

# REPORT TO DEVELOPMENT CONTROL COMMITTEE

21 December 2017

## REPORT OF THE CORPORATE DIRECTOR COMMUNITIES BRIDGEND CBC LOCAL PLANNING AUTHORITY –

### END OF YEAR REPORT – DEVELOPMENT GROUP PERFORMANCE 2016-2017

#### 1. Purpose of Report

- 1.1 Members were last updated on the performance of the Planning Section on 30 April 2015 although Officers have reported the Annual Performance Reports to Members during that time.
- 1.2 The following statistical reports/information are attached as appendices for your information-
  - Appendix A - Section 106
  - Appendix B - Appeals
  - Appendix C - Enforcement
  - Appendix D - Building Control
  - Appendix E - Customer Satisfaction Survey
  - Appendix F - Development Management Quarterly Survey Jan - Sept 2017
  - Appendix G - Performance Framework Jan - Sept 2017
  - Appendix H - Complaints

#### 2. Connection to Corporate Improvement Plan/Other Corporate Priorities

- 2.1 The delivery of the County Borough's statutory planning function has links to the Council's corporate priorities in particular number 1 – supporting a successful economy.

#### 3. Background

- 3.1 This report provides Members with an update of the performance of the Section during the calendar year 2017 when compared to 2016. Members will note that the figures are accurate although the report was completed with 2 weeks remaining in December.
- 3.2 Members will recall the Annual Performance Report (APR) for 2016-2017 being reported to DC Committee at the last meeting (9 November 2017). The APR is part narrative and part statistical and outlined the performance of Bridgend CBC as a Local Planning Authority over the period 2016-17 against a number of key national indicators and benchmarks. This Report and Appendices provide more detailed and up to date figures for the service on issues such as Section 106 Contributions, Complaints and Building Control etc.
- 3.3 As referred to in the APR that was submitted to the Welsh Government in October, whilst the number of planning staff has reduced by almost half in recent times the number of planning applications, particularly major schemes, has increased and the Section is delivering an excellent service to its customers despite funding cuts.

3.4 Some of the key points arising from the collation of data for this report are:-

- **A slight increase in planning applications from 1020 in 2016 to 1028 in 2017.**
- **An increase in the percentage of applications determined within the required timescales from 80% in 2016 to 81% in 2017 (99% of householder applications were determined within the required timescales compared to 94% in 2016).**
- **The number of major applications received has decreased from 36 in 2016 to 18 in 2017.**
- **Whilst not a measure of performance, the total value of Section 106 contributions received in 2017 is £1.3 million compared to £650,000 in 2016.**
- **The number of appeals received has increased from 20 in 2016 to 27 in 2017 which equates to approximately 2.6 appeals for every 100 applications (the fifth highest ratio of appeals in Wales) although the appeal success rate has reduced to 70% from 80%.**
- **During 2017, no applications for costs against the Council were upheld by the Planning Inspectorate. One application for costs by the LPA was successful (Waterton Retail Park) despite the fact that the appeal was allowed.**
- **The number of Enforcement complaints received in 2017 (295) is comparable to the number of complaints received in 2016 (298).**
- **The overall number of formal complaints lodged against the Section has fallen from 16 in 2016 to 9 in 2017.**
- **The average time taken to determine applications is 10 days less than the Wales average (68 days compared to the all Wales average of 78 days).**
- **95% of all applications are determined under delegated powers.**
- **Major applications take on average 207 days to determine compared to the all Wales average of 262 for the first three quarters of this year.**

3.5 There has been another positive change in customer satisfaction levels. During the period 2015-2016, 48% of survey respondents thought that Bridgend gave good planning advice against a Welsh average of 58%. For 2016-2017, 62% of respondents agreed that the LPA gave good advice (against a Welsh average of 62%). The increased customer satisfaction can be attributed to a number of factors, such as an efficient and valued pre-application advice process and the approval rating increasing despite the move away from Officers being available to answer general queries over the phone (albeit that detailed guidance is being provided to Call Centre staff/Customer Service Representatives to signpost the public to the relevant information on our website).

#### **4. Wellbeing of Future Generations (Wales) Act 2015**

4.1 The wellbeing goals and the duty have been considered in the production of this report. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the report.

#### **5. Next Steps**

5.1 Officers will produce a similar report at the end of each calendar year (as well as the APR) so that Members can examine the performance of the section against previous calendar years.

## **6. Recommendation**

That Members note the content of this report.

**Mark Shephard**  
**Corporate Director Communities**

### **Contact Officer**

Mr. Rhodri Davies

Development and Building Control Manager

Telephone Number: 01656 643152 e-mail: Rhodri.davies@bridgend.gov.uk

### **Background Papers**

None

# APPENDIX A

## SECTION 106 ANNUAL STATISTICS - 2017

(The figures in brackets relate to 2016)

This report describes progress on Section 106 Agreements. The report covers completed agreements, total obligations, total financial value and contributions received.

Members are no doubt aware that the Local Planning Authority has resolved to grant planning permission on several applications subject to Section 106 Agreements being entered into.

Once those Agreements have been signed the requirements will then be incorporated within this report.

