

DENBIGHSHIRE LOCAL PLANNING AUTHORITY (LPA)

PLANNING ANNUAL PERFORMANCE REPORT – 2017-2018

PREFACE



Councillor Brian Jones is the Lead Member for ‘Highways, Planning and Sustainable Travel’ in Denbighshire.

Councillor Jones welcomes the principle of all Welsh authorities producing such a report, which demonstrates to the public how planning authorities are performing against identified indicators and targets.

Councillor Jones endorses the contents of this report and is satisfied that ‘planning services’ in Denbighshire is performing at a good level.

Denbighshire’s Local Development Plan (LDP)

The LDP provides guidelines as to what can be built and where throughout the County over a 15 year period. Each Council in Wales is required to produce a Local Development Plan (LDP) for its area. The LDP determines where new development will take place, taking into account amongst others, the need for:

- Employment land
- Housing
- Shops
- Leisure facilities
- Safeguarding our unique environment

The Denbighshire LDP was adopted by the County Council on 4th June 2013 and covers the period 2006 – 2021. The LDP’s vision is ...

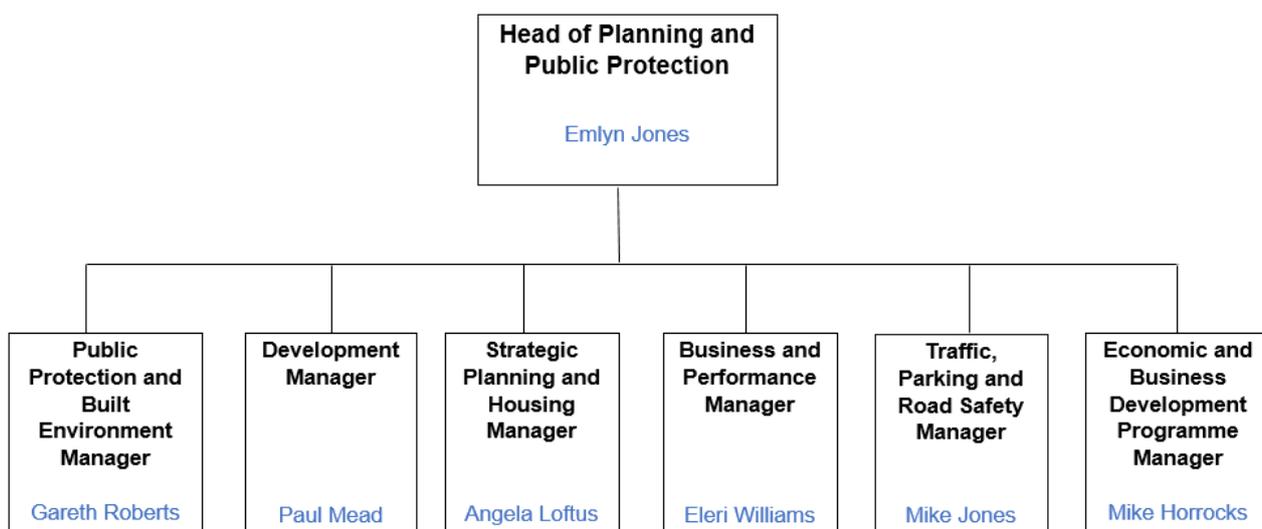
That Denbighshire, through sustainable development, will have a vibrant urban coast, with thriving market towns and rural areas. The housing and employment needs of the County will be met, the high quality environment protected and enhanced and a high quality of life maintained for all communities with full recognition that we have a strong Welsh language and culture that should be maintained and protected throughout the County. Across the County the high quality environment will continue to have been protected and enhanced through directing development.

The [Local Development Plan](#) is published on Denbighshire’s website. Denbighshire has commence reviewing the LDP. The LDP Review Report and Draft Delivery Agreement for the Replacement LDP were both approved by Council in December 2017 and submitted to Welsh Government. Further [information is available](#) on the website.

PLANNING SERVICE

Planning and Public Protection Service in Denbighshire is divided into seven sections; two of which carry out 'planning service' functions:

1. The **Development Management team** is based in Caledfryn in Denbigh. They are responsible for handling planning applications, planning appeals, breaches of planning control investigations and some thousands of general enquiries each year. A Planning Committee is run on a monthly basis in County Hall in Ruthin.
2. The **Strategic Planning and Housing team** is based in Caledfryn in Denbigh. They are responsible for developing a planning policy framework for the County, primarily through the emerging Local Development Plan and the range of supplementary planning guidance and individual site development briefs which provide more detailed planning guidance. Together these form the basis for making planning decisions.



