

<b>Update on Development Management &amp; Enforcement Statistics:</b> • <b>Period 01 April 2019 – 31 July 2019</b>	<b>25 September 2019</b>
<b>Planning Committee</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environments and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Denise Dickson
<b>Cost: (If applicable)</b>	N/A

## FOR NOTING

### 1.0 Background

- 1.1 The "Protocol for the Operation of the Planning Committee" sets out the requirement to provide monthly updates on the number of planning applications received and decided.
- 1.2 The Northern Ireland Planning Monitoring Framework sets out the new reporting arrangements to the Department of Infrastructure which come into effect on 1<sup>st</sup> April 2019. DfI's Analysis, Statistics and Research Branch (ASRB) will continue to publish the official statistics on a quarterly and annual basis with the first publication taking place in September 2019. The Framework includes the three statutory planning indicators in addition to new non-statutory indicators.
- 1.3 This Monthly Statistical Report provides Members with unvalidated statistics in relation to how Council's Planning Department and Committee are performing against the Framework indicators.

### 2.0 Details

- 2.1 [Website link 1](#) and [Website Link 2](#) provide a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of July 2019. Please note that Pre-Application Discussions; Certificates of Lawful Development – Proposed or Existing; Discharge of Conditions and Non-Material Changes, have been excluded from the reports to correspond with official validated statistics published by DfI.
- 2.2 *Indicator 1: average processing time taken to determine major applications*  
*Statutory Target – major applications processed from date valid to decision or withdrawal within an average of 30 weeks*

Table 1 below details the number of Major planning applications received and decided as well as the average processing times. Please note that these figures are

unvalidated statistics. In comparison to the same period last year, the number of major applications received has decreased by 3 however the number of major applications decided has increased by 7.

**Table 1 Indicator 1: Processing Major applications**

Major applications (target of 30 weeks)				
2019/20	Number received	Number decided/ withdrawn	Average processing time (weeks)	% of cases processed within 30 weeks
April	0	5	78.8	20%
May	2	0	-	-
June	0	3	70.2	33.3%
July	1	1	134.6	-
<b>YTD</b>	<b>3</b>	<b>9</b>	<b>78.8 weeks</b>	<b>22%</b>

Source: Unvalidated Statistics.

The major application determined in July related to a large scale housing development comprising of some 200 units in the former Gorteen lands in Limavady. The assessment of the application required a total of 37 consultations with consultees the majority of which were to NIEA (10) and DfI Roads (9). Issues in relation to the capacity of the Limavady sewage capacity also featured in this application and required negotiations with NI Water and the developer on agreement on a suitable way forward. The average processing time is 122.6 weeks faster when compared to the same period last year.

**2.3** *Indicator 2: average processing time taken to determine local applications*  
Statutory Target – local applications processed from date valid to decision or withdrawal within an average of 15 weeks

Table 2 below details the number of Local planning applications received and decided as well as the average processing times. Please note these figures are unvalidated statistics. In comparison to the same period last year, the number of applications received has increased by 9 applications and the number of decisions issued/withdrawn has increased by 8 applications.

**Table 2 Indicator 2: Processing Local applications**

Local applications (target of 15 weeks)				
2019/20	Number received	Number decided/ withdrawn	Average processing time (weeks)	% of cases processed within 15 weeks
April	107	104	19.3	37.5%
May	102	121	21.8	40.5%
June	104	79	21.6	35.4%
July	83	96	19.9	39.6%
<b>YTD</b>	<b>396</b>	<b>400</b>	<b>20.1 weeks</b>	<b>38.5%</b>

Source: Unvalidated Statistics; Excludes: Pre-Application Discussions; Proposal of Application Notices; Certificate of Lawful Development Proposed or Existing; Discharge of Conditions; Non-Material Change.

Although we did not meet the statutory target of 15 weeks for processing local applications the average processing time has improved by 3.5 weeks when compared to the same period last year and with 4.3% more local applications being processed within the statutory target increasing to 38.5% of local applications within the 15 week target. A further 10% were processed between 15 weeks and 18 weeks.

**2.4** *Indicator 3: proportion of enforcement cases progressed to the target conclusion within 39 weeks*

*Standard – 70% of all enforcement cases progressed to target conclusion within 39 weeks of receipt of complaint*

Table 3 below details the number of Enforcement cases opened and concluded as well as the percentage of cases concluded within the statutory target of 39 weeks. Please note these figures are unvalidated statistics. In comparison to the same period last year, the number of cases opened has increased by 38 and the number of cases brought to conclusion has increased by 10.

**Table 3 Indicator 3: Processing Enforcement Cases**

<b>Enforcement Cases Concluded (target of 39 weeks)</b>				
<b>2019/20</b>	<b>Number opened</b>	<b>Number brought to conclusion</b>	<b>70% conclusion time (weeks)</b>	<b>% of cases concluded within 39 weeks</b>
April	22	37	21.4 weeks	100%
May	32	19	35.4	89.5%
June	50	44	13.8	86.4%
July	37	24	22.8	75%
<b>YTD</b>	<b>141</b>	<b>124</b>	<b>24.2 weeks</b>	<b>88.7%</b>

Source: Unvalidated Statistics

The statutory target for concluding 70% of enforcement cases within 39 weeks continues to be exceeded by our Enforcement team with 88.7% of cases YTD concluded within the statutory target. An improvement of 7.5% when compared to the same period last year. Furthermore, the length of time taken to conclude 70% of cases has reduced by 9.8 weeks taking just 24.2 weeks YTD to conclude.

