

BABERGH DISTRICT COUNCIL

From: Head of Economy	Report Number: P96
To: Planning Committee	Date of Meeting: 28 January 2015

PLANNING PERFORMANCE – 1 OCTOBER 2014 TO 31 DECEMBER 2014

1. Purpose of Report

- 1.1 This report provides an overview of the number of planning applications and appeals which were considered by Development Management and an indication of performance against national indicators for the period 1 October 2014 – 31 December 2014.

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 with the exception of the following:-

- The Babergh and Mid Suffolk Development Management service is transforming and has been designed on a “One Service Model”. Integration is taking place with a new shared Operational Delivery team in place from the 1st July 2013 onwards, with staff working flexibly to address workload needs across both Councils. However the sovereignty of both Councils and the Local Planning Authority status remain separate.

8. Key Information

- 8.1 This quarterly report shows the performance of Development Management 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 (16 weeks when accompanied by an Environmental Statement). A major application is defined as a development comprising 10 or more dwellings or sites greater or equal to 1000 sq. metres of floor space.
 - 65% of minor residential and commercial applications within a period of 8 weeks (i.e. up to 9 dwellings or less than 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. Table 1A 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%. (As Members will be aware the Protocol for both Councils' Scheme of Delegation changed in April 2013 and are now identical). The third quarter 2014 figures are 92.42% compared with the third quarter of 2013 which was 92.48%. The preceding eight quarter's figures are also detailed for comparison purposes.

TABLE 1	01.10.12 to 31.12.12	01.01.13 to 31.03.13	01.04.13 to 30.06.13	01.07.13 to 30.9.13	01.10.13 to 31.12.13	01.01.14 to 31.03.14	01.04.14 to 30.06.14	01.07.14 to 30.09.14	01.10.14 to 31.12.14
Number of applications on hand at beginning of quarter ¹	332	248	256	219	231	259	339	353	326
Number of applications received during quarter	242	302	298	264	289	255	305	323	300
Number of applications withdrawn	20	25	18	27	16	21	23	21	32

TABLE 1A	01.10.12 to 31.12.12	01.01.13 to 31.03.13	01.04.13 to 30.06.13	01.07.13 to 30.9.13	01.10.13 to 31.12.13	01.01.14 to 31.03.14	01.04.14 to 30.06.14	01.07.14 to 30.09.14	01.10.14 to 31.12.14
Number of applications on hand at end of quarter	242	257	206	195	238	242	291	329	317
Number of applications determined during quarter	312	268	330	261	266	251	330	309	277
Percentage of delegated decisions	91.6%	85%	88.4%	91.95%	92.48%	91.6%	93.6%	93.9%	92.42%

Source: General Development Control PS1 Return

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 2012 to 31 March 2013 and 1 April 2013 to 31 March 2014 in comparison with the national target. It also provides an indication of the achievement against the national target.

TABLE 2A	01.10.12 to 31.12.12	01.01.13 to 31.03.13	01.04.13 to 30.06.13	01.07.13 to 30.9.13	01.10.13 to 31.12.13	01.01.14 to 31.03.14	01.04.14 to 30.06.14	01.07.14 to 30.09.14	01.10.14 to 31.12.14
Total number of MAJOR applications determined	8	6	13	9	11	10	14	4	6
Total number of MINOR applications determined	79	59	68	48	50	48	59	65	63
Total number of OTHER applications determined	225	203	229	204	205	193	257	257	189
Total number of applications determined during quarter	312	268	310	261	266	251	330	326	277

Source: General Development Control PS2 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.

TABLE 2B	01.10.12 to 31.12.12	01.01.13 to 31.03.13	01.04.13 to 30.06.13	01.07.13 to 30.9.13	01.10.13 to 31.12.13	01.01.14 to 31.03.14	01.04.14 to 30.06.14	01.07.14 to 30.09.14	01.10.14 to 31.12.14
Percentage of MAJOR applications determined on time	37.5	66.67	69.2	71.43	81.82	60	92.86	100	50
Percentage of MINOR applications determined on time	46.84	59.32	60.29	66.67	70.00	54.17	52.54	36.92	57.14
Percentage of OTHER applications determined on time	59.11	75.37	85.49	81.86	86.83	71.5	77.43	69.65	82.54

