

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Economic and Community Regeneration Cabinet Board

23rd October 2015

Report of The Head Of Planning

Nicola Pearce

Matter for Information

Wards Affected: All

Planning – Consideration of the Report Card for Development Management and Pollution Control

Purpose of the Report

- 1 To present for Scrutiny the Report Card for the Development Management and Pollution Control team.

Executive Summary

- 2 The Economic and Community Regeneration Cabinet Board on the 19 June 2015 approved the Divisional Business Plan for Planning.
- 3 In accordance with the approved Divisional Business Plan for Planning, each Business Unit within the division is required to complete a Report Card for each financial year, outlining the following:
 - Performance against last year's Action Plan and Targets;
 - The challenges and opportunities faced in the short and medium term; and
 - The actions and targets for the 12 months from April 2015 to March 2016.
- 4 Following internal reorganisation, the Pollution Control team (formerly part of the Environmental Policy team) has been integrated with the Development Management service.

- 5 The Report card at Appendix 1 draws together the performance for each team within the Development Management and Pollution Control service for the first quarter of 2015-16 (April – June).

Background

- 6 The Report Card summarises the service priorities, key measures and key actions for the combined Development Management and Pollution Control team.

Consultation Outcome

- 7 Employees within the individual services have been consulted and contributed towards the development of the Report Card.

Financial Impact

- 8 The work delivered is fully covered by a combination of revenue budget, fee income and grant monies

Equality Impact Assessment

- 9 Not applicable

Workforce Impacts

- 10 These are covered in the appended report.

Legal Impacts

- 11 Not applicable.

Risk Management

- 12 A risk matrix for the Directorate has been prepared which incorporates the risks within this service area.

Recommendation

- 13 This item is for information only

Reasons for Proposed Decision

- 14 Not applicable

Implementation of Decision

15 Report Cards will be prepared in accordance with the approved Business plan on a quarterly basis to review service priorities, key measures and key actions for the combined Development Management and Pollution Control team.

Appendices

16 Appendix 1 – Development Management and Pollution Control Report Card

List of Background Papers

17 Planning Business Plan 2015-16.

Officer Contact

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DEVELOPMENT MANAGEMENT & POLLUTION CONTROL

REPORT CARD : 1ST APRIL – 30TH JUNE 2015



What We Do

The overarching **vision** of the Development Management service is to be pro-active and to front load the service thus enabling everyone to work together to achieve a shared purpose of promoting and creating sustainable development to achieve the corporate priority of securing prosperity for all.

The Development Management team has the following four key functions: -

- Determination of Planning Applications in accordance with national and local Regulations and indicators, and provision of a high quality, customer-focussed pre-application advice service as part of an emphasis on 'Delivering Quality Development Quickly'.
- Provision of a robust Enforcement Service which seeks to ensure, where development is undertaken without planning permission, that appropriate action is taken to remedy such breaches of planning control where it is expedient to do so in the public interest
- Planning Appeals – Defending the Council's planning and enforcement decisions.
- Minerals and Waste – Approving, monitoring and enforcing the significant number of active minerals and waste sites within the County Borough, with support from Carmarthenshire Council through a Service Level Agreement.

The Pollution Control team is responsible for statutory duties in relation to air quality and contaminated land including associated permitting and planning searches.

Summary of Key Priorities for 2015/16 (see *Business Plan*)

Development Management

1. To improve performance which has lost ground following a reduction in experienced staff. The aim is to regain the top performing authority in Wales status which we held until staff levels were reduced.
2. To design and implement a S106 database and protocol to ensure that we improve the monitoring and management of S106 infrastructure and payments to the authority.
3. Improve training to all Members in relation to Planning matters, with bespoke targeted training for Members of the Planning Committee.
4. Introduce standardised procedures and protocols in relation to the delivery of the Planning Enforcement Service and the Planning Appeals service to ensure that they tie in with the new Welsh Government targets and to ensure that the decisions of this Council are robustly defended.
5. Secure Planning Performance Agreements for the two NSIP schemes which are currently under consideration within the Council's boundaries.
6. Improve the provision of planning agents' workshops to ensure full engagement with stakeholders and to maximise transparency and accessibility. This will address the poor quality of submissions and ensure agents are aware of emerging changes to legislation and procedures.