### 1. Completed S106 Agreements = 19 (14)

DATE	APPLN REF	APPLICANT	LOCATION	TYPE	SUM
09/01/2017	P/13/246/OUT	SOUTH WALES LAND DVLPMTS	Brackla Industrial Estate – Site B	MISC.	NOISE MITIGATION WORKS
31/01/2017	P/16/88/OUT	S & G SOILS	Blaenllynfi Infants School, Maesteg	HOUSING	2 UNITS
				EDUCATION	£48,939
				POS	£6,580
17/02/2017	P/16/128/FUL	BEECH REGENERATION	Margam Mine	MISC.	SITE RESTORATION
17/02/2017	P/16/128/FUL	CELTIC ENERGY & THE COAL AUTHORITY	Margam Mine	MISC.	SITE RESTORATION
21/02/2017	P/16/9/FUL	BA PENSION TRUSTEES	Bridgend Retail Park	HIGHWAYS	£5,000
07/03/2017	P/16/600/FUL	LINC CYMRU	Archbishop McGrath School, Tondu	HOUSING	9 UNITS
				POS	£10,830
07/03/2017	P/16/607/FUL	LINC CYMRU	Playing fields, Maesteg Lower Comp School	HOUSING	5 UNITS
				HIGHWAYS	£1,000
15/03/2017	P/16/59/RLX	COURTYARDS DIRECT	23-27 High St, Ogmere Vale	HOUSING	£27,000 (Est.)
03/05/2017	P/16/138/FUL	ASDA	Asda, Coychurch Rd, Bridgend	HIGHWAYS	£24,000

25/05/2017	P/16/606/FUL	WATERSTO NE with HAFOD	OCLP Site, Bryntirion	HOUSING	4 UNITS
				POS	£8,460
				HIGHWAYS	£7,000
08/06/2017	P/15/244/OUT	DWR CYMRU	Land at Cefn Cribbwr, Kenfig Hill	HIGHWAYS	£12,000
				HOUSING	4 UNITS
				EDUCATION	£48,939
				POS	£6,580
18/07/2017	P/11/820/FUL	FRED & SUSAN HOCKRIDGE	Heronston Lane, Waterton	HIGHWAYS	DELIVERY VEHICLE RESTRICTION
24/08/2017	P/16/985/FUL	WALES & WEST	Parc Farm, Heol Spencer, Coity	HOUSING	5 UNITS
				POS	£11,280
				EDUCATION	£81,565
				HIGHWAYS	£7,000
05/09/2017	P/12/796/FUL DoV	SOUTH WALES LAND DVLPMTS	Ty Draw Farm, N Cornelly	MISC	RE-PROFILING SCHEME
06/09/2017	P/16/286/RLX DoV	TAYLOR WIMPEY	Brackla Industrial Estate - Site B	EDUCATION	£48,939
				POS	£4,230
06/09/2017	P/17/273/RLX DoV	MAYO PROPERTY	The Rest, Porthcawl	HOUSING	£370,000
				HIGHWAYS	£63,136.62
08/09/2017	P/17/77/FUL	MIKE MORDECAI	All Saints Way, Penyfai	HOUSING	£73,428
12/09/2017	P/16/995/FUL	PIN-IT PASTRY	Abergarw Industrial Estate	MISC	CAR PARK EXTENSION
24/11/2017	P/15/358/OUT	E CRABB, R & M PHIPPS	Heol Ty Maen, Cefn Glas	HOUSING	33 UNITS
				EDUCATION	£587,268 (Est.)
				POS	ON-SITE
				HIGHWAYS	£72,000
				ACTIVE TRAVEL	£100,000
				MISC	ECOLOGICAL MITIGATION
<b>DATE</b>	<b>APPLN REF</b>	<b>APPLICANT</b>	<b>LOCATION</b>	<b>TYPE</b>	<b>SUM</b>

**2. Total Obligations = 38 (38)**

**3. Total Financial Value secured during the year = £1,625,174.62 (£2,812,058)**

**4. Contributions Received = 5 (13)**

<b>DATE</b>	<b>APPLN REF</b>	<b>APPLICANT</b>	<b>LOCATION</b>	<b>TYPE</b>	<b>SUM</b>
07/03/2017	P/06/417/FUL	PENNANT WALTERS	Pant y Wal Windfarm	INDEXATION ON BOND	£1,493.28
24/05/2017	P/00/288/OUT	PERSIMMON	Coity School - Parc Derwen	EDUCATION	£959,923.00
24/05/2017	P/00/288/OUT	PERSIMMON	Coity School - Parc Derwen	EDUCATION	£360,001.29
10/07/2017	P/06/1080/FUL	PENNANT WALTERS	Fforch Nest Windfarm	INDEXATION ON BOND	£1,095.29
31/07/2017	P/14/293/FUL	PENNANT WALTERS	Pant y Wal Windfarm Ext	INDEXATION ON BOND	£4,076.23

**5. Total Actual Contributions Received = £1,326,589.09 (£656,244.67)**

## **APPENDIX B**

### **APPEAL STATISTICS – 2017**

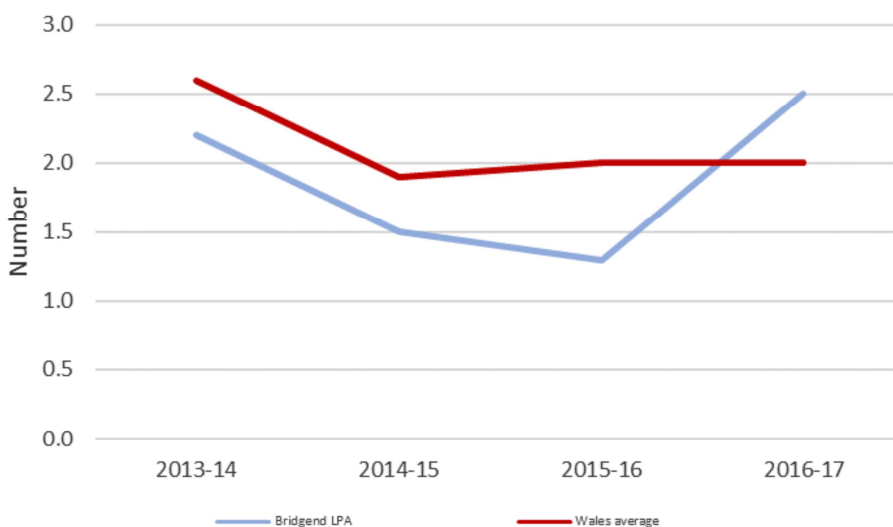
(Figures in brackets relate to 2016)

