

REPORT TO DEVELOPMENT CONTROL PANELS

Title: **DEVELOPMENT CONTROL PERFORMANCE**

Date: Maidenhead DC Panel 19th August 2009
Windsor DC Panel 2nd September 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 April-June 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, with a particularly good performance this quarter in “others” – mainly householder applications, changes of use and Certificates of Lawfulness.
- The Council’s record at appeal remains strong and comfortably 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 work, though this has reduced slightly in the quarter due to staff vacancy.

2. RECOMMENDATION

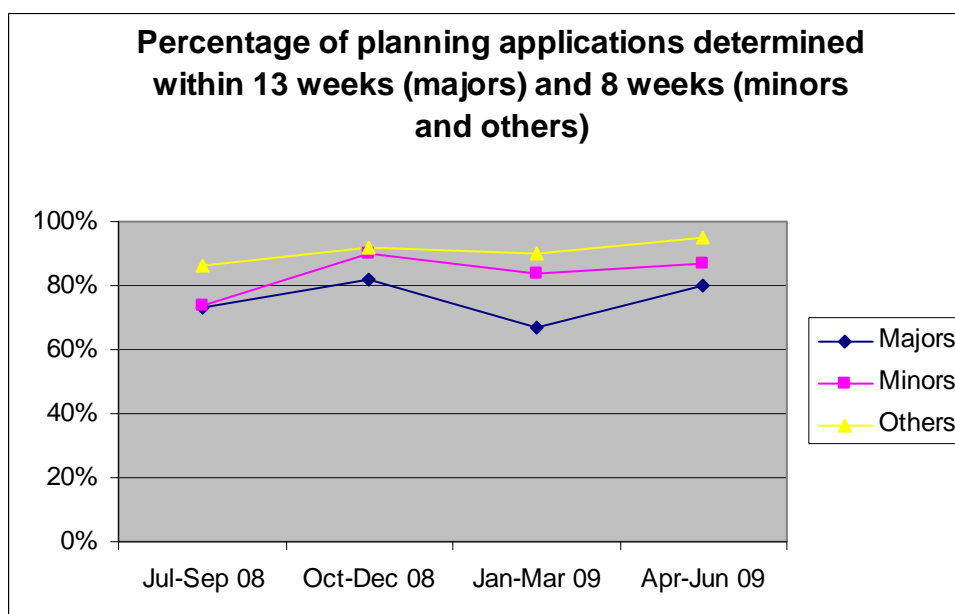
That the Panel notes the report and the performance for the quarter.

3. SUPPORTING INFORMATION

3.1 Planning applications and appeals

3.1.1 The speed of determining planning applications is shown below over the last four quarters. Although the percentage for major applications fluctuates due to the

relatively small number in each quarter, the general trend in minor and other applications continues to be faster decisions.



3.1.2 Over the quarter the Council received 30 appeal decisions. In 23 (76%) of those cases the Inspector agreed with the Council, but in 7 cases permission was granted against the Council's wishes. This continues to exceed the national average success rate of around 67%.

3.2 Enforcement

3.2.1 Successes in this quarter include:

- Successfully defending a conviction against a company which caused to permit the felling of a protected tree in Sunningdale. The Magistrate's Court conviction was appealed to the Crown Court and although the fine was reduced the conviction was upheld and the award of costs to the Council in taking the case was increased. The tree must also now be replaced and will subsequently be protected.
- The closure of an unauthorised access serving a development site in Maidenhead town centre where vehicles were causing danger to pedestrians. The Notice served was as a consequence of close working between planning enforcement, highways development control and streetcare officers and prohibits further use of the access. It has resulted in the developer co-operating with the various parts of the Council requiring matters to be addressed.

3.2.2 The enforcement legislation does not always allow officers to achieve swift solutions such as with the access above. However, processes are in place to ensure matters are followed through to the end and the Council is represented through appeals and Court appearances. In Sunninghill a restaurant built an authorised outside area in summer 2007 which was having a significant effect on local residents. An Enforcement Notice was served and the appeal and prosecution process has finally resulted in the Council successfully securing the removal of the structure in May

2009. Before and after photographs are shown below.



March 2009



May 2009

Background Papers:

Case files