

Report for Information

Report to Planning Applications Committee
23 April 2009

Report of Head of Planning and Regeneration Services

Subject Performance of the Development Management Service,
January - March, 2009 and Member Training Plan

Item
6

Purpose

To report the performance of the development management service to members of the Committee, to seek feedback on Member satisfaction with the operation of the Committee and to agree the training plan for the next year.

Recommendations

That the report be noted. If members have suggestions for future training needs then please contact the Head of Planning and Regeneration direct.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future" and the implementation of the planning improvement plan.

Contact Officers

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Background Documents

None.

Report

Background

1. On 31 July 2008, Planning Applications Committee considered a report improved working of the Committee which included a number of suggested changes to the way the Committee operates. In particular it suggested performance of the development management service be reported to the Committee and that feedback from members of the Committee be obtained on their satisfaction with the Committees' operation. The first of these programme reports was presented at the meeting on 29 January 2009 when members welcomed the improvements in the service but asked for the next quarterly report to include information on the reasons for applications not being determined within the statutory period.

Performance of the development management service

2. There are various sources of information about performance of the development management service which are attached as appendices. Appendix 1 provides a summary of performance indicators for the development management service; appendix 2a, b and c provide details of appeals lodged pending and determined. Member feedback on the usefulness and relevance of this information would be welcome. The paragraphs below attempt to briefly summarise the information.
3. It can be seen from Appendix 1 that for 'minors' and 'others' (Quarter 4, 2008/9) the development management key performance indicators continue to improve. Both of these National Performance Indicators (NI157) are at, or above, government targets (set at 60% and 80% respectively) for the last quarter. Looking at the longer term performance, the "minors" figure has increased for six successive quarters and the "others" figure has increased for three successive quarters. In the case of major applications, because of the relatively small number of applications determined in any one quarter, there can be wide swings in performance. In addition there has been a determined effort in the last quarter of 2008/9 to clear long standing major applications (which are often associated with Section 106 Agreements) from the pending list in order to start 2009/10 with a much reduced backlog. The very low percentage figure for 'majors' in this quarter reflects this process.
4. It should also be noted that there has been a steady drop in the number of planning applications on hand. At the end of March 2008/9 there were 166 applications pending compared to 254 at the start of 2008/9. There has been a quarterly drop in pending applications for six successive quarters. Staff have made serious progress in clearing the backlog of applications that built up through 2007/08 when the planning service had a large numbers of vacant posts. This has been helped by the reduction in submitted applications which peaked at 302 applications in Quarter 1 (Apr-Jun 08), dropped to 250 and 199 respectively in the following two quarters (Q2 & Q3), and then has steadied at 222 in the last quarter. In the last quarter of the year applications were only down 4.5% on the equivalent quarter of the previous year although there has been a larger drop in planning fee income reflecting the smaller number of very

large applications with high fees.

5. The threat of a refusal (see 3 above) for long-standing major applications if not cleared by 31 March 2009 had significant consequences. None were actually refused but 12 decisions were issued in March 09 and there was excellent progress on 4 or 5 others which will be issued this month. This was relatively unpopular with agents, developers and their solicitors but should have changed attitudes for the future as they now understand, for the first time, that speed of decision is critically important for the Council. On 31 March 2009 there were 29 major applications on hand (of which two are reported at today's Committee).
6. With regard to planning appeals it can be seen from Appendix 2a that there are some 14 planning appeals pending or awaiting decision, of these 9 were lodged in quarter 4. Of these 9 appeals 7 are due to be determined by written representation, 2 are to be determined by public Inquiry. Of the 9 appeals none are instances where members have refused planning permission contrary to officers' recommendation.
7. You will see from Appendix 2b and 2c that there have been 12 appeals determined in quarter 4. Of these the Planning Inspectorate has dismissed the appeals in 8 cases and upheld the appeals in 4 cases. One of the upheld cases related to demolition of existing building and erection of neighbourhood convenience foodstore for Tesco at Unthank Road. This was a 'committee' refusal on the grounds of loss of highway safety and congestion from use of parking. The inspector considered that the provision of a small convenience foodstore adjoining the Unthank Local Centre accords with the aspirations of national guidance and the local development plan. He felt it would enhance retailing provision at a location readily accessible on foot and cycle. He did accept that the proposed car parking could cause congestion and confusion at a sub-standard junction and pose undue risks to highway safety. He therefore allowed the appeal with conditions including one that there should be no customer car parking save for two disabled person spaces. No costs were applied for by the appellant.
8. The other three cases related to delegated refusals. One related to the redevelopment of a site with 1 no. house with 3/4 bedrooms at land to the rear of 154 and 156A Newmarket Road. This was refused because it was considered that the proposal would have a detrimental effect on the conservation area; that it would adversely affect existing trees and that it would cause a loss of privacy and outlook for the neighbour. However the inspector considered that the proposal would enhance the conservation area and safeguard the well-being of the trees. He did add conditions to safeguard visual amenity; the living conditions of neighbouring residents and the well-being of the trees. The second case related to the refusal of an internally illuminated wall mounted advertisement display unit at 268 Heigham Street. Here the inspector considered that the sign would not be an intrusive element in the street scene provided it was only illuminated during the business hours of the shop. The final case relates to the installation of a 10 metre imitation telegraph pole supporting shrouded antennas with an equipment cabinet and electricity meter cabinet at its base at Cunningham Road. Here the inspector considered that the main issue was the impact of the development on the street scene and the appearance of the locality. He considered that the development's visual

