

## **PLANNING COMMITTEE MEETING: THURSDAY 11<sup>TH</sup> FEBRUARY 2010**

### **PLANNING PERFORMANCE MONITORING: QUARTER 3**

#### **REPORT BY THE DIRECTOR OF PLANNING**

##### **1. SUMMARY**

- 1.1. This is the third quarterly report of 2009-2010 to advise Members of the performance of the Corporation's development control function.
- 1.2. The value of performance monitoring is the ability to identify strengths and weaknesses and thus evaluate the reasons for performance changes, as well as to identify possible anticipatory action.

##### **RECOMMENDATION**

**It is RECOMMENDED that the contents of this report are noted.**

##### **2. DATA**

- 2.1. The data is obtained from the Corporation's electronic records of planning cases which have been registered since the granting of planning powers in October 2005.
- 2.2. The data highlights performance through each complete year of the Corporation's function. A breakdown of the current performance year is also shown.
- 2.3. The information presented is based on the performance of the Corporation in handling all formal planning decisions for which it is the decision making authority. Additional information is presented in relation to planning appeals in which the Corporation is involved.

##### **3. REPORT STRUCTURE**

- 3.1. This report comprises the following sections :
  - ◆ Development Control Performance- tables shown include the number of applications, the speed of decision-making, a breakdown of decisions made and a breakdown of applications under consideration.
  - ◆ Housing & Employment Data- tables provided are based upon data contained within formal planning applications. Please note that where data has not been provided then an estimate based on the size and density of the application has been included.
  - ◆ Appeals- a table is provided of planning appeal cases in which the Corporation is actively involved.

#### **4. KEY FINDINGS**

- 4.1. A total of 11,123 predicted dwellings have been approved by LTGDC to date of which 2904 (or 26%) are affordable units. A further 2,377 units are contained in schemes which are pending their S106 agreements, of which 718 (or 30%) are affordable dwellings. This brings the total housing pipeline to 13,460 residential dwellings of which 3,622 (or 27%) will be affordable.
- 4.2. Development yielding an estimated net employment gain of 13,080 jobs has also been approved (1,507 of which are subject to completing S106 agreements).
- 4.3. In the past four quarters (January 1st 2009 to December 31st 2009) the handling of those applications eligible for inclusion on the PS1/2 “major applications” return is: 50% being determined within the 13 week target period or 62% when including applications determined according to the “agreed timescales” contained in a Planning Performance Agreement (PPA).
- 4.4. The return to DCLG excludes PPA applications whose targets are met from the figures and therefore the Corporation will return the 50% figure. This is to be compared against a national target set by DCLG of 60%. Consequently, this figure represents a 13% increase in overall performance when compared with the last quarterly performance report in which the Corporation returned an annualised rolling average of 37% (October 1st 2008- September 30th 2009).

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## 5. CORPORATION PERFORMANCE DATA

### Development Control Performance

**Table 1: Showing The Total Number Of Planning Applications Handled**

2005-2009		On Hand At Start	Received	Withdrawn	Decided	On Hand At End
①	Year 1 2005-2006	0	48	0	9	39
②	Year 2 2006-2007	39	184	13	92	118
③	Year 3 2007-2008	118	295	33	206	174
④	Year 4 2008-2009	174	144	17	177	124
2009-1010 Breakdown		On Hand At Start	Received	Withdrawn	Decided	On Hand At End
⑤	Q1Y5 Apr 1 - June 30 09	124	22	2	23	121
⑤	Q2Y5 Jul 1 - Sep 30 09	121	23	3	30	111
⑤	Q3Y5 Oct 1 - Dec 31 09	111	49	4	37	119
⑤	Q4Y5 Jan 1 - Mar 31 10	119	-	-	-	-
⑤	Of Which Are PPA's	11	10	2	7	12

5.1. 574 planning decisions have been issued by the Corporation to date. 37 decisions have been made in the last quarter and 9 of these relate to the PS1/2 Planning Performance statistics for processing MAJOR applications. The speed with which the UDC has determined these is shown in Table 3 further below.

