

Report for Information

Report to	Planning Applications Committee 29 January, 2009
Report of	Head of Planning and Regeneration
Subject	Performance of the Development Management Service, September- December, 2008 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.

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.

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 the development management key performance indicators are improving. In the third quarter of 2008-9 all three National Performance Indicators (NI157) were at, or above, government targets. In all of the categories measured, performance has improved compared to performance in the second quarter. 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.
4. It should also be noted that there has been a steady drop in the number of planning applications submitted. At the end of December 2008 there were 193 applications pending compared to 310 at the start of 2008. Staff are working hard to process applications the backlog of applications that built up through 2007/08 when the planning service had a large numbers of vacant posts. The significant backlog of applications has been significantly reduced and this has been helped by the reduction in submitted applications which peaked at 302 applications in quarter 1 (Apr-Jun 08), dropped to 250 in the following quarter (similar to the 2007-8 average), and then dropped further in the last quarter to 199. Planning fee income dropped in quarter 2 and 3 compared to quarter 1 and 2007-8.
5. As of the end of September 2008 there were 22 major applications which had been submitted before January 2008 and by the end of the year this had dropped to 13 – it will be a key priority to clear all of these in the next quarter. Most of these older applications are delayed due to the need to agree complex planning obligations and some will relate to schemes that may never go ahead. With regard to planning appeals it can be seen from Appendix 2a that there are some 13 planning appeals pending or awaiting decision, of these 4 were lodged in quarter 3. Of these 4 appeals 3 are due

to be determined by written representation, 1 is to be determined by informal hearing. Of the 4 appeals none are instances where members have refused planning permission contrary to officers recommendation.

6. You will see from Appendix 2b and 2c that there have been 11 appeals determined in quarter 3. Of these the Planning Inspectorate has dismissed the appeals in 9 cases and upheld the appeals in two cases. One of the upheld cases related to an outline application for a site at Catton View Court where 2 dwellings were proposed. This was a 'delegated' refusal on the grounds of loss of existing garages, exacerbating on-street car parking and poor living environment for the prospective occupiers. The inspector considered that 'it cannot be realistically assumed that the garaging is ever likely to be available for use by the residents of the adjacent flats'. On this basis he did not consider that the proposal would be inappropriate development and would not exacerbate problems of on-street parking or lead to a poor living environment for future occupiers. He therefore allowed the appeal with condition suggested by the Council.
7. The other case related to the change of use of a garage to a living room in a detached two-storey dwelling at 2 Alicante Way. This was a delegated refusal on the grounds that the loss of the garage for residential parking would result in additional parking at front of property and street to the detriment of visual and residential amenity of the area. However the inspector considered that given the fact that parking to the front of properties is commonplace throughout the estate and especially so in Alicante Way that it would not be out of character and would not be detrimental to the visual amenity of the area. Nor did he consider that the proposal would result in a loss of residential amenity. He allowed the appeal with a condition suggested by the Council.
8. Although two appeals were dismissed at The Talk nightclub, Oak St these were only dismissed because of the lack of a planning obligation to cover standard financial payments and because there was not an approved redevelopment to allow the demolition application to be approved. Members will recall that both of these applications were recommended for approval.
9. The Planning Applications Committee has met on 4 times over this quarter and determined 55 applications. 53 were in accordance with officer recommendation, and on two occasions the Committee refused development contrary to officer recommendations. These applications related to a pizza takeaway at 88 Colman Road and change of use to a taxi office at Prince of Wales Road.
10. One Ombudsman report has been received relating to alleged procedural irregularities regarding the handling of a planning application at 100-108 St. Benedict's Street including the demolition of a building designed by Edward Skipper. The provisional view of the Ombudsman was that "the objections were presented to Members appropriately and they were taken into consideration when reaching the decision to approve the application. I do not consider that I have seen evidence of maladministration in this case".

Training Plan

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 will be delivered.

Appendix 1

Speed of determination of planning applications

		2007-08			2008-09			2008-09
		<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q1-Q3</u>
Major								
	No.	11	8	17	10	11	5	26
	% 13 wks	36.7%	12.5%	41.2%	60.0%	27.3%	60.0%	46.0%
Minor								
	No.	69	57	86	100	64	78	235
	% 8 wks	65.2%	43.9%	44.2%	65.0%	71.9%	78.2%	73.2%
Others								
	No.	194	117	151	202	147	127	476
	% 8 wks	75.2%	63.2%	49.0%	78.2%	73.5%	80.3%	76.9%

Numbers of planning applications

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

Planning Appeals in Progress at 31st December, 2008

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 re-convenes on 11.03.2009
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 date yet to be decided