<b>1.</b>	<b>NUMBER OF APPEALS RECEIVED DURING YEAR</b>	<b>27</b>	<b>(20)</b>
	<b><u>PROCEDURES</u></b>		
	Written Representations	19	(16)
	Hearing	1	(2)
	Public Inquiry	1	(0)
	Householder Appeal	5	(2)
	Written Representations/Hearing	1	(0)
<b>2.</b>	<b><u>TYPES OF APPEAL RECEIVED</u></b>		
	Appeal (Against Refusal of Planning Permission)	17	(16)
	Householder Appeal	5	(2)
	Appeal (Against condition/s of Approval)	-	-
	Appeal (Against Non determination of application within statutory period)	-	-
	Certificate of Lawfulness	-	(1)
	Against issue of Enforcement Notice	5	(1)
	Advertisement Appeal	-	-
<b>3.</b>	<b><u>APPEAL DECISIONS</u></b>		
	Dismissed	9	(14)
	Allowed	5	(4)
	Part Allowed/Part Dismissed	-	-
	Enforcement Notice Quashed	-	-
	Enforcement Notice Upheld	-	-
	Withdrawn	4	(2)
	Invalid	1	-
	No Further Action	-	-
<b>4.</b>	<b>OUTSTANDING APPEALS</b>	<b>8</b>	
<b>5.</b>	100% of appeal statements were submitted within the period prescribed by the Welsh Government.		
<b>6.</b>	During 2017 no applications for costs against the LPA were upheld by the Planning Inspectorate. One application for costs by the LPA was successful.		
<b>7.</b>	As stated in our latest Annual Performance Report for the period 2016-17, we received 26 appeals against our planning decisions, which equated to 2.5 appeals		

for every 100 applications received. This was the fifth highest ratio of appeals to applications in Wales.

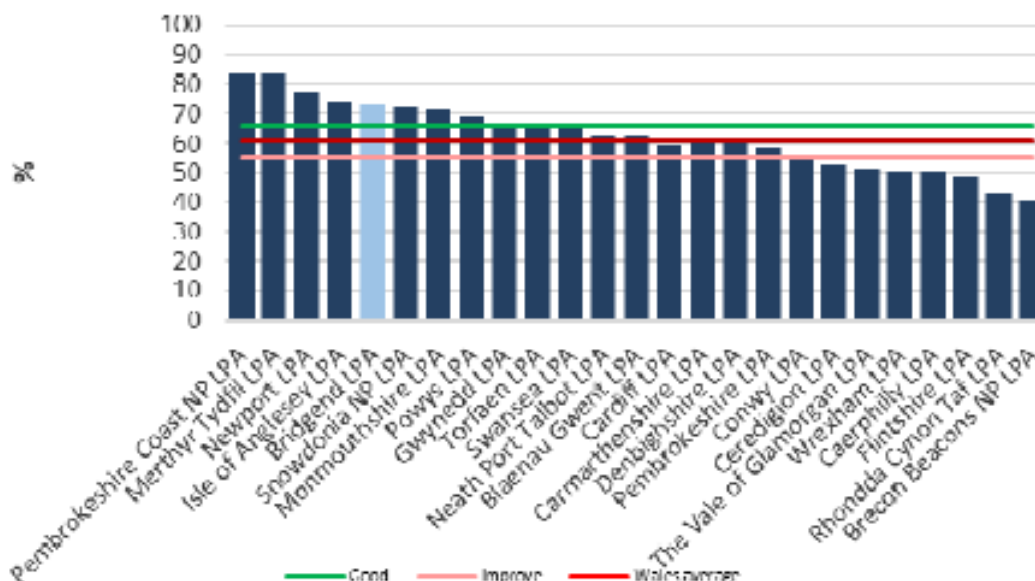
8. For 2017 alone, we have received 27 appeals against our planning decisions, which equated to approximately 2.6 appeals for every 100 applications received.
9. Figure 1 below shows how the volume of appeals received has changed over time and how this compares to the remainder of Wales.

**Figure 1: Number of appeals received per 100 planning applications**



10. Of the 26 appeals that were decided during the period 2016-2017, 73% were dismissed. As Figure 2 below shows, this was the fifth highest percentage of appeals dismissed in Wales and we were one of only 10 LPAs that reached the 66% target.

**Figure 2: Percentage of appeals dismissed, 2016-17**





## **APPENDIX C**

### **ENFORCEMENT - Report for the Period 2017**

**(figures in brackets relate to 2016)**

The following information on enforcement cases investigated by the Department during this period is submitted for consideration.

The information is based on the Enforcement Section's compliance with the following performance indicators:-

1. Acknowledge receipt of written complaint in 5 working days.
2. Undertake site visit within 21 working days.
3. Advise complainant of outcome of investigation in 42 working days.
4. Resolve cases within 12 weeks.

There have been 295 (298) complaints received by the Department.

The complaints can be categorised as follows:-

Non Compliance	24%	(28%)
Unauthorised adverts	17%	(6%)
Unauthorised building/works/uses	51%	(57%)
Untidy Land	6%	(6%)
High Hedges/tree works	2%	(3%)
Telephone complaints pending written confirmation	-	(0)
Enforcement Notices/Breach of Condition Notices issued	9	(8)
Withdrawal Notices Issued	2	(1)
Enforcement Warning Notices issued	4	(0)
(Enforcement Warning Notices introduced in March 2016)		
Resolved	292	(168)

100% (100%) of the complaints requiring acknowledgement have been acknowledged within five days of their receipt.

All sites that required a site visit have been inspected and 90% (90%) of the site inspections were undertaken within the prescribed twenty one-day performance standard.

In 81% of cases, where the complainant should have been advised of the outcome of the Department's investigations, the Department responded within forty-two days.

Of the cases resolved in this period 98% were resolved within 180 days. The target for this is 80%.

There have been 28 (31) retrospective applications received during this year of which 10 (20) were approved, 2 (5) refused, 16 (4) as yet undetermined, 0 (2) withdrawn.

