

## Report for Information

**Report to** Planning Applications Committee  
30<sup>th</sup> July 2009

**Report of** Head of Planning and Regeneration

**Subject** Performance of the Development Management Service,  
April - June, 2009 and Member Training Plan

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### 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 discuss the draft training schedule for the next year which will be presented at the meeting.

### 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 31st 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<sup>th</sup> January 2009 when members welcomed the improvements in the service. A further quarterly report was presented at the 23<sup>rd</sup> April 2009 meeting.

## 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 all key performance indicators are up including 'Majors' for (Quarter 1, 2009/10). For both 'Minor' and 'Others' the National Performance Indicators (NI157) are above, minimum government targets (set at 65% and 80% respectively) and above the challenging targets set by the Council at 83% and 92%. Looking at the longer term performance, the "minors" figure has increased for seven successive quarters and the "others" figure has increased for four 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 two quarters to clear long standing major applications (which are often associated with Section 106 Agreements) from the pending list. Despite this the percentage figure for 'majors' in this quarter shows continued improvement towards the government minimum and Council target of at least 60%.
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 June 2009/10 there were 155 applications pending compared to 229 at the end of the first quarter 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. It has now gone down to 185, reflecting

the slowdown in the economic climate nationwide. In the first quarter of this year applications were down by approximately 38% on the equivalent quarter of the previous year which has been reflected by a large drop in planning fee income.

5. The continued threat of a refusal (see 3 above) for major applications which involve a Section 106 Agreement and where the application is not decided within the 13 week timeframe has meant that for new application submitted since January 2009, performance figures have significantly improved. Of the fifteen major applications that have been validated since January 2009, eleven have been determined within the time period with four pending a decision (but still within the 13 week period).
6. With regard to planning appeals it can be seen from Appendix 2a that there are some 9 planning appeals pending or awaiting decision, of these 6 were lodged in quarter 1, 2009/10. Of these 9 appeals 6 are due to be determined by written representation, 2 are to be determined by public Inquiry and 1 by informal hearing. Of the 9 appeals pending 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 8 appeals determined in quarter 1. Of these the Planning Inspectorate has dismissed the appeals in 6 cases and upheld the appeals in 2 cases.
8. One of the upheld cases related to the change of use of a retail unit to form a hot food take away (including delivery); alterations to shopfront and installation of extraction flue to rear at 88 Coleman Road. This item was recommended for approval by officers but was refused by the Committee because of the impact on the living conditions of nearby residents with specific regard to litter, noise and general disturbance. It came to light during the appeal that there should also have been an objection on loss of retail grounds; however, survey data available was incorrect at the time of the application. This matter was raised with the Inspectorate and they have identified that the Inspectors letter was extremely brief on this point but their investigations indicated that the Inspector had taken this matter into account. In the circumstances it has been concluded that there are insufficient grounds, and significant costs and risks, in pursuing this matter further. The inspector concluded that the increase in usage in the parade would be unlikely to have a significant effect on parking or the noise audible by residents on Colman Road nor those on North park Road. He concludes that the proposal would not result in harm to the living conditions of nearby residents.
- 9.. The other case relates to the refusal of a proposal to increase a roof height to form dormers with rooms in the roof and the erection of a front porch at 41 Peverall Road, Norwich. Here the inspector considered that the proposed roof extension was a relatively minor alteration and would not constitute overdevelopment of the site. Similarly he did not feel that the slightly raised roof ridge height would be an incongruous addition to the street scene nor result in significant harm to the character and appearance of the area. He also did not consider that the roof extension would lead to a loss of privacy for

neighbours.

10. The Planning Applications Committee has met on 4 occasions over this quarter and determined 41 applications. Two decisions were contrary to officer recommendation.