Pollution Control

1. To implement the Council's Contaminated Land Strategy (April 2015), including seeking appropriate grant funding to enable proactive site investigations.
2. To develop a Protocol covering provision of services to the Council/ public / developers in respect of Phase 1/ Geo-environmental Desk Studies.
3. Review and develop the Council's website to enhance the provision of information to the public on contaminated land issues.
4. To continue ongoing monitoring of key sites in respect of air quality and nickel levels to ensure compliance with National and European targets.

How Are We Doing**Corporate Measures:**

- **FFP savings to be delivered**

The chargeable pre-application advice service continues to provide savings, with further significant savings identified for 2016/17 and 2017/18 and opportunities to maximise income, including through the use of Planning Performance Agreements (PPAs) for Nationally Significant Infrastructure Projects (NSIPs) in NPT.

- **Average Days Sick / FTE**

	<i>FTE Days Lost (1st April 2015 to 30th June 2015)</i>	<i>Average FTE - Employees</i>	<i>Average FTE – Sick Days</i>
<i>Development Management & Pollution Control</i>	43	20.11	2.14

It is noted that the overall Council sickness figure for quarter 1 was 2.2 FTE Days, accordingly as a total the team sickness level was marginally better than the Council average. The figure was affected by a single officer on long-term sickness during part of the period in question. The period of sickness was managed in accordance with the Council's new sickness management procedure and the officer has now returned to work.

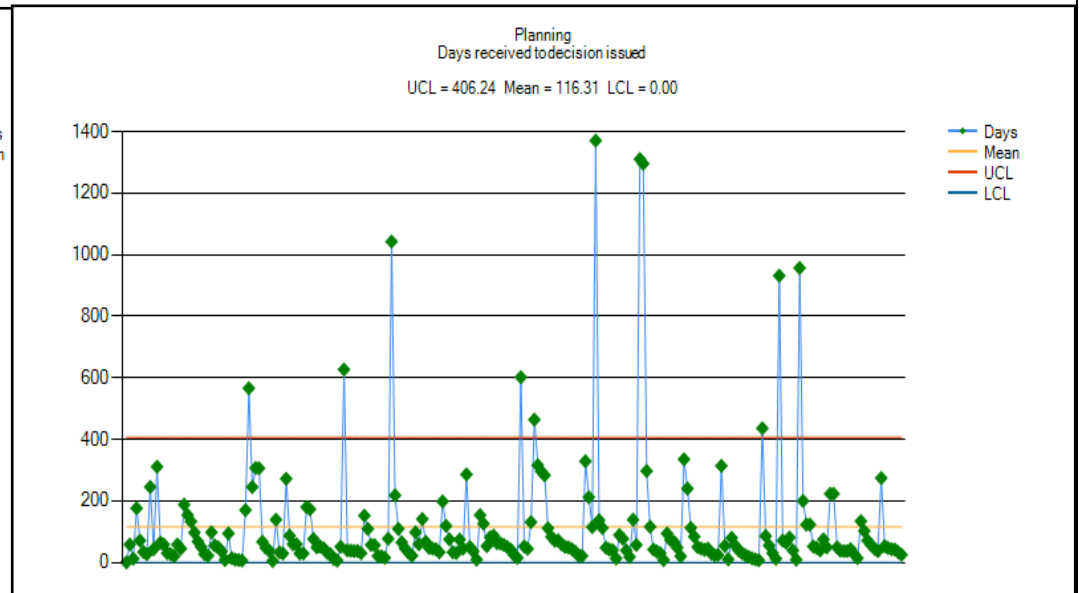
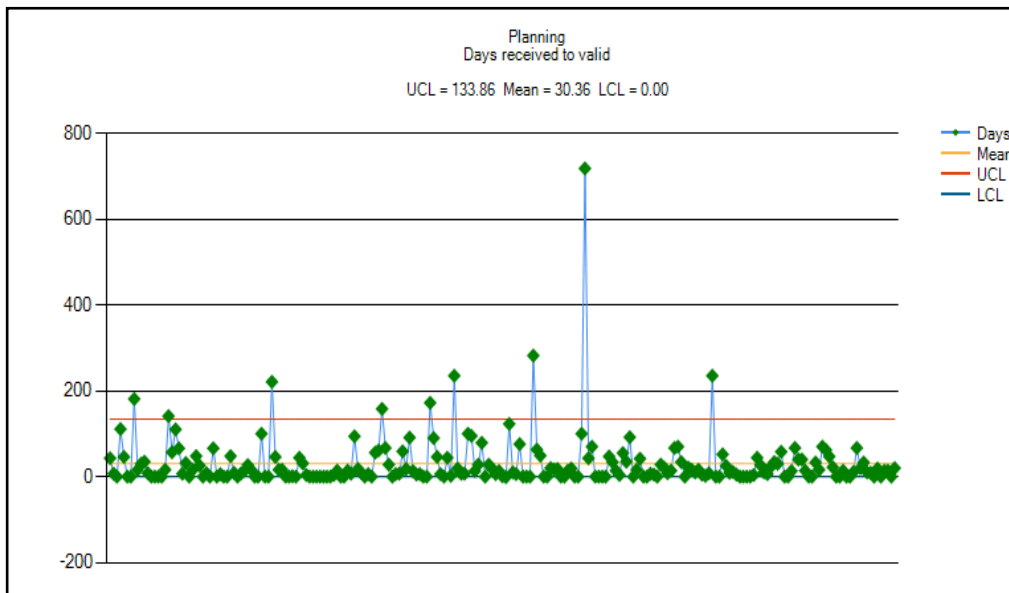
- **Staff morale (staff survey developed by Corp Strategy)** - to be completed during 2015/16
- **% of staff received PDR's in last 12 months** – 100% completed
- **% of staff satisfied or very satisfied with their job** – to be completed during 2015/16

