

BABERGH DISTRICT COUNCIL

FROM: Chief Planning Control Officer	Report Number: L53
TO: Development Committee	Date of Meeting: 10 August 2011

PLANNING PERFORMANCE

1. Purpose of Report

- 1.1 This report provides an overview of the number of planning applications and appeals currently being considered by the Planning Control Section and an indication of performance against national indicators for the period 1 March to 30 June 2011.

2. Recommendation

- 2.1 That the information contained within this report be noted.

3. Financial Implications

- 3.1 There are no financial implications arising directly from the content of this report.

4. Risk Management

- 4.1 There are no significant risks arising directly from the content of this report.

5. Consultations

- 5.1 In view of the content of this report consultation has not been undertaken.

6. Equality and Diversity Impact

- 6.1 There are no Equality and Diversity implications arising directly from the content of this report.

7. Shared Service/Partnership Implications

- 7.1 There are no Shared Service/Partnership Implications arising directly from the content of this report.

8. Key Information

- 8.1 This quarterly report shows the performance of the Planning Control Service against National Performance Indicator 157: The Determination of Planning Applications and the former BVPI 204: Planning Appeals, which has been retained as a local performance indicator.
- 8.2 Government performance indicators require all local planning authorities to determine:

- 60% of major applications within a period of 13 weeks. Since 1 April 2008 the major category has been divided into large-scale and small-scale major developments but for the purposes of this report, they are combined. (A large-scale major application is defined as a development comprising 200 or more dwellings whereas a small-scale major application is defined as a development comprising 10 or more dwellings up to 199 dwellings);
- 65% of minor residential and commercial applications within a period of 8 weeks. (i.e. up to 9 dwellings or 1000 sq metres of floor space); and,
- 80% of other applications (which are mainly householder applications) within a period of 8 weeks.

8.3 Local planning authorities were also required to monitor the number of appeals allowed against the authority's decision to refuse permission and express it as a percentage of the total number of appeals against the refusal of permission. An acceptable threshold was deemed to be 30% as it provided a useful indicator as to whether more applications were being refused in order to meet development control performance targets. Babergh has retained this indicator to monitor the outcome of appeal decisions.

Applications Received and Determined

8.4 Table 1 provides an overview of the number of planning applications that were on hand at the beginning of the quarter, the number that were received during the quarter, withdrawn, on hand at the end of the quarter, and actually determined. It also shows how many applications were determined in accordance with the Scheme of Delegation expressed as a percentage of all decisions.

8.5 As will be noted there has been a minor decline in the number of applications received during the last quarter however the number of cases on hand at the end of the quarter has remained broadly the same as the preceding quarters.

8.6 The percentage of decisions made in accordance with the Scheme of Delegation during the quarter was 89.1%. The accepted threshold is 90% which is commonly held to be a measure of good practice.

TABLE 1	01.07.10 to 30.09.10	01.10.10 to 31.12.10	01.01.11 to 31.03.11	01.04.11 to 30.06.11
Number of applications on hand at beginning of quarter ¹	314	263	267	291
Number of applications received during quarter	333	311	326	291
Number of applications withdrawn	38	37	35	20
Number of applications on hand at end of quarter.	267	268	281	269
Number of applications determined during quarter	342	269	277	303
Percentage of delegated decisions	92.7	87.7	87.7	89.1

Source: General Development Control PS1 Return

¹ The number of applications on hand at the beginning of the quarter may be less than those on hand at the end of the previous quarter if applications have been made invalid after registration.

Performance Against Target

- 8.7 Table 2A shows the number of planning applications that were determined during the quarter in each of the three categories defined by NI 157. Table 2B shows how many of these planning applications were determined within the prescribed period as a percentage of all decisions within the relevant category. Table 2C shows the performance achieved during the year to date in comparison with the national target. It also provides an indication of the direction of travel.

TABLE 2A	01.07.10 to 30.09.10	01.10.10 to 31.12.10	01.01.11 to 31.03.11	01.04.11 to 30.06.11
Total number of MAJOR applications determined	7	9	7	11
Total number of MINOR applications determined	77	73	62	61
Total number of OTHER applications determined	258	187	208	231
Total number of applications determined during quarter	342	269	277	303

Source: General Development Control PS2 Return

TABLE 2B	01.07.10 to 30.09.10	01.10.10 to 31.12.10	01.01.11 to 31.03.11	01.04.11 to 30.06.11
Percentage of MAJOR applications determined on time	71.4	55.6	85.7	63.6
Percentage of MINOR applications determined on time	59.7	57.5	69.4	63.9
Percentage of OTHER applications determined on time	77.9	81.3	80.8	80.5

