

**BABERGH DISTRICT COUNCIL**

**FROM:** Chief Planning Control Officer

**REPORT NUMBER:** **J122**

**TO:** DEVELOPMENT COMMITTEE

**DATE OF MEETING:** 21 October 2009

**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 Government indicators.

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 this report.

4. **RISK MANAGEMENT**

4.1 There are no significant risks arising directly from this report.

5. **KEY INFORMATION**

5.1 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.

5.2 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.

5.3 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, however, uses a locally defined threshold of 25%.

**Applications Received and Determined**

5.4 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 provides details of the number of applications that were determined in accordance with the scheme of delegation expressed as a percentage of all decisions.

5.5 Members may wish to note that there has been no significant increase in the number of applications received during the last quarter in comparison with previous quarters. The average for the past four quarters equates to 315 applications.

5.6 The percentage of decisions made in accordance with the scheme of delegation has fallen some four percentage points below the generally accepted threshold of 90% which is commonly held to be a measure of good practice.

<b>TABLE 1</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>	<b>01.07.09 to 30.09.09</b>
Number of applications on hand at beginning of quarter <sup>1</sup>	279	243	224	218
Number of applications received during quarter	299	337	309	317
Number of applications withdrawn	12	25	19	16
Number of applications on hand at end of quarter.	243	224	230	246
Number of applications determined during quarter	323	307	284	273
Percentage of delegated decisions	88.2	90.8	90.8	86.1

Source: General Development Control PS1 Return

<sup>1</sup> 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

- 5.7 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 and the locally defined stretched targets. It also provides an indication of the direction of travel.

<b>TABLE 2A</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>	<b>01.07.09 to 30.09.09</b>
Total number of <b>MAJOR</b> applications determined	11	7	4	3
Total number of <b>MINOR</b> applications determined	78	86	70	67
Total number of <b>OTHER</b> applications determined	234	214	210	203
Total number of applications determined during quarter	323	307	284	273

Source: General Development Control PS2 Return

<b>TABLE 2B</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>	<b>01.07.09 to 30.09.09</b>
Percentage of <b>MAJOR</b> applications determined on time	63.6	85.7	100.0	66.6
Percentage of <b>MINOR</b> applications determined on time	64.1	84.9	81.4	64.2
Percentage of <b>OTHER</b> applications determined on time	79.1	90.2	90.9	89.2

Source: General Development Control PS2 Return

<b>TABLE 2C</b>	<b>Previous Year 2008/09</b>	<b>Year to date 2009/10</b>	<b>National Target</b>	<b>Babergh Stretched Target</b>	<b>Direction of Travel</b>
Percentage of <b>MAJOR</b> applications determined on time	75.4	85.7	60	67	↗
Percentage of <b>MINOR</b> applications determined on time	67.9	73.2	65	72	↗
Percentage of <b>OTHER</b> applications determined on time	82.4	90.1	80	87	↗

Source: General Development Control PS2 Return/Departmental Records

5.8 As will be noted only three applications were processed within the major category during the last quarter, but of these, two cases were determined within the prescribed period. The determination of applications within the minor category has declined during the last quarter. This may be a reflection that fewer cases are being determined in line with the scheme of delegation or they have required the completion of a legal agreement. The cumulative performance for the year to date on minor applications is, however, ahead of both the national and locally defined targets. The determination of applications within the other category has remained broadly the same over the past three quarters and is ahead of both the national and locally defined targets. Despite the fluctuations in performance, applications within all categories continue to be processed with rigour in line with the steps outlined in the previous reports to Development Committee.

### **Planning Fees**

5.9 Table 3 provides an overview of the income received from fee generating applications during the last quarter against the projected position for the quarter. Given the current state of the economy a prudent estimate has been made for 2009/10 of £308,000. As will be noted below, fee income received during the quarter has exceeded the expected position and the estimate for the year has been revised accordingly to £370,000. In addition to the income received from fee generating applications, a further £3,455 has been received from the administration of submissions to discharge planning conditions making a quarterly total of £166,549. Finally, Members may wish to note that amendments are proposed to the regulations governing the payment of fees in November 2009. These amendments will reflect legislative changes which came into effect on 1 October 2009 that now allow time periods on permissions to be extended and non-material amendments to be made to existing permissions.