Service Measures – How much did we do / How well did we do it (e.g. efficiency, customer satisfaction etc):

Development Management

The performance of the Development Management service is assessed Nationally through the Welsh Government Development Management Quarterly Surveys and locally through local key performance indicators (KPIs). The former allow the service to be monitored against all other Welsh Local Planning Authorities on a quarterly basis (not cumulative), while the latter allow the manner by which the service is delivered locally to be assessed against the overall aim of 'Delivering Quality Development Quickly'.

NPT Key Planning Performance Indicators 1st April – 30th June 2015



PLA/M001 Average time taken from receipt of application to validation of application

PLA/M002 Average time taken from receipt of application to date decision is issued

National Planning Benchmarking Dataset

With effect from April 2014 National indicators were replaced by the 'Planning benchmarking dataset', which has been developed in collaboration with the Local Government Data Unit and the Planning Officers' Society Wales (POSW) and includes (amongst other planning data requirements) key data sets which will allow direct comparison between Welsh Local Planning Authorities. The following indicators from the benchmarking dataset are a 'snapshot' of the performance of the team, which are used in addition to local indicators PLAM001 and M002.

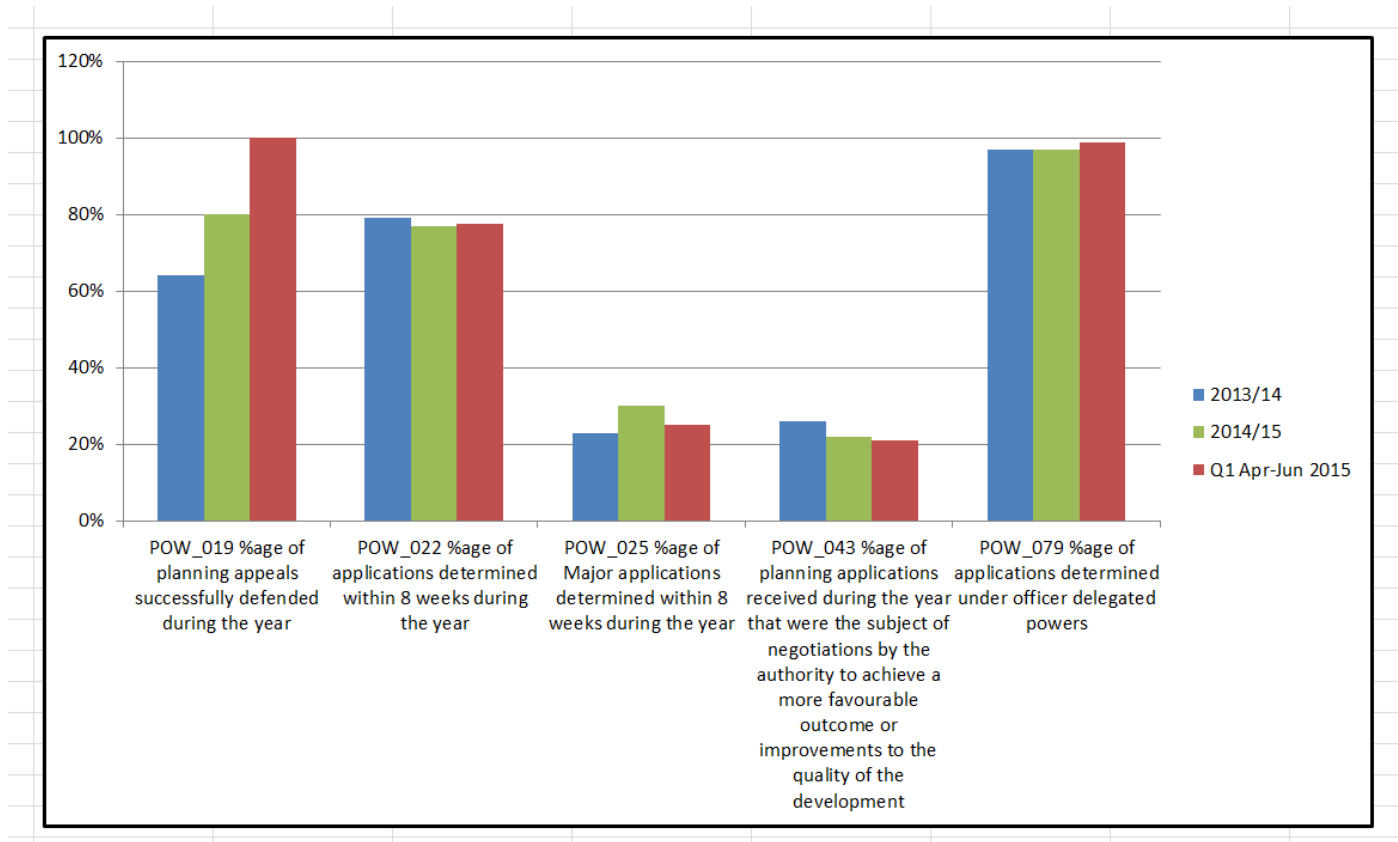


Figure 1 - Key Planning Performance Statistics

Pollution Control

Following internal reorganisation, the **Pollution Control** team has been successfully integrated with the Development Management team, and continues to manage the Council's air quality monitoring and permitting systems, in addition to maintaining industry and public air quality alert systems. This includes working with industry to improve Nickel emissions thus ensuring that they are within European targets, and ensuring any breaches of Air Quality Objective levels are controlled. The team is also proactively providing contaminated land advice to other departments reducing the need for external consultants.

As part of its primary duties, a key action for 2014/15 was to improve the data capture rates for the air quality monitoring system to above 90% at all stations. This figure was achieved for 2014/15 as a whole and continues to be delivered during Q1 (see figure 2), thus ensuring that the team has the critical data necessary to manage air quality within the County Borough.

