

Denbighshire Local Planning Authority (LPA)

PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2015-2016

PREFACE



Councillor David Smith is the Lead Member for 'Public Realm' and holds the portfolio for Planning and Public Protection Services in Denbighshire.

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

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

CONTEXT

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.

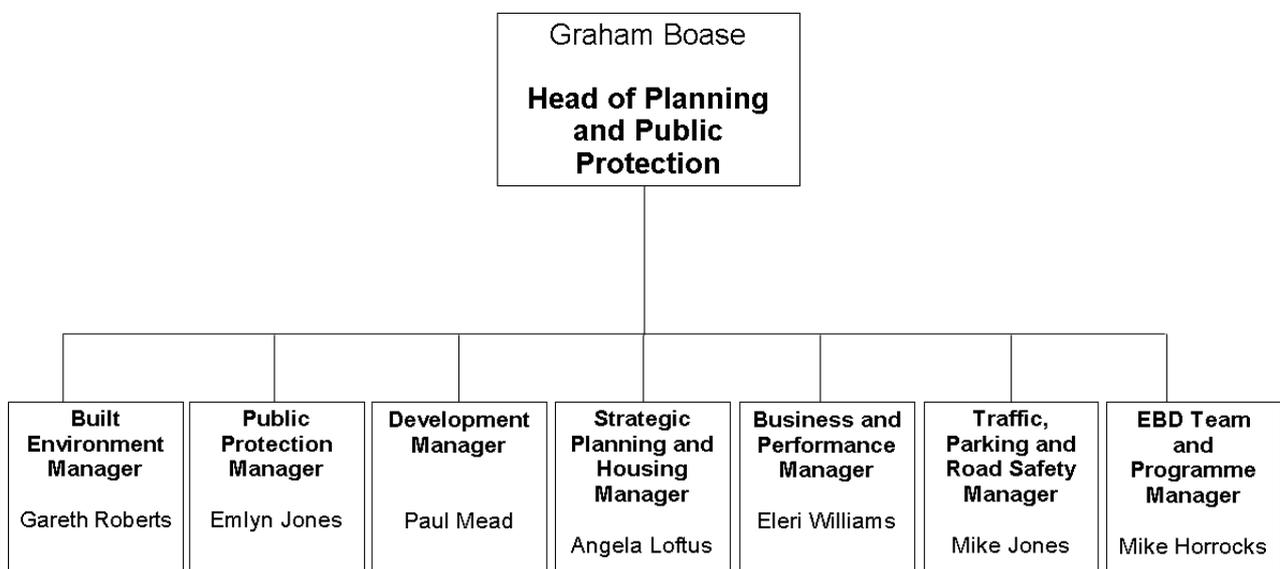
The Local Development Plan is published on Denbighshire’s website >>>

<http://www.denbighldp.co.uk/Webfiles/Adoption/Adopted%20LDP%20text%20english.pdf>

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
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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
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Total	19	17.4

Service Priorities:

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

1. Contribute to providing an attractive, safe and healthy environment for the wellbeing of residents and visitors 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 supported and regulated, to ensure a fair trading environment and we will support those who want to invest in the county
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 2015/16

WHAT SERVICE USERS THINK

In 2015-16 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 344 people, 9% of whom submitted a whole or partial response. The majority of responses (48%) were from local agents. 36% were from members of the public. 19% 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.