5.2. This table now records figures for the proportion of Corporation applications which contain a PPA (Planning Performance Agreement). PPA's were introduced by DCLG as a means of improving the delivery of large scale applications. This followed a successful pilot project which showed that PPA's added value to the planning system by improving the planning process through better project management. The evidence showed that they give

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greater certainty on timescales, costs and requirements for all parties involved in the process.

5.3. In the last quarter the Corporation determined three MAJOR planning applications which were subject to a PPA. In all cases the terms and timescales of the PPA were successfully met. This brings the total for the statistical year to 7 PPA's - all concluded successfully.

5.4. A further 14 planning cases have been resolved by the Corporation planning committee but remain on hand pending the finalisation of S106 agreements.

**Table 2: Showing The Basic Breakdown Of Decisions Issued by the Corporation**

2005-2009		Decided	Granted	Refused	Delegated
①	Year 1 2005-2006	9	9	0	9
②	Year 2006-2007	92	90	2	79
③	Year 3 2007-2008	206	200	6	180
④	Year 4 2008-2009	177	174	3	157
2009-2010 Breakdown		Decided	Granted	Refused	Delegated
⑤	Q1Y5 Apr 1 - June 30 09	23	19	4	15
⑤	Q2Y5 Jul 1 - Sep 30 09	30	29	1	21
⑤	Q3Y5 Oct 1 - Dec 31 09	37	37	0	25
⑤	Q4Y5 Jan 1 - Mar 31 10	-	-	-	-
⑤	Running Total	90	85	5	61

5.5. Table 2 shows, during the operating period of the LTGDC, that out of the 574 decisions made 558 applications were granted and 16 (3%) were refused permission. The running total for the current year is 5 refusals from 90 determinations (6%). This demonstrates the positive role of the Corporation in successfully negotiating schemes with agents and developers.

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- 5.6. 486 applications were decided by the Director of Planning under delegated powers, with the remaining 88 (15%) being determined by the Corporation's Planning Committee.
- 5.7. The Corporation is asked to submit its performance statistics for publication by DCLG. The following table 3 and graph (further below) show these formal figures and highlight performance on determining MAJOR applications.
- 5.8. Table 3 demonstrates that when considering PS1/2 data for LTGDC in determining MAJOR applications then the total for the current statistical year (Apr 2009- Mar 2010) is 9 out of 14 such cases have been decided within the 13 week target period. 6 cases further cases were decided over 13 weeks but were subject to a PPA agreement and all 6 met their agreed timescales. These are therefore now excluded entirely from the DCLG return. This therefore gives a performance figure of 64% at this point for the statistical year and when included in the rolling annual average for the period ended December 31st 2009 then the performance figure for the calendar year is 50% compared against a national target set by DCLG of 60%.
- 5.9. This is also shown visually in the graph following Table 3 which displays the annualised rolling performance across each last four complete quarters (i.e. the calendar year January 2009- December 2009).