Source: General Development Control PS2 Return

TABLE 2C	Previous Year 2010/11	Year to date 2011/12	National Target	Direction of Travel
Percentage of MAJOR applications determined on time	62.96	63.6	60	☺
Percentage of MINOR applications determined on time	60.85	63.9	65	☹
Percentage of OTHER applications determined on time	76.24	80.5	80	☹

Source: General Development Control PS2 Return/Departmental Records

- 8.8 As will be noted performance within the 'major' and 'other' categories is above the national target level for the quarter, however, performance within the 'minor' category is below the expected level. During the last quarter ten applications within the combined 'major' category were determined of which seven were in time. Of the 63 cases determined within the 'minor' category, 40 were in time, and of the 232 'other' cases 186 were in time. Overall 266 cases out of 305 were approved which equates to 87.2%.

Planning Fees

- 8.9 Table 3 provides an overview of the income received from fee generating applications during the last quarter against the projected position for the quarter. It therefore excludes listed building and conservation area consent applications which do not attract a fee.
- 8.10 It has been estimated that some £367,500 will be received in planning fees during 2011/12. As will be noted below, £79,381 has been received during the first quarter which is less than the anticipated position.
- 8.11 In addition to the income received from fee generating applications, it is estimated that a further £15,000 will be received during the financial year from the administration of submissions relating to the approval of information required by planning conditions. For the first quarter £7,020 has been received.

TABLE 3	01.07.10 to 30.09.10	01.10.10 to 31.12.10	01.01.11 to 31.03.11	01.04.11 to 30.06.11
Number of fee applications received	238	229	288	240
Cumulative fees received	145,381	246,233	354,572	79,381
Projected fee income (cumulative)	171,250	256,875	342,500	91,875
Outturn	(25,869)	(10,642)	12,072	(12,494)

Source: Departmental Records

Appeals

- 8.12 Table 4 provides details of the number of appeals allowed expressed as a percentage of the total number of appeals determined. Twelve appeals were determined in the last quarter of which six two were allowed. All of the appeal decisions made during the past quarter are reviewed in Appendix One. The review also contains details as to whether the applications were originally determined by the Development Committee or under the Scheme of Delegation.

TABLE 4	01.07.10 to 30.09.10	01.10.10 to 31.12.10	01.01.11 to 31.03.11	01.04.11 to 30.06.11
Number of appeals allowed.	2	2	3	6
Total number of appeals determined.	4	13	12	12
Percentage of appeals allowed.	40	15.4	25	50

Source: Departmental Records

9. Appendices

Title	Location
Appeal Decisions 1 April to 30 June 2011.	Attached

10. Background Documents

10.1 None

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APPEAL DECISIONS: 1-April-2011 TO 30-June-2011

Planning Applications

Final Decision: Allowed

Application No: B/10/01522 FHA **Appellant:** Mrs A Taylor

Application decision: Delegated **Appeal Decision Date:** 6-May-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Lickpennys Barn, Coram Street, Hadleigh, Ipswich, IP7 5NR

Proposal: Erection of solar panels to south roof elevation

The Inspector's Reasons: The Inspector considered the main issue to be the effect of the proposal upon the historic character and appearance of the building which is adjacent to a grade 2 listed farmhouse. The Inspector noted that the solar panels would not affect the main roof to the building and would be located on a lower lean to section that already contained roof lights. As such she did not consider the proposal would conflict with local plan policy CN01. In relation to the potential impact of the development upon the adjacent listed building the Inspector had regard to the provisions of Policy HE1 to PPS5 which supports modifications to heritage assets so as to reduce carbon emissions. In this case she considered the solar panels would be sited discretely and have a minimal impact upon the historic building. The proposal was therefore found to accord with the aims of PPS5 and local plan policy EN10.

Comment

The application was refused on 21 January 2011 contrary to the views of Hadleigh Town Council.

Final Decision: Allowed

Application No: B/10/01013 FUL **Appellant:** Mr K Herod

Application decision: Development Committee **Appeal Decision Date:** 10-Jun-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Land South of High Lodge, Church Road, Stutton

Proposal: Erection of 1 No. detached one-and-a-half-storey dwelling and formation of new vehicular access onto Church Road.

The Inspector's Reasons: The Inspector considered the main issues to be the effect of the proposal upon the character and appearance of the surrounding area and the living conditions of the occupiers of adjoining properties. In relation to the first issue the Inspector found that the proposal would not have a detrimental impact upon the character of the area. Turning to the second issue, the Inspector considered the proposal would have some effect upon the established built up frontage but overall it would not cause undue harm. The development was therefore found to accord with local plan policies HS02, HS28 and CN01.

Comment

The application was refused by Development Committee on 20 October 2010 contrary to officer recommendation and the views expressed by Stutton Parish Council on the grounds that the development would be out of character with the area and un-neighbourly.

