports which identified best practice for both methods of securing community benefits. Local Planning Guidance Note on educational contributions accepted by Planning Protocol Working Group in March 2012.

### 3.2 SARC Monitoring



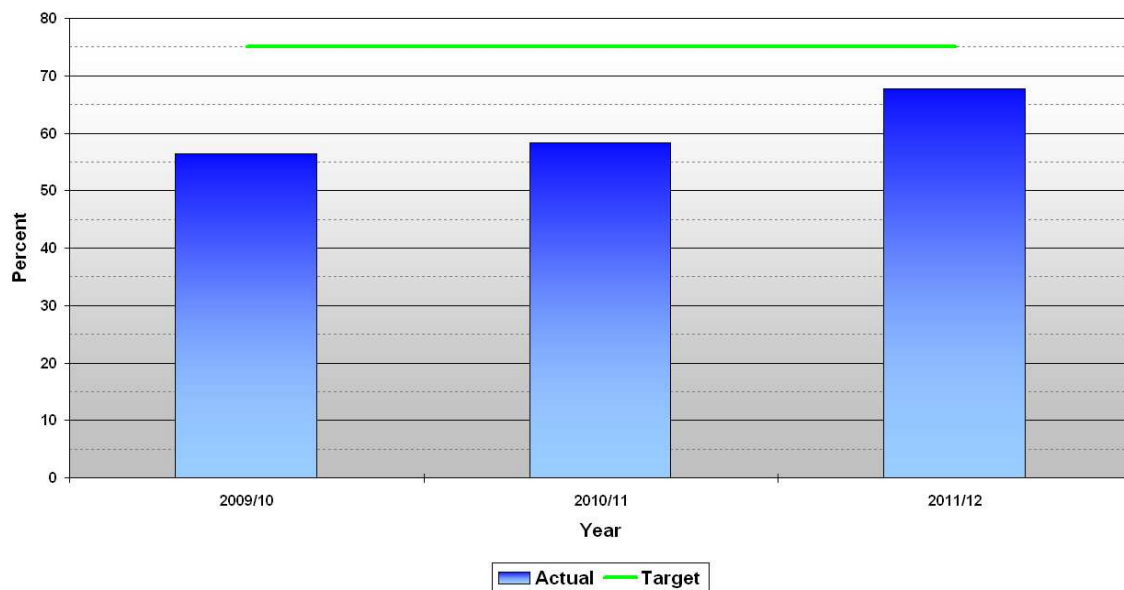
**CD03** - Transition from UDP to LDP is moved from amber to green given the formal adoption of the UDP in October 2011. A Commencement Order for the LDP was sought from Council in March 2012.

### 3.3.1 Improvement Targets

The Planning Service has three **Improvement Targets** for 2011/12: PLA/003 (Planning Appeals upholding the Authority’s decision); PLA/004b (Minor Applications determined within 8 weeks) and PLA/005 (Enforcement cases resolved within 12 weeks). Each of these are addressed below:

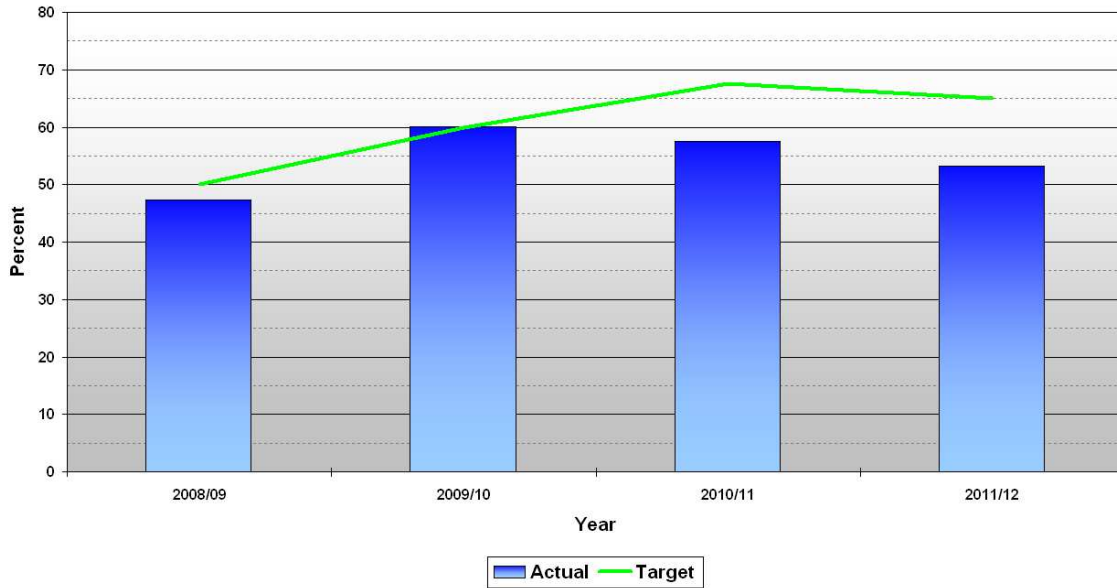
PLA/003 – The Q4 outturn (60%) falls below the target but, following the 100% in Q3, contributes to an annual outturn of **67.64**. (Outturn for 2010/11 was 58.14%) This indicator is sensitive in view of the relatively low numerator/denominator (5 appeal decisions in Q4, 34 throughout the year) and reporting to Planning Protocol Working Group on appeal performance, with analysis of certain appeal decisions, particularly those which follow a contrary officer recommendation, will continue into the new year. The brief for an Audit of the Appeal process has been finalised and this will be completed within Q1 (2012/13). When compared with 2010/11 performance of 58%, this year represents a significant improvement. The current performance take the Authority above the Welsh average for this indicator.