Planning and Public Protection Management Structure

The 'planning service' function is staffed by 19 officers, some of which work part time and is therefore equivalent to 17.4 full time employee (FTE), as shown below:

Development Management	Officers	FTE
Development Manager	1	1
Principal Planning Officers	2	1.8
Planning Officers	4	3.8
Compliance Officers	1	1
Planning Support Officers	5	4.9
	13	12.5

Strategic Planning and Housing	Officers	FTE
Strategic Planning and Housing Manager	1	1
Planning Policy Officers	4	2.9
Admin Officer	1	1
	6	4.9
Total	19	17.4

SERVICE PRIORITIES

Planning and Public Protection Service in Denbighshire has four priorities / outcomes:

1. Contribute to providing a connected, attractive, safe and healthy environment for the wellbeing of residents, visitors, young people and businesses alike
2. The housing market in Denbighshire will offer a range of types and forms of housing, in sufficient quantity and quality, to meet the needs of individuals and families
3. Businesses will be effectively supported and regulated, to ensure a fair trading environment and we will support those who want to invest in the county to enable them to grow
4. Planning and Public Protection is efficient and well-managed

The 'planning service' contributes to the delivery of all four outcomes.

YOUR LOCAL STORY

This report shows detailed information about:

- What service users think; and
- Our performance in 2017-18

WHAT SERVICE USERS THINK

In 2017-18 we conducted a customer satisfaction survey aimed at assessing the views of people that had received a planning application decision during the year.

The survey was sent to 385 people, 17% of whom submitted a whole or partial response. The majority of responses (43%) were from members of the public. 17% of respondents had their most recent planning application refused.

We asked respondents whether they agreed or disagreed with a series of statements about the planning service. They were given the following answer options:

- Strongly agree;
- Tend to agree;
- Neither agree nor disagree;
- Tend to disagree; and
- Strongly disagree.

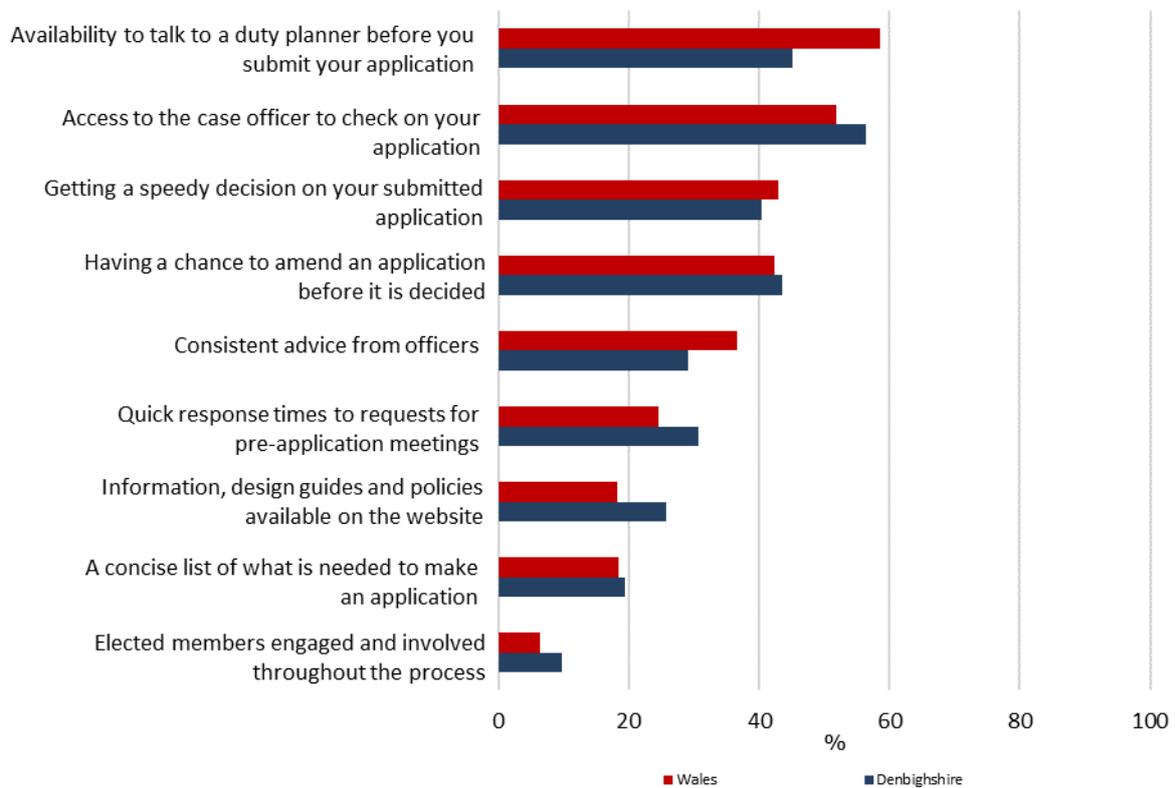
Table 1 shows the percentage of respondents that selected either 'tend to agree' or 'strongly agree' for each statement for both our planning authority and Wales.