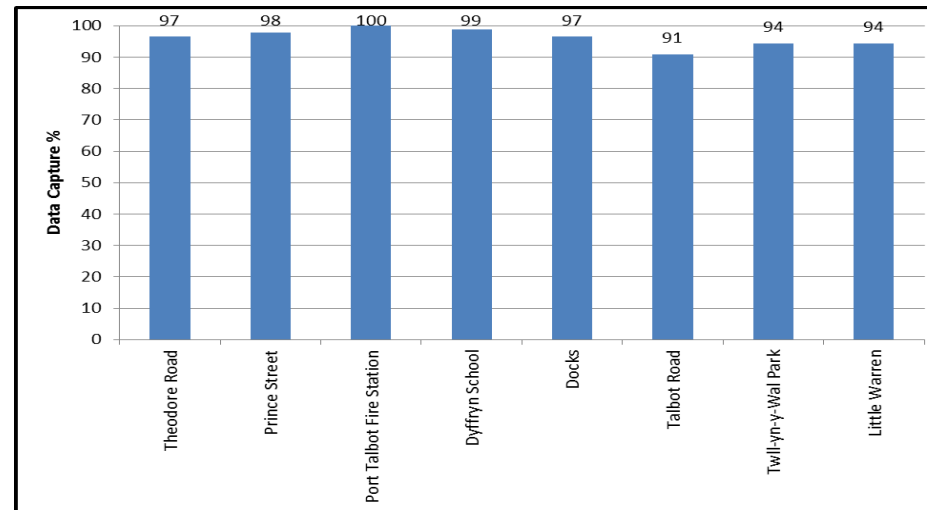


Figure 2 - Percentage Data Capture for Air Quality PM10 Monitors

Story Behind the Performance

The **Development Management** section has continued to deliver a high quality customer focussed service during the last year, and continues to successfully contributed towards the delivery of major regeneration projects throughout the County Borough including the Swansea University second campus, Neath town centre, Afan Lido, and Port Talbot Parkway, together with the ongoing comprehensive development of Wales' largest urban village at Coed Darcy.

The team, however, continues to operate in a challenging environment following the loss of experienced staff and required re-organisation from three area teams to two as a result of the need to make significant cost savings, alongside which the team has been faced with an increasingly

heavy and complex range of applications, including dealing with the Swansea Tidal Lagoon and TATA Steel Nationally-Significant Infrastructure (NSIP) applications, numerous wind farm and other renewable energy schemes, and contentious applications and appeals.

While the team is generally working well, and relationships with key stakeholders remain very good, these changes and work pressures continue to have an inevitable knock-on impact on performance, with the previously consistently high performance of the team in recent years regrettably not being able to be maintained. Nevertheless, while some indicators saw a drop in performance including the average time taken from receipt to validation and the average time taken from receipt to date of decision, the overall level of performance for Q1 has remained constant, with 77.6% of all applications determined within the statutory 8 week period (c.f. 78% during same quarter in 2014/15), despite recent efforts made by Officers to progress 'older' or 'stalled' applications to determination.

Despite these challenging times, the team continue to deliver high quality development, with continuing emphasis on 'adding value' to developments in the wider public interest, while efforts are continuing to ensure that Officers and applicants 'front-load' negotiations as part of our continuing commitment to 'Delivering Quality Development Quickly'.

In this respect, the new chargeable pre-application service introduced in April 2014 has been largely well-received, and has enabled the team to continue to provide a high quality service which is effective in reducing delays for developers later in the process, while generating much needed income as part of the FFP savings. In addition, it has resulted in a reduction in 'speculative' requests, while enabling the team to re-introduce pre-app advice for householder developments.

The **Pollution Control** team continues to successfully manage the Council's air quality monitoring and permitting systems, maintaining industry and public air quality alert systems, as well as providing contaminated land advice to other departments reducing the need for external consultants.

