

Spatial Planning (Strategic Planning and Implementation Team) Performance Report

Quarter 2, 2014/15 (01 July to 30 September 2014)

Exec Summary

This report provides information on the performance of the Strategic Planning & Implementation Team (Spatial Planning) in Quarter 2, 2014/15. It gives members of the Development Management Committee the opportunity to oversee performance against a number of indicators.

The Council's performance against the statutory function of determining planning applications and producing a local plan is vital to investment in the Bay. Investors look at, for example, the degree to which Members follow officer advice, the percentage of approvals on major applications and how quickly those decisions are made.

The Council continues to perform well against key indicators, which in turn helps support the Council's and Torbay Economic Development Company's economic recovery plans.

Headlines

The following areas of performance are highlighted given their importance in national measures of Local Planning Authority's; these indicate a strong and improving picture for Torbay in the national context:

60% of major planning applications (3 out of 5) were determined in time (either within 13 weeks or within the time agreed with the developer). The two 'out of time' applications were very old proposals, both of which were delayed considerably as the applicants failed to sign S106 agreements. Whilst this represents a slight reduction in performance (from 83% in the last quarter) it maintains the Council's performance well above the special measures threshold (40%).

100% of the appeals that were decided (3 no) in the period were dismissed. The Council continues to maintain a good performance at appeal, a key indicator of the quality of decision making. Two appeals were withdrawn, including the appeal by Taylor Wimpey against the Council's refusal of outline planning permission, for up to 175 new homes, on the Car Boot Sale site, Collaton St Mary.

73% of 'minor' and 'other' applications were determined within 8 weeks.

Performance against 8 week time period:

Officers have worked hard to improve performance against 8 week dates. This has been steadily improving over the past 9 months. Performance so far this period is at 72.4% for minor and 74.8% for other application types. This represents a significant improvement on performance for 2014 as a whole.

Performance

The following areas of performance are set out in this report:

- (1) Local and Neighbourhood Plans,
- (2) Planning appeal decisions,
- (3) Performance on Major planning applications,
- (4) Committee decisions and officer recommendations, and
- (5) Forthcoming (pipeline) projects.

1. Local and Neighbourhood Plans

The Council meeting on 17 July supported submission of the Local Plan. The Local Plan was submitted at the end of July, with a significant amount of supporting information and evidence.

A Programme Officer has been appointed by the Council. The Programme Officer is responsible for assisting the Examiner with all aspects of the examination administration. He is independent of the Council and works directly to the Inspector.

The Secretary of State has appointed Mr Keith Holland BA(Hon) DipTP MRTPI ARICS to conduct the examination into the compliance and soundness of the document. Keith Holland is one of the Planning Inspectorate's most senior inspectors.

The Hearing element of the Local Plan examination will start on Tuesday 18th November and is currently scheduled for 5 working days (not the 3 week period originally envisaged).

Informal feedback from the Planning Inspectorate, on the Local Plan, has been encouraging to date. For example, very few objections were made to the submission version Local Plan compared to other Local Authorities. However, there is no room for complacency and very thorough examination of the Duty to Cooperate, sustainability appraisal, Habitats Regulation Assessment, growth strategy (especially housing to meet objectively assessed needs) and infrastructure provision is anticipated.

Masterplans are being produced for Torquay and Paignton Town Centres, for Torquay Gateway and Collaton St Mary. These will not only illustrate delivery of the Local Plan, but will also inform or be included within Neighbourhood Plans. All four masterplans have been completed to final draft stage and will, during October, be the subject of formal public consultation. Council will then be asked, in February 2015, to adopt the two town centre masterplans as Supplementary Planning Documents (SPD) and the two other masterplans to be used for Development Management purposes until the new Local Plan is adopted, whereupon they too will become SPD.

2. Planning Appeal Decisions

Preparations are currently ongoing in relation to two Public Inquiries. These are the appeal by Tesco against the decision at Edginswell Business Park, scheduled for mid October, and recommencement of the appeal by Churston Golf Club, scheduled for early to mid November. Inquiries such as these take up a huge amount of officer time, which often has an impact on performance on major applications.