Final Decision: Allowed

Application No: B/10/01264 FHA **Appellant:** Mr & Mrs C Collins

Application decision: Delegated **Appeal Decision Date:** 13-Jun-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Appleby Cottage, The Green, Hartest, BURY ST EDMUNDS, IP29 4DH

Proposal: Erection of single storey rear extension.

The Inspector's Reasons: The Inspector considered the main issue to be the effect of the proposal upon Appleby Cottage, a grade 2 listed building, and the character of the Hartest Conservation Area. The Inspector considered that the proposed single storey rear extension would not harm the architectural and historic interest of the existing property and would allow for a better understanding of the existing cottage than the present additions. The location of the extension to the rear of the property was judged to have a neutral impact upon the character and appearance of the conservation area. There were no issues with the replacement door, and the re-roofing of the front porch with lead was considered to be acceptable. The proposals were therefore found to be consistent with local plan policies HS33, CN01 and CN06.

Comment

The application was refused on 14 December 2010 contrary to the views of Hartest Parish Council.

Final Decision: Allowed

Application No: B/10/01265 LBC **Appellant:** Mr & Mrs C Collins

Application decision: Delegated **Appeal Decision Date:** 13-Jun-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of LB consent

Location: Appleby Cottage, The Green, Hartest, BURY ST EDMUNDS, IP29 4DH

Proposal: Application for Listed Building Consent: Erection of single storey extension. Replace external rear door & Re-roof front porch. Demolition of single storey rear extension.

The Inspector's Reasons: See B/10/01264/LBC

Final Decision: Allowed

Application No: B/10/01326 FUL **Appellant:** Mr G Goodchild

Application decision: Delegated **Appeal Decision Date:** 17-Jun-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Land south of Tudor Cottage, Elm Lane, Copdock And Washbrook

Proposal: Erection of store for agricultural and horticultural items with ancillary workshop (retention of).

The Inspector's Reasons: The Inspector considered the main issues to be firstly whether the use of the shed was essential for agricultural purposes and secondly whether it had an effect upon the character and appearance of the countryside. In relation to the first issue the Inspector considered the shed to be small for agricultural use but did not find any reason to question the need for the building. He acknowledged that the appellant needed somewhere to store equipment. In relation to the second issue the Inspector did not consider the building to be harmful to the character of the countryside. He therefore considered the development to be consistent with local plan policies CN01 and CR01.

A related application for the award of costs was refused.

Comment

The application was refused on 21 December 2010 contrary to the views of Copdock and Washbrook Parish Council.

Final Decision: Allowed

Application No: B/10/01495 FUL **Appellant:** Emma Harris

Application decision: **Appeal Decision Date:** 27-Jun-11

Appeal Procedure: Written Representations **Appeal Type:** Non-determination within time

Location
Proposal: Land north of Cheney's House, The Causeway, Hitcham, Ipswich
Erection of 2 no. two-storey detached dwellings and 2 no. detached single garages.

The Inspector's Reasons: The Inspector noted that the site was within the built up area of Hitcham and that the principle of residential development was acceptable. The Inspector therefore considered the main issue to be the effect of the development upon the character and appearance of the area with particular regard to the setting of the adjacent listed building. The Inspector did not consider the staggered arrangement of the proposed dwellings would compromise the overall setting of the listed building or its appearance in the street scene. The size of the proposed dwelling would be similar to other residential properties nearby and would not appear unduly prominent or cramped. In conclusion the Inspector found that the proposal fulfilled the requirements of PPS5 and local plan policy CN06.

Comment

The appeal was made against the failure to give notice within the prescribed period. The Development Committee considered the application on 16 March 2011 and resolved that if it were in a position to determine the case it would have refused the application contrary to the views expressed by Hitcham Parish Council.

Final Decision: Dismissed

Application No: B/10/01545 FHA **Appellant:** Mr & Mrs Johnson

Application decision: Delegated **Appeal Decision Date:** 8-Apr-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Birch House, Noaks Road, Raydon, IPSWICH, IP7 5LR

Proposal: Erection of 2 bay cart lodge

The Inspector's Reasons: The Inspector considered the main issue to be the effect of the proposed cart lodge on the character and appearance of the area. In his opinion the cart lodge in combination with the existing garage would be disproportionately large in relation to the plot and would dominate the area in front of the house. The proposal was therefore found to be harmful to the character and appearance of the area contrary to local plan policies HS33 and CN01.

Comment

The application was refused on 1 February 2011 contrary to the views expressed by Raydon Parish Council.