In April the Amber Threshold for Short-Term Action Plan (STAP) was reached due to the number of PM exceedances leading up to the period in the Air Quality Management Area (AQMA) around Margam, Taibach and Port Talbot. NPT continue to monitor the PM levels and collaborate with WG and NRW in exploring the contributory causes and possible mitigation. NPT also liaises with NRW, the regulator for TATA steel to support ongoing compliance monitoring.

Traffic related air quality has achieved significant improvement over the last year as previous causes of pollution were identified as a consequence of improved monitoring. This includes a traffic management solution introduced at the cross roads adjacent to Pontardawe town centre which has successfully achieved a reduction in PM10 levels thus ensuring it is not currently under threat of being declared an Air Quality Management Area (AQMA). There has also been a slight reduction in the levels at Victoria Gardens however these levels still remain very close to the maximum threshold. A further reduction in levels is still required at this location to ensure that it does not constrain further development in and around Neath town centre.

During 2014/15 the Air Aware project (an alert system whereby residents who suffer from medical conditions linked to air quality would be advised at the earliest opportunity that air quality was poor) was completed. The results of the project demonstrated that despite the alerts being in place the demand for primary care actually increased for those involved in the project. As a consequence the project has been closed down and will not

be rolled out beyond the pilot area within NPT nor will it be rolled out nationally.

The team continues to work closely with industry to improve Nickel emissions thus ensuring that they are within European targets. One site within the County Borough which was previously breaching Air Quality Objective levels is now well within those limits, while a second site is currently operating using Best Available Technology to ensure that their emissions are controlled.

Following the re-writing of the Contaminated Land Strategy, the Pollution Control team will be looking to secure potential funding streams from the Welsh Government to deal with any land identified as being contaminated under Part IIA of the Environmental Protection Act 1990.

Alongside higher overarching Key Actions we as a Team propose to:	By When	Outcome
<ul style="list-style-type: none"> • Improve performance in terms of the 8 week statutory target (KPI PL001) in relation to householder and minor applications 	Ongoing	Ongoing
<ul style="list-style-type: none"> • Design and implement a S106 database and protocol to ensure that we improve the monitoring and management of S106 infrastructure and payments to the authority. 	March 2016	Initial meeting held - programme being prepared
<ul style="list-style-type: none"> • Improve the training provided to all Elected Members in relation to Planning matters. 	Ongoing	To be reported to Planning Committee Members in Q3
<ul style="list-style-type: none"> • Introduce consistent and robust appeals and enforcement procedures 	March 2016	Yet to be commenced
<ul style="list-style-type: none"> • Secure appropriate Planning Performance Agreements for NSIPs developments 	December 2015	Agreements secured
<ul style="list-style-type: none"> • Improve Agents workshops and means of communicating with agents generally 	Ongoing	Next Forum to be held Autumn/Winter 2015
<ul style="list-style-type: none"> • Introduce consistent and robust Appeals and Enforcement procedures 	March 2016	Yet to be commenced
<ul style="list-style-type: none"> • Implement the Council's Contaminated Land Strategy including seeking appropriate grant funding to enable pro-active site investigations to inform the Council's understanding of Contaminated Land across the County Borough. 	December 2015	Ongoing

<ul style="list-style-type: none"> Develop a Protocol covering the contribution made by the Pollution Control team to Phase 1 / Geo-environmental Desk Studies for Council projects, and the provision of services to the general public / developers in respect of such matters, including appropriate pre-application advice on the content and methodologies of such reports 	<p>March 2016</p>	<p>Yet to be commenced</p>
<ul style="list-style-type: none"> Review and develop the Council's website to enhance the provision of information to the public on contaminated land issues, including publication of the Contaminated Land Public Register 	<p>March 2016</p>	<p>Ongoing</p>
<ul style="list-style-type: none"> Continue ongoing monitoring of key sites in respect of air quality and nickel levels to ensure compliance with National and European targets 	<p>March 2016</p>	<p>Ongoing</p>

