

# Chichester District Council

THE CABINET

5 September 2017

## Development Management Service Delivery

### 1. Contacts

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### 2. Executive Summary

Whilst government performance criteria for delivery of the Development Management Service has been met by the Council as local planning authority in recent years, it is considered that there is scope for further improvement in relation to determination times and customer service/care issues. This report details proposals to enhance development management service delivery, customer care and application performance following the government's announcement in relation to planning application fees through adjustments to the staffing structure of the Development Management Service.

### 3. Recommendation

**That Cabinet approves the following additions and adjustments to the team structure for the Development Management service, comprising the following;**

- 3.1 One new Development Manager (Applications Team) post at a cost of £65,257.00 per annum initially to be funded from reserves and subsequently from the government's planned increase in planning application fees.**
- 3.2 One new Planning Officer post wef. from 1 April 2018 at a cost of £38,327.00 per annum and subject to the introduction of the government's planned increase in planning fees and the council's annual budget process.**
- 3.3 One Planning Assistant/Apprentice post wef. 1 April 2018 at an additional cost of £14,991.00 per annum and subject to the introduction of the government's planned increase in planning application fees and the council's annual budget process.**

### 4. Background

- 4.1 In April 2013 Cabinet agreed a new staffing structure for the Development Management (DM) service (excluding enforcement). This involved replacing the

North and South area teams with three new teams: a CDC Majors and Business applications team, a CDC Minor Applications team, and a dedicated National Park team.

- 4.2 One of the objectives of the review of the staffing structure was to address performance and customer service issues at that time. The adjustments made to the staffing structure included a team manager and principal officer in each team (with managers carrying a small caseload) and two additional case officers to provide improved case handling capacity and enhanced customer satisfaction. One of these, a senior officer post, was to be dedicated to dealing with pre-application enquiries, an area of work that was in need of further improvement at that time. The post was originally temporary for one year, funded from additional fee income but was subsequently made permanent. In 2015, it was agreed to add a further senior planning officer post to the Major Applications team due to the significant increase in major and large-scale applications being submitted.
- 4.3 The table below sets out the changes in planning application workloads over the last 5 years. It is notable that for the CDC area there has been a significant increase in applications over the five year period including majors (54% increase) and minors (23% increase) applications.

<b>Planning Applications submitted in last 5 years</b>					
(Source PS1 DCLG Returns & Uniform Database)					
	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>
Majors	44	53	66	63	68
Minors	321	399	412	432	394
Others	952	930	1068	1044	1041
DOC	211	294	264	310	324
Pre-Apps	218	241	213	229	256
Prior Approvals	50	78	72	80	71
Lawful Dev Certs	133	137	166	111	116
DINPP (averaged)	-	-	-	-	114
Tree Applications	192	226	256	320	243
<b>CDC Total</b>	<b>2121</b>	<b>2358</b>	<b>2517</b>	<b>2589</b>	<b>2627</b>
<b>SDNPA Total</b>	NO RELIABLE DATA	NO RELIABLE DATA	<b>1679</b>	<b>1707</b>	<b>1763</b>

- 4.4 Notwithstanding the increased volume of major and other categories of application being submitted to the Council, performance for 2013/14, measured against the national 8 and 13-week periods showed a significant improvement on the previous year with two of the three national targets being met and one missed by only 2% (67% majors; 67% minors; 78% others). A report to Cabinet in July 2014 advised that it was evident that the improved levels of planning performance at that time were directly attributable to the new staffing structure and to the more efficient use of the staff resources.
- 4.5 Since then, performance has remained generally strong with the 3 national criteria being met for each of the last 2 years. For 2016/17, 92% of major applications were determined within 13 weeks (or an agreed extension of time); 75% of 'minor' and 86% of 'other' (mainly domestic) applications were determined within 8 weeks (or an agreed extension of time). Appeal performance was also above the national average with less than 29% of all appeals in the year being allowed. It should be acknowledged however that the

use of 'agreed extensions of time' is now widespread and enables decisions to be made over a longer period provided the applicant formally agrees. As a result of the increased amount of major applications work, an additional senior planning officer post was added in 2015.