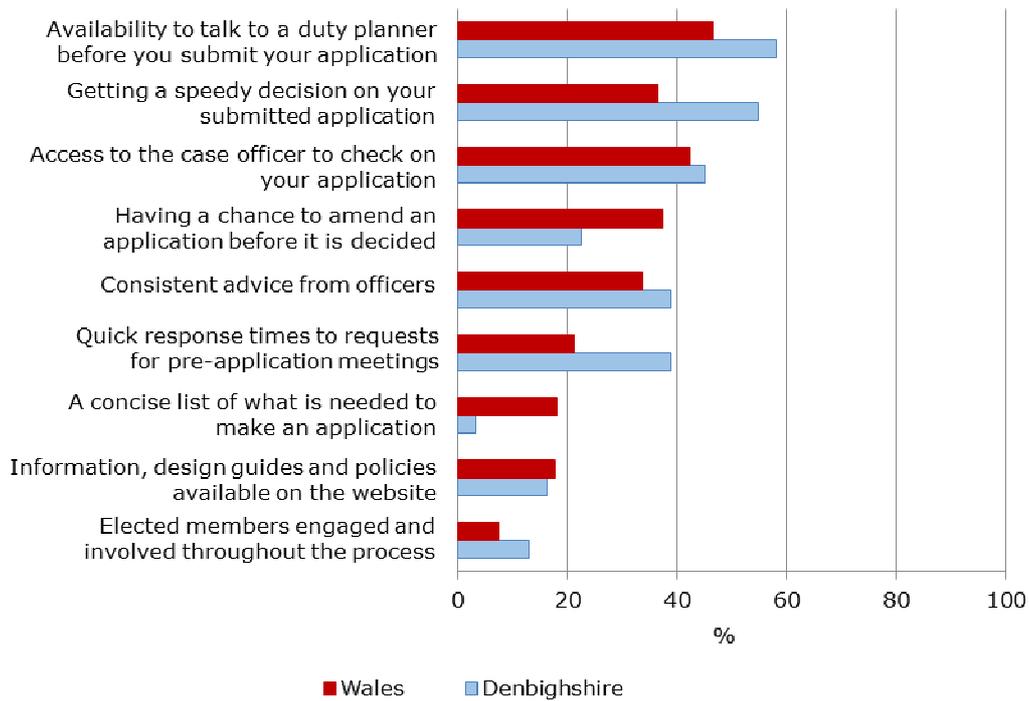
Table 1 shows the percentage of respondents that selected either 'tend to agree' or 'strongly agree' for each statement for both our planning authority and Wales.

Table 1: Percentage of respondents who agreed with each statement, 2015-16

Percentage of respondents who agreed that:	%	
	Denbighshire LPA	Wales
The LPA enforces its planning rules fairly and consistently	29	47
The LPA gave good advice to help them make a successful application	30	58
The LPA gives help throughout, including with conditions	34	49
The LPA responded promptly when they had questions	33	58
They were listened to about their application	35	57
They were kept informed about their application	30	49
They were satisfied overall with how the LPA handled their application	37	61

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 how often each characteristic was selected as a percentage of the total number of selections. For us, 'the availability to talk to a duty planner before submitting an application' was the most popular choice.

Figure 1: Characteristics of a good planning service, Denbighshire LPA, 2015-16



Comments received include:

- A high quality LPA that provides excellent advice & service to a consistently high standard. The Authority is also willing to engage with Applicants and their Agents during an application to allow adjustments to be made to schemes to achieve the right outcome, which is better than the alternative approach of forcing withdrawals or refusing on resolvable concerns.
- All planning departments are under strength and subsequently time limited on each project
- The Planning Officer was clearly interested in helping achieve a successful outcome for both the client and the local environment, he was easy to deal with and professional throughout

OUR PERFORMANCE 2015-16

This section details our performance in 2015-16. 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

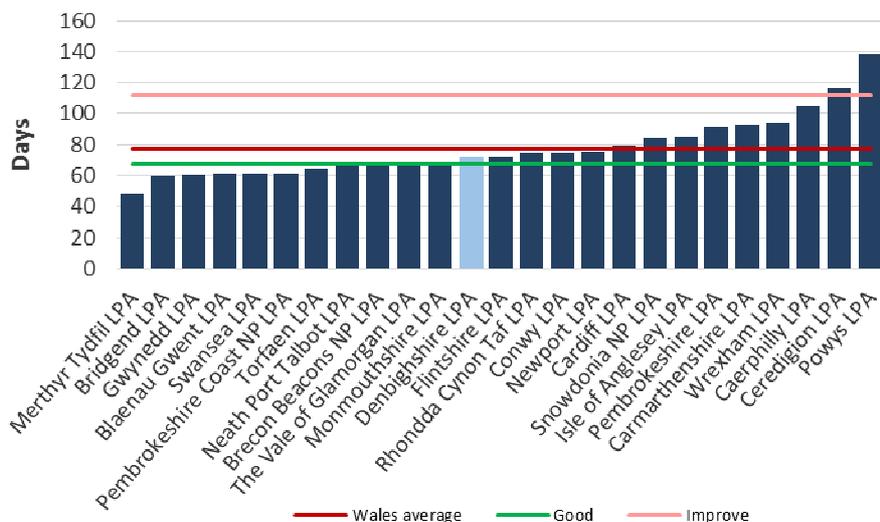
As at 31 March 2016, we were one of 22 LPAs that had a current development plan in place. We are required to submit an Annual Monitoring Report in October 2016. This document has been prepared.