Under the APR for 2016-2017 we investigated 271 enforcement cases, which equated to 1.9 per 1,000 population. This compared to 1.9 enforcement cases investigated per



## **Details of Enforcement Notices served and prosecutions for adverts etc.**

### **ENF/296/14/C**

An Operational Development Enforcement Notice was served on the owner of the area of rural land on 9 August 2016 for the erection of a timber chalet without planning permission. The Notice required the owner to remove and keep removed the timber chalet and resultant materials arising from the demolition from the land. The Notice took effect on 20 September 2016. An Appeal was lodged against the Notice and an amended application submitted on 2 November 2016. The application to retain the cabin for a three year period was approved on 16 June 2017 and a Withdrawal Notice was served on the owner on 26 July 2017 withdrawing the Operational Development Enforcement Notice in light of the temporary approval given.

### **ENF/12/15/C**

A Material Change of Use Enforcement Notice was served on the owner for the change of use of land from residential to a mixed use for residential and storage of materials in connection with a business use. The Notice required the owner to cease the use of the land for the storage of materials in connection with a business use and remove and keep removed from the land the storage container, plant machinery, skip, building materials, wood chipping machine, wooden pallets, equipment and items from any house clearance works. The Notice took effect on 30 May 2017 and the owner was allowed a period of 2 months to comply with the Notice. Further information was submitted which confirmed that some of the materials had been on site in excess of 10 years, the skip was removed and a site visit was undertaken to check the contents of the container which were all personal items. As such, it was considered that the business use had ceased and a Withdrawal Notice was issued on 19 July 2017.

### **ENF/123/15/C**

A Material Change of Use Enforcement Notice was served on the owner of land in relation to the change of use of the land to use for the external storage of materials. The Notice required the owner to cease the use of the land for all external storage of materials, including but not limited to aggregates and to remove and keep removed all external materials, including but not limited to aggregates from the land. The Notice was to take effect on 21 July 2017, however an appeal has been lodged and the decision is currently awaited.

### **ENF/152/15/C**

An Operational Development Enforcement Notice was served on an owner of a rural dwelling on 22 October 2015. The Notice required the owner to demolish a garage and storage area and remove any resultant materials from the land. An Appeal was lodged against the Notice and the Inspector upheld the Enforcement Notice but varied it to allow the developer to either demolish the garage and storage area and remove any materials which result from the demolition or to modify the unauthorised two storey garage/store so that it completely complies in all respects with the terms of a previous planning permission and remove any materials resulting from the modification. The works required by the Notice were to be undertaken on or before 19 July 2016. On 23 June 2016 an amended scheme was submitted for the building and was approved on 25 August 2016, however, as the Notice had been served, the owner was still required to undertake works to either comply with the Notice or to modify the building to comply with

The approval. As no works were undertaken the matter was referred to the Magistrates Court and was heard on 12 December 2016 where the owner was found guilty and fined £1,500, £150 victim surcharge and £600 Legal Costs. The garage now complies with the planning permission.

### **ENF/162/15/C**

A Breach of Condition Notice was served on the operator of a transport business on 18 December 2015. The Notice required the operator to cease the use of the site for the parking of vehicles larger than a minibus. The Notice took effect immediately and there was no right of Appeal. Further site visits revealed that the Notice was not being complied with and as such, the matter was heard in the Magistrates Court on 6 September 2016 where the owner was found guilty and fined £900, £20 victim surcharge and £600 Legal costs. The owner continued to breach the Notice and as such, attended the Magistrates' Court on 23 January 2017 where the owner was fined £659 and ordered to pay £500 Legal Costs. The business has since been re-located.

### **ENF/192/15/C**

An Enforcement Notice was served on the owner of a residential property on 23 September 2016 in relation to the erection of a decked area and boundary fencing. The Notice required the owner to remove the decked area and the fencing surrounding the decked area from the rear garden area and also to remove any materials which resulted from the above requirement to remove the fence and decking. No appeal was made in respect of the Notice and as such, the Notice took effect on 28 October 2016. The decking and fencing were subsequently removed apart from that considered to constitute permitted development under the Town and Country Planning (General Permitted Development) Order.

### **ENF/211/15/C**

The person who had displayed a board advertising Ice Cream on the boundary of a property was referred to the Magistrates' Court for not removing the advertisement when requested. The person appeared before the Magistrates' Court on 20 March 2017 and was found guilty on two counts. The person was fined £150 for the first count and £100 for the second count and ordered to pay £350 Legal Costs. The sign has since been removed.

### **ENF/227/15/C**

A Section 215 Notice was served on the owner on 14 December 2015. The Notice required the owner to erect a 1.8m high close boarded timber panel fence on the western boundary of the property. The owner appealed the Notice and Appeal was heard in the Magistrates Court on 21 March 2016, where the Magistrates judged the Appeal to fail and as such, the Notice was upheld. The owner was ordered to pay £700 legal costs. Site visits revealed that the fence, as required by the Notice, had not been erected and therefore, the matter was referred to the Magistrates Court, however, just before the Court Hearing on 18 July 2016 a fence was erected in compliance with the Notice and the matter was settled out of Court with the owner paying the Legal Costs of the Authority.

### **ENF/253/15/C**

An Enforcement Notice was served on interested parties of this site following the unauthorised deposit of wood waste. The Notice required the removal of the woodchip from the land in accordance with the access arrangements letter and plan submitted to the Local Planning Authority. The land owners are currently seeking an order from the Courts to ensure the wood is removed from the site and until this matter has been dealt with, it would not be considered reasonable of the Local Planning Authority to pursue this matter further.

### **ENF/299/15/C**

A Planning Contravention Notice was served on a property owner after several failed attempts to access the building in order to assess a rear extension. The owner failed to respond to the Notice and a reminder was sent. The matter was heard in the Magistrates Court on 16 May 2016 where the owner did not attend and the Court ruled in his absence. The owner was ordered to pay a fine of £300, £200 legal costs and £30 victim surcharges making a total fine of £530. A letter was subsequently sent to the owner to remind him that he remains under duty to reply to the Notice. No response has been received from the owner and as such, the matter was heard in the Magistrates Court on 18 July 2016 where the owner was fined £220 for Building Control offences, £440 for the Planning offence, £350 Legal costs and a £44 victim surcharge. The matter was referred for the third time on 23 January 2017 where the owner was found guilty and fined £440 for the Planning offence, £440 for the Building Regulations offence, £500 Legal Costs and £44 victim surcharge. This matter is now under discussion as it is obvious that the owner is not going to respond to the Planning Contravention Notice and as such, there is no merit in returning to Court at this time.