W= Written statements only

I = Informal Hearing

P = Public Inquiry

Date Produced: Wednesday, 21 January 2009

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

Appendix 2a

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	INPROG Public Inquiry held on 13 th -16 th January. Decision awaited.
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

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Appendix 2a

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	INPROG Hearing date 11.02.2009
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	INPROG Hearing takes place on 12.02.2009

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Appendix 2a

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	INPROG Hearing date 18.02.2009
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	INPROG

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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	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 Public Inquiry date yet to be decided

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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	INPROG
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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	INPROG
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

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Planning Appeals Dismissed – Quarter 3, 2008-9

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00006/REF	APP/G2625/A/08/2068373/ NWF	Catton Chalk Pits Site Woodcock Road Norwich Norfolk	Refusal of planning permission for Erection of 14 dwellings and associated works.	25th March 2008	W	DISMIS 15 th December 2008
08/00013/REF	APP/G2625/A/08/2075416/ WF	25 Ethel Road Norwich NR1 4DB	Refusal of planning permission for Alterations and first floor extension to provide study/bedroom.	21st May 2008	W	DISMIS 16 th October 2008

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Appendix 2b

08/00014/REF	APP/G2625/A/08/2076178/ WF	Land Adjacent To And Rear Of 6 Catton Grove Road Norwich	Refusal of planning permission for Erection of a single one and a half storey dwelling.	2nd June 2008	W	DISMIS 6 th October 2008
08/00012/REF	APP/G2625/A/08/2077558/ NWF	29 - 31 St Stephens Road Norwich NR1 3SP	Refusal of planning permission for Change of use from A1 (retail) to A5 (hot food take- away).	19th June 2008	W	DISMIS 29 th October 2008
08/00018/REF	APP/G2625/A/08/2079542	11 Heartsease Lane Norwich NR7 9NP	Refusal of planning permission for Conversion of garage and store to a residential annex.	17th July 2008	W	DISMIS 12 th November 2008

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Appendix 2b

08/00019/REF	APP/G2625/A/08/2080340	The Talk And 114 Oak Street Norwich Norfolk	Refusal of planning permission for Redevelopment of the site with 58 dwellings comprising 34 three bedroom townhouses; 2 bedsits, 2 three bedroom apartments; 16 two bedroom apartments; 4 one bedroom apartments including car parking, amenity areas, bin and cycle storage. (Revised Description).	14th July 2008	W	DISMIS 3 rd November 2008
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Appendix 2b

08/00020/NONDE T	APP/G2625/E/08/2080343/ NWF	The Talk And 114 Oak Street Norwich Norfolk	Failure to give notice of its decision for Demolition of the existing buildings at 113 Oak Street (The Talk Nightclub) and 114 Oak Street (warehouse depot).	14th July 2008	W	DISMIS 3 rd November 2008
08/00023/REF	APP/G2625/A/08/2082224/ NWF	Duke Of Connaught 60 Livingstone Street Norwich NR2 4HE	Refusal of planning permission for Redevelopment of site with erection of 4 No two bedroomed houses.	7th August 2008	W	DISMIS 29 th October 2008
08/00027/REF	APP/G2625/A/08/2085530/ WF	74 Helena Road Norwich NR2 3BZ	Refusal of planning permission for Roof alteration and conversion with new dormer window.	24th September 2008	W	DISMIS 11 th December 2008

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Planning Appeals Upheld – Quarter 3, 2008-9

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
08/00016/REF	APP/G2625/A/08/2078399	2 Alicante Way Norwich NR5 8BX	Change of use of garage to living room.	25th June 2008	W	ALLOWED 24 th October 2008
08/00017/REF	APP/G2625/A/08/2079397/ WF	Land Adjacent To And East Of 19 To 27 Catton View Court Norwich Norfolk	Refusal of planning permission for Erection of 2 no. three bedroom semi-detached houses.	7th July 2008	W	ALLOWED 12 th November 2008

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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 'Jarrold' 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	Planning considerations

Potential future training prior to Committee

29 Jan 08	Design and the role of Quality Panel
19 Feb 09*	Notification and Publicity of planning applications
12 Mar 09*	Local Development Framework Update and 2007-8 Annual Monitoring Report
2 Apr 09	Energy update

* dates dependent on the slot not being required for site visits or pre-application major development presentation

Future training dates:-

- “Seeing is Believing” – joint session with the Greater Norwich Development Partnership (provisional date of 16 February 2009 – to be confirmed) looking at housing design, including visit to Newhall, Harlow. (whole day)
- Local design tour – week commencing 21 July 2009 (half day).

In addition a training session for members other than those on Planning Applications Committee has been arranged for 3 February 2009.