During the APR period we had 2.1 years of housing land supply identified, making us one of 17 Welsh LPAs without the required 5 years supply.

Efficiency

In 2015-16 we determined 901 planning applications, each taking, on average, 72 days (10 weeks) to determine. This compares to an average of 77 days (11 weeks) across Wales. Figure 2 shows the average time taken by each LPA to determine an application during the year.

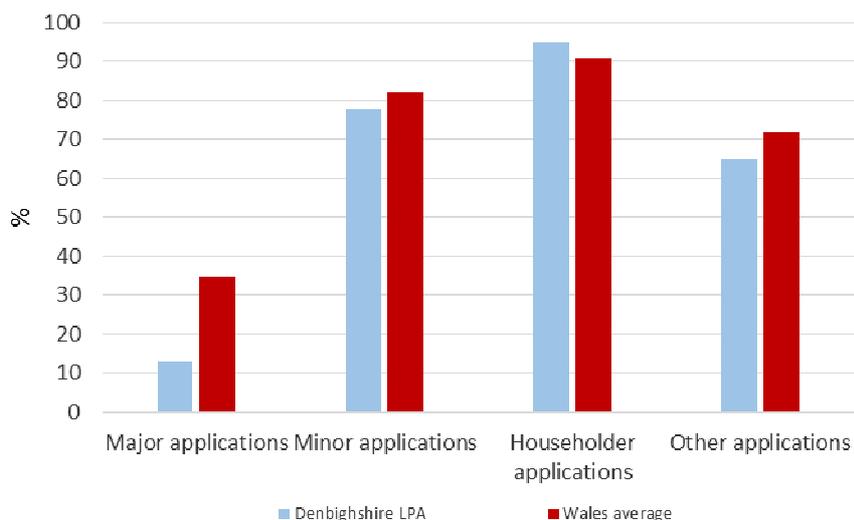
Figure 2: Average time taken (days) to determine applications, 2015-16



72% of all planning applications were determined within the required timescales. This compared to 77% across Wales and was below the 80% target. Only 8 out of 25 LPAs met the 80% target.

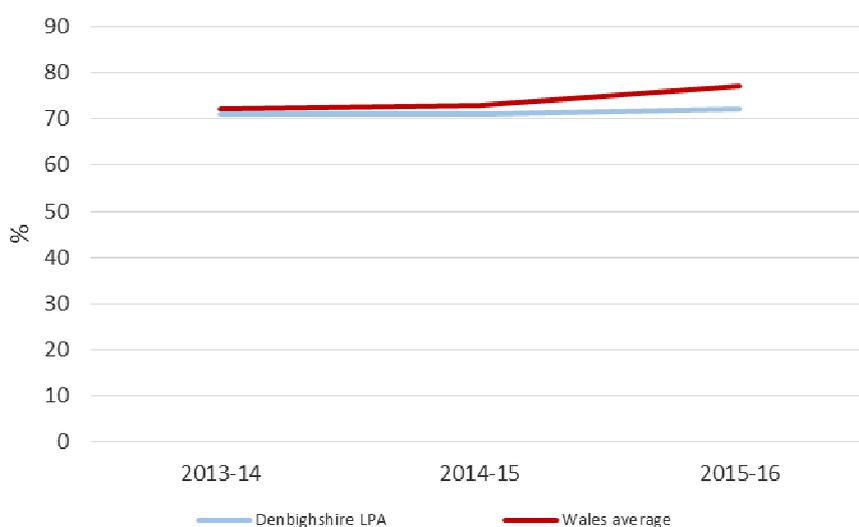
Figure 3 shows the percentage of planning applications determined within the required timescales across the four main types of application for our LPA and Wales. It shows that we determined 95% of householder applications within the required timescales.