### **Training**

11. An updated training schedule will be presented at the meeting.

## Appendix 1

### Speed of determination of planning applications

		2007-08		2008-09		2008-09		2009-10	
		<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1-Q4</u>	<u>Q1</u>
<b>Major</b>									
	No.	8	17	10	11	5	12	38	13
	% 13 wks	12.5%	41.2%	60.0%	27.3%	60.0%	16.66%	36.84%	53.85%
<b>Minor</b>									
	No.	57	86	100	64	78	81	316	63
	% 8 wks	43.9%	44.2%	65.0%	71.9%	78.2%	79.01%	74.68%	90.48%
<b>Others</b>									
	No.	117	151	202	147	127	132	608	103
	% 8 wks	63.2%	49.0%	78.2%	73.5%	80.3%	81.81%	77.96%	92.23%

### Numbers of planning applications

	<u>2007-2008</u>				<u>2008-2009</u>			<u>2009-2010</u>	
	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	
Received	279	240	232	302	250	199	222	185	
Withdrawn/called in	16	15	27	21	29	24	22	14	
On hand at end	270	310	254	229	228	193	166	155	
Decisions	280	185	261	306	222	210	225	180	

Appendix 2a, b, c – see attached

**Planning Appeals in Progress at 30th June 2009**

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
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 Public Inquiry: October 2009

W= Written statements only

I = Informal Hearing

P = Public Inquiry

Date Produced: Tuesday, 21 July 2009

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

Appendix 2a

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
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		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 Awaiting Draft Statement of Common Ground: End July. New application received 17th July and Valid date 18th July 2009.

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Appendix 2a

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00010/REF	APP/G2625/A/09/2101164/ NWF	Sovereign Motor Company Mountergate Norwich NR1 1PY	Refusal of planning permission for Retrospective application for temporary use of site and buildings as a car park (120 cars).	4th April 2009	I	INPROG Date of Informal Hearing: 29th October 2009
09/00012/REF	APP/G2625/A/09/2101741/ WF	8 St Mildreds Road Norwich NR5 8RJ	Refusal of planning permission for Replacement of passageway, shed and conservatory with 'lean-to' passageway link and shower room.	14th April 2009	W	INPROG

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Appendix 2a

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00013/REF	APP/G2625/A/09/2102311/ NWF	88 - 94 Mile Cross Lane Norwich NR6 6SH	Refusal of planning permission for Erection of 370sqm building to be used in Class B1, B2 or B8 use.	21st April 2009	W	INPROG
09/00015/REF	APP/G2625/A/09/2105966/ NWF	Site Of Proposed Telecommunications Mast Opposite Post Mill Close School Lane Sprowston Norwich	Refusal of planning permission for Erection of 10m imitation telegraph pole with two equipment cabinets and electricity meter cabinet at ground level.	10th June 2009	W	INPROG

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Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
09/00016/REF	APP/G2625/A/09/2106202/ NWF	21 Suffolk Square Norwich NR2 2AA	Refusal of planning permission for Change of use from bakery and shop (Class A1) to hot food takeaway (Class A5).	12th June 2009	W	INPROG
09/00017/REF	APP/G2625/A/09/2106631/ WF	Corner Plot Adjacent To 35 Orchard Street Norwich	Refusal of planning permission for Erection of one single and two storey dwelling with car port.	18th June 2009	W	INPROG

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**Planning Appeals Dismissed – Quarter 1: 2009 / 2010**

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	DISMIS 20th April 2009
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	DISMIS 22nd April 2009

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Appendix 2b

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	DISMIS 20th April 2009
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	DISMIS 19th May 2009

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Appendix 2b

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
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	DISMIS 10th June 2009
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	DISMIS 10th June 2009

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## **Planning Appeals Upheld – Quarter 1: 2009 / 2010**

<b>Application Ref No</b>	<b>Planning Inspectorate Ref No</b>	<b>Address</b>	<b>Proposal</b>	<b>Date Appeal Valid</b>	<b>Type of Appeal</b>	<b>Decision</b>
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	ALLOW 27th May 2009

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Appendix 2c

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
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	ALLOW 10th June 2009

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