Final Decision: Dismissed

Application No: B/10/01144 FUL **Appellant:** Mr F Ming

Application decision: Delegated **Appeal Decision Date:**21-Apr-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: 59a High Street, Hadleigh, IPSWICH, IP7 5DY

Proposal: Retention of kitchen extract duct to rear of building together with alterations to flue terminal.

The Inspector's Reasons: The Inspector considered the main issues to be firstly the effect of the proposed works on the special architectural and historic interest of the listed building and secondly the effect of the proposed development upon the living conditions of the occupiers of neighbouring properties. In relation to the first issue the Inspector considered that the retention of the flue would fail to preserve the listed building and as such it would conflict with the provisions of PPS5 and local plan policy CN06. In relation to the second issue the Inspector considered that the appellant had failed to demonstrate that the development would not have an adverse impact by way of noise and smell on the living conditions of neighbouring residents. As such he considered the development to be contrary to the aims of local plan policy EN01.

A related application for an award of costs was refused.

Comment

The application was refused on 10 November 2010 contrary to the views of Hadleigh Town Council.

Final Decision: Dismissed

Application No: B/10/01145 LBC **Appellant:** Mr F Ming

Application decision: Delegated **Appeal Decision Date:**21-Apr-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of LB consent

Location: 59a High Street, Hadleigh, IPSWICH, IP7 5DY

Proposal: Application for Listed Building Consent - Retention of kitchen extract duct to rear of building together with alterations to flue terminal.

The Inspector's Reasons: See B/10/01144/FUL

Final Decision: Dismissed

Application No: B/10/01558 FHA **Appellant:** Mr Richard Cantelo

Application decision: Delegated **Appeal Decision Date:**12-May-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Brickyard House, Pin Mill Road, Chelmondiston, Ipswich, IP9 1JP

Proposal: Erection of two-storey rear extension, including re-roofing/re-cladding existing conservatory.

The Inspector's Reasons: The Inspector considered that there were three main issues. These were the effect of the proposed two-storey extension on the character of the building containing Brickyard House, the character and appearance of the Pin Mill Conservation Area, and the living conditions of the occupants of No. 3 Brickyard Cottages. In relation to the first issue the Inspector found that the proposed two-storey rear extension would appear as a significant addition and detract from the simple appearance of the existing building. As such it was considered that the development would fail to preserve or enhance the character of the Conservation Area. It was also considered that the proposal would increase the degree of overlooking into the garden to No.3 Brickyard Cottages.

Comment

The application was refused on 10 February 2011 in line with the views expressed by Chelmondiston Parish Council.

Final Decision: **Dismissed**

Application No: **B/10/00876 FUL** **Appellant:** **Compass Specialised Services Limited**

Application decision: Development Committee **Appeal Decision Date:**27-May-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: Land west of Hill Farm, Pond Hall Road, Hadleigh

Proposal: Change of use of agricultural land for use as a 50 pitch touring caravan park. Erection of single-storey visitor building. Erection of toilet/shower block. Erection of machine store and construction of gravel track (track internal to site).

The Inspector's Reasons: The Inspector considered the main issues to be whether the proposal would result in an unsustainable form of development having regard to its location and the effect of the proposal upon the character and appearance of the surrounding countryside. In relation to the first issue the Inspector considered that tourists once on site would in practice be unable to access local services and facilities in Hadleigh except by car. He therefore considered the development would not be appropriately located and as such not accord with PPS4. In relation to the second issue, the Inspector considered the development would have a significant adverse effect on the character and appearance of the site and surroundings. As such it was considered that the proposal would be in conflict with PPS4 and local plan policy CR01. The Inspector had regard to the assessment provided by East of England Tourism and the support for the proposal by Hadleigh Town Council but did not find anything to outweigh his main conclusions.

Comment

The application was refused by the Development Committee on 27 October 2010 contrary to the officer recommendation and the views of Hadleigh Town Council. The development was considered to be in unsustainable location and harmful to the character of the countryside.

Final Decision: **Dismissed**

Application No: **B/11/00223 FHA** **Appellant:** **Mr & Mrs Booth**

Application decision: Delegated **Appeal Decision Date:**28-Jun-11

Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission

Location: The Cottage, Sand Hill, Boxford, SUDBURY, CO10 5HX

Proposal: Erection of detached double garage with home office above (amended scheme to that approved under B/10/01342/FHA).

The Inspector's Reasons: The Inspector considered the main issue to be the effect of the proposed development upon the character and appearance of the surrounding area. In the opinion of the Inspector the proposed garage by virtue of its size, location and design would appear prominent in the landscape and have an ill-proportioned and bulky appearance. The development was found to conflict with local plan policies CR01 and CN01.

Comment

The application was refused on 5 April 2011 contrary to the views expressed by Boxford Parish Council.