Figure 3: Percentage of planning applications determined within the required timescales, by type, 2015-16



Between 2014-15 and 2015-16, as Figure 4 shows, the percentage of planning applications we determined within the required timescales increased from 71%. Wales also saw an increase this year.

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



Over the same period:

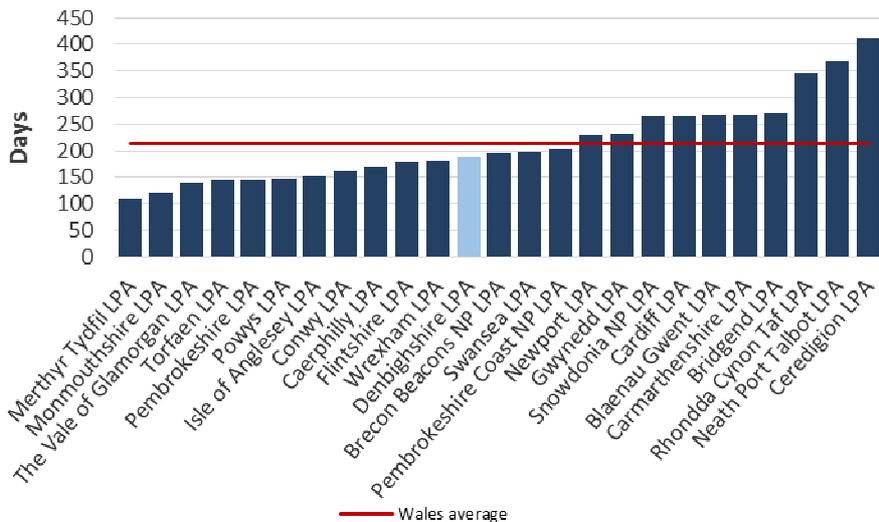
- The number of applications we received decreased;

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

Major applications

We determined 23 major planning applications in 2015-16, 9% (2 applications) of which were subject to an EIA. Each application (including those subject to an EIA) took, on average, 189 days (27 weeks) to determine. As Figure 5 shows, this was shorter than the Wales average of 213 days (30 weeks).

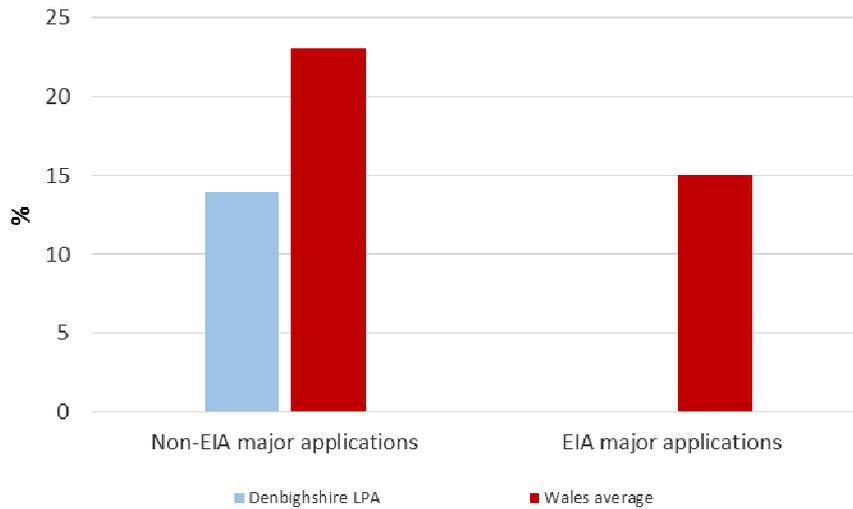
Figure 5: Average time (days) taken to determine a major application, 2015-16



13% of these major applications were determined within the required timescales, the fourth lowest percentage of all Welsh LPAs.