### **ENF/3/16/C**

A Material Change of Use Enforcement Notice was served on the owner of a dwelling in relation to an unauthorised change of use of the land from residential to a mixed use of residential and commercial business. The Notice required the owner to cease the mixed use of the land for residential and commercial business use by ceasing the running of a commercial business at the property. The Notice was to take effect on 14 July 2017, however an appeal has been lodged and the decision is currently awaited.

### **ENF/52/16/C**

A Breach of Condition Notice was served on the owner in relation to a breach of a condition requiring that the side facing ground floor windows to be obscurely glazed before the extension was brought into beneficial use. The owner was required to install obscure glazing in the side facing ground floor windows of the extension. The Notice took effect on 27 June 2016. The Notice has been complied with.

### **ENF/67/16/C**

An Operational Development Enforcement Notice was served on the owner in relation to a large extension which had been built on the rear of the property. The Notice required the owner to remove the first floor extension and any resultant materials from its removal. The Notice took effect on 16 May 2017. The owner subsequently appealed the refusal which was allowed on 2 August 2017 and a Withdrawal Notice was served on the owner on 8 September 2017.

### **ENF/102/16/C**

A Breach of Condition Notice was served on the owner of a night club in relation to a breach of condition of which controls the opening hours of the premises. The Notice took effect on 28 September 2016. There is no Appeal against this Notice and the owner was required to secure compliance with the condition by refraining from opening outside of the hours allowed by the condition. The owner continued to breach the condition and the matter was referred to the Magistrates Court on 20 March 2017 where the owner was found guilty, fined £450 for each offence (4 in total) and was ordered to pay £600 Legal Costs. No further breaches have occurred.

### **ENF/155/16/A21**

A Section 215 Notice was served on the owner of the land. The Notice required the owner to remove all materials from the land including, but not limited to, tarpaulin, sand, builders' rubble, wooden pallets, plastic and metal items as well as all miscellaneous items. The Notice also required the owner to cut back the vegetation and remove it from the land. The Notice took effect on 23 February 2017. The land has been cleared.

### **ENF/200/16/ACK**

A Section 330 Notice was served on the owner/occupier of a hairdressing salon being run from a portacabin on the car park area of a rugby club. No response was received to the Notice and the matter was referred to the Magistrates Court where the owner/occupier was found guilty and was given a conditional discharge for 6 months, £100 costs and £44 victim surcharge. The cabin has been removed.

### **ENF/207/16/ACK**

A Material Change of Use Enforcement Notice was served on the owner of the land in relation to a change of use of the land from an allotment garden to a mixed use for domestic storage and the manufacture of concrete products. The Notice required the owner to cease the use of the land for the manufacture of concrete products. The Notice took effect on 7 September 2017 and the owner was allowed a period of 2 months to comply with the Notice. The Notice has been complied with.

### **ENF/238/16/ACK**

An Operational Development Enforcement Notice was served on the owner in relation to the erection of a timber fence. The Notice required the owner to remove part of the fencing which did not constitute permitted development. The Notice took effect on 25 January 2017 and an appeal was lodged the same day. The appeal was rejected by the Planning Inspectorate as being out of time. The fence has since been removed.

### **ENF/246/16/ACK**

A Breach of Condition Notice was served on the owners of a dwelling in relation to a timber fence which had recently been erected on the boundary of the front garden. A condition removed permitted development rights to erect fences, gates and walls within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road. The Notice took effect on 26 May 2017 and allowed one month for the removal of the timber fencing. The Notice was not appealed and a subsequent site visit

revealed that the timber fence had not been removed in accordance with the Notice. The matter was heard in the Magistrates Court on 19 October 2017 where the owners were granted a 12 month conditional discharge for not responding to a Section 330 Notice and breaching the Breach of Condition Notice. The owners have now submitted an application to retain the fence which is currently undetermined

### **ENF/261/16/ACK**

An Operational Development Enforcement Notice was served on the owner in relation to the erection of timber fencing adjacent to the highway. The owner was required to remove and keep removed the fencing on the northern elevation and for a distance of 2m back from the pavement either side and remove any materials which result from the requirement to remove the fencing. The Notice took effect on 26 July 2017 and allowed the owner a period of one month to comply with the Notice. A site visit revealed that the fencing has been moved back from the pavement and it is now permitted development.

### **ENF/284/16/ACK**

A Material Change of Use Enforcement Notice was served on the owner a dwelling in relation to a change of use of the property from a residential use to a mixed use for residential and a mobile café business. The Notice required the owner to cease the use of the mobile café business at the property including the receipt of any deliveries and storage in connection with the business use. The Notice took effect on 16 May 2017 and allowed 6 weeks for the owner to comply with the requirements of the Notice. The Notice was complied with by 4 July 2017 and the business re-located.

### **ENF/280/16/A21 & ENF/281/16/A21**

A Planning Contravention Notice was served on the alleged owner of a dwelling and commercial property. No response was received and the matter was referred to the Magistrates' Court on 19 October 2017. The owner was found guilty and fined £440, £300 Legal Costs and £44 Victim Surcharge. A response has still not been forthcoming and this matter is being referred back to the Magistrates Court.

### **ENF/11/17/ASN - VARIOUS SITES WITHIN THE BRIDGEND COUNTY BOROUGH**

Advertisements were being displayed within the County Borough on behalf of 2 large companies. As some of the signs were not removed when requested the matter was referred to the Magistrates Court on 19 October 2017 where the company was found guilty and fined £6,300, £500 costs and £90 victim surcharge. The signs have now been removed.

