



**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**The 2017/18 Service Plan for  
Development & Building Control and Strategic Planning & Enterprise**

**April 2017.**



The service plan is a key component of NHDC's Corporate Business Planning Process. It supports the delivery of the Corporate Plan, and the delivery of the day-to-day business activities of the Council, within agreed budgets.

These plans, specific to each service cannot be written in isolation. The Senior Management Team works together to identify areas where synergy, cross authority working or additional skills or temporary resource may be required to deliver an individual project. The service plans will provide the detailed actions which ensure delivery of the priorities.

The Council has three new Objectives from 2016/17 that form the basis of the corporate business planning process. These will be the areas on which the Council will concentrate resources and activities for delivery.

Actions arising from the corporate business planning process will feed into personal objectives for individual members of staff via appraisals and 1:1 meetings. The clear lines of responsibility, outcomes and target dates will be monitored as part of the Council's project governance and performance management reporting.

As part of the Corporate Business Strategy, this service plan should also outline any service area that Corporate Board have indicated will be subject to review in 2017/18.

The following are descriptions of the Council's Objectives:-

## **Objectives**

- **Attractive & Thriving**  
**To work with our partners to provide an attractive and safe environment for our residents, where diversity is welcomed and the disadvantaged are supported**
- **Prosper & Protect**  
**To promote sustainable growth within our district to ensure economic and social opportunities exist for our communities, whilst remaining mindful of our cultural and physical heritage**
- **Responsive & Efficient**  
**To ensure that the Council delivers cost effective and necessary services to our residents that are responsive to developing need and financial constraints**

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## **1. INTRODUCING THE SERVICE**

**Head of Service:** Ian Fullstone

**Executive Members:** Cllr David Levett  
Executive Member for Planning & Enterprise  
Cllr Julian Cunningham  
Executive Member for Policy, Transport & Green Issues

**Service Managers:** Simon Ellis  
Development and Conservation Manager  
Louise Symes  
Strategic Planning and Enterprise Manager  
Jenny Donovan  
Technical Support Manager

**Number of FTE's:** 35

### **1.1 The purpose of the Team**

The purpose of the Development & Building Control and the Strategic Planning & Enterprise services are:

- To determine applications under the Planning and Related Acts;
- The enforcement of breaches of the Planning and Related Acts;
- To adjudicate High Hedge applications under the Anti-Social Behaviour Act 2003;
- To seek to preserve and maintain the historic assets and environment of the district;
- Where requested, implement Compulsory Purchase Orders;
- Planning Control is a Responsible Authority under The Licensing Act 2003;
- To determine applications under the Building Regulations both within North Hertfordshire and in partnership with other local authorities;
- The enforcement of breaches of the Building Regulations and the Building Act;
- To control demolitions with regard health and safety and public amenity under the Building Act;
- The Statutory Authority in relation to any action with regard dangerous structures;
- The naming and numbering of streets and properties and the associated service of property verification and notification; and
- The diversion of footpaths where impeded by proposed development;
- To prepare the Council's Local Plan, to guide future development within the District;
- To respond to development proposals in adjoining authorities which may impact on the District;
- To give planning policy advice to Members, colleagues in other services and the public;
- To provide guidance for the preparation of Neighbourhood Plans;
- To prepare planning briefs and provide an enabling role in promoting the development of opportunity sites in accordance with the Council's town centre and other strategies;
- To manage and work in partnership with other services and Herts. County Council in the implementation and maintenance of Enhancement Schemes, primarily within the town centres;
- To develop, maintain and implement the Council's Parking Strategy & Action Plan, and lead or respond to other transport issues;
- To develop a Green Infrastructure strategy for the District and secure its implementation; and
- To play a pro-active role in Enterprise (Economic Development) within the District, to ensure that the Council plays its part in the future prosperity of the area.

