

REPORT TO DEVELOPMENT CONTROL PANELS

Title: **DEVELOPMENT CONTROL PERFORMANCE**

Date: Maidenhead DC Panel 29th April 2009
Windsor DC Panel 13th May 2009

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Wards affected: All wards

1. SUMMARY

1.1.1 The report provides a summary of performance in relation to key areas of performance for the Development Control service over the period January-March 2009 with some comparison with past recorded performance. The report is for information only.

1.1.2 Key messages include:

- The speed of determining planning applications has remained good, though the proportion of major applications determined within 13 weeks has dropped slightly compared to previous quarters as a result of reducing the amount of outstanding major applications.
- Over the course of the year speed of determining applications remains fairly good.
- The Council's record at appeal remains strong and above the national average of about 67%
- Fewer planning applications are currently being submitted, most likely as a consequence of the economic downturn. The main reduction is in applications for new housing.
- The Council continues to be successful in its enforcement prosecutions having secured four further convictions in this quarter. Enforcement complaints remain fairly consistent with previous years and have not reduced in the economic downturn.

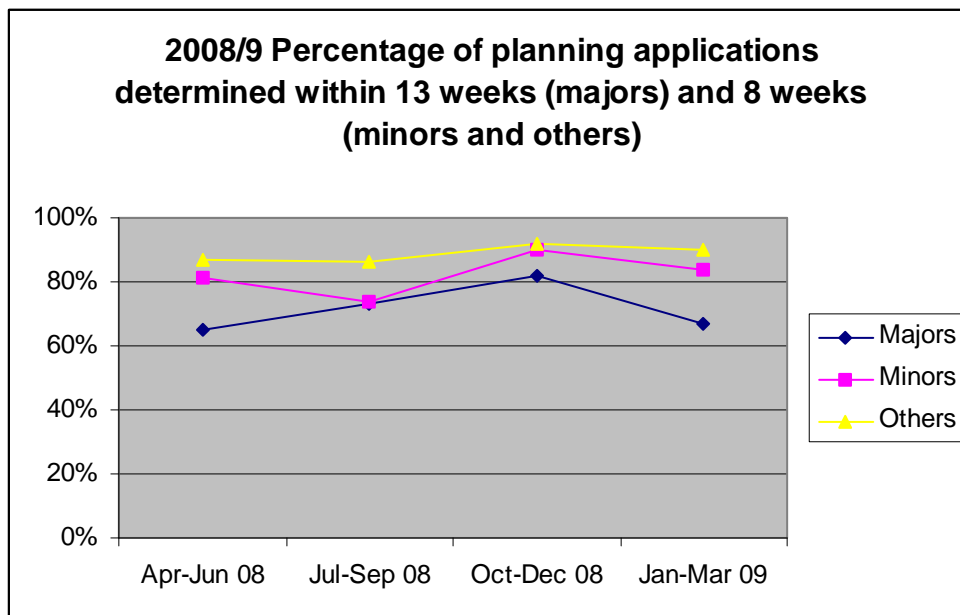
2. RECOMMENDATION

That the Panel notes the report and the performance for the quarter.

3. SUPPORTING INFORMATION

3.1 Planning applications and appeals

3.1.1. The speed of determining planning applications is shown below over the four quarters of the year. The overall annual figure has yet to be finalised, but early indications are that they will be: Majors 71%, Minors 82% and Others 87%. A concerted effort to clear some older cases caused a slight drop in the final quarter of the year, but kept all three above national targets.



- 3.1.2. Over the quarter the Council received 37 appeal decisions. In 22 (60%) of those cases the Inspector agreed with the Council, but in 15 cases permission was granted against the Council's wishes. This is a lower success rate than in previous quarters, where the Council has exceeded the national average success rate.
- 3.1.3 The dismissed appeal at Sunninghill High Street against Tesco following a public inquiry represents a significant success during the quarter. Successful appeals against enforcement notices were also secured at six sites.
- 3.1.4 However Government Inspectors did not agree with the Council on some controversial sites including at Badnell's Pit, Sunningdale Station car park and for mineral extraction at Bray Triangle. Three of the lost appeals related to one site in Windsor where works had been undertaken to a listed building without planning permission or listed building consent and Councillors resolved to take enforcement action.
- 3.15 The number of applications received has fallen by about 18% since last summer, reflecting difficult economic conditions. The fall is mainly in respect of applications for new housing, whereas applications from residents wishing to improve their homes remains strong.

3.2 Enforcement

- 3.2.1 Successes in this quarter include four convictions for a range of offences including unauthorised works to protected trees and not complying with enforcement notices issued by the Council. Two of these are summarised below:
- A company was fined a maximum £5,000 plus the Council's costs for causing to permit the felling of a protected tree. The offender must also now replace the tree.
 - A resident was fined a maximum £1,000 plus the Council's costs for not complying with a Council enforcement notice. He had converted his garage to living accommodation and now has to park on the road, causing increased difficulties for other nearby residents. The offender must now also reinstate the garage or return to Court.
- 3.2.2 The Council also took direct action to tidy up a site to the benefit of nearby long-suffering residents after a notice under Section 215 of the Planning Act was breached. The owner of the land is responsible for the Council's costs of doing the work.



Background Papers:
Case files