Table 1: Percentage of respondents who agreed with each statement, 2017-18

Respondents who agreed that:	Denbighshire LPA %	Wales %
The LPA applies its planning rules fairly and consistently	52	55
The LPA gave good advice to help them make a successful application	54	60
The LPA gives help throughout, including with conditions	41	52
The LPA responded promptly when they had questions	55	62
They were listened to about their application	57	60
They were kept informed about their application	44	52
They were satisfied overall with how the LPA handled their application	63	63

We also asked respondents to select three planning service characteristics from a list that they thought would most help them achieve successful developments. Figure 1 shows the percentage of respondents that chose each characteristic as one of their three selections. For us, 'having access to the case officer to check on applications' was the most popular choice.

Figure 1: Characteristics of a good planning service, 2017-18



Comments received include:

- “Planners and staff were very helpful and gave excellent advice.”
- “The whole process was made easier than I thought due to the professional way the officials did their jobs.”
- "Perhaps the planning officers could set or enforce targets on consultee responses, as it seemed to be delays in obtaining feedback from consultation that held the planning department up during the process. Also perhaps better clarity on the wording of some planning conditions, as sometimes the wording was ambiguous and required further discussions with the planning officer to find out what was required in order to discharge the conditions. This is probably not specific to Denbighshire County Council LPA.”

OUR PERFORMANCE 2017-18

This section details our performance in 2017-18. It considers both the Planning Performance Framework indicators and other available data to help paint a comprehensive picture of performance. Where appropriate we make comparisons between our performance and the all Wales picture.

Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:

- Plan making;
- Efficiency;
- Quality;
- Engagement; and
- Enforcement.

Plan making

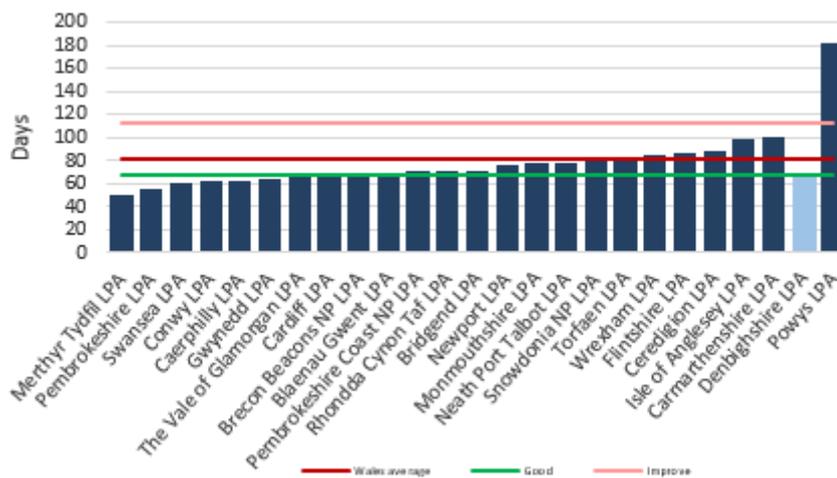
As at 31 March 2018, we were one of 22 LPAs that had a current development plan in place. We are required to submit an Annual Monitoring Report in October 2018. This document has been prepared.

During the APR period we had 1.8 years of housing land supply identified, making us one of 18 Welsh LPAs without the required 5 years supply.

Efficiency

In 2017-18 we determined 916 planning applications, each taking, on average, 69 days (10 weeks) to determine. This compares to an average of 81 days (12 weeks) across Wales. Figure 2 shows the average time taken by each LPA to determine an application during the year.

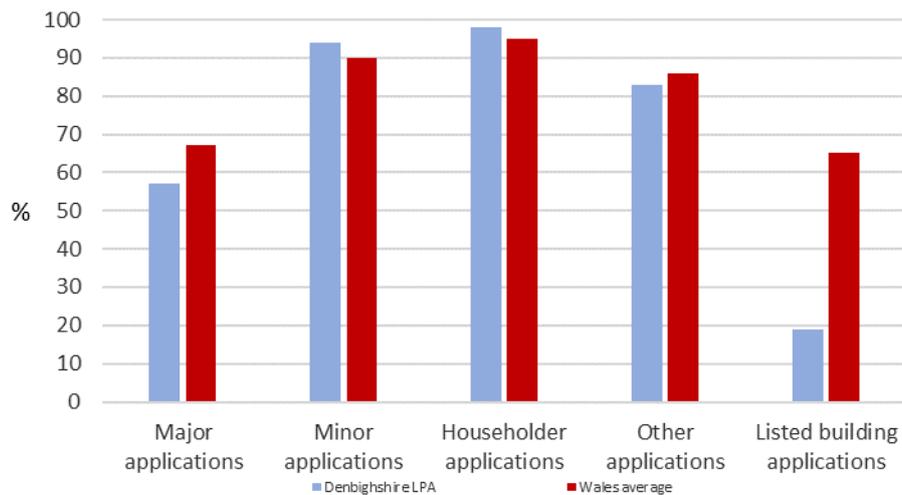
Figure 2: Average time taken (days) to determine applications, 2017-18



90% of all planning applications were determined within the required timescales. This compared to 89% across Wales and we were one of 22 LPAs that had reached the 80% target.

