

SOUTH STAFFORDSHIRE COUNCIL**PLANNING COMMITTEE – 19 JULY 2022****MONTHLY UPDATE REPORT****REPORT OF THE LEAD PLANNING MANAGER****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

1.1 A monthly update report to ensure that the Committee is kept informed on key matters including:

- Proposed training
- Any changes that impact on National Policy
- Any recent Planning Appeal Decisions
- Relevant Planning Enforcement cases on a quarterly basis
- The latest data produced by the Department for Levelling Up, Housing and Communities

2. RECOMMENDATION

2.1 That Committee notes the content of the update report.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	
SCRUTINY POWERS APPLICABLE	Report to Planning Committee	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	19 July 2022	
FINANCIAL IMPACT	No	There are no direct financial implications arising from this report.
LEGAL ISSUES	No	Any legal issues are covered in the report.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	No other significant impacts, risks or opportunities have been identified.

IMPACT ON SPECIFIC WARDS	No	District-wide application.
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PART B – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 **Future Training** – Changes to Planning Committee were approved at the 26 March 2019 meeting of the Council to reduce committee size from 49 potential members to 21 members. As part of these changes an update report is now being brought to each meeting of the Committee.
- 4.2 Further training dates are being arranged to cover tree applications, Planning Enforcement and Permitted Development as requested in the recent Member questionnaire responses. Please let us know if there are other topics on which you would like training. In addition, regular training/refresher sessions on using Public Access will be organised.
- 4.3 **Changes in National Policy** – No change since previous report.
- 4.4 **Planning Appeal Decisions** – every Planning Appeal decision will now be brought to committee for the committee to consider. There have been 3 appeal decisions since my last report, copies of the decisions are attached as Appendix 1-3. These relate to:
- 1) An appeal against a refusal to allow a development to be carried out without complying with conditions related to BREEAM standards at Sandhill Day Nursery, Springhill Lane, Lower Penn WV4 4TJ. The appeal was dismissed because the inspector did not accept that appellants case that there would be difficulty in retrofitting the property in order to achieve a 'Pass' rating as the work required would be disrupting to the current operation of the business and could necessitate the building being demolished. The inspector noted that it was apparent from paragraph 16 of the previous appeal decision that the building was originally designed to achieve a 'Pass' rating. As such the inspector concluded that the disruption of the scale suggested by the appellant seems unlikely, and even if some disruptive additional works would now be required, it does not justify setting aside a long established policy on the basis that the development has proceeded without complying with the condition.
 - 2) An appeal against a refusal for a single storey detached outbuilding at Pennwood Lodge, Pennwood Lane, Penn Common WV4 5JJ. The appeal was dismissed because the inspector concluded that there were no other considerations to outweigh the harm the development would cause to the Green Belt by virtue of its inappropriateness, and to openness. Consequently, the very special circumstances necessary to justify the development do not exist.
 - 3) An appeal against a refusal to allow the demolition of existing stables and storage buildings and replace with a new single-storey dwelling at land and buildings north of Stone Cottage, Wolverhampton Road, Pattingham WV6 7AF. The appeal was dismissed because the inspector concluded that the proposal would have a greater

impact on the openness of the Green Belt than the existing development, which would be significantly harmful. The inspector also concluded that there were no other considerations to outweigh the harm the development would cause to the Green Belt by virtue of its inappropriateness, and to openness.

- 4.5 In May 2020 the Secretary of State for Transport made an order granting development consent West Midlands Interchange (WMI). Documents can be seen here : <https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/west-midlands-interchange/> Officers are now working with the site promoters to understand next steps.
- 4.6 In April 2022, PINS confirmed that the M54/M6 link road Development Consent Order (DCO) has been granted by the Secretary of State. Further information can be found here <http://infrastructure.planninginspectorate.gov.uk/document/TR010054-001195>
- 4.7 **Relevant Planning Enforcement cases on a quarterly basis** – no update since last report. 72 enforcement cases have been logged for investigation to date in the last quarter, and 65 cases closed. 83.84% of Planning Enforcement cases are currently being investigated within 12 weeks of the case being logged. This is above the target of 80%. We are going through an internal Service Review to look at areas for streamlining, efficiencies and service improvements; however, there have been a few high priority gypsy incursions that need to be managed as a priority.
- 4.8 **The latest data produced by the Department of Levelling Up, Housing and Communities** – As members will recall, DLUHC sets designation targets that must be met regarding both quality and speed of planning decisions. The targets are broken into major and non-major development. If the targets are not met, then unless exceptional circumstances apply, DLUHC will “designate” the relevant authority and developers have the option to avoid applying to the relevant designated Local Planning Authority and apply direct, and pay the fees, to the Planning Inspectorate. Details can be seen at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760040/Improving_planning_performance.pdf
- 4.9 We will ensure that the Committee is kept informed of performance against the relevant targets including through the DLUHCs own data.
- 4.10 For Speed – the 2020 target for major developments is that 60% of decisions must be made within the relevant time frame (or with an agreed extension of time) and for non-major it is 70%. For Quality – for 2020 the threshold is 10% for both major and non-major decisions. Current performance is well within these targets and the position as set out on DLUHCs website will be shown to the Committee at the meeting – the information can be seen on the following link tables:
- 151a – speed – major
 - 152a – quality – major
 - 153 – speed – non major
 - 154 – quality – non major

The link is here – <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics>

The latest position is on the DLUHC website and the key figures are below:

Speed

151a – majors – target 60% (or above) – result = 90.6% (data up to March 2022)

153 – others – target 70% (or above) – result = 86.1% (data up to March 2022)

Quality

152a – majors – target 10% (or below) – result = 1.9% (date up to September 2020)

154 – others – target 10% (or below) – result = 0.8% (date up to September 2020)

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6. PREVIOUS MINUTES

N/A

7. BACKGROUND PAPERS

Appendix 1 – Appeal Decision – Sandhill Day Nursery, Springhill Lane, Lower Penn WV4 4TJ

Appendix 2 – Appeal Decision – Pennwood Lodge, Pennwood Lane, Penn Common WV4 5JJ

Appendix 3 – Appeal Decision – Land & buildings north of Stone Cottage, Wolverhampton Road, Pattingham WV6 7AF

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