## 1.2 How the service links to our Objectives

The service areas link with the Objectives in the following ways:-

For the Development and Building Control Service:

<b>Service Area</b>	<b>Category*</b>	<b>Priority</b>	<b>Link to Priority</b>
Determination of applications under the Planning and Related Acts	Statutory	Prosper & Protect	This is a statutory service which ensures that all applications under the Planning and Related Acts are considered in accordance with Government guidance, adopted Council policies, consultee and public representations. Decisions are either made by the officer or the elected members of the planning committee
Enforcement of breaches of the Planning Acts and Related Acts	Statutory	Prosper & Protect	Planning Control has a duty to consider enforcing all breaches of the Planning legislation. Enforcement will be undertaken where it is in the public interest and/or necessary to protect the environment of North Herts.
To adjudicate High Hedge applications under the Anti-Social Behaviour Act 2003	Statutory	Prosper & Protect	The role of the local authority is not to mediate or negotiate between the complainant and the hedge owner but to adjudicate on whether - in the words of the Act - the hedge is adversely affecting the complainant's reasonable enjoyment of their property.
To seek to preserve and maintain the historic assets and environment of the district	Statutory	Prosper & Protect	This service seeks to preserve and maintain the historic assets and environment of the district
Where requested to implement Compulsory Purchase Orders	Statutory	Prosper & Protect	Working with Town Centre Partnerships, other partners and other service providers to develop and improve retail and leisure provision and encourage sustainable development of the towns in the district.
Planning Control is a Responsible Authority under The Licensing Act 2003	Statutory	Prosper & Protect	Planning is a statutory consultee with regard Premise License applications
Determination of applications under the Building Regulations	Statutory	Prosper & Protect	This is a statutory service which ensures that all applications under the Building Regulations are considered in accordance with legislation, Government guidance, consultee representations and officer local knowledge and experience. Decisions are made by the officer and determined within statutory time limits

<b>Service Area</b>	<b>Category*</b>	<b>Priority</b>	<b>Link to Priority</b>
Enforcement of breaches of the Building Regulations and the Building Act	Statutory	Prosper & Protect	This is a statutory service which ensures that all work undertaken which is in breach of the Building Regulations 2010 and/or the Building Act 1984 is pursued to attain compliance where possible primarily to ensure life safety
Where appropriate, take action to make safe any dangerous structures.	Discretionary non-core	Prosper & Protect	This is a statutory power which allows the Council to ensure that any structure found or reported to the authority, which is deemed to be a danger to the public, is made safe. Decisions and emergency powers are delegated to the service manager to maintain public safety.
Where appropriate to control demolitions with regard health and safety and public amenity under the Building Act	Statutory	Prosper & Protect	This is a statutory service, which seeks to ensure that when certain buildings are demolished certain aspects of health of safety and the protection of public amenity are controlled.
The naming of and numbering of properties within streets and the associated service of property verification and notification	Statutory	Attractive & Thriving	This is a statutory service which ensures that all newly created properties are street named and numbered (or amended where required) and that appropriate signage is erected and maintained. Decisions are delegated to the service manager or referred to committee for approval of recommendation where agreement cannot be reached with the applicant.
The Diversion of Public Footpaths where impeded by proposed development	Statutory	Prosper & Protect	This is a service which ensures that any existing footpaths which are impeded by permissive proposed development are diverted to an appropriate alternative route following consultation. Decisions are delegated to be made by the service manager or by the Secretary of State on appeal

Preparation of the Local Plan	Statutory	Prosper & Protect	Formulation of the Council's Local Plan and other Local Development Framework documents establishes the scale and distribution of acceptable growth in the District to 2031. Additionally, formulation of Strategic and Development Management policies to control qualitative aspects of new development, applied through assessment of planning applications.
Neighbourhood Planning	Statutory	Prosper & Protect	To facilitate and support the Neighbourhood Planning Process for Parish Councils and Neighbourhood Forums

<b>Service Area</b>	<b>Category*</b>	<b>Priority</b>	<b>Link to Priority</b>
Responding to development proposals in adjoining authorities	Statutory	Prosper & Protect	Through Duty to Co-operate meetings we try to ensure that the character and amenities of the District are not adversely affected by such proposals, and if possible, are enhanced.
Policy advice	Statutory	Prosper & Protect	Advice is given to secure development which enhances the District (and minimises any adverse impacts) when implemented.
Planning Briefs and promoting development of Town Centre Opportunity Sites	Discretionary Core	Prosper & Protect	Advice is given through the preparation of planning briefs as a means of working together with potential developers in bringing forward a number of opportunity sites identified in the Local Plan and in the town centre strategies as a means of improving the vitality of the town centres for people to invest and visit.
Enhancement Schemes	Discretionary Core	Prosper & Protect. Attractive & Thriving	The enhancements and maintenance of the Town Centres seek to resolve existing issues detracting from the character and amenities of the area, resulting in a better environment for the public and for employers.
Parking / Transport	Discretionary Core	Prosper & Protect. Attractive & Thriving	A key factor linked to the enjoyment of the District and its towns and villages is ease of movement, whether by car or by other means. This area of the service works together with Herts County Council in their role as Highway Authority in implementing schemes designed to resolve existing movement issues, parking issues and cater for enhanced flows in the future.
Green Infrastructure	Discretionary Core	Prosper & Protect. Attractive & Thriving	Through negotiation and direct action, to secure enhancement of the District's natural resources and the links between them, for the benefit of the residents and visitors to the area.
Enterprise and Economic Development	Discretionary Core	Prosper & Protect	We aim to ensure that there are no unnecessary obstacles which prevent economic growth as well as seeking to facilitate economic growth.