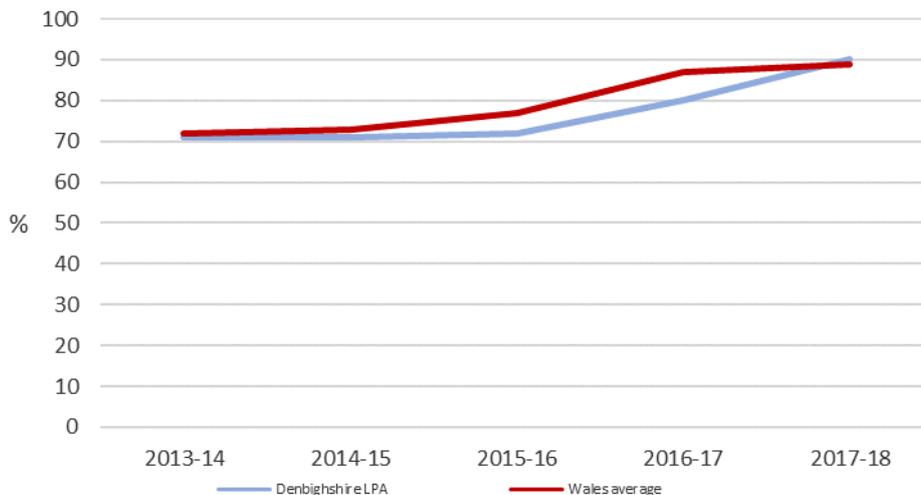
Figure 3 shows the percentage of planning applications determined within the required timescales across the main types of application for our LPA and Wales. It shows that we determined 98% of householder applications within the required timescales. We also determined 19% of Listed Building Consent applications within the required timescales.

Figure 3: Percentage of planning applications determined within the required timescales, by type, 2017-18



Between 2016-17 and 2017-18, as Figure 4 shows, the percentage of planning applications we determined within the required timescales increased from 80%. Wales also saw an increase this year.

Figure 4: Percentage of planning applications determined within the required timescales



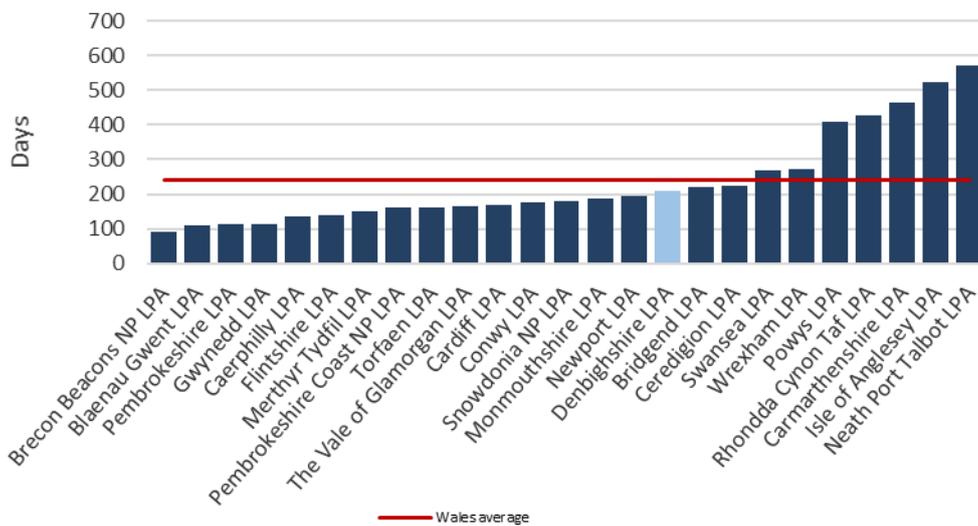
Over the same period:

- The number of applications we received decreased;
- The number of applications we determined increased; and
- The number of applications we approved increased.

Major applications

We determined 14 major planning applications in 2017-18, none of which were subject to an EIA. Each application took, on average, 210 days (30 weeks) to determine. As Figure 5 shows, this was shorter than the Wales average of 240 days (34 weeks).