impact on the street scene and the appearance of the locality would be very modest. He also noted that the application was accompanied by an ICNIRP certificate which satisfied him that the possible health implications of electromagnetic emissions from the base station did not need further consideration.

9. The Planning Applications Committee has met on 4 occasions over this quarter and determined 50 applications. All were in accordance with officer recommendation.

Training

10. The training that has been delivered since 1 April 2008 is listed in Appendix 3 and it also itemises the suggested future training that could be delivered. Members are invited to consider these proposed subjects and advise of the appropriateness of these topics or propose other items.

Reasons for applications being determined outside the statutory period

11. A record of applications that go over the statutory period for determination (8 or 13 weeks) has started to be recorded from 1 March 2009 to date. It is intended to build in a facility to the decision process so that more explicit and accurate data is available in future by changing the IT systems. Of the 84 applications determined in March, 24 have exceeded the time period. (It should be remembered that figures in this month have been skewed by the attempt to clear old Major applications by the end of the year as already noted).

12. Rather than produce a table detailing the individual reason for each application it is felt more productive to identify the key reasons for applications exceeding their time frame. The six common reasons are as follows:-

- Section 106/Unilateral Undertaking negotiations (mainly on Majors)
- Extensive negotiations re design details, siting etc.
- Consultations with Statutory bodies after resolution at Committee e.g. GO-East, HSE
- Representation received too late for a report to be prepared and included on a Committee agenda within the time frame
- Decisions on related applications such as conservation area consent or listed building consent (Minor or Other 8 week) delayed by complex association with Major (13 week) applications
- Applications which are politically sensitive and require greater assessment or consideration.

Appendix 1
Speed of determination of planning applications

		2007-08			2008-09			2008-09	
		Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1-Q4
Major	No.	11	8	17	10	11	5	12	38
	% 13 wks	36.7%	12.5%	41.2%	60.0%	27.3%	60.0%	16.66%	36.84%
Minor	No.	69	57	86	100	64	78	81	316
	% 8 wks	65.2%	43.9%	44.2%	65.0%	71.9%	78.2%	79.01%	74.68%
Others	No.	194	117	151	202	147	127	132	608
	% 8 wks	75.2%	63.2%	49.0%	78.2%	73.5%	80.3%	81.81%	77.96%

Numbers of planning applications

	<u>2007-2008</u>				<u>2008-2009</u>			
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Received	279	240	232	302	250	199	222	
Withdrawn/called in	16	15	27	21	29	24	22	
On hand at end	270	310	254	229	228	193	166	
Decisions	280	185	261	306	222	210	225	

Appendix 2a, b, c – see attached

Appendix 3

Planning Applications Committee - Training / Briefing sessions

Date	Subject
29 May 08	Annual Planning Applications Committee Training
5 Jun 08	Planning Services Code of Conduct
17 Jun 08	Barrack St 'Jarrolld' Bridge (joint briefing with members of the Broads Authority Planning Committee)
19 Jun 08	Affordable Housing SPD - consultation
10 Jul 08	Local Development Plan and East of England Development Plan; discussion on handling imminent planning applications
21 Jul 08	Norwich City College site visit
31 Jul 08	Audit Commission's report on Planning Services
21 Aug 08	Pre-Application Briefing Anglia Square Redevelopment
11 Sep 08	Site visit – Great Hospital
19 Sep 08	Housing Masterclass (CABE) – Planning Apps members and members of the LDF WP members.
2 Oct 08	Site Visit – Duke's Wharf
23 Oct 08	Performance Figures for First and Second Quarter Revised Training Plan
11 Dec 08	Site visit – Anglia Square
8 Jan 09	Material planning considerations
29 Jan 09	Sources of Design Advice for Planning Committee Members
19 Feb 09	Notification and Publicity of planning applications
2 Apr 09	Site visit
23 Apr	Energy & Planning