**\*Category**

**Statutory/Mandatory** – NHDC has a statutory duty to provide this service

**Discretionary Core** – NHDC has the power to provide this service. It either supports the delivery of front line services or generates a net income for NHDC.

**Discretionary non-core** – Discretionary services that do not directly support any other front-line Council service.

**1.3 Budget**

The budget for this service area for 17/18 is attached as Appendix C.

## **2. WHERE ARE WE NOW?**

### Baseline assessment of service

#### **2.1 Performance Profile**

The performance indicators for the service areas set out how well the service is currently performing against a range of criteria, measures, targets and customer expectations. The performance indicators below are reported to the Overview and Scrutiny Committee. In addition to these, there are management information indicators that are used to ensure the service strives to improve or deliver services more efficiently.

<b>PI</b>	<b>Description</b>	<b>Annual 2016/17 Target</b>	<b>Latest Data</b>	<b>Status</b>
CP LI045	Percentage of building on brown field sites	No target	64% (2015/16)	N/A
LI032	Number of allowed planning appeal decisions, as a percentage of all 'refused' planning application decisions issued	No target	35.48% (11 of 31 allowed)	N/A
NI157e	Percentage of all planning applications determined within the relevant statutory time period	83%	87.16%	Green
NI157ai	Percentage of major planning applications determined within the relevant statutory or agreed time periods	75%	95.45%	Green
DC001a	Number of planning applications taken to appeal due to 'non-determination' within the statutory time period, which were allowed	0	0	Green
DC002	Number of planning applications where the fee has been refunded due to the application not being determined within 26 weeks	0	0	Green
TC001	Number of retail units in use in Baldock Town Centre	No target	85 (2017)	N/A
TC002	Number of retail units in use in Hitchin Town Centre	No target	343 (2017)	N/A
TC003	Number of retail units in use in Letchworth Garden City Town Centre	No target	204 (2017)	N/A
TC004	Number of retail units in use in Royston Town Centre	No target	148 (2017)	N/A
MI DC001	Number of fee-earning planning applications received by Development Control	No target	1820	N/A
MI DC002	Number of non-fee-earning planning applications received by Development Control	No target	938	N/A

## 2.2 Public Perception

The customer's perception of the service is analysed to ensure the service responds to feedback. This includes analyses of information obtained from the Council's Compliments, Comments and Complaints process. In addition, where complaints are progressed to the Local Government Ombudsman (LGO) analysis of the LGO approach to complaint is monitored for any learning. In 2016/17 two complaints were pursued through the LGO, the first was deemed premature; the second was closed with no further action.

The planning service incorporating Development & Building Control and Strategic Planning & Enterprise Services has a customer liaison panel, which is updated on the service delivery and key issues and provides feedback on the service generally.

## 2.3 Key achievements and outcomes from 2016/17

Action	Output	Outcome
Hertfordshire Building Control Collaborative Arrangement	Staff transferred into new company, company trading as Hertfordshire Building Control, IT migration commenced	Improved resilience and commercial opportunities for the Council's Building Control function
Economic Development Officer	Successful recruitment of an Economic Development Officer	Officer working to facilitate economic development
Economic Development Action Plan	Hertfordshire SME Awards supported, funding from Eastern Plateau Rural Development Fund delivered in the district, economic development webpages updated, business directory completed.	Businesses supported and local economy grown.
Local Plan	Cabinet resolved to consult on pre-submission draft and Council papers released for permission to submit the submission plan	Local Plan progressing
Neighbouring Authorities Local Plan	Participated in Duty to Cooperate meetings with neighbours	NHDC influencing as appropriate neighbours Local Plans
Post 2031 Local Plan	Initial study completed with DCLG funding	Roadmap established for new settlement work
Parking Strategy	Phase 1 of the proposed Parking Strategy Review published	New tariff structure for phase 1 adopted
Service Resilience	Sub-delegations implemented and consultants used for specific tasks	Increased service resilience
Electronic provision of information	Representations now on-line for planning applications	Increased transparency and self service