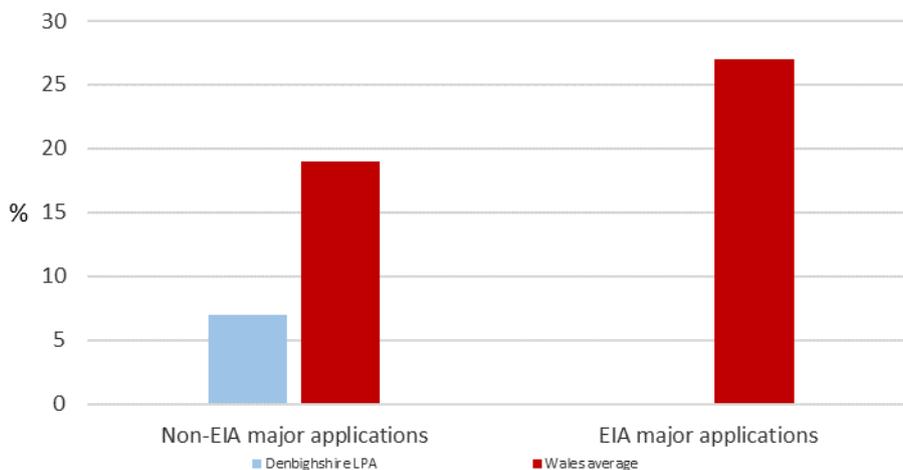
Figure 5: Average time (days) taken to determine a major application, 2017-18



57% of these major applications were determined within the required timescales, compared to 69% across Wales.

Figure 6 shows the percentage of major applications determined within the required timescales by the type of major application. 7% of our ‘standard’ major applications i.e. those not requiring an EIA, were determined within the required timescales during the year.

Figure 6: Percentage of Major applications determined within the required timescales during the year, by type, 2017-18

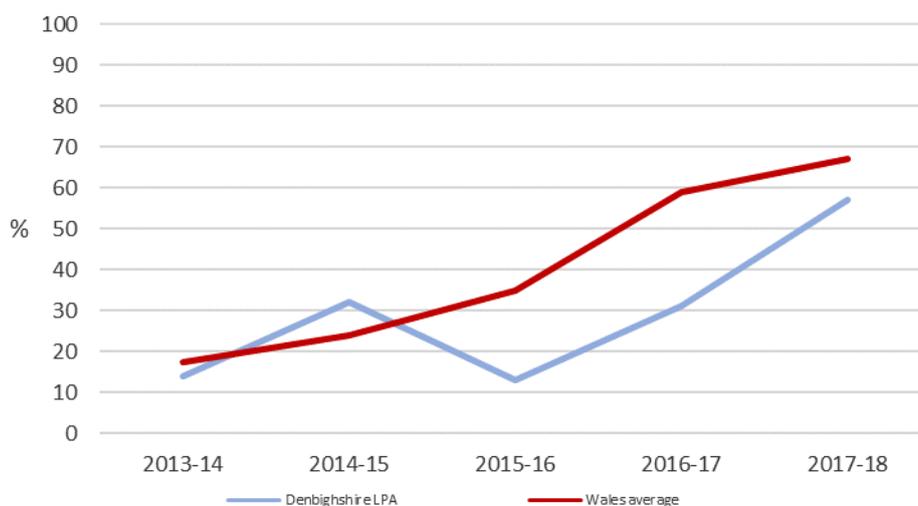


In addition we determined 7 major applications that were subject to a PPA in the required timescales during the year.

Since 2016-17 the percentage of major applications determined within the required timescales had increased from 31%. In contrast, the number of major applications determined decreased as had the number of applications subject to an EIA determined during the year.

Figure 7 shows the trend in the percentage of major planning applications determined within the required timescales in recent years and how this compares to Wales.

Figure 7: Percentage of major planning applications determined within the required timescales



Over the same period:

- The percentage of minor applications determined within the required timescales increased from 89% to 94%;
- The percentage of householder applications determined within the required timescales increased from 94% to 98%; and
- The percentage of other applications determined within required timescales increased from 68% to 83%.

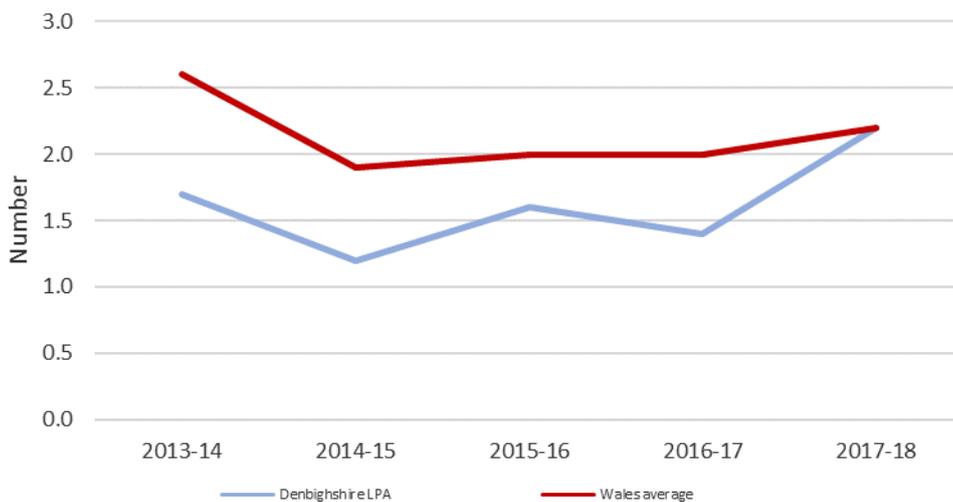
Quality

In 2017-18, our Planning Committee made 71 planning application decisions during the year, which equated to 8% of all planning applications determined. Across Wales 7% of all planning application decisions were made by planning committee.