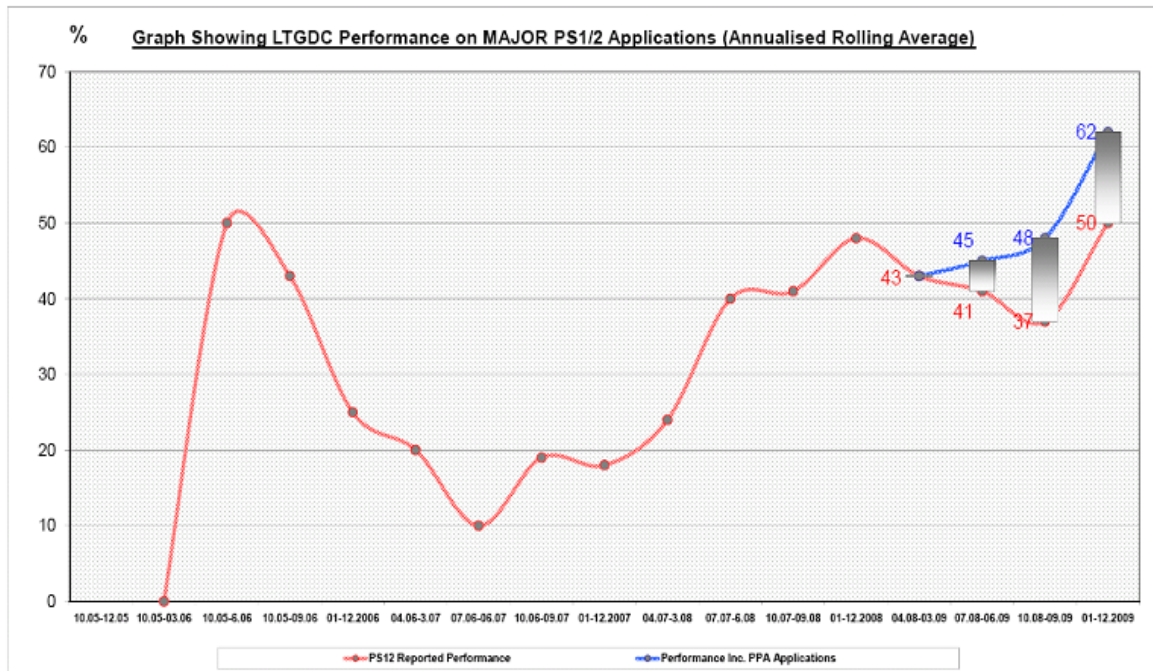
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**Table 3: Showing The Speed Of Decision-Making**

2005-2009		All ≤13 W	All >13W	Statutory MAJORS ≤13W	Statutory MAJORS >13 W
①	Year 1 2005-2006	1 (11%)	8	0 (0%)	0
②	Year 2006-2007	45 (49%)	47	4 (20%)	16
③	Year 3 2007-2008	102 (49.5%)	104	6 (24%)	19
④	Year 4 2008-2009	64 (36%)	113	13 (43%)	17
2009-2010 Breakdown		All ≤13 W & within “agreed timescales”	All >13W or outside “agreed timescales”	Statutory MAJORS ≤13W & within “agreed timescales”	Statutory MAJORS >13 W or outside “agreed timescales”
⑤	Q1Y5 Apr 1 - June 30 09	12 (52%) inc. 2 PPA’s	11	3 (100%) & 2 met PPA’s	0
⑤	Q2Y5 Jul 1 - Sep 30 09	7 (30%) inc. 2 PPA’s	23	1 (25%) & 2 met PPA’s	3
⑤	Q3Y5 Oct 1 - Dec 31 09	24 (65%) inc. 3 PPA’s	13	5 (71%) & 2 met PPA’s	2
⑤	Q4Y5 Jan 1 - Mar 31 10	-	-	-	-
⑤	Running Total (Statistical Year Apr 09- Mar 10)	43 (48%) inc. 7 met PPA’s	47	9 (64%) & 6 met PPA’s	5



Housing & Employment Data

**Table 4a: Showing Housing Data To Date (October 31<sup>st</sup> 2005 – December 31<sup>st</sup> 2009)**

Housing		London Riverside	Lower Lea Valley	Total Predicted Dwellings
★	TOTAL GRANTED	<u>4403 (1666)</u>	<u>6720 (1238)</u>	<u>11123 (2904)</u>
★	TOTAL PENDING S106	<u>363 (96)</u>	<u>1974 (622)</u>	<u>2377 (718)</u>
★	GRAND TOTAL	<u>4766 (1762)</u>	<u>8694 (1860)</u>	<u>13460 (3622)</u>

**Table 4b: Showing Employment Data To Date (October 31<sup>st</sup> 2005 – December 31<sup>st</sup> 2009)**

Employment		London Riverside	Lower Lea Valley	Total Net Jobs
★	TOTAL GRANTED	<u>6759</u>	<u>4814</u>	<u>11573</u>
★	TOTAL PENDING S106	<u>617</u>	<u>890</u>	<u>1507</u>
★	GRAND TOTAL	<u>7376</u>	<u>5704</u>	<u>13080</u>

5.10. Table 4 shows housing & employment data gathered from information supplied by the applicant within their formal planning applications. Please note that where data has not been provided then an estimate based on the size and density of the application has been included based on research conducted by ARUPS for English Partnerships.