### **ENF/32/17/ASN - VARIOUS SITES THROUGHOUT BRIDGEND COUNTY BOROUGH**

Advertisements were being displayed throughout the County Borough in relation to a retail use. As the signs were not removed when requested the matter was referred to the Magistrates Court on 15 May 2017 where the company was found guilty and fined £440, £100 Legal Costs and £44 victim surcharge. The signs have now been removed.

### **ENF/90/17/ACK**

An Enforcement Warning Notice was served on the owner/occupier an industrial unit on 1 December 2017 in relation to the change of use of the land for the storage and recycling

of mattresses. The Notice required the owner/occupier to either submit a planning application for the change of use or cease the use for the storage and recycling of mattresses. The time for compliance with the Notice is 28 days after the Notice was served.

#### **ENF/105/17/ACK**

An Enforcement Warning Notice was served on the owner of a site on 20 November 2017 in relation to the change in the levels of the land. The Notice required the owner to either submit a planning application for the change of levels or to remove the imported material from the land and allow the area to re-vegetate. The time for compliance with the Notice is 28 days after the Notice was served.

#### **ENF/174/17/ACK**

An Enforcement Warning Notice was served on the owner of the a site on 30 October 2017 in relation to the siting of a container on the land. The Notice required the owner to either submit a planning application for the siting of the container or to remove the container. The time for compliance with the Notice was 28 days after the Notice was served. An application was submitted on 7 November 2017

#### **ENF/215/17/ACK**

An Enforcement Warning Notice was served on the owner of a commercial unit on 13 November 2017 in relation to the change of use of the unit to a tanning studio. The Notice required the owner to either submit a planning application for the change of use or to cease the use. -The time for compliance with the Notice was 28 days after the Notice was served. An application has been received and is currently awaiting registration.



## **APPENDIX D**

### **BUILDING CONTROL STATISTICS FOR THE YEAR (2017)**

**(figures in brackets relate to 2016)**

#### **Building Regulations**

Initial Notices submitted	131	(145)
Competent Persons Schemes (Electrical, Gas Boilers, Cavity Wall Insulation)	6077	(6431)
Full Plan applications received	406	(253)
Building Notices received	201	(295)
Number of commencements	536	(534)
Number of completions	331	(410)
Partnership Schemes	9	(4)
Regularisations	11	(13)

#### **Reactive Work**

Member referrals on dangerous structures	10	(21)
Number of dangerous structures dealt with	3	(8)
Number of demolitions received	3	(18)
Service requests in respect of drains/private sewers	0	(0)

## **APPENDIX E**

### **CUSTOMER SATISFACTION SURVEY – 2016-2017**

In 2016-17 we conducted a customer satisfaction survey aimed at assessing the views of people that had received a planning application decision during the year.

The survey was sent to 356 people, 13% of whom submitted a whole or partial response. The majority of responses (36%) were from members of the public. 4% of respondents had their most recent planning application refused.

We asked respondents whether they agreed or disagreed with a series of statements about the planning service. They were given the following answer options:

- Strongly agree;
- Tend to agree;
- Neither agree nor disagree;
- Tend to disagree; and
- Strongly disagree.

Table 1 shows the percentage of respondents that selected either 'tend to agree' or 'strongly agree' for each statement for both our planning authority and Wales.

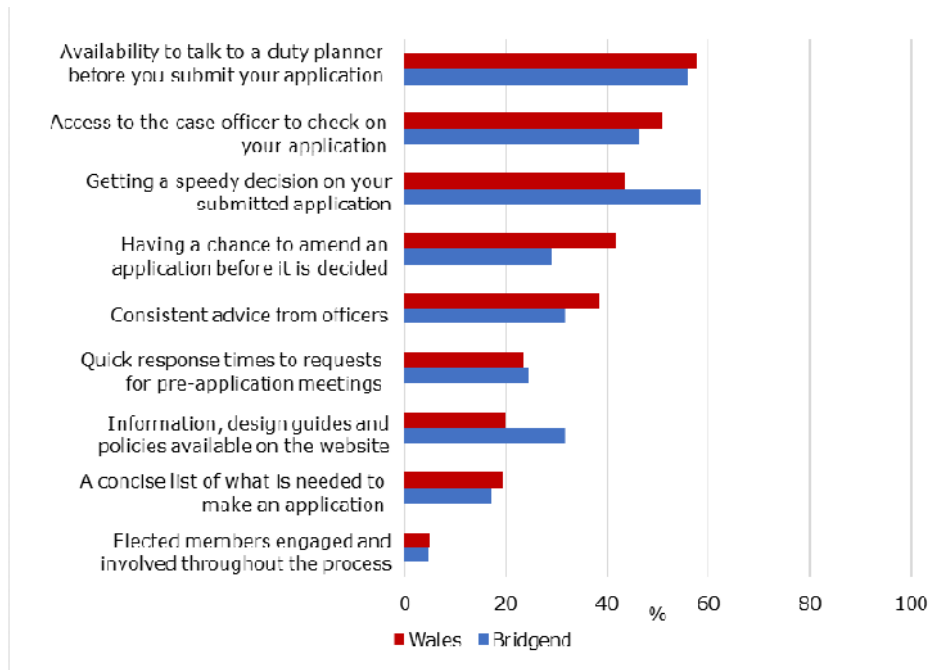
**Table 1: Percentage of respondents who agreed with each statement, 2016-17**

Percentage of respondents who agreed that:	%	
	Bridgend LPA	Wales
The LPA enforces its planning rules fairly and consistently	57	52
The LPA gave good advice to help them make a successful application	62	62
The LPA gives help throughout, including with conditions	62	52
The LPA responded promptly when they had questions	64	61
They were listened to about their application	61	59
They were kept informed about their application	56	51
They were satisfied overall with how the LPA handled their application	61	61

We also asked respondents to select three planning service characteristics from a list that they thought would most help them achieve successful developments.