Figure 6 shows the percentage of major applications determined within the required timescales by the type of major application. 14% of our ‘standard’ major applications i.e. those not requiring an EIA, were determined within the required timescales during the year.

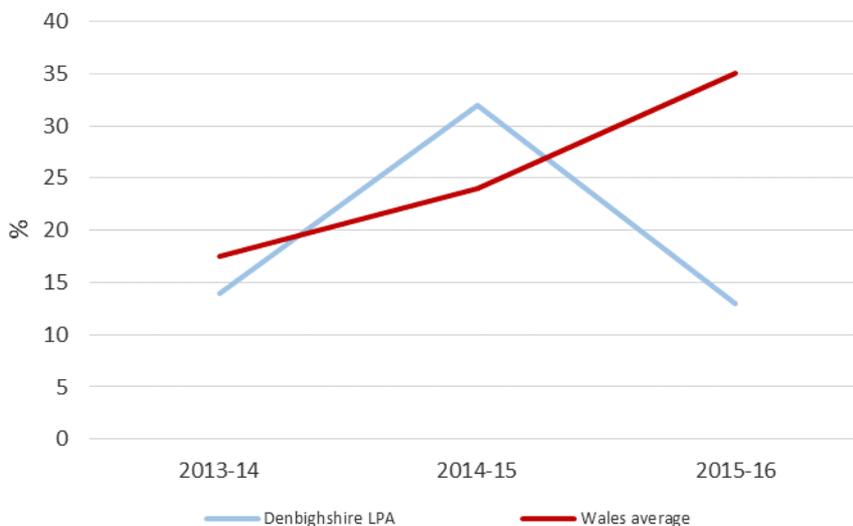
Figure 6: Percentage of Major applications determined within the required timescales during the year, by type, 2015-16



Since 2014-15 the percentage of major applications determined within the required timescales had decreased from 32%. In contrast, the number of major applications determined increased 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 72% to 78%;
- The percentage of householder applications determined within the required timescales increased from 92% to 95%; and
- The percentage of other applications determined within required timescales decreased from 71% to 65%.

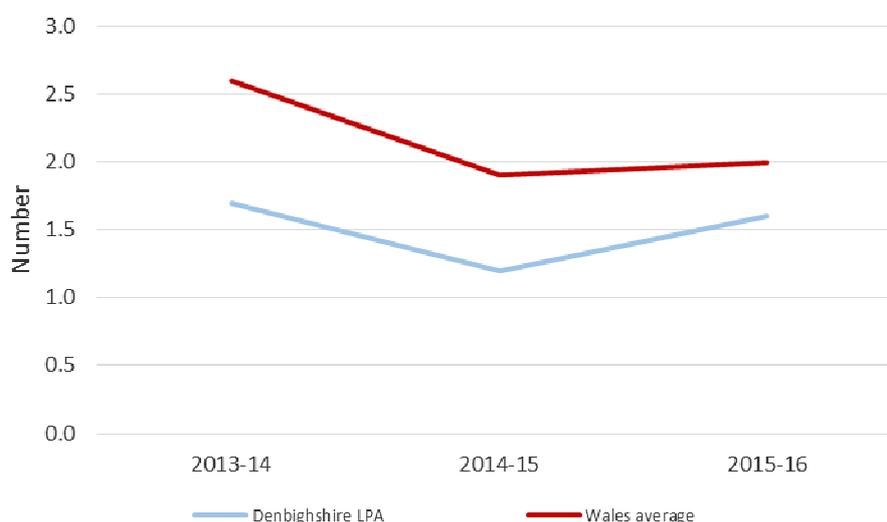
Quality

In 2015-16, our Planning Committee made 62 planning application decisions during the year, which equated to 7% of all planning applications determined. Across Wales 7% of all planning application decisions were made by planning committee.