11% of these member-made decisions went against officer advice. This compared to 9% of member-made decisions across Wales. This equated to 0.9% of all planning application decisions going against officer advice; 0.6% across Wales.

In 2017-18 we received 20 appeals against our planning decisions, which equated to 2.2 appeals for every 100 applications received. Across Wales 2.2 appeals were received for every 100 applications. Figure 8 shows how the volume of appeals received has changed since 2016-17 and how this compares to Wales.

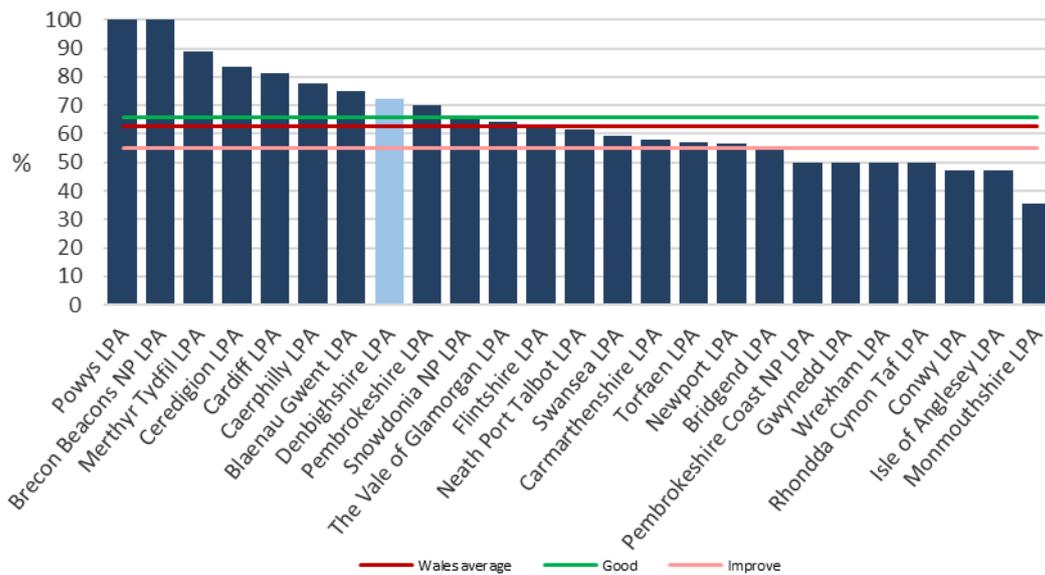
Figure 8: Number of appeals received per 100 planning applications



Over the same period the percentage of planning applications approved increased from 70% to 72%.

Of the 18 appeals that were decided during the year, 72% were dismissed. As Figure 9 shows, this was higher than the percentage of appeals dismissed across Wales as a whole and we were one of 10 LPAs that reached the 66% target.

Figure 9: Percentage of appeals dismissed, 2017-18



During 2017-18 we had 2 applications for costs at a section 78 appeal upheld, making us one of the 8 LPAs to have at least one such application upheld in the year.

Engagement

We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee; and
- one of 21 LPAs that had an online register of planning applications.

As Table 2 shows, 54% of respondents to our 2017-18 customer survey agreed that the LPA gave good advice to help them make a successful application.

Table 2: Feedback from our 2017-18 customer survey

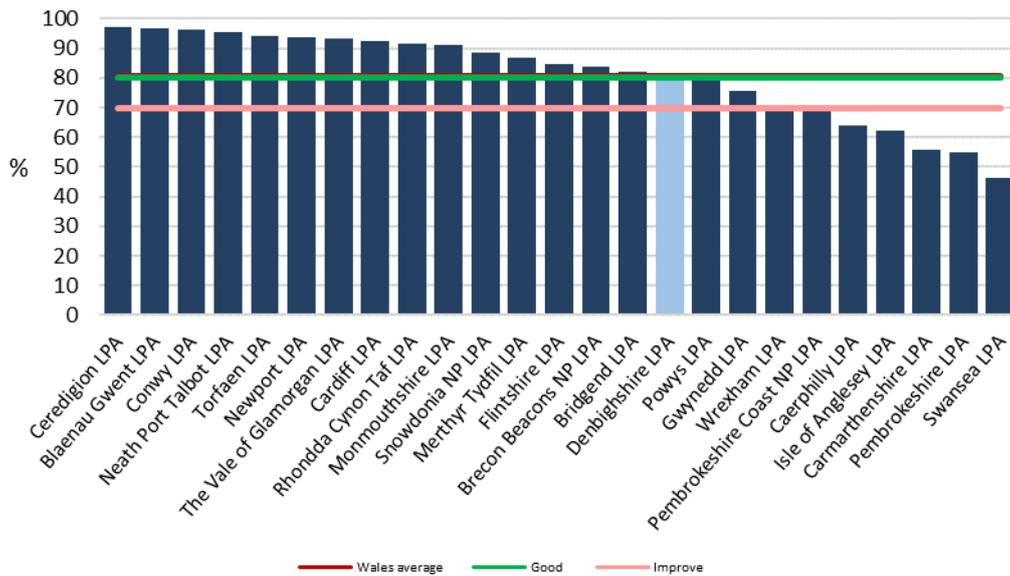
Respondents who agreed that:	Denbighshire LPA %	Wales %
The LPA gave good advice to help them make a successful application	54	60
They were listened to about their application	57	60