Figure 1 shows the percentage of respondents that chose each characteristic as one of their three selections. 'Getting a speedy decision on a submitted application' was the most popular choice.

**Figure 1: Characteristics of a good planning service, Bridgend LPA, 2016-17**



Comments received include:

- “Very happy with the service, thank you.”
- “Always helpful and professional.”
- “There are not enough planning officers.”

As a comparison, in 2015-2016, the survey was sent to 393 people, 9% of whom submitted a whole or partial response. The majority of responses (53%) were from members of the public.

9% of respondents had their most recent planning application refused.

We asked respondents whether they agreed or disagreed with a series of statements about the planning service. They were given the following answer options:

- Strongly agree;
- Tend to agree;
- Neither agree nor disagree;
- Tend to disagree; and
- Strongly disagree.

Table 1 shows the percentage of respondents that selected either ‘tend to agree’ or ‘strongly agree’ for each statement for both our planning authority and Wales.

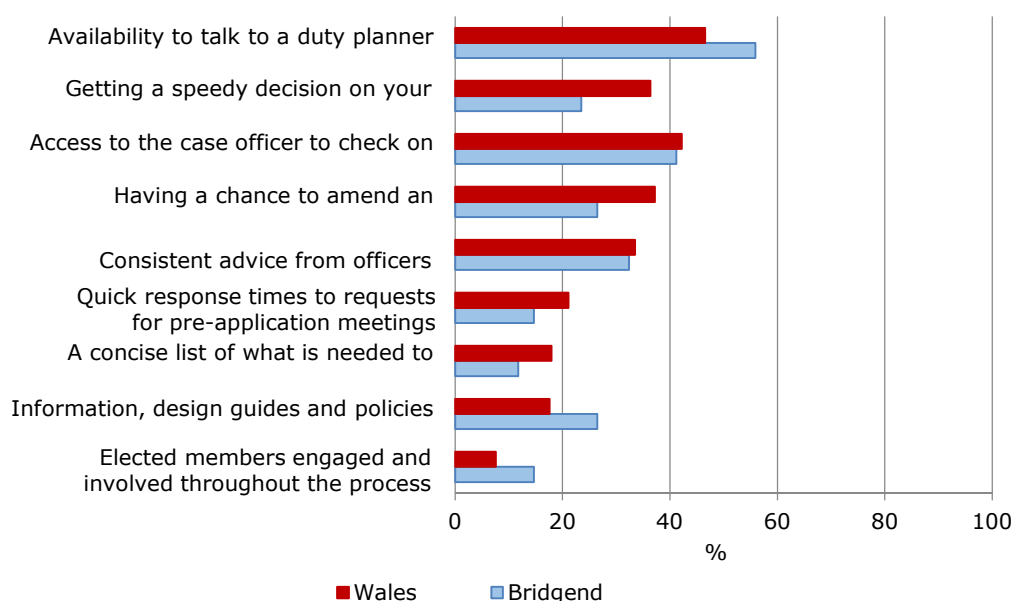
**Table 1: Percentage of respondents who agreed with each statement, 2015-16**

Percentage of respondents who agreed that:	%	
	Bridgend LPA	Wales
The LPA enforces its planning rules fairly and consistently	50	47
The LPA gave good advice to help them make a successful application	48	58
The LPA gives help throughout, including with conditions	42	49
The LPA responded promptly when they had questions	48	58
They were listened to about their application	54	57
They were kept informed about their application	47	49
They were satisfied overall with how the LPA handled their application	55	61

We also asked respondents to select three planning service characteristics from a list that they thought would most help them achieve successful developments.

Figure 1 shows how often each characteristic was selected as a percentage of the total number of selections. 'The availability to talk to a duty planner before submitting an application' was the most popular choice.

**Figure 1: Characteristics of a good planning service, Bridgend LPA, 2015-16**



Comments received include:

- *“Very good”*
- *“I found the whole process easy and my officer very helpful with advice and the guidelines”*
- *“The terminology used by some planning officers was complicated and ambiguous for the lay public. The process needs to be much clearer and should be incremental in its application.”*

## APPENDIX F

### DM QUARTERLY SURVEY JAN - SEPT 2017

Between January 2017 and the end of September 2017 (the figures for the last quarter of the year have not been collated yet) the LPA has:

- Determined 631 planning applications within time and 92 planning applications out of time with an average of 87% of applications being determined on time against an all Wales average of 89% over the same period
- In terms of Minor and Householder Applications, 467 of 499 applications were determined on time (94%) against an all Wales average of 436 out of 487 applications being determined on time (90%)
- The average time taken to determine applications was 68 days compared to the all Wales average of 78 days
- During this period, 24 applications were referred to DC Committee with no decisions contrary to the Officer's recommendation

The Development Management Quarterly Surveys can be found using this link:

<http://gov.wales/topics/planning/planningstats/development-management-quarterly-survey/?lang=en>

<b>DEVELOPMENT MANAGEMENT QUARTERLY SURVEY</b>			
<b>TABLE 1 - Planning Applications Determined On Time</b>			
<b>July-September 2017</b>			
<b>Published: 06/11/17</b>		<b>Version: 1</b>	
Welsh Local Planning Authority	Number Determined On Time	Number Not Determined On Time	Percentage Determined On Time
	Q2 17-18	Q2 17-18	Q2 17-18
Merthyr Tydfil CBC	80	0	100
Brecon Beacons NPA	176	1	99
Swansea CC	506	8	98
Neath Port Talbot CBC	205	5	98
Blaenau Gwent CBC	67	2	97
Powys CC	345	20	95
Vale of Glamorgan CBC	295	25	92
Denbighshire CC	207	20	91
Conwy CBC	207	22	90
Newport CC	209	23	90
Bridgend CBC	225	25	90
Cardiff CC	604	70	90
Pembrokeshire CC	181	22	89
Monmouthshire CC	243	30	89
Flintshire CC	254	32	89
Wrexham CBC	191	28	87
Caerphilly CBC	193	29	87
Isle of Anglesey CC	207	32	87
Torfaen CBC	124	22	85
Rhondda Cynon Taff CBC	263	55	83
Pembrokeshire Coast NPA	118	26	82
Ceredigion CC	186	46	80
Snowdonia NPA	90	27	77
Carmarthenshire CC	207	117	64
Gwynedd CC	-	-	-
<b>WALES TOTAL</b>	<b>5383</b>	<b>687</b>	
<b>WALES AVERAGE</b>	<b>224</b>	<b>30</b>	<b>89</b>

