

Report to Brecon Beacons National Park Authority – 17 December 2012

14.0 Defining and Measuring Excellence in the Planning Service

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Report to:	National Park Authority 17 th December 2012
Report Title:	Defining and Measuring Excellence in the Planning Service
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Purpose of Report:	To present data in relation to the eight measures agreed as defining excellence in the planning service, with a view to embarking on a public consultation exercise.
Enclosures	<p>NOTE: THESE APPENDICES ARE INCLUDED IN THIS AGENDA DOCUMENT – CLICK ON THE LINKS BELOW OR SCROLL DOWN TO VIEW</p> <p>Appendix A - Development Control performance on a rolling month basis Oct 11 to Oct 12.</p> <p>Appendix B – Percentage of planning applications determined within 8 weeks of receipt – BBNPA performance in comparison with other authorities in this period (data provided by WVG) – July 11 to Sept 12</p> <p>Appendix C – Pre-application and Paid pre-application statistics</p> <p>Appendix D – Table showing Planning Obligations since 1st April 2009 together with S106 Community Map</p> <p>Appendix E – Appeals Statistics 2011/12</p> <p>Appendix F – Charts showing “typical” level of Customer Contact by Development Control Administration Team</p> <p>Appendix G – Quarterly Customer Satisfaction sample surveys on both</p>

	<p>planning applications and paid pre-applications 2011/12</p> <p>Appendix H – Community engagement evaluation data</p> <p>Appendix I – Growth in on-line planning application submissions</p> <p>Appendix J – Draft survey questions and scoring methodology for 2013 Consultee Survey</p>
Background Papers	(None)
Public Interest Test	N/A – Public report
Recommendation	Members note the type of data it is proving possible to present in relation to the eight measures, and agree to a public consultation exercise being undertaken with a view to testing the efficacy of the approach adopted to-date.

14.1 Introduction

A previous Report was discussed at the National Park Authority meeting on 30th April 2012. This set out a suite of eight quantitative and qualitative measures to indicate the delivery of an excellent planning service. Those measures were agreed.

The following Report illustrates how those measures can be looked at to determine whether or not the Planning Authority is coming close to or attaining “Excellence” as defined. It also suggests that, now the measures are populated with “real” data it would be an opportune moment to consult users of the system to alter/strengthen the measures where necessary and to add some legitimacy to their continued use.

If agreed, then the excellence measures should eventually replace current measures within Business Improvement Plan reporting.

14.2 Determination of planning applications within 8 weeks

The previous report spoke about the old Welsh Government target of 65% of applications determined within 8 weeks but this concept of Government target is reported less in recent times with a swap to the reporting of the ‘average’ determination rate across all authorities in Wales.

In 2011/2012 the Brecon Beacons National Park Authority Planning Service achieved 66% against its set performance target of 65% within 8 weeks. In so doing, we have set a Brecon Beacons National Park Authority target across all PSI applications of 70% determination rate within 8 weeks.

The 8 week date from receipt of a valid planning application has significance in planning legislation as being the date after which an applicant can take the planning

decision out of the Authority's hands and ask the Inspectorate to determine it on the basis of non-determination.

Thus the 8 week date has become an established performance indicator for development control which is both a quantitative and qualitative measure of an excellent service. The average Welsh performance now regularly reported is clearly moveable across quarters, but Officers consider the Brecon Beacons National Park Authority target is challenging and ensures this element of performance is comparable with many rural authorities in Wales. The ability to produce timely decisions is a key aid to economic development and inspires public confidence in the planning service.

Members of the Audit and Scrutiny Committee will be familiar with Development Control performance information as regular reports are taken to these committees, together with the Quarterly Performance comparative tables released by Welsh Government.

[Appendix A](#) shows Development Control performance on a rolling month basis to date.

[Appendix B](#) reproduced from the Welsh Government website, shows our performance in comparison with other authorities in this period.

Members will wish to know that in the last quarter we returned approximately 56% performance within 8 weeks.

14.3 Providing professional pre-application advice and validation guidance

The undertaking of pre-application discussions or advice by LPA planning officers is discretionary and there is no requirement in planning law for an LPA to carry out such a service unlike the determination of planning applications which is the statutory function.

Providing such a service will involve staff time and resources for an LPA planning service but the benefits of a robust pre-application process can be listed as:–

1. Improvements in consistency, certainty and speed for users of the system and therefore benefits to economic development.
2. Enables information requirements in support of applications to be known early thus speeding the planning process as planners, Members and all consultees have the information they need to come to an informal recommendation/decision or comment upon the scheme.
3. Enables identification of relevant and current (together with emerging) planning policy likely to affect the proposed development.
4. Identify constraints and difficult issues early and where design improvements can be taken to accommodate or mitigate for such issues
5. Reduces the number of appeals

6. Reduces the number of Refusals
7. Can reduce the number of pre-commencement conditions which can be a source of delay after the grant of planning consent
8. Saves resources by reducing the number of invalid applications to be processed
9. Establishes realistic timescales
10. Reduces conflict by increased awareness of development proposals, offering opportunity to encourage developers to begin community engagement

The Brecon Beacons National Park formal pay pre-application discussion service has now been running successfully since April 2010 and is the subject of a customer satisfaction survey.