Enforcement

In 2017-18 we investigated 144 enforcement cases, which equated to 1.5 per 1,000 population. This compared to 2.0 enforcement cases investigated per 1,000 population across Wales.

We investigated 81% of these enforcement cases within 84 days. Across Wales 81% were investigated within 84 days. Figure 10 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

Figure 10: Percentage of enforcement cases investigated within 84 days, 2017-18



ANNEX A - PERFORMANCE FRAMEWORK

OVERVIEW

MEASURE	GOOD	FAIR	IMPROVE
Plan making			
Is there a current Development Plan in place that is within the plan period?	Yes		No
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+
Annual Monitoring Reports produced following LDP adoption	Yes		No
The local planning authority's current housing land supply in years	>5		<5
Efficiency			
Percentage of "major" applications determined within time periods required	>60	50-59.9	<50
Average time taken to determine "major" applications in days	Not set	Not set	Not set
Percentage of all applications determined within time periods required	>80	70-79.9	<70
Average time taken to determine all applications in days	<67	67-111	112+
Percentage of Listed Building Consent applications determined within time periods required	Not set	Not set	Not set
Quality			
Percentage of Member made decisions against officer advice	<5	5-9	9+
Percentage of appeals dismissed	>66	55-65.9	<55
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+
Engagement			
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No

WALES AVERAGE	Denbighshire LPA LAST YEAR	Denbighshire LPA THIS YEAR
Yes	Yes	Yes
67	N/A	N/A
Yes	Yes	Yes
7 of 25	2	1.8
67.4	31	57
240.1	230	210
88.5	80	90
80.7	68	69
65.4	-	19
8.6	12	11
62.6	60	72
0	2	2
Yes	Yes	Yes

MEASURE	GOOD	FAIR	IMPROVE
Does the local planning authority have an officer on duty to provide advice to members of the public?	Yes		No
Does the local planning authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No
Enforcement			
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	>80	70-79.9	<70
Average time taken to take positive enforcement action	Not set	Not set	Not set

WALES AVERAGE	Denbighshire LPA LAST YEAR	Denbighshire LPA THIS YEAR
Yes	Yes	Yes
Yes	Yes	Yes
80.6	96	81
184.6	124	No Data

SECTION 1 – PLAN MAKING

Indicator	01. Is there a current Development Plan in place that is within the plan period?	
“Good”	“Fair”	“Improvement needed”
A development plan (LDP or UDP) is in place and within the plan period	N/A	No development plan is in place (including where the plan has expired)
Authority’s performance	Yes	
The Denbighshire LDP was adopted by the County Council on 4th June 2013		

Indicator	02. LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	
“Good”	“Fair”	“Improvement needed”
The LDP is being progressed within 12 months of the dates specified in the original Delivery Agreement	The LDP is being progressed within between 12 and 18 months of the dates specified in the original Delivery Agreement	The LDP is being progressed more than 18 months later than the dates specified in the original Delivery Agreement
Authority’s performance	Not applicable	

Indicator	03. Annual Monitoring Reports produced following LDP adoption	
“Good”		“Improvement needed”
An AMR is due, and has been prepared		An AMR is due, and has not been prepared
Authority’s performance	Yes	

Indicator	04. The local planning authority's current housing land supply in years	
“Good”		“Improvement needed”
The authority has a housing land supply of more than 5 years		The authority has a housing land supply of less than 5 years
Authority’s performance	1.8	
This is based on the residual rates method set out in TAN 1		

SECTION 2 - EFFICIENCY

Indicator	05. Percentage of "major" applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 60% of applications are determined within the statutory time period	Between 50% and 60% of applications are determined within the statutory time period	Less than 50% of applications are determined within the statutory time period
Authority's performance	57	

Indicator	06. Average time taken to determine "major" applications in days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked
Authority's performance	210	

Indicator	07. Percentage of all applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 80% of applications are determined within the statutory time period	Between 70% and 80% of applications are determined within the statutory time period	Less than 70% of applications are determined within the statutory time period
Authority's performance	90	