- 4.6 Planning application and pre-application work together with planning appeals and discharging conditions are high volume, often technical and frequently complex. The development management process generates a high level of community interest and involvement and Parish Councils (PC's) play an active, statutory role, frequently seeking reassurance from officers that their views have been fully taken into account.
- 4.7 The DM teams are generally at workload capacity and there is consequently little, if any, slack in the system. In accordance with government advice, officers are expected to try to find solutions to identified concerns with applications wherever possible and to consider whether amendments might overcome any objections raised. It is not unusual therefore for straightforward applications to take up to 8 weeks and for those where amendments are sought to take longer. Major applications can take considerably longer. Elements of the development management process have become more complex with the introduction of 'prior approval' applications and the breadth of the 'Development Plan' has increased as further Neighbourhood Plans have been 'made'. Additionally, applications involving heritage considerations, and therefore consultation with the Historic Building Advisors, also tend to take longer to reach a decision due to the technical nature of these cases.
- 4.8 Recent years have seen a loss of some of the more experienced planning officers due to retirement, market demand and opportunities for progression elsewhere. Whilst these posts have been filled, it has resulted in a large number of junior and inexperienced staff (including Apprentices) in the CDC Applications team and National Park team, requiring high levels of supervision and guidance. Additionally, the CDC Applications Team does not have a dedicated Team Manager (currently staff are managed by the DM Service Manager who has responsibility for the whole of the DM Service) which has put pressure on management capacity and levels of staff supervision.
- 4.9 Within this context and in the last 12-18 months, levels of dissatisfaction about the performance of the service and customer care issues appear to have increased, principally in relation to minor CDC applications and applications handed by the national park team. In particular, complaints from applicants/agents expressing concern about communication with officers and the speed of decision making have become more frequent. Such concerns appear to have come to the attention of some members who in turn have raised it with senior officers.
- 4.10 Dissatisfaction levels also appear to be reflected to some extent in the number of formal (Stage 1 and 2) complaints made to the Council so far this year compared to the previous 4 years as set out in the table below. A number of these complaints relate to concerns regarding the availability of officers and the time taken to determine applications and react to comments.

	Total Complaints Received	Stage 1	Stage 2	Ombudsman
April 13-March 14	34	20	7	7
April 14 - March 15	53	48	4	1
April 15 - March 16	75	49	17	9
April 16- March 17	52	40	8	4
April 17 – 22 Aug 17	34	23	9	2

- 4.11 It should be noted that a proportion of these complaints are from residents who may feel aggrieved by planning decisions made by the Council but the increase is nevertheless notable.
- 4.12 Planning application performance is, in the majority of cases, very good and it is not considered that there is any evidence of a fundamental failing within the service. However, application workloads have clearly risen in the last 4 years since the service review and whilst it is acknowledged that staffing levels have also been increased, there do appear to be a minority of cases where complaints arise due to either the time taken to determine them or as a consequence of customer care concerns. Whilst performance in relation to planning applications has improved significantly over the last four years, discharge of condition performance is not consistent and often suffers from competing priorities amongst staff in determining planning applications. Given Government expectations regarding the efficient operation of this key stage in the development management process and the expectations of applicants as they seek to implement their planning permission, this is an area of the service meriting further consideration.
- 4.13 In addition, whilst there been a notable improvement in the efficiency of the Council's Pre Application Advice service since the introduction of the revised scheme in February 2017, the service is mainly provided by one senior officer and lacks resilience.
- 4.14 It is also becoming apparent that PC's and especially those with 'made' neighbourhood plans expect greater engagement with planning case officers and influence in the development management process.

## 5. Outcomes to be achieved

- 5.1 Enhanced management capacity within the Development Management 'Applications' team will enable improved management supervision and guidance of the team leading to improved customer satisfaction and speed of decision making.
- 5.2 Additional staff resources within the Development Management teams including increased support for the pre-application advice process will enable an increase in the speed and quality of pre-application advice for minor and householder enquiries and facilitate more efficient determination of applications for the discharge of planning conditions.
- 5.3 The above measures will also enable improved levels of customer service to be provided, including increased visibility and availability of officers to engage with Parish Councils, applicants and third parties which should result in fewer complaints being received.

