

BABERGH DISTRICT COUNCIL

From: Chief Planning Control Officer	Report Number: M21
To: Development Committee	Date of Meeting: 16 May 2012

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 January to 31 March 2012.

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 Analysis

- 6.1 There are no Equality 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 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. A commonly held to be a measure of good practice for delegated decisions is 90%.

TABLE 1	01.04.11 to 30.06.11	01.07.11 to 30.09.11	01.10.11 to 31.12.11	01.01.12 to 31.03.12
Number of applications on hand at beginning of quarter ¹	291	289	283	260
Number of applications received during quarter	291	286	297	320
Number of applications withdrawn	20	14	34	25
Number of applications on hand at end of quarter.	269	254	264	306
Number of applications determined during quarter	303	307	282	249
Percentage of delegated decisions	89.1	89.6	88.3	82.7

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 the status of an application has changed after registration.

Performance Against Target

- 8.5 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 for the period 1 April 2011 to 31 March 2012 in comparison with the national target. It also provides an indication of the achievement against the national target.

TABLE 2A	01.04.11 to 30.06.11	01.07.11 to 30.09.11	01.10.11 to 31.12.11	01.01.12 to 31.03.12
Total number of MAJOR applications determined	11	12	5	8
Total number of MINOR applications determined	61	59	70	81
Total number of OTHER applications determined	231	236	207	160
Total number of applications determined during quarter	303	307	282	249

Source: General Development Control PS2 Return

TABLE 2B	01.04.11 to 30.06.11	01.07.11 to 30.09.11	01.10.11 to 31.12.11	01.01.12 to 31.03.12
Percentage of MAJOR applications determined on time	63.6	33.3	80.0	75.0
Percentage of MINOR applications determined on time	63.9	57.6	60.0	58.0
Percentage of OTHER applications determined on time	80.1	80.1	76.3	77.5

Source: General Development Control PS2 Return

TABLE 2C	Previous Year 2010/11	End of Year 2011/12	National Target	Direction of Travel
Percentage of MAJOR applications determined on time	62.96	60	60	☺
Percentage of MINOR applications determined on time	60.85	59.27	65	☹
Percentage of OTHER applications determined on time	76.24	78.80	80	☹

Source: General Development Control PS2 Return/Departmental Records

8.5 As will be noted the performance within the 'major' category exceeded the target for the final quarter of the year, however, performance within the 'minor' and 'other' categories is below the desired level. During the last quarter 8 applications within the combined 'major' category were determined of which 6 were in time. Of the 81 cases determined within the 'minor' category, 47 were in time, and of the 160 'other' cases 124 were in time. Overall 177 cases out of 249 were approved which equates to 71.08%.

As will be noted overall performance against the national targets is below the desired level for the year end. This is partly attributable to a decline in the number of cases being determined under the scheme of delegation and partly because of a staff vacancy which arose in November 2011. The vacancy has remained unfilled pending the service integration process. Nevertheless, with the active management of cases, and the use of staff resources from Mid Suffolk, performance levels have remained relatively stable position when compared with the position at the end of 2010/11.

Planning Fees

8.7 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.

8.6 It was estimated that some £367,500 would be received in planning fees during 2011/12 however the budget has been revised upwards to £369,500. As will be noted below, £346,349 has been received in total which is less than the anticipated position.

8.9 In addition to the income received from fee generating applications, a further £22,545 has been received from the administration of non-material amendments to existing planning applications and submissions relating to the approval of information required by planning conditions against a revised budget estimate of £15,000.

TABLE 3	01.04.11 to 30.06.11	01.07.11 to 30.09.11	01.10.11 to 31.12.11	01.01.12 to 31.03.12
Number of fee applications received	240	278	229	294
Cumulative fees received	79,381	163,531	270,311	346,349
Projected fee income (cumulative)	91,875	183,750	276,625	369,500
Outturn	(12,494)	(20,219)	(6,314)	(23,151)

Source: Departmental Records

Appeals

- 8.10 Table 4 provides details of the number of appeals allowed expressed as a percentage of the total number of appeals determined. Four appeals were recorded in the last quarter. Of the four cases that were determined, one followed decisions by the Development Committee, which was dismissed. Three cases followed a delegated decision of which two were allowed. All of the appeal decisions made during the past quarter are reviewed in Appendix One.

For the period 1 April 2011 to 31 March 2012, 38 appeals were received, of which 3 were withdrawn and 14 were allowed which equates to 36.8%. Of the 35 appeals determined, 20 were dismissed and 1 was not entitled to appeal. Of the 14 appeals allowed, 6 followed decisions by the Development Committee and 14 followed delegated decisions.