Accommodation move	Services relocated following decant of Council Offices	Seamless move for customers
Self and Custom Build Regulations	On-line register for those seeking serviced plots	Compliant register available through the website
Legislation	New legislation monitored and reported through Cabinet	Cabinet kept up to date with regard new planning legislation
Neighbourhood Planning (NP)	Pirton NP submission version consulted upon. Preston and Knebworth NP Area designations approved	Neighbourhood planning supported
Migration to new planning database	New database selected and migration works commenced	Improved database for planning

The following actions were not delivered in 2016/17 and will be carried forward into the 2017/18 action plan

Action	Original Due Date	Revised Due Date
Extension to the current Chiltern Area of Outstanding Natural Beauty	March 2013	Timescale dependant upon the Natural England review of application.

## 2.4 External Reviews

An audit of the Development Control function was undertaken by SIAS, the Council's shared audit service. The audit demonstrated a substantial level of control. Actions and outcomes from the audit have been agreed.

Public consultations were undertaken to ascertain the public's opinion with regard work undertaken or proposed to be undertaken by the service. The views expressed as a result of these consultations were reflected in subsequent reports, plans, policies or strategies. These included a number of draft Traffic Regulation Orders, Neighbourhood Planning designations and the proposed submission draft of the Local Plan.

Should an applicant seeking planning permission be unhappy with a refusal on their application, either by an officer under delegated powers or by the Planning Committee, they can appeal to the external and independent Planning Inspectorate. Of the 31 refused planning applications taken to appeal, 11 were allowed with none of these requiring a change in policy.

The service's Customer Liaison Panel whilst being a format for updating customers on strategic planning, economic development, development control and building control matters, it is also a route for external stakeholders to question and review the service.

### **3. WHERE DO WE NEED TO BE?**

This Service Plan and accompanying SWOT analysis, PESTLE analysis, Assurance Statement and the Service Action Plan demonstrates the continuous improvement that the service seeks to implement.

The Development Control service will need to continue its move onto a new software system, as its current database system will not be supported in 2017. The new system will develop customer access through its Public Access portal and increase the efficiency of staff. Agile working initiatives will continue with mobile working being trialled for Development Control following the implementation of the new database.

The service will also make changes to reflect new legislation coming through Central Government such as in association with the Housing White Paper and the Neighbourhood Planning Bill.

Planning Inspectorate decisions will continue to be monitored for best practise as the Local Plan submission date and Examination dates draw near and for determining planning applications.

Work on the collaborative building control service between seven Hertfordshire authorities will continue into 2017/18 with the migration onto a single IT system, with a target of full implementation by the early 2017.

In order to meet the budget efficiencies required in 2017/18 and beyond the service will need to deliver the following agreed efficiencies:-

- A continuation of the review of the Council's 10 year Parking Strategy;
- An increase in planning income reflecting the progress of the Local Plan.

The service will have to make the following changes in order to comply with the Localism Act and other central government policies when guidance becomes available and as their implementation date approaches:-

- A primary function of the service is to establish the planning policy framework for the District until 2031. The process by which this is undertaken is set out in the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. In order to comply with the Act officers will continue working on the proposed Local Plan with an aim to submit for examination at the end of May 2017, with an examination date anticipated in Autumn. Resources to ensure timescales within the Local Development Framework are met will be continually monitored throughout 2017/18, as the Local Plan is a top risk and priority for the Council;
- 2016/17 saw an increase in the number of Neighbourhood Plan areas being designated, the increased workload that results will need to be considered within 2017/18 to ensure sufficient resources are available to support Parish Councils and Neighbourhood Forums. Currently it is anticipated that at least one plan will continue onto the examination stage in 2017/18.

Our aim throughout delivery of any service is that it should be inclusive. In order to ensure this and as is required of the Authority and ensuring we fulfil the requirements placed on us through the Equalities Act 2010, officers will be required to:-

- complete an Equality Analysis each time a proposal is made which changes the manner in which a service is delivered, where a project costs in excess of £50,000 (excluding utility contracts) or affects more than two wards
- Evidence of that assessment and its findings will be referred to and available as a 'background paper' for any report requiring a decision by members, so that the impact and its risks can be fully considered before recommendations for change or adoption are agreed.