Source: General Development Control PS2 Return

TABLE 2C	Previous YTD 2012/13	Last YTD 2013/14	Current YTD 2014/5	National Target	01.04.14 to 30.06.14	01.07.14 to 30.09.14	01.10.14 to 31.12.14	Direction of Travel YTD
Percentage of MAJOR applications determined on time	42.4	69.77	83.3	60	92.86	100	50	Positive (above national target)
Percentage of MINOR applications determined on time	53.75	62.79	48.6	65	52.54	36.92	57.14	Negative (below national target)
Percentage of OTHER applications determined on time	66.71	81.67	75.7	80	77.43	69.65	82.54	Negative (below national target)

Source: General Development Control PS2 Return/Departmental Records

- 8.6 As will be noted the performance for Majors exceeded the national target for the year to date (YTD) despite a drop in performance in the last quarter caused by the issue of decision (following completion of S106 Obligations). This is something that was expected but our current year to date performance (83.3%) is still well above the national target of 60%.
- 8.7 As can be seen from Table 2C, there was poorer performance (in respect of Minors applications) in Quarter 2 of this year. Planning performance in this quarter (Quarter 3) has exceeded Q1 and Q2's performance and is 57.14% against a national target of 65%. However due to results of Q2 the year to date Figure for minors is lower. Focused activity to drive performance up in the category is occurring although Q4 will see the issue of a number of in time and out of time applications for proposals between 1 – 5 dwellings where it is no longer possible to have S106's for affordable housing and recreation contributions (given the Ministerial Statement in November 2014 with consequent advice now contained in National Planning Policy Guidance).
- 8.8 In respect of the planning performance in respect of the Others category (see Table 2C) this has returned to a figure (82.54) which exceeds the Government threshold of 80%. However, the year to date figure of 75.7% is slightly lower due to Q2's outturn. Focused activity is in place to further improve performance in this quarter.

- 8.9 In addition as Members will be aware during the four quarters of 2013/14, Planning Committee have considered a number of significant Major planning applications including Guilford Europe Great Cornard, Carsons Drive, Great Cornard, Solar Park Tattinstone, Solar Park Newton, 51 dwellings at Long Melford, residential development at Armorex in Lavenham, Tesco's at Hadleigh, Ganges at Shotley and 30 dwellings at Sproughton. Determination of these cases and others during this year to date will ultimately result in an increase in the supply of housing land and jobs. In the third quarter of 2014/15 Planning Committee have considered Major developments at Holbrook Road, Stutton for a camping and touring caravan site, erection of up to 24 dwellings at Capel St Mary, erection of 25 dwellings at Boxford, erection of 1 wind turbine at Wherstead, 12 dwellings at St Leonards and 49 dwellings at Sudbury.
- 8.10 Some of the decision notices for the above Major cases considered this year will be issued within quarter 4 2014/15 because of the need to complete S106 Obligations. This may result in a drop in performance against the Major category for the fourth quarter of 2014/15; however performance has improved significantly in the Major category YTD 2014/15 as a result of direct focussed activity.

Planning Fees

- 8.11 Table 3 provides an overview of the income received from fee generating applications during the last quarter against the projected position for the quarter. Previous quarters figures are also included. It excludes listed building applications which do not attract a fee.
- 8.12 It is estimated that £379,500 would be received in planning fees by the end of quarter 4 in 2014/15. As will be noted below, £305,169.00 has been received at the end of quarter 3 which is above the projected fee income for quarter 3 of £284,685.00 has been received in total which is an increase of 18.8% over the anticipated position.
- 8.13 In addition to the income received from fee generating applications for the year 2013/14, a further £23,271.50 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.
- 8.14 For the third quarter of this year the number of fee generating applications received is less than the third quarter 2013/14, however the cumulative fees received is higher.

TABLE 3	01.10.12 to 31.12.12	01.01.13 to 31.03.13	01.04.13 to 30.06.13	01.07.13 to 30.09.13	01.10.13 to 31.12.13	01.01.14 to 31.03.14	01.04.14 to 30.06.14	01.07.14 to 30.9.14	01.10.14 to 31.12.14
Number of fee applications received	203	230	243	223	260	271	273	243	244
Cumulative fees received	331,102	412,327	77,924	201,728. 50	302,163	450,884. 50	113,807. 50	191,346. 50	305,169. 00
Projected fee income (cumulative)	284,625	379,500	94,875	189,750	284,625	379,500	94,875	189,750	284,625

Source: Departmental Records

Appeals

8.15 Table 4 provides details of the number of appeals allowed expressed as a percentage of the total number of appeals determined. The previous eight quarters are shown for comparison purposes. Although this figure is higher than in previous quarters the amount of appeal decisions recorded in this quarter is the lowest of the preceding 8 quarters. In addition, 2 of the 3 allowed appeals related to separate planning and listed building consent applications for the same scheme and site. Both of these facts have made the amount of allowed appeals appear unusually high.