TABLE 4	01.04.11 to 30.06.11	01.07.11 to 30.09.11	01.10.11 to 31.12.11	01.01.12 to 31.03.12
Number of appeals allowed.	6	3 (1 split)	3	2
Total number of appeals.	12	6	13	4
Percentage of appeals allowed.	50	50	23	50

Source: Departmental Records

9. Appendices

Title	Location
Appeal Decisions 1 January to 31 March 2012	Attached

10. Background Documents

- 10.1 None

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APPEAL DECISIONS: 01-January-2012 to 31-March-2012

Planning Applications

Final Decision: Allowed

Application No: B/11/00862 FHA **Appellant:** Mr S Nicole

Application decision: Delegated **Appeal Decision Date:** 19-Jan-12

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

Location: Oakapples, The Green, Thorpe Morieux, Bury St Edmunds, IP30 0NZ

Proposal: Erection of 1 1/2 storey front and rear extensions.

The Inspector's Reasons: The Inspector considered the main issue to be the effect of the proposed front extension on the character and appearance of the dwelling and the area. The Inspector observed that the property was set in a large garden and considered that even allowing for the size of the proposed extension the dwelling as extended would still appear modest in scale. As a result the character of the area would not be significantly affected. Furthermore the Inspector did not consider the extension would dominate the appearance of the existing dwelling.

A related costs application was submitted by the appellant on the grounds that the District Council had been unreasonable in refusing the application. The Inspector was however of the view that the case for refusing the application had been clearly explained and supported by evidence. The application was therefore refused.

Comment

The application was refused on 6 October 2011. No comments were received from the Parish Council.

Final Decision: Allowed

Application No: B/11/01176 FHA **Appellant:** Dr Philip Sloper

Application decision: Delegated **Appeal Decision Date:** 21-Mar-12

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

Location: High Cottage, Cedars Lane, Capel St Mary, IPSWICH, IP9 2JA

Proposal: Erection of a single storey detached single garage to the front of the property.

The Inspector's Reasons: The Inspector considered the main issue to be the effect of the development upon the character and appearance of the area. The Inspector observed that the dwelling was situated within a cul-de-sac made up of properties of differing sizes and styles where the rhythm of the street scene had been interrupted by a variety of boundary treatments. It was noted that the proposed garage would occupy a corner position and be sit higher than the road level however the Inspector considered the development would not appear incongruous or at odds with the character and appearance of the area.

Comment

The application was refused on 7 November 2011 contrary to the views expressed by the Parish Council.

Final Decision: Dismissed

Application No: B/11/00451 FUL **Appellant:** Mr Row

Application decision: Delegated **Appeal Decision Date:**19-Jan-12

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

Location: Land to rear of Cornerways, Woodhall Road, Sudbury, CO10 1PF

Proposal: Erection of single storey dwelling and construction of a new vehicular access.

The Inspector's Reasons: The Inspector considered that there were two main issues in relation to the case. The first was the effect of the proposal upon the street scene and the second was the effect upon highway safety. While the Inspector observed that the proposed bungalow had been designed to reflect the character of existing properties in the area, he considered that the position of the bungalow forward of other dwellings would tend to highlight that the plot was too small. As a result he considered the proposed development would appear cramped. The Inspector went on to observe that Woodhall Road is narrow and that access to the property by vehicles in close proximity to a road junction would be detrimental to highway safety. The Inspector was not however persuaded by the District Council's arguments that the proposal development would have insufficient amenity space.

Comment

The application was refused on 30 June 2011. The Town Council raised no objection to the proposed development.

Final Decision: Dismissed

Application No: B/11/00031 FUL **Appellant:** Mr Mark Lambert

Application decision: Development Committee **Appeal Decision Date:**31-Jan-12

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

Location: Neat House land east of Old Bakery, The Green, Hartest

Proposal: Change of use of existing single-storey agricultural building with single-storey extensions to provide a B1 (workshop)/B8 (storage) and ancillary office (following demolition of existing additions)

The Inspector's Reasons: The Inspector considered there were two main issues in this case. The first was the effect of the development upon the living conditions of residents at Green Farm and the Old Bakery arising from the use of the access. The second was whether the proposed conversion could take place without significant works of rebuilding. In relation to the first issue the Inspector considered the use of the access by commercial vehicles would generate unacceptable levels of noise and as such harm the living conditions of the residents living in Green Farm and the Old Bakery. In relation to the second issue the Inspector observed that the building was not listed and considered the desirability of retaining it was limited. He also considered the conversion of the building would put considerable stress upon any remaining historic features and concluded the conversion could not take place without significant rebuilding. As such the proposal was considered to be in conflict with Development Plan policies. Although not raised as an issue by the main parties the Inspector concluded that the proposals would not harm the character and appearance of the Hartest Conservation Area.

Comment

The application was considered by the Development Committee on 25 May 2011 and refused contrary to the officer recommendation. The Parish Council objected to the proposed development.