- The positive **and** negative impacts of such analysis will be provided *in summary only* within the committee report using the standard report template available from the Committee Services section.
- The report must also be approved by a member of the corporate Policy Team in order to ensure it fulfils the requirements of the Equality Duty, 'that members are fully informed and aware of equality implications at the time they make a decision'.

From January 2013, under Public Services (Social Value) Act 2012, local authorities were required to capture the 'social value' of their investment into local projects. Two comparative projects may have the same financial value, but it is the value to the local community, community groups or individuals which needs to be captured and reflected more accurately in order to better inform decision making; this should therefore be built into individual service plans, and the individual projects reflected within them. The corporate Policy team will be able to advise further if help is required.

In order to mitigate risks or improve governance arrangements the service needs to:-

- To monitor the progress and implications of Planning Bills and Regulations following the royal Assent of Acts;
- To implement two medium priority recommendations from the audit on Development Control;
- To co-ordinate a reporting process for building control income derived through the new company;
- To reinforce to all staff that EIR requests do not have to be in writing but can be a verbal request and the processes to follow.

SWOT/PESTLE analysis has shown that over and above previous comments within this Service Plan the following primary weaknesses/threats that the service will address by:-

- Service resilience: specific key single officer roles such as with transport, parking, enforcement and conservation require constant monitoring by managers. The progress of the Local Plan has also highlighted overall resilience issues with regard resourcing the examination and dealing with any increase in applications;
- Electronic working: to reduce the reliance on paper through mobile working and improve customer self-service through provision of a new database and public access portal through the Council's website.

#### **4. HOW DO WE GET THERE?**

This is the framework for action, with clear indications of what needs to be done, by when and who is responsible for doing them.

##### **4.1 Detailed action plans**

The main actions and planned outcomes are outlined in the Service Action Plan. This includes the improvements required to service delivery identified by external reviews, internal audits, risk management and Assurance actions, legislative changes as well as key projects. It has been colour coded to show why the action is required.

This service plan predominantly focuses on actions to be delivered in 2017/18 but certain actions that impact on the service beyond this timeframe have been included with milestones to indicate the anticipated delivery date.

These need to be living plans, with performance, milestones and targets updated regularly, in the context of team meetings as well as during appraisals and 1:1's.

**The Service Action Plan is attached as Appendix A.**

##### **4.2 Risk & Opportunities**

Actions to mitigate risks thereby ensuring the delivery of projects by reducing threats to service delivery, are included within the Service Action Plan. The threats that will prevent the service from achieving targets have been identified and recorded.

Opportunities which may present themselves could include existing or emerging service sharing arrangements, or sharing parts of a service, especially going forward – and how will the benefits of those opportunities be measured is a key question when considering any opportunities.

## **5. HOW DO WE KNOW WE ARE THERE?**

Accurate and reliable information is important to ensure the Council can measure how well it is achieving its goals. The information held by the Service is accurate, reliable, timely, consistent, relevant, secure and of high quality to meet the needs of our partners, residents and fulfil audit and inspection requirements.

Progress against the Corporate Plan will be reported to Overview & Scrutiny Committee

Budget monitoring reports are submitted to Cabinet on a quarterly basis and include information on our key financial health indicators.

In preparing the Service Plan, local performance indicators have been considered and their continuing use reviewed and/or new indicators have been introduced with details shown in Section 2.

The performance measures for each of the Service indicators have been reviewed by the Executive Member and relevant Heads of Service. The risks to the achievement of the targets are evaluated and where necessary entered onto the Risk Register held on Covalent.

Performance against indicators is reported quarterly to the Overview & Scrutiny Committee. Where performance is below target, Heads of Service/Corporate Managers are required to provide information as to what action is being taken to remedy the situation in order that members can review proposals for improving performance levels.

Every member of staff has an annual appraisal when individual performance is reviewed against individual objectives linked to the service plan. In addition, managers are required to have a formal appraisal review every 6 months. This ensures delivery against the service plan is kept on track.

The Council's Top Risks are reported to the Finance, Audit and Risk Committee to ensure that key risks are being identified and managed.

## **6. ASSURANCE FRAMEWORK**

The Council has an assurance framework to map the Council's priorities to risks, controls and assurances. An essential part of this framework is a Management Assurance Statement that is completed by all Heads of Service and Corporate Managers.

This Assurance Statement is a critical review of the service area against the Council's Local Code of Corporate governance and provides evidence for the Annual Governance Statement published with the Council's Annual Accounts.

The Head of Service's Assurance Statement is attached as Appendix B.