## 6. Proposal

- 6.1 It is proposed to create a new Development Manager (Applications Team) post, reporting to the DM Service Manager. The addition of this post will allow for improved management of staff in the Development Management Applications Team who handle the majority of the planning applications submitted to the Council each year. Along with the existing Principal Planning Officer in the team, this post would enable greater experienced day-to-day supervision of junior members of the team and facilitate an increase in workload capacity of other senior officers. This is expected to result in improved customer service and fewer service complaints which should in turn, improve the reputation of the service.
- 6.2 The addition of this post to the establishment will also allow the DM Service Manager to focus on management of the wider DM Service, corporate and service projects, including greater engagement with stakeholders, including Parish Councils.
- 6.3 It is also proposed to create a new planning officer post to assist with minor and householder pre-application enquires and deal with discharge of condition applications. This would ensure that pre-application workload levels would be manageable and provide service resilience for this area of work in addition to facilitating the efficient discharge of discharge of condition applications. It is anticipated that these measures will not only facilitate more expedient delivery of development but also increase customer satisfaction and the reputation of the DM service.
- 6.4 The third element of these proposals is to redesignate two existing planning apprentice posts as planning assistant/apprentice posts – one of which is to be funded by the council with the other funded via the development management agency agreement with the South Downs National Park Authority. The apprentices are already funded from the service budget and these roles create a pathway for inexperienced but suitable candidates to enter a career in planning with the Council. Whilst such posts require a high degree of management supervision and guidance there have been clear tangible benefits in recruiting good quality calibre candidates to the roles, who have been effective in supporting efficient delivery of the service. However the nature of the apprenticeship is that after two years it finishes and without a substantive post for the apprentices to move into, their employment with the Council would come to an end. This would run counterintuitive to the aims of developing and growing the Council's own planning professionals.
- 6.5 It is therefore proposed that the planning apprentice posts are redesignated and funded to become flexible planning assistant/apprentice posts. The roles, responsibilities and salary level of the current postholders would remain unchanged for the duration of their apprenticeship. However upon successful completion, the postholders would move to the substantive grade 3. It is envisaged that with further training over the following 3 years, the postholders would be suitably qualified to be considered for a planning officer position within the service, as vacancies arise. This would then enable the service to seek new apprentices and repeat the recruitment process again. This approach accords with the government's emphasis on the use of apprentices and would improve staffing resilience for planning officers.

## **7. Alternatives Considered**

- 7.1 To either leave the DM service unchanged or part implement these proposals. However, this would not address the issues identified in section 4 above and would be likely, given current workloads to lead to further customer dissatisfaction and increased complaints. It would also result in the loss of the two existing apprentices at the end of their 2 year qualification period.

## **8. Resource and Legal Implications**

- 8.1 Overall, the addition of a new Development Manager (Applications Team) and Planning Officer will result in a cost to the Council of £103,584 per annum and is reliant upon the government's proposed increase in planning fees and subject to the council's annual budget process. The additional funding required to redesignate the Planning Assistant/Apprentice post would be £14,991 (effective from September 2018) when the current apprentice in the CDC Applications Team will have completed her apprenticeship qualification.
- 8.2 As part of the Housing White Paper published in February 2017 it was announced that the Government intended to increase planning application fees by 20% but that for authorities to benefit from the higher fee levels, they had to commit to the additional fee income being spent on planning services. This is anticipated to result in an annual increase in planning application fees to the Council of approximately £150,000. The Government has indicated that legislation will be laid before parliament in autumn 2017 to enable implementation of the fee increase. Consequently it is unlikely that fees will increase before spring 2018.
- 8.3 The proposed changes to the DM Service as outlined above are considered essential to ensure the Council provides an effective service that meets the needs of the community whilst safeguarding the environment and economy of Chichester District. The intention is that the additional resources recommended in the report will be funded from the additional planning fee income. However, there may be a delay between recruitment to the DM (Applications Team) manager post and the fee income being increased. It is therefore proposed that any temporary shortfall (est. £30,000 during 2017/18) be funded from reserves.

## **9. Consultation**

- 9.1 None

## **10. Community Impact and Corporate Risks**

- 10.1 Important considerations are that the DM Service delivers a service that is respected by the community and facilitates the delivery of expedient and quality decisions on planning applications and associated functions. It is also noted that the expected 20% increase in planning application fees is to be ring fenced to provide for improvements to Planning Services and greater capacity to deliver growth.

## **11. Other Implications**

- 11.1 None.

## **12. Appendices**

12.1 Appendix 1 – Development Management Service - Existing Staffing Structure

12.2 Appendix 2 – Development Management Service - Proposed Staffing Structure

## **13. Background Papers**

13.1 None