Potential future training prior to Committee

- Local Development Framework Update
- Training for new members following Annual Meeting (1st Committee likely to be June 11th)
- “Seeing is Believing” – joint with GNDP (date to be confirmed) looking at housing design, including visit to Newhall, Harlow. (whole day)
- Local design tour – week commencing 21st July 09. (half day)

Appendix 1

Planning Appeals in Progress at 31st March, 2009

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
07/00021/REF	APP/G2625/A/07/2049067/ NWF	10 Barnard Road Norwich Norfolk NR5 9JB	Refusal of planning permission for Outline application for the erection of hotel and bowling alley.	10th July 2007	P	INPROG Public Inquiry held 11th – 13th March 2009. Decision Awaited.
07/00030/NONDE T	APP/G2625/A/08/2090773/ NWF	1 And 1a City Road And 2a Bracondale Norwich Norfolk	Refusal of planning permission for Demolition of existing paint distribution centre and erection of six flats with car parking.	27th November 2007	P	INPROG Public Inquiry 12th – 15th May 2009

W= Written statements only

I = Informal Hearing

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Date Produced: Wednesday, 15 April 2009

Decision Codes – ALLOW =Allowed, DISMISS = Dismissed, PTAPD=Part allowed part dismissed, INPROG = In progress

Appendix 1

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00011/ADVT	APP/G2625/H/08/1203029	164 Barrett Road Norwich NR1 2RT	Refusal of advertisement consent for Retrospective application for the retention of two internally illuminated single-sided freestanding display units.	12th May 2008	W	INPROG
08/00028/REF	APP/G2625/A/08/2088355/ NWF	64 St Benedicts Street Norwich NR2 4AR	Refusal of planning permission for Demolition of existing outbuildings and alterations and extensions to existing ground floor and studio flat to create one loft apartment.	23rd October 2008	I	INPROG Hearing 18th March 2009. Awaiting Decision.

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Appendix 1

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00032/REF	APP/G2625/A/08/2093366/WF	284 Dereham Road Norwich NR2 3TL	Refusal of planning permission for Erection of new town house and integral garages at rear of 284 Dereham Road and adjacent to 2 Bond Street.	30th December 2008	W	INPROG
09/00003/REF	APP/G2625/A/09/2096300/WF	19 Ash Grove Norwich NR3 4BE	Refusal of planning permission for `Erection of two storey extension to rear of property.	28th January 2009	W	INPROG

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09/00001/REF	APP/G2625/A/09/2096249/ NWF	73 Whiffler Road Norwich Norfolk NR3 2AU	Refusal of planning permission for Redevelopment of the Gei Autowrappers site to provide a non-food retail warehouse (A1) and 3 no. industrial units (B1, B2 and B8) together with access and servicing arrangements and landscaping.	29th January 2009	P	INPROG Provisional date for Public Inquiry 7th July 2009

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09/00004/REF	APP/G2625/A/09/2096420/WF	41 Peverell Road Norwich NR5 9AT	Refusal of planning permission for Increase in roof height to form dormers with rooms in roof. Erection of a front porch.	29th January 2009	W	INPROG
09/00005/REF	APP/G2625/A/09/2096480/WF	Land Adjacent To And North East Of 2 Clabon Road Norwich	Refusal of planning permission for Sub-division of curtilage and erection of 1 no. detached dwelling and garage.	2nd February 2009	W	INPROG

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09/00002/ADVT	APP/G2625/H/09/2096427	55 Earlham Road Norwich NR2 3AD	Refusal of advertisement consent for Erection of one internally illuminated free standing double sided display unit.	30th January 2009	W	INPROG
09/00006/REF	APP/G2625/A/092097294/NWF	6A Albion Way Riverside Retail Park Norwich NR1 1WR	Refusal of planning permission for Creation of 3,779 sq.m. of additional retail floorspace at mezzanine level.	19th February 2009	P	INPROG Submitted Rule 6 Statement

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09/00007/REF	APP/G2625/A/09/2097884/ NWF	88 Colman Road Norwich NR4 7EH	Refusal of planning permission for Change of use from retail (Class A1) to hot foot takeaway (including delivery) (Class A5) including alterations to shop front and installation of extraction flue to rear.	23rd February 2009	W	INPROG
09/00008/REF	APP/G2625/A/09/2097799/ NWF	28 Magdalen Road Norwich NR3 4AA	Refusal of planning permission for -Retrospective Change of Use from residential to physiotherapy clinic and health related services.	19th February 2009	W	INPROG