## APPENDIX G

### PERFORMANCE FRAMEWORK TABLES JAN - SEPT 2017

#### JANUARY TO MARCH 2017

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Bridgend
<b>Plan making</b>					
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	58	
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	Yes
The Local Planning Authority's current housing land supply in years	5+		<5	2.9	5.1

<b>Efficiency</b>					
Percentage of "major" applications determined within time periods required				59	35
				405 of 684	13 of 37
Average time taken to determine "major" applications in days				250.2	171.0
Percentage of all applications determined within time periods required	80+	60.1-79.9	<60	86.7	80.9
				21674 of 25008	755 of 933
Average time taken to determine all applications in days	<67	67-111	112+	75.9	60.3

<b>Quality</b>					
Percentage of applications determined under delegated powers				93.6	94.9
Percentage of Member made decisions against officer advice	<5	5-9	9+	10.9	0.0
				175 of 1610	0 of 48
Percentage of appeals dismissed	66+	55.1-	<55	60.9	73.1

		65.9		335 of 550	19 of 26
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+	0	0

<b>Engagement</b>					
Does the Local Planning Authority allow members of the public to address the Planning Committee?	Yes		No	Yes	Yes
Does the Local Planning Authority have an officer on duty to provide advice to members of the public?	Yes		No	Yes	No
Does the Local Planning Authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No	Yes	Yes

<b>Enforcement</b>				
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days			85.0	84.9
Average time taken to investigate enforcement cases			74.3	48.3
Percentage of cases where an Enforcement Notice is complied with or retrospective planning permission is granted within 180 days from the start of the case (in those cases where it was expedient to enforce)			73.0	86.5
Average time taken to take enforcement action			201.1	81.8



## APRIL TO JUNE 2017

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Bridgend
<b>Plan making</b>					
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	62	
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	Yes
The Local Planning Authority's current housing land supply in years	5+		<5	3.2	5.1

<b>Efficiency</b>					
Percentage of "major" applications determined within time periods required	60+	50.1-59.9	<50	62.4	40.0
				404 of 647	14 of 35
Average time taken to determine "major" applications in days				265.4	208.5
Percentage of all applications determined within time periods required	80+	70.1-79.9	<70	88.1	82.9
				21636 of 24550	787 of 949
Average time taken to determine all applications in days	<67	67-111	112+	77.6	64.0
Percentage of Listed Building Consent applications determined within time periods required				65.2	81.0
				524 of 804	17 of 21

<b>Quality</b>					
Percentage of applications determined under delegated powers				92.9	95.4
Percentage of Member made decisions against officer advice	<5	5-9	9+	9.4	0.0
				164 of 1751	0 of 44
Percentage of appeals dismissed	66+	55.1-65.9	<55	58.4	72.0
				387 of 663	18 of 25

Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+	0	0
--	---	---	----	---	---

Engagement					
Does the Local Planning Authority allow members of the public to address the Planning Committee?	Yes		No	Yes	Yes
Does the Local Planning Authority have an officer on duty to provide advice to members of the public?	Yes		No	Yes	No
Does the Local Planning Authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No	Yes	Yes

Enforcement					
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	80+	70.1-79.9	<70	86.2	83.7
Average time taken to take positive enforcement action				No Data	No Data

## JULY – SEPTEMBER 2017

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Bridgend
<b>Plan making</b>					
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	58	
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	Yes

The Local Planning Authority's current housing land supply in years	5+		<5	3.1	4.0
---	----	--	----	-----	-----

Efficiency					
Percentage of "major" applications determined within time periods required	60+	50.1-59.9	<50	63.6	34.6
				382 of 601	9 of 26
Average time taken to determine "major" applications in days				270.9	240.3
Percentage of all applications determined within time periods required	80+	70.1-79.9	<70	88.5	85.1
				21430 of 24220	797 of 936
Average time taken to determine all applications in days	<67	67-111	112+	77.4	66.5
Percentage of Listed Building Consent applications determined within time periods required				66.8	73.9
				525 of 786	17 of 23

Quality					
Percentage of applications determined under delegated powers				92.9	96.0
Percentage of Member made decisions against officer advice	<5	5-9	9+	8.9	0.0
				153 of 1712	0 of 37
Percentage of appeals dismissed	66+	55.1-65.9	<55	60.1	69.7
				393 of 654	23 of 33
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2+	0	0

Engagement					
Does the Local Planning Authority allow members of the public to address the Planning Committee?	Yes		No	Yes	Yes
Does the Local Planning Authority have an officer on duty to provide advice to members of the public?	Yes		No	Yes	No
Does the Local Planning Authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No	Yes	Yes

<b>Enforcement</b>					
<b>Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days</b>	<b>80+</b>	<b>70.1-79.9</b>	<b>&lt;70</b>	<b>84.7</b>	<b>86.1</b>
<b>Average time taken to take positive enforcement action</b>				<b>174.9</b>	<b>65.0</b>

The Planning Performance Framework can be found using this link:

<http://gov.wales/topics/planning/planningstats/performance-framework/?lang=en>

## **APPENDIX H**

### **COMPLAINTS IN 2017**

**(figures in brackets relate to 2016)**

<b>No. of formal complaints received</b>	<b>9</b>	<b>(16)</b>
<b>No. of referrals to the Ombudsman</b>	<b>1</b>	<b>(2)</b>
<b>No. of Investigations by the Ombudsman</b>	<b>0</b>	<b>(0)</b>

**100% of all complaints were formally responded to within the prescribed time.**