32% of these member-made decisions went against officer advice. This compared to 9% of member-made decisions across Wales. This equated to 2.2% of all planning application decisions going against officer advice; 0.6% across Wales.

In 2015-16 we received 15 appeals against our planning decisions, which equated to 1.6 appeals for every 100 applications received. Across Wales 2 appeals were received for every 100 applications. Figure 8 shows how the volume of appeals received has changed since 2013-14 and how this compares to Wales.

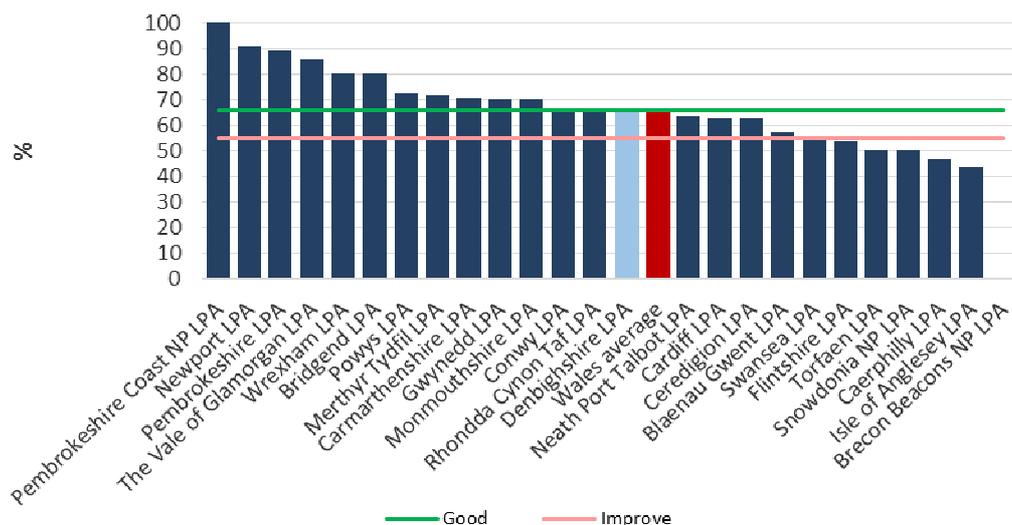
Figure 8: Number of appeals received per 100 planning applications



Over the same period the percentage of planning applications approved decreased from 93% to 86%.

Of the 15 appeals that were decided during the year, 67% 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 14 LPAs that reached the 66% target.

Figure 9: Percentage of appeals dismissed, 2015-16



During 2015-16 we had 1 application for costs at a section 78 appeal upheld, making us one of the 5 LPA's to have at least one such application upheld in the year.

Engagement

We are:

- one of 24 LPA's that allowed members of the public to address the Planning Committee; and
- one of 20 LPA's that had an online register of planning applications.

As Table 2 shows, 30% of respondents to our 2015-16 customer satisfaction survey agreed that the LPA gave good advice to help them make a successful application.

Table 2: Feedback from our 2015-16 customer satisfaction survey

Percentage of respondents who agreed that:	%	
	Denbighshire LPA	Wales
The LPA gave good advice to help them make a successful application	30	58
They were listened to about their application	35	57