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09/00009/REF	APP/G2625/A/09/2098833/ NWF	Highway Land In Front Of 47 - 69 Newmarket Road Norwich	Refusal of planning permission for The installation of a 10 metre imitation 'telegraph pole' incorporating 3 No. antennas, an equipment cabinet at ground level and ancillary development.	5th March 2009	W	INPROG

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Planning Appeals Dismissed – Quarter 4, 2008-9

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00021/REF	APP/G2625/A/08/2080446/ NWF	Roys Motor Company Leopold Road Norwich NR4 7AD	Refusal of planning permission for Erection of small local centre comprising five convenience units within use classes A1, A2, A3, D1, D2 and B1 and five flatted dwelling units with associated car parking.	16th July 2008	I	DISMIS 26th February 2009

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Appendix 2

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00035/ADVT	APP/G2625/H/08/2084268	63 Long John Hill Norwich NR1 2JJ	Refusal of Advertisement Consent for Installation of one internally illuminated double-sided free-standing forecourt display unit.	18th September 2008	W	DISMIS 4th February 2009
08/00025/REF	APP/G2625/A/08/2084015/ NWF	Land Adjacent To 2 South Park Avenue Norwich	Refusal of planning permission for Subdivision of curtilage and construction of and erection of super-eco single-storey one bedroomed retirement dwelling with associated amenity areas.	8th September 2008	I	DISMIS 20th February 2009

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08/00024/REF	APP/G2625/A/08/2084989/ WF	8 Bracondale Green Norwich NR1 2AG	Refusal of planning permission for Creation of 1 No. new dwelling by sub-dividing number 8 Bracondale Green and adding a single-storey extension.	12th September 2008	W	DISMIS 22nd January 2001
08/00026/REF	APP/G2625/A/08/2085637/ WF	449 Earlham Road Norwich NR4 7HL	Refusal of planning permission for Demolition of garage and sheds and change of use of residential land to land for the stationing of a mobile home.	23rd September 2008	W	DISMIS 22nd January 2009

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08/00033/ADVT	APP/G2625/H/08/2088841	55 Woodcock Road Norwich NR3 3TH	Refusal of advertisement consent for Erection of 1 No internally illuminated free standing double sided display unit.	28th November 2008	W	DISMIS 6th March 2009
08/00022/REF	APP/G2625/A/08/2083077/ NWF	1 To 24 Howard Mews Norwich NR3 4JU	Refusal of planning permission for Alterations to roofs to four existing blocks to provide four additional one bedroom flats together with associated parking and storage. (Revised Description).	18th August 2008	I	DISMIS 3rd March 2009

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08/00030/REF	APP/G2625/H/08/2087817	29 Tombland Norwich NR3 1RE	Refusal of advertisement consent for Display of:- a) 1 no. externally illuminated, double sided timber panel hanging sign; b) 1 no. internally illuminated flat timber panel with fret cut lettering on fascia; c) 1 no. high level internally illuminated fascia sign.	28th November 2008	W	DISMIS 9th March 2009

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Planning Appeals Upheld – Quarter 4, 2008-9

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00005/REF	APP/G2625/A/08/2070543/ NWF	84 Unthank Road Norwich NR2 2RW	Refusal of planning permission for Demolition of existing building and erection of a two-storey building for use as a neighbourhood convenience foodstore (Use Class A1) with access, servicing and landscaping.	9th April 2008	P	ALLOW 29th January 2009

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08/00010/REF	APP/G2625/A/08/2075534/ NWF	Land To The Rear Of 154 And 156A Newmarket Road Norwich	Refusal of planning permission for Redevelopment of site with 1 no. house with 3/4 bedrooms.	6th June 2008	I	ALLOW 2nd January 2009
08/00034/ADVT	APP/G2625/H/08/2088835	268 Heigham Street Norwich NR2 4LZ	Refusal of advertisement consent for Erection of 1 No. internally illuminated wall mounted advertisement display unit.	28th November 2008	W	ALLOW 17th March 2009

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08/00031/REF	APP/G2625/A/08/2091777/ NWF	Proposed Telecommunications Mast North Of Old House Plantation Cunningham Road Norwich	Refusal of planning permission for 10 metre imitation telegraph pole supporting shrouded antennas with an equipment cabinet and electricity meter cabinet at its base.	11th December 2008	W	ALLOW 12th March 2009

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