TABLE 4	01.10.12 to 31.12.12	01.01.13 to 31.03.13	01.04.13 to 30.06.13	01.07.13 to 30.09.13	01.10.13 to 31.12.13	01.01.14 to 31.03.14	01.04.14 to 30.06.14	01.07.14 to 30.9.14	01.10.14 to 31.12.14
Number of appeals allowed	0	4	1	5	6	4	3	0	3
Total number of appeals	7	11	11	15	13	14	13	9	5
Percentage of appeals allowed (%)	0	36.36	9.09	33.33	46.15	28.57	23.08	0	60.00

Source: Departmental Records

8.16 There has been no award of costs during this quarter.

8.17 The Appendix gives information relating to all the appeal decisions within this quarter, with the opportunity for Members to access the application details and the appeal decision using hyperlinks.

Source: Departmental Records

9. Appendices

Title	Location
Appeal Decisions 01 October 2014 to 31 December 2014	Attached

10. Background Documents

10.1 None

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Development Control Appeals Decided DC and EC

Version 6

Between 1-Oct-14 and 1-Jan-15

Development Control

Total Number of DC Appeals Allowed - Permission Granted:	3
Total Number of DC Appeals Dismissed:	2
Total Number of DC Appeals Decided:	5
Percentage of appeals allowed	60.00%
Total Number of DC Appeals Outstanding:	15

Enforcement Control

Total Number of EC Appeals :	
Total Number of EC Appeals Decided:	
Total Number of EC Appeals Outstanding:	1

Development Control

Number of Written Representations	3	Granted:	1
Number of Informal Hearings	2	Granted:	2
Number of Public Enquiries	0	Granted:	0

Allowed - Permission Granted

Final Decision: Allowed - Permission Granted

Application No: B/13/01497 FHA **Appellant:** Mr Sedgwick
Application decision: Delegated **Appeal Decision Date:** 24-Nov-14
Appeal Procedure: Informal Hearing **Appeal Type:** Refusal of planning permission
Location: The Downs House, The Downs, Stoke by Nayland, COLCHESTER, CO6 4QR

Proposal: Erection of outbuilding as ancillary accommodation with glass link to main dwelling.

Appeal Notes: Key Issue(s):
Whether or not the proposal would preserve the listed appeal building, any features of special architectural or historic interest that it possesses, or its setting.

Conclusion: As the pavilion would be a single-storey structure, with low eaves, and its steep roofs would be pitched away from the adjoining building. As a result, the chimney-like rooflight feature, which would be the highest part of the pavilion roof, would be located some distance from the original farmhouse, towards the far side of the terrace. In addition, the palette of materials proposed would be traditional to the area and respect those of the existing buildings. Consequently, overall, the Inspector considered that the design of the pavilion, including its scale, form and massing, would not be unduly dominant or compete unacceptably with the primacy of the original part of the farmhouse. As such, the Inspector was satisfied that the siting, design, form and scale of the pavilion would be acceptable. It would not detract from the historic and visual character of the listed building, but would preserve its integrity.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/13/01497)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/5744B22D2E1D76ECABBBCEA22F05D150/pdf/B_13_01497-APPEAL_DECISION-148322.pdf

Costs Decision:
https://planning.babergh.gov.uk/online-applications/files/3C4A72256390CB7F8011BE2FADA02978/pdf/B_13_01497-APPEAL_COSTS_DECISION-149030.pdf

Final Decision: Allowed - Permission Granted

Application No: B/13/01498 LBC **Appellant:** Mr Sedgwick
Application decision: Delegated **Appeal Decision Date:** 24-Nov-14
Appeal Procedure: Informal Hearing **Appeal Type:** Refusal of planning permission
Location: The Downs House, The Downs, Stoke by Nayland, COLCHESTER, CO6 4QR

Proposal: Application for Listed Building Consent - Erection of outbuilding as ancillary accommodation with glass link to main dwelling.

Appeal Notes:

Key Issue(s): Whether or not the proposal would preserve the listed appeal building, any features of special architectural or historic interest that it possesses, or its setting.