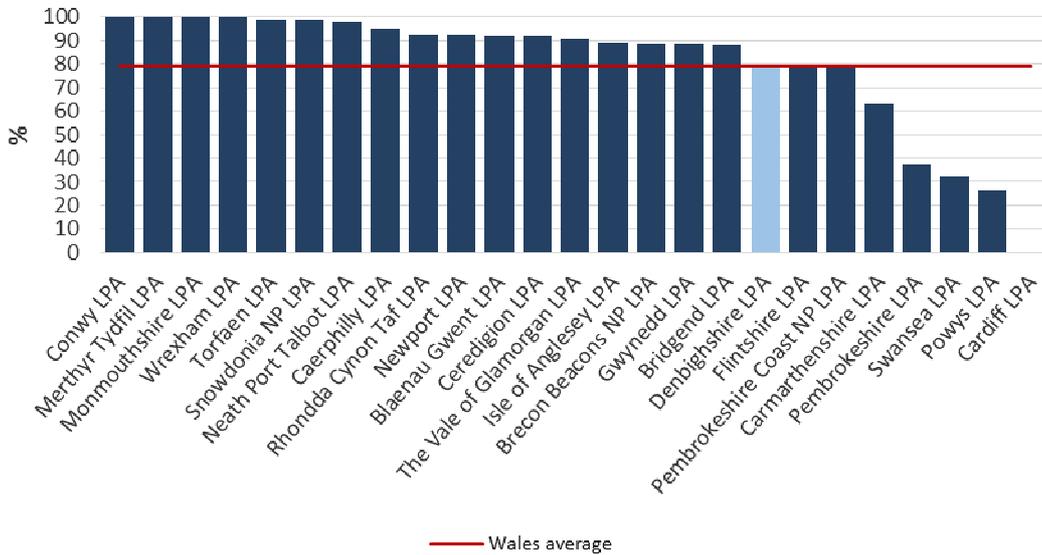
Enforcement

NOTE: We started recording enforcement cases in Q4, which means the below data only relate to three months, i.e. January to March 2016

In 2015-16 we investigated 10 enforcement cases, which equated to 0.1 per 1,000 population. This was the second lowest rate in Wales. We took, on average, 38 days to investigate each enforcement case.

We investigated 80% of these enforcement cases within 84 days. Across Wales 79% were investigated within 84 days. Figure 10 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPA's.

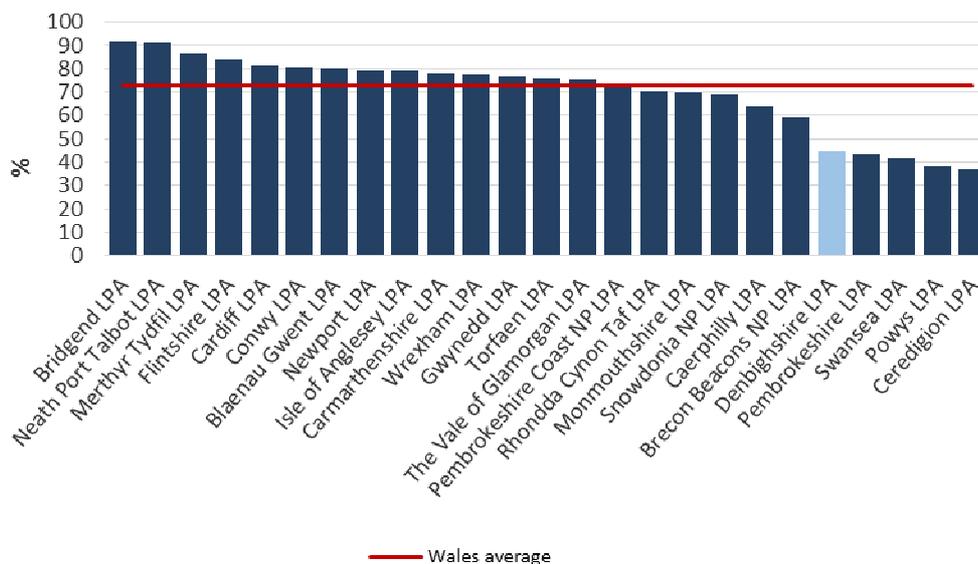
Figure 10: Percentage of enforcement cases investigated within 84 days, 2015-16



Over the same period, we resolved 9 enforcement cases, taking, on average, 510 days to resolve each case.