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5.11. This table separates housing and employment figures contained in approved schemes (where permission has been formally granted) from those schemes that are pending the finalisation of their S106 agreements.

5.12. The figures currently show an overall total of 11,123 predicted dwellings from determined LTGDC applications of which 2,904 (or 26%) are affordable units. A further 2,377 units are contained in schemes which are pending their S106 agreements, of which 718 (or 30%) are affordable dwellings. This brings the total housing pipeline to 13,460 residential dwellings of which 3,622 (or 27%) will be affordable.

5.13. Schemes considered by the Corporation also show a predicted net employment gain of 13,080 jobs to date distributed across the Lower Lea Valley and London Riverside.

## 6. Appeals 2009

6.1. Please see Table 5 for a complete list of appeals handled by the Corporation during the last 12 month period.

**Table 5: Showing Appeals Handled By The Corporation Between 1<sup>st</sup> January 2009 and December 31<sup>st</sup> 2009**

APPEAL REF	CASE	SITE	DATE LODGED	APPEAL TYPE	APPELLANT	REASON	DEC'N
APP/A9580/A/08/2069481	LTGDC-06-064-PP	Former Railway Land North Of Container Depot Box Lane Barking	11/09/2008	Public Inquiry	R F V Developments	Non-determination	Appeal dismissed
APP/A9580/A/08/2082331	LTGDC-07-149-FUL	Plots 10-12 Off Consul Avenue And Manor Way, Beam Reach 5, Rainham.	18/08/2008	Public Inquiry	Kingsway International Christian Centre & London Development Agency	Refusal	Appeal dismissed
APP/A9580/A/08/2086759	LTGDC-08-010-FUL	Devon Wharf, Leven Road, Tower Hamlets, London, E14 0LL	13/10/2008	Written Representations	Chilton Transport (Bow) Ltd	Non-determination	Appeal dismissed
APP/A9580/A/09/2112891/MWF	LTGDC-08-145-FUL	2 Broadway Chambers, Broadway, Stratford East London E15 4QS	15/10/2009	Public Inquiry	MCRP no1 LLP	Refusal	Appeal Withdrawn
APP/B5480/A/09/2105477	LTGDC-09-002-FUL	`Panels Plus`, Manor Way, New Road, Rainham, Essex RM13 8RH	10/06/2009	Written Representations	F J Church & Sons Ltd	Against Condition	Appeal dismissed

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- 6.2. Since the last quarterly report one new appeal case has been lodged (but subsequently withdrawn) with the Planning Inspectorate concerning an LTGDC application.
- 6.3. This item (LTGDC-08-145-FUL) was the proposed development at 2 Broadway Chambers, Stratford East London E15 4QS which the Corporation's Planning Committee refused on 10/09/2009. The appeal against this decision was lodged on 15/10/2009, but was withdrawn following the committee's decision to grant an alternative scheme (LTGDC-09-081-FUL) for the site on 23/12/2009.
- 6.4. During the last quarter two appeals have been dismissed by the inspectorate – these were the cases (LTGDC-09-002-FUL) at `Panels Plus`, Manor Way, Rainham and LTGDC-06-064-PP Box Lane Barking.
- 6.5. The Box Lane (LTGDC-06-064-PP) case involved a proposal to develop an area of Network Rail land into warehousing and was appealed on non-determination grounds. The appeal was dismissed owing to the appellant's inability to compile an appropriate Environmental Statement in the timeframe stipulated by the Inspector
- 6.6. The appeal (LTGDC-09-002-FUL) for the Panels Plus site in Rainham followed the Corporation's decision on 21/04/2009 to grant the application for a change of use to the site to permit the recycling of lead-acid cased batteries and spent catalysts. The case was lodged with the Planning Inspectorate on the 10th of June 2009 and was handled by the written representations procedure. The reason for the appeal was against 4 of the conditions attached to the permission which limit the life of the permission to five years as well as details of site contamination and the drainage and noise insulation systems required. The appeal was dismissed on 09/10/2009.
- 6.7. At present there are no appeals cases pending against decisions or resolutions of the Corporation. The Corporation continues to maintain a 100% success rate in defending such cases.