<b>TABLE 3</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>	<b>01.07.09 to 30.09.09</b>
Number of fee applications received	235	242	222	270
Cumulative fees received	240,045	357,172	65,596	232,145
Projected fee income (cumulative)	300,000	330,000	77,000	154,000
Outturn	(59,955)	27,172	(11,404)	78,145

Source: Departmental Records

### **Appeals**

5.10 Table 4 provides details of the number of appeals allowed expressed as a percentage of the total number of appeals determined. Only three appeals determined in the last quarter of which two were allowed. A review of the appeal decisions made during the past quarter is available in Appendix One.

<b>TABLE 4</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>	<b>01.07.09 to 30.09.09</b>
Number of appeals allowed.	9	2	8	2
Total number of appeals determined.	17	18	14	3
Percentage of appeals allowed.	52.9	11.1	57.1	66.6

Source: Departmental Records

6. **APPENDICES**

6.1 Appendix One: Appeal Decisions 1 July to 30 September 2009.

7. **BACKGROUND PAPERS REFERRED TO:**

7.1 None.

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## APPEALS DECIDED BETWEEN 01-July-2009 and 30-September-2009

### Planning Applications

**Final Decision:** Allowed

**Application No:** B/08/01496 FHA      **Appellant:** Mr Dean Gibson

**Application decision:** Development Committee      **Appeal Decision Date:** 13-Jul-09

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

**Location:** 26 Roman Way, Long Melford, Sudbury, CO10 9LN

**Proposal:** Erection of two-storey side extension.

**The Inspector's Reasons:** The Inspector considered the main issues to be the effect of the proposal upon the surrounding area and secondly the impact of the proposals upon the living conditions of the occupiers at 24 Roman Way. In relation to the first issue the Inspector considered that the extension had been appropriately designed and would appear subservient to the existing semi detached dwelling. As such she concluded that the proposal would be in keeping with the character of the area as required by Local Plan policy CN01. In relation to the second issue the Inspector did not consider the occupiers of 24 Roman Way would suffer any undue loss of light. While Inspector noted that the dwellings would be closer to each other as a result of the extension, she did not consider there would be any undue loss of outlook that would conflict with Local Plan policy HS33.

Comment

The application was refused by Development Committee on 12 November 2008 contrary to the officer recommendation. No comments were received from Long Melford Parish Council.

**Final Decision:** Allowed

**Application No:** B/09/00559 FHA      **Appellant:** Mr Peter Rushton

**Application decision:** Delegated      **Appeal Decision Date:** 24-Aug-09

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

**Location:** Marseillette, Howe Lane, Cockfield, Bury St Edmunds, IP30 0HA

**Proposal:** Erection of 1½-storey side extension and two-storey rear extension (existing garage and attached rear store to be demolished).

**The Inspector's Reasons:** The Inspector considered the main issue to be the effect of the proposed development on the appearance of the existing dwelling and its surroundings. In his opinion the proposed extension would not dominate the existing building or dominate the neighbouring property at Hillview. Furthermore he was of the view that the proposal would not leads to a harmful consolidation of development in this part of Howe Lane. The Inspector therefore found no obvious conflict with the provisions of Local Plan policies HS33 or CN01.

Comment

The application was refused on 7 July 2009 in line with the views expressed by the Parish Council.

**Final Decision:** Dismissed  
**Application No:** B/08/01672 OUT **Appellant:** Mr Stuart Hume  
**Application decision:** Delegated **Appeal Decision Date:** 13-Jul-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** Land rear of 12-14, Phillips Field Road, Great Cornard

**Proposal:** Outline - Erection of 1 No. dwelling.

**The Inspector's Reasons:** The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area and the living conditions of the occupiers of 12 and 14 Phillips Field Road. In relation to the first issue the Inspector considered that the proposal would not reflect the form and character of the development within the adjacent area and would result in additional development to the rear of existing houses contrary to the provisions of Local Plan policy CN01. In relation to the second issue the Inspector considered that use of the proposed means of access which would be close to the small gardens of 12 and 14 Phillips Field Road would result in unacceptable noise and disturbance and would conflict with Local Plan policy HS01. In determining the appeal the Inspector observed that while there is a need to make the best and most efficient use of land within housing areas this must be balanced against the need to respect the character of an area and the existing living conditions.

Comment

The application was refused on 9 January 2009 in line with the comments made by the Great Cornard Parish Council.