**2.5** *Indicator 4: percentage of applications determined under delegated powers*

Table 4 below details the total number of Local applications determined under delegated powers. Determined is taken as the date the decision issued and excludes withdrawn applications. DfI Development Management Practice Note 15 Councils Schemes of Delegation recommends that councils should aim to have 90-95% of applications dealt with under the scheme of delegation. To date 93.45% of applications determined were delegated under the scheme of delegation. However there was no Planning Committee meeting held in May or July. The applications indicated as determined by Planning Committee in May and July were as a result of the determination held at a previous meeting but only issued in May and July.

**Table 4 Percentage of Local applications determined under delegated powers**

<b>Applications Determined</b>				
<b>2019/20</b>	<b>Total Determined</b>	<b>Delegated Determined</b>	<b>Planning Committee Determined</b>	<b>% Delegated Determined</b>
April	104	90	14	86.54
May (no meeting held)	121	119	2	98.35
June	78	72	6	92.31
July (no meeting held)	94	90	4	95.74
<b>YTD</b>	<b>397</b>	<b>371</b>	<b>26</b>	<b>93.45</b>

Source: Unvalidated Statistics

**2.6** *Indicator 5: number of applications taken to Planning Committee and percentage of Committee decisions made against officer recommendation*

Table 5 provides details on the number of decisions that were determined by the Planning Committee at each monthly meeting and the percentage of decisions made against officer recommendation, including major, Council and Local applications. This is taken from the date of the Planning Committee meeting. Of note is that the decisions against officer recommendation were solely on those applications that had been referred to Committee by Members with 50% of those referred being determined against officer recommendation. Furthermore of note is that of those overturned decisions, all were to grant planning permission for single houses in the countryside.

**Table 5 Percentage of decisions at Planning Committee against officer recommendation**

	<b>Total Planning Committee Determined</b>	<b>Officer Recommendation Overturned</b>	<b>Requested Referred to PC Determined</b>	<b>% Referred Officers Recommendation Overturned</b>
April 2019	16	3 (19%)	7	43%
May 2019	No meeting			
June 2019	11	1 (9%)	1	100%
July 2019	No meeting			
<b>YTD</b>	<b>27</b>	<b>4 (14.8%)</b>	<b>8</b>	<b>50%</b>

Source: Unvalidated Statistics

**2.7** *Indicator 6: percentage of appeals against refusals of planning permission that are dismissed*

Table 6 below details the number of appeal decisions issued since 1 April 2019. Please note that these figures relating to planning application decisions only are unvalidated statistics extracted from internal management reports. No decisions have been issued by the PAC for this Council in the month of April.

**Table 6 Appeals to the Planning Appeals Commission (PAC)**

<b>Appeal Decisions</b>	<b>April 2019</b>	<b>May 2019</b>	<b>June 2019</b>	<b>July 2019</b>
Upheld	0	0	2	1
Dismissed	0	1	0	1
Cumulative Total Appeal Decisions	0	1	3	5

Source: Unvalidated Statistics Internal Management Reports

The appeal upheld in July was for a proposed balcony at Craig Vara, Portrush. This application was determined by the Planning Committee who agreed with planning officer's recommendation to refuse permission. This application has been the subject of a previous appeal 2015/A0027 which was dismissed as the Commissioner considered that proposal failed criterion (c) of PPS6 as it would extend the recreational residential use onto a prominent position above the shop and although the terrace was to be recessed by 0.5m, the subsequent coming and going of people and paraphernalia would be apparent on this elevated position and would have a dominant effect on the vista when approaching in either direction along what is a highly public promenade. However, on this occasion, the Commissioner considered the design changes by recessing the terrace by 1.1m, the structural glass link with glass self-supporting balustrades; the mixed use seafront tourist location; the playground and 55° North beside the listed Arcadia; limited users of the terrace as a residential property in reaching her assessment. The Commissioner did not agree that the users of the terrace would have a dominant effect on the vista given the vibrant seafront context and existing established character nor a competing focus that would significantly detract from the setting of the two listed buildings. She considered that the proposal would not detract from the appearance or character of the surrounding area and therefore upheld the appeal, granting permission.

**2.8** *Indicator 7: Number of claims for costs received by the PAC and number of claims awarded*

Table 7 provides the details of the number of application for claims for costs made by either third parties or Council to the PAC and the number of claims where the PAC have awarded costs. One application has been made by both third parties and Council but no decision has been made on the applications by the PAC. One of the costs awarded to Council relate to planning appeal 2018/A0165 erection of dwelling at lands to rear of 11 Randal Park Portrush due to the submission of new plans at the appeal which addressed the reasons for refusal and should have been submitted during the processing of the application. The second related to the late withdrawal of an enforcement notice appeal.

**Table 7 Total number of costs received**

	<b>Claims for Costs by third parties</b>	<b>Cost awarded against Council</b>	<b>Claim for Costs by Council</b>	<b>Costs awarded to the Council</b>
April 2019	1	0	1	0
May 2019	0	0	0	0
June 2019	0	0	0	2
July 2019	0	0	0	0

**2.9** Table 8 details the number of contentious applications which have been circulated to all Members in the months April - June and the number which have referred to the Planning Committee for determination. To date 61.54% of contentious applications have been referred to Planning Committee for determination.

**Table 8 Total number of referrals requested**

	<b>No of contentious applications</b>	<b>No of contentious applications referred</b>	<b>% Referred</b>
April 2019	7	6	85.71
May 2019	13	8	61.54
June 2019	19	10	52.63
July 2019	11	7	63.64
<b>YTD</b>	<b>50</b>	<b>31</b>	<b>62%</b>

Source: Unvalidated Statistics Internal Management Reports

### **3.0 Recommendation**

**3.1 IT IS RECOMMENDED** that the Planning Committee note the update on the development management statistics.