From the recent pay pre-application customer satisfaction survey we have received the following feedback:–

“Paid Pre-app is useful as the agent needs sound advice before submitting an application”

“Guidance is excellent”

“Good value for money”

“Encouragement should be given to potential developers in the initial stages of any large scheme and the fairest way to charge for pre-application advice would be the time taken and not the size of the development”

Members will realise that it is not within the Authority’s control as to whether applicants or agents follow pre-application advice. However, of the formal pre-applications, Officers have begun to record data on the following:-

- a. the number of these which subsequently result in the submission of a planning application;
- b. if the resulting planning application conformed to the pre-application advice given; and
- c. the number of such applications which were approved as a percentage of all applications subject to formal pre-application advice.

Once formal pre-application advice has been given, it is also not within the Authority’s control as to when an application is submitted by an applicant or his agent. Some pre-application advice requires the applicant, or agent to engage in re-design or work up substantial reports or additional supporting information, so it may be many months before the formal application is finally submitted to the Authority. There follows of course the 8 or 13 week determination period which may be longer if S106 agreements are involved.

Such data will build up over time and Officers consider it appropriate to report on an annual basis at the end of each financial year.

Over time, systems could be developed which also capture the informal pre-application, surgery, email and phone advice which takes place, to capture a much wider number of planning applications.

The number of pre-application requests received in the period 01 April 2012 – 30 Sept 2012 was 158. Included in this were 116 requests for basic householder or policy advice and 42 applications for paid pre-application advice.

The total number of paid pre-applications received and determined since its inception in April 2010 is 109, resulting in 52 formal valid planning applications being submitted and of these, 33 applications have been permitted. Therefore 80.2% of the determined applications have been permitted. (See [Appendix C](#))

For consistency, Planning Officers who have dealt with paid pre-applications are given the subsequent planning application to deal with. Officers are reporting positive feedback where the pre-app advice has been accepted and followed with their subsequent application being approved. Looking at the applications which were refused, the main reasons for this were that the advice given by planning officers wasn't followed or elements of the application submitted weren't debated as part of the pre application advice i.e. design.

14.4 Conceptualising and Visualising “Value Added” through the pre-application and submission of application process

This measure is designed to help understand the outputs from the previous process. Visualising the impact of the Authority's operation of the planning process into quality outputs takes place on regular twice yearly occasions with Members Further Improvement Plan site visits which not only provide a learning opportunity for what does and does not work but also to visualise the results of work and negotiation between applicants and the Authority.

14.5 Additional ‘Added Value’ notions

In looking at other ways of demonstrating additions that an excellent planning service provides, the previous report suggested the Authority begin to report on the number of planning obligations secured through S106 agreements so as to provide a quantitative and qualitative measure of benefits secured by planning on a community basis in any one financial year.

This measure reflects the types and number of applications received in any one year. Members will see that substantial gain and mitigation is being secured through planning obligations.

The tabulation of this information has been developed in conjunction with the LPA Planning Solicitor over the last few months and is derived from data already supplied regularly to Members of PAROW. The table and map given at [Appendix D](#) show the current position regarding gains secured through planning obligations which

contributes to an excellent planning service. The Authority's whilst the S106 Agreement secures the developer commitment to these gains.

14.6 Appeals

On the basis that no planning authority sets out to lose any planning appeal it has to defend, the previous notional target was set at 100%. No other authority in Wales set such a target and it was often misinterpreted by critics as the authority failing to achieve its appeal success targets each year even if the appeal success being reported was excellent.

For this year 2012/2013 the target was dropped within the Business Improvement Plan to 80% to avoid such wider public misinterpretation of the service performance.

Appeal performance is another indicator of an excellent planning service which is comparable across other Local Planning Authorities through information collected annually by the Planning Officers Society Wales (POSW) management information survey. An excellent planning service will take consistent and robust quality planning decisions which can be defended at a subsequent planning appeal.

During 2011/2012 the Brecon Beacons National Park Authority successfully defended 85% of its planning appeals (see [Appendix E](#)).

This year for Q1 and Q2 the Authority has successfully defended 80% of appeals determined during the period and also achieved a full award of costs in one appeal.

This measure though is best reported on an annual basis due to small numbers involved which can be subject to large fluctuations and where the annual percentage can be comparable with others.

14.7 Monitoring Customer Contact and Satisfaction

The Brecon Beacons National Park Authority employs a Planning Administration team including Customer Service Advisors. This enhanced role of skilled individuals provide a front line face to users of the planning service aiding members of the public to access planning information and advice, helping with access via the planning IT system, by email, phone and in person.

The team is integral to the whole process operated within the Authority, dealing with planning applications at the National Park, being involved with key admin tasks at the beginning of the process, at registration, validation and consultation, to the end of process in terms of release of planning decisions.