PLA 003 - The percentage of appeals determined that upheld the authority's decision in relation to planning application decisions and enforcement notices



PLA/004b – The Q4 outturn (42.31%) is down on Q3 (57%) and Q2 (58.77%), contributing to an annual outturn of **53.27**%. (Outturn for 2010/11 was 57.21%). This falls well short of the revised target of 65%. Apart from the increased emphasis on negotiating quality which is difficult to quantify, there are a number of reasons why decisions on the minor applications go beyond the 8 weeks. These include the number of applications needing to be reported to the Committee meetings for reasons which include the need for Section 106 Agreements to cover affordability of housing (under Policies HSG 3 and HSG 5). In the longer term, the introduction of a more robust system of pre-application advice (with charges) will allow any planning issues to be dealt with prior to the submission of applications in some cases. We will also be seeking to streamline the procedures involved with legal agreements, again to reduce delays currently involved with these.

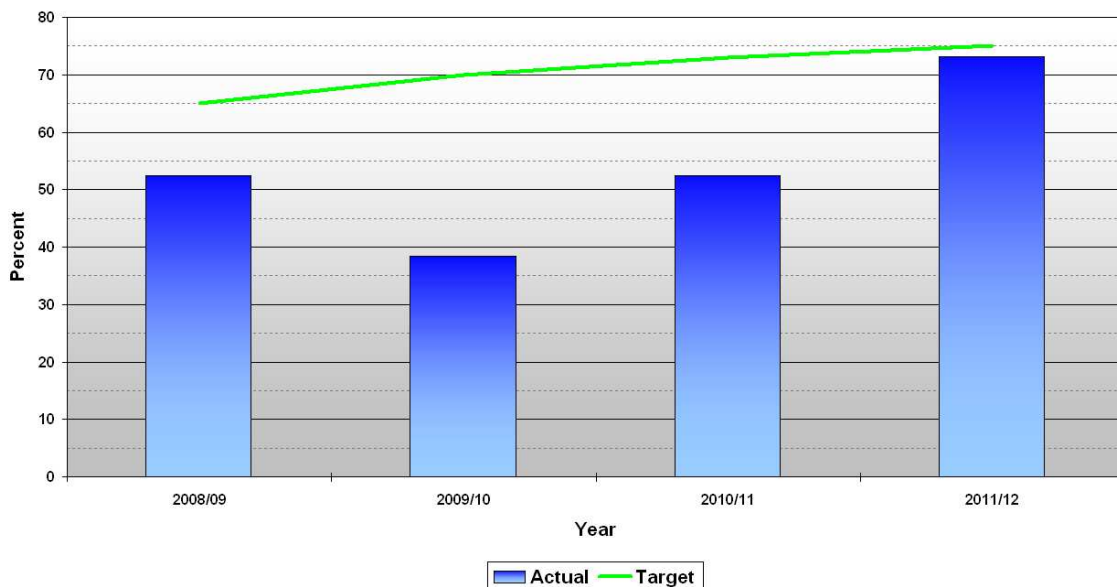
PLA A - PLA 004b - The percentage of minor planning applications determined during the year within 8 weeks



This clearly remains an Improvement target and performance will continue to be monitored, on a case by case basis where necessary, to ensure that negotiations on development proposals are carried out in accordance with procedures set out in the Procedure Manual, and to challenge with local members the need for committee determination of applications, where appropriate. However, we must not lose sight of the role of negotiation in improving the quality of development, even if this means that certain decisions go beyond the 8 weeks.

PLA/005 – Target exceeded for Q4 (Green RAG status) and the annual outturn (**74.23%**) is again above target. (Outturn for 2010/11 was 52.41%). This represents a significant improvement on previous years and is a reflection of the greater staffing resource available to this team. The enforcement has been actively involved in implementing the recommendations of the Section 106 audit and has completed their work on the Buckley area. A programme for further areas was agreed at Planning Protocol Working Group in March 2012.

A - PLA 005 - The percentage of enforcement cases resolved during the year within 12 weeks of receipt



### **Of the remaining indicators (other than Improvement Targets):**

PLA/004a – The poor Q4 outturn (15.38%, comprised of 13 applications, 2 determined within the 13 week period) drags down the annual return (**29.31%**), which falls below target. This category includes the most significant development proposals and it is important to achieve the right development, through negotiation and amendment, and a positive decision, rather than a timely one, is far more important to most developers.

PLA/004c –The annual outturn (**85.85%**) falls below the target, comparing with 86.49% for year 2010/11. However, the Q4 outturn at 89.47% shows a marked improvement and this trend needs to be continued into the next quarter and beyond.

PLA/004d – The Q4 outturn (42.86%) drags down the annual return (**76.12%**). This compares with a 2010/11 outturn of 68.52% and although the target is missed this category includes a range of application types and the return within any particular period can be unduly influenced by this factor.

### **3.3.2 Improvement Target Action Plan Monitoring**

Implement recommendations of LEAN review in line with the Service Review implementation.

### **3.3 Key Actions from Service Plan Monitoring**

The robustness of the Enforcement procedures have been tested through the LEAN report (referred to in section 2.3.2) and compliance with them through the Audit report (referred to in section 2.5). It will be noted, however, that performance against the Improvement Target (PLA/005 –cases closed within 12 weeks) continues to improve and now exceeds the target.

With regard to Enforcement policy, aspects of this are being reviewed through reporting to Planning Protocol Working Group and Environment Overview & Scrutiny Committee on 'Advertisements on the Highway', which involves a working group comprised of Planning, Highways and Regeneration officers. A similar review of the enforcement role in relation to Listed Buildings and Conservation Areas is also being undertaken within the Planning Service.

The Development Management Manual (formerly DC Manual) is subject to continual review to reflect evolving procedure and changes emanating from Government policy and/or new legislation.