Conclusion: As the pavilion would be a single-storey structure, with low eaves, and its steep roofs would be pitched away from the adjoining building. As a result, the chimney-like rooflight feature, which would be the highest part of the pavilion roof, would be located some distance from the original farmhouse, towards the far side of the terrace. In addition, the palette of materials proposed would be traditional to the area and respect those of the existing buildings. Consequently, overall, the Inspector considered that the design of the pavilion, including its scale, form and massing, would not be unduly dominant or compete unacceptably with the primacy of the original part of the farmhouse. As such, the Inspector was satisfied that the siting, design, form and scale of the pavilion would be acceptable. It would not detract from the historic and visual character of the listed building, but would preserve its integrity.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/13/01498)

Appeal Decision:

https://planning.babergh.gov.uk/online-applications/files/FDBA37D866C3CF654F1545703434D059/pdf/B_13_01498-APPEAL_DECISION-148323.pdf

Costs Decision:

https://planning.babergh.gov.uk/online-applications/files/045E855616015E20B7D486C4D0E627CC/pdf/B_13_01498-APPEAL_COSTS_DECISION-149031.pdf

Final Decision:

Allowed - Permission Granted

Application No:

B/14/00246 FUL

Appellant:

Mr T Stevens

Application decision:

Development Committee

Appeal Decision Date:

16-Dec-14

Appeal Procedure:

Written Representations

Appeal Type:

Refusal of planning permission

Location:

Land south of Poplars, High Road, Leavenheath, COLCHESTER, CO6 4PE

Proposal:

Erection of a 3 bedroom detached chalet style two-storey dwelling together with parking and associated works (part retention of).

Appeal Notes:

Key Issue(s): i) the effect of the proposal on the character and appearance of the area; and ii) whether the proposal complies with development plan policy on local housing need.

Conclusion: The appeal proposal would increase the scale of built development compared with the approved scheme. However, the site coverage would not change and the building would be fairly well separated from both The Poplars and the bungalows opposite. Consequently, its additional height would not jar with the neighbouring single storey buildings. The main bulk of the appeal building would be set back from the road and the whole building would be partly screened by retained mature planting. This would help to soften its effect on the street scene. The chalet form of the building would also be consistent with others in the wider area. The Inspector recognised that the Council has identified a need for housing to serve an aging local population. Nevertheless, having concluded that the appeal proposal is acceptable in respect of the character and appearance issue, the Inspector was not persuaded that it would be reasonable to withhold permission because the need for a relatively small alteration (in the context of local housing needs) to a single dwelling has not been demonstrated. As such, the proposal would not materially conflict with Policy CS11.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00246)

Appeal Decision:

https://planning.babergh.gov.uk/online-applications/files/C7276F03CC7F94330203D1B43164A0BD/pdf/B_14_00246-APPEAL_DECISION-150977.pdf

Dismissed

Final Decision: Dismissed

Application No: B/14/00580 FUL **Appellant:** Seka Trading

Application decision: Delegated **Appeal Decision Date:** 12-Dec-14

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

Location: The Rosary, Calais Street, Boxford, SUDBURY, CO10 5JA

Proposal: Erection of 2 No. 1½ storey detached dwellings (following demolition of existing dwelling), and construction of new vehicular access.

Appeal Notes: Key Issue(s):
The main issue is whether the proposed development would accord with the principles of sustainable development having regard to the development plan and the national planning policy framework (The framework)

Conclusion:
Overall the proposal would not accord with the principals of sustainable development having had regard to the advice at paragraphs 7and 55of the Framework. Nor would it accord with the housing location strategy set out at CS policy CS2 or meet the housing needs expected by CS policy CS18. As such, the proposal does not benefit from the presumption in favour of sustainable development set out at Framework Paragraph 14.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00580)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/CB42C4601351CAAF53B4A58A13DF9FDE/pdf/B_14_00580-PLANNING_INSPECTORATE_DECISION-150484.pdf

Final Decision: Dismissed

Application No: B/14/00948 FHA **Appellant:** Mr S Goodwin

Application decision: Delegated **Appeal Decision Date:** 26-Nov-14

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

Location: 66 Cats Lane, Great Cornard, SUDBURY, CO10 2SQ

Proposal: Erection of Porch, first floor side extension, two-storey rear extension and detached garage.

Appeal Notes: Key Issue(s):
The main issue in this case is the effect of the proposed porch and side and rear extensions on the character and appearance of the host property and the surrounding area.

Conclusion:
The proposal is adding to much bulk and offsetting the symmetry. As a result it is contrary to policies CN01 and HS33 of the Babergh local plan alteration No 2. (2006), nor does it accord with the National planning policy framework, paragraph 58

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00948)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/27E09B1B7503027E491DBC1A5131159B/pdf/B_14_00948-INSPECTORATE_DECISION-148961.pdf

Total Number of DC Appeals Decided:

5

Enforcement Control

Final Decsion:

Application No.:

Appeal Procedure:

Location:

Description of Breach:

Appeal Notes:

Appeal Decision Date:

Appeal Type:

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