44% of this enforcement action was taken within 180 days from the start of the case. As Figure 11 shows this was the fifth lowest percentage in Wales

Figure 11: Percentage of enforcement cases resolved in 180 days, 2015-16



ANNEX A - PERFORMANCE FRAMEWORK

OVERVIEW

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Denbighshire LPA LAST YEAR	Denbighshire LPA THIS YEAR
Plan making						
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	47	N/A	N/A
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	N/A	Yes
The local planning authority's current housing land supply in years	>5		<5	3.9	1.8	2.1
Efficiency						
Percentage of "major" applications determined within time periods required	Not set	Not set	Not set	35	32	13
Average time taken to determine "major" applications in days	Not set	Not set	Not set	212.7	211	189
Percentage of all applications determined within time periods required	>80	60.1-79.9	<60	77	71	72
Average time taken to determine all applications in days	<67	67-111	112+	77	81	72
Quality						
Percentage of Member made decisions against officer advice	<5	4.9-8.9	9+	9	16	32
Percentage of appeals dismissed	>66	55.1-65.9	<55	67	50	67
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2	0	1	1
Engagement						
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No	Yes	Yes	Yes
Does the local planning authority have an officer on duty to provide advice to members of the public?	Yes		No	Yes	-	Yes

MEASURE	GOOD	FAIR	IMPROVE
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	Not set	Not set	Not set
Average time taken to investigate enforcement cases	Not set	Not set	Not set
Percentage of enforcement cases where enforcement action is taken or a retrospective application granted within 180 days from the start of the case (in those cases where it was expedient to enforce)?	Not set	Not set	Not set
Average time taken to take enforcement action	Not set	Not set	Not set

WALES AVERAGE	Denbighshire LPA LAST YEAR	Denbighshire LPA THIS YEAR
Yes	Yes	Yes
79.4	69	80
88.1	No Data	38
72.8	No Data	44
210.1	No Data	510

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
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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
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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	2.1
This is based on the residual rates method set out in TAN 1 Denbighshire County Council had 2.1 years housing land supply as of 1 st April 2015. Denbighshire is challenging Welsh Government Ministers about the way this is calculated.	

SECTION 2 - EFFICIENCY

Indicator	05. Percentage of "major" 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	13
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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	189
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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 60% and 80% of applications are determined within the statutory time period	Less than 60% of applications are determined within the statutory time period

Authority's performance	72
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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	72
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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	32
62 decisions were made by Members, 20 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	67
10 out of 15 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	1
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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
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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
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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”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	80
Based on Q4 data only (8 out of 10 cases)	

Indicator	16. Average time taken to investigate enforcement cases	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	38
Based on Q4 data only	

Indicator	17. Percentage of enforcement cases where enforcement action is taken or a retrospective application granted within 180 days from the start of the case (in those cases where it was expedient to enforce)	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	44
Based on Q4 data only (4 out of 9 cases)	

Indicator	18. Average time taken to take enforcement action	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	510
Based on Q4 data only	

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.

Authority's returns	100% complete
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Indicator	SD1. The floorspace (square metres) granted and refused planning permission for new economic development on allocated employment sites during the year.
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Granted (square metres)	
Authority's data	7,279
Refused (square metres)	
Authority's data	0

Indicator	SD2. Planning permission granted for renewable and low carbon energy development during the year.
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Granted permission (number of applications)	
Authority's data	15
Granted permission (MW energy generation)	
Authority's data	13

Indicator	SD3. The number of dwellings granted planning permission during the year.
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Market housing (number of units)	
Authority's data	357
Affordable housing (number of units)	
Authority's data	13

Indicator	SD4. Planning permission granted and refused for development in C1 and C2 floodplain areas during the year.
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Number of residential units (and also hectares of non-residential units) that DID NOT meet all TAN 15 tests which were GRANTED permission	
Authority's data	0
Number of residential units (and also hectares of non-residential units) that did not meet all TAN 15 tests which were REFUSED permission on flood risk grounds	
Authority's data	2
Number of residential units (and also hectares of non-residential units) that MET all TAN 15 tests which were GRANTED permission	
Authority's data	19

Indicator	SD5. The area of land (ha) granted planning permission for new development on previously developed land and greenfield land during the year.
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Previously developed land (hectares)	
Authority's data	607
Greenfield land (hectares)	
Authority's data	2

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.
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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.
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Gained via Section 106 agreements (£)	
Authority's data	155,023

Gained via Community Infrastructure Levy (£)	
Authority's data	0