Taylor Wimpey has withdrawn from the appeal against the Council's refusal to grant outline planning permission for up to 175 new homes in Collaton St Mary. No reason was given by Taylor Wimpey, but it is expected that Taylor Wimpey will review the outcome of the ongoing masterplanning work in Collaton St Mary and submit a revised proposal based on the final masterplan.

Of the three appeals determined in Quarter 2, all three were dismissed. Two other appeals were withdrawn.

The following is a brief summary of the appeals. If Members require any greater detail on any specific appeal case, please contact the relevant case officer.

Appeals Dismissed (3)

P/2013/1369	Redstones Cockington Lane Torquay Devon TQ2 6XD	Conversion of existing store/potting shed and additions to form 2 bed holiday accommodation
P/2014/0010	Flat 5 190 Lymington Road Torquay Devon TQ1 4AR	First floor extension to rear to form kitchen/lounge on top of existing (resubmission of P/2013/1067)
P/2014/0359	Flat 5 190 Lymington Road Torquay Devon TQ1 4AR	First floor extension to form kitchen/lounge

Appeals withdrawn (2)

AT/2014/0069	Rawlyn House Rawlyn Road Torquay Devon TQ2 6PL	T1 Western Red Cedar (<i>Thuja plicata</i>) - Fell T2 Western Red Cedar (<i>Thuja plicata</i>) - Fell T3 Western Red Cedar (<i>Thuja plicata</i>) - Fell T4 Western Red Cedar (<i>Thuja plicata</i>) - Fell T5 Western Red Cedar (<i>Thuja plicata</i>) - Fell
P/2013/0572	Land Adjacent To The A385 Totnes Road Collaton St Mary Devon N/A	Outline application for proposed residential development (up to 175 units) and associated development including provision of open space, landscaping, ponds and other associated development. All matters reserved for further consideration except access.

3. Performance on Major Planning Applications

Determinations within 13 weeks

Councils are expected to determine at least 40% of major planning applications within 13 weeks. Quarter 1's performance on Major Planning Applications was 83 % determined in time (5 out of 6 major applications). Quarter 2's performance was 60% determined in time (3 out of 5 major applications), but two of decision related to quite old planning applications where S106 Agreements were awaited.

The overall performance on a rolling 2 year period (Sept 2012 to Sept 2014) is around 70%. This is not only well above the national indicator target, but substantially clear of the threshold for special measures, which is now set at 40%.

Approval rate for Major applications

Four (80%) of the five decisions, on major applications, made in Quarter 2 were approved. This maintains an approval rate on Major Planning Applications of around 80% over a rolling two year period.

4. Committee Decisions and Officer Recommendations

As has previously been reported decisions made at Development Management Committee are, in the majority of cases, consistent with the officer's recommendation (approx 95% over a 2 year period).

That consistency and strong working relationship with the Members has continued over the last quarter, where 16 out of 18 (89%) decisions have been made in accordance with the recommendation of officers. This demonstrates a strong consistency between the officers and the members of the committee in making planning decisions.

This level of consistency in decision making provides applicants with a high level of certainty that the eventual decision will be likely to tally with the advice they have received through the negotiation process.

5. Forthcoming (pipeline) projects

The following is a list of forthcoming Major projects and their current status:

Site Address	Summary proposal	Target DMC
Pavillion, Torquay	Hotel, Flats, Car Parking	Nov / Dec 2014
Torwood Street	Hotel, Offices, Commercial	Dec 2014
Bookhams / Nortel	Residential, offices, commercial	Jan 2015
Sharkham Village	31 Dwellings	App awaited
Jackson Land, Yalberton	Business space and homes	App awaited
Gleneagles Hotel	Redevelopment as retirement homes	App awaited

Conclusion

The Strategic Planning & Implementation team remains successful and performs well in relation to key indicators. In addition, the Council continues to perform well at appeal and the relationship between officer advice and the decisions of the committee are consistently in line with one another.

However, the changes to the thresholds for assessing performance mean that the Council needs to maintain and, if possible, improve its performance. There is no room for complacency. The impact of appeals on planning application performance should not be underestimated.