Systems developed to show sample levels of contact with service users are shown in [Appendix F](#).

As a benchmark for process performance, the turnaround time for issue of a Decision Notice is currently running at 0.23 days.

We continue to monitor customer satisfaction on a regular basis with Quarterly Customer Satisfaction surveys on both planning applications and paid pre-applications and the latest survey information is given at [Appendix G](#). During 2011/2012 the excellent planning service is demonstrated by 88% rating the service as good or better and 94% indicating customer confidence in the service.

14.8 Community Engagement

The planning process is dictated by a detailed legislative and procedural framework within which decision making is tightly controlled. Whilst the Authority regularly consult neighbours and Community Councils over applications received, there has been a clear lack of understanding of the process and this is amplified by the recent Welsh Government study into perceptions in planning and workshops recently attended by Officers and by LUC in terms of planning and protected landscapes.

Officer engagement with Community Councils has suggested they generally desire a much better understanding of development control processes to enable them to engage more constructively.

Officers have held an initial meeting with Community Councils on 19th July 2012 and from this has developed (in response to issues identified by the Community Councils) a training programme which is in the process of being delivered by the Directorate.

So far, 3 initial training sessions have been undertaken, one in Sennybridge, one in Crickhowell and one in Brecon to give an introductory training to Community Councils in cluster groups. Attendance at both the Crickhowell and Brecon sessions has been very good and training delivered by the Director of Planning, Head of Development Control and Principal Planning Officer.

The training has been well received with feedback comments including:

“Useful, glad there is more to come and lots more to find out”

“Start earlier and extend to allow more two way communication”

“Useful were the comments relating to responses by Community Councils (as consultees) to planning applications – more information and help on this please”

Overall, feedback forms indicated that 100% rated the content of training as good and above and 100% rated the delivery of the training as good and above (see [Appendix H](#))

14.9 Procedure

As noted in the previous report, an excellent service means that the application process is easy to access and easy to understand. As a measure of this, it was decided to provide monthly data on electronic submissions and provide comparisons across Wales. Whilst the Authority has no direct control over the numbers of people who submit applications on line, these numbers are considered a fair reflection of ability to access the service.

The figures recently received are reproduced at [Appendix I](#) showing Brecon Beacons National Park Authority continuing with growth in online submission of applications.

14.10 Survey

Building upon the above measures and as indicated in this year's Business Improvement Plan, the service intends to expand upon the Customer Satisfaction Survey in order to obtain further stakeholder feedback on the current service provided and inform future provision of what an excellent planning service may look like from a customer's point.

So far, customer satisfaction surveys have captured only feedback from direct customers who have used the service in terms of applicants' agents who have submitted applications or taken part in paid pre-application discussions. This is normal in most Authorities to survey just direct customers. However, those direct respondents of the service are not the only customers and as touched upon already, there are many other stakeholders in the process such as statutory and non-statutory consultees, community councils, neighbours, visitors etc.

Moreover, planning operates in the wider public interest, not in any individual customer or group of customers' interest. It is regulatory and has an enforcement functions to rectify or stop harm from breach of planning control. There is difficulty then in defining and capturing all customers of a planning service.

The intention is to develop some questions to be incorporated in to the wider corporate residents' survey to be undertaken later this year in order to capture a wider public response to the service from people with perhaps no direct interaction ever with the service.

In the meantime, a much smaller basic and targeted survey for stakeholders such as the consultees and Community Councils should provide valuable further insight into the level of service provided and needed in the future.

This survey's prime focus is upon response timings, speed and strength of decision making and our interaction with these groups. The survey will be undertaken not by sample basis but will involve a direct mail shot and email to individual respondents.

[Appendix J](#) indicates draft survey questions and scoring methodology. It is anticipated that the survey will be sent out within one week or so of the New Year allowing for the analysis of responses by the beginning of March 2013 enabling reporting to Members as part of the end of year reporting process in April.

Corporate Implications	
a) Financial, Staffing and Improvement	The continuing development of new and additional monitoring methods, performance indicators and survey results collation has an implication on staff resource time.
b) Equality	No Issues raised by this
c) Human Rights	No issues raised by this report
d) Sustainability Appraisal	In train
e) Biodiversity Impact	None – Whilst planning policy and individual planning decisions may have biodiversity impact, this report concerns operational and procedural matters
f) Contribution towards mitigating and adapting to the effects of climate change	None – Whilst planning policy and individual planning decisions may have effects on mitigating and adapting to climate change , this report concerns operational and procedural matters
g) National Park Management Plan Actions	<ul style="list-style-type: none"> • Building and maintaining sustainable communities, towns and villages; • Sustainable economic development; • Managing Park landscapes to maximize conservation and public benefits, and; • Conserving and enhancing biodiversity
h) Background Papers	none
i) Which Corporate Goal(s) does the recommendation support?	Taking Care of Planning

RECOMMENDATION: Members note the type of data it is proving possible to present in relation to the eight measures, and agree to a public consultation exercise being undertaken with a view to testing the efficacy of the approach adopted to-date.