Indicator	08. Average time taken to determine all applications in days	
"Good"	"Fair"	"Improvement needed"
Less than 67 days	Between 67 and 111 days	112 days or more
Authority's performance	69	

Indicator	08a. Percentage of Listed Building Consent applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked
Authority's performance	19	

SECTION 3 - QUALITY

Indicator	09. Percentage of Member made decisions against officer advice	
"Good"	"Fair"	"Improvement needed"
Less than 5% of decisions	Between 5% and 9% of decisions	9% or more of decisions
Authority's performance	11	
71 decisions were made by Members, 8 of which were against officer's advice		

Indicator	10. Percentage of appeals dismissed	
"Good"	"Fair"	"Improvement needed"
More than 66% (two thirds) of planning decisions are successfully defended at appeal	Between 55% and 66% of planning decisions are successfully defended at appeal	Less than 55% of planning decisions are successfully defended at appeal
Authority's performance	72	
13 out of 18 appeals were dismissed		

Indicator	11. Applications for costs at Section 78 appeal upheld in the reporting period	
"Good"	"Fair"	"Improvement needed"
The authority has not had costs awarded against it at appeal	The authority has had costs awarded against it in one appeal case	The authority has had costs awarded against it in two or more appeal cases
Authority's performance	2	

SECTION 4 – ENGAGEMENT

Indicator	12. Does the local planning authority allow members of the public to address the Planning Committee?	
“Good”		“Improvement needed”
Members of the public are able to address the Planning Committee		Members of the public are not able to address the Planning Committee
Authority’s performance	Yes	
Our Planning Committees can also be viewed on webcast		

Indicator	13. Does the local planning authority have an officer on duty to provide advice to members of the public?	
“Good”		“Improvement needed”
Members of the public can seek advice from a duty planning officer		There is no duty planning officer available
Authority’s performance	Yes	

Indicator	14. Does the local planning authority’s web site have an online register of planning applications, which members of the public can access track their progress (and view their content)?	
“Good”	“Fair”	“Improvement needed”
All documents are available online	Only the planning application details are available online, and access to other documents must be sought directly	No planning application information is published online
Authority’s performance	Yes	

SECTION 5 – ENFORCEMENT

Indicator	15. Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	
"Good"	"Fair"	"Improvement needed"
More than 80% of enforcement cases are investigated in 84 days	Between 70% and 80% of enforcement cases are investigated in 84 days	Less than 70% of enforcement cases are investigated in 84 days
Authority's performance	81	
117 out of 144 cases investigated within 84 days		

Indicator	16. Average time taken to take positive enforcement action	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked
Authority's performance	No Data	
Due to changes in definition against this indicator, our technology systems needed to be changed. Data will be reported on for 2018/19.		

SECTION 6 – SUSTAINABLE DEVELOPMENT INDICATORS

The purpose of the Sustainable Development Indicators is to measure the contribution the planning system makes to sustainable development in Wales. The Sustainable Development Indicators will be used to measure the progress against national planning sustainability objectives, set out in Planning Policy Wales, and can be used to demonstrate to our stakeholders the role and scope of the planning system in delivering wider objectives. The information will also be useful to local planning authorities to understand more about the outcomes of the planning system and help inform future decisions.

Indicator	SD1. The floorspace (square metres) granted and refused planning permission for new economic development on allocated employment sites during the year.
Granted (square metres)	
Authority's data	14,248
Refused (square metres)	
Authority's data	0

Indicator	SD2. Planning permission granted for renewable and low carbon energy development during the year.
Granted permission (number of applications)	
Authority's data	1
Granted permission (MW energy generation)	
Authority's data	1

Indicator	SD3. The number of dwellings granted planning permission during the year.
Market housing (number of units)	
Authority's data	201
Affordable housing (number of units)	
Authority's data	37

Indicator	SD4. Planning permission granted and refused for development in C1 and C2 floodplain areas during the year.
Number of residential units (and also hectares of non-residential units) which were GRANTED permission	
Authority's data	18
Number of residential units (and also hectares of non-residential units) which were REFUSED permission on flood risk grounds	
Authority's data	0

Indicator	SD5. The area of land (ha) granted planning permission for new development on previously developed land and greenfield land during the year.
Previously developed land (hectares)	
Authority's data	4
Greenfield land (hectares)	
Authority's data	7

Indicator	SD6. The area of public open space (ha) that would be lost and gained as a result of development granted planning permission during the quarter.
Open space lost (hectares)	
Authority's data	0
Open space gained (hectares)	
Authority's data	0

Indicator	SD7. The total financial contributions (£) agreed from new development granted planning permission during the quarter for the provision of community infrastructure.
Gained via Section 106 agreements (£)	
Authority's data	170,925
Gained via Community Infrastructure Levy (£)	
Authority's data	0