

SOUTH STAFFORDSHIRE COUNCIL

PLANNING COMMITTEE – 15 SEPTEMBER 2020

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 Ministry of Housing Communities and Local Government

2. RECOMMENDATION

2.1 That Committee note 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	21 st July 2020	
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 will now be brought to each meeting of the Committee. The intention has been that with a reduced size of Committee additional training will be provided throughout the year, namely before each Planning Committee (starting at 5:30pm). The sessions may well change depending on what issues are on the agenda.

Given the current public health situation, we have suspended the current program, and continue to investigate how to do training remotely. We will confirm once agreed.

4.3 **Changes in National Policy:**

Planning White Paper

- 4.4 The Government is currently consulting on its **Planning for the Future** White Paper, which outlines proposals for far-reaching changes to the planning system in England. These proposals, if implemented, have the potential to see the most significant changes to the planning system since its introduction in 1947 and would have fundamental implications for the Council's Strategic Planning, Development Management and Planning Enforcement functions. The proposed changes will require wholesale replacement of current planning law with a raft of new primary and secondary legislation as well as new national planning policy and guidance.
- 4.5 In tandem with the White Paper, the Government are consulting on **Changes to the Current Planning System**. It is understood that these measures would be in place in the interim until the new planning system (outlined in the White Paper) is introduced.
- 4.6 Whilst the White Paper is not clear on when they expect the new planning system to be introduced, the consultation does indicate that they expect new Local Plans to be in place by the end of the Parliament (early 2024). Given the proposed statutory timetable of 30 months to prepare new Local Plans, this appears to suggest that these changes would need to be in place from mid to late 2021 in order to meet the Government's aim. The consultation identifies an overarching vision for a new planning system and broad proposals, but the 'devil will be in the detail' and this will only become clear once new legislation, policy and guidance are introduced. Only then will we be able to fully comprehend the implications of the new system for South Staffordshire.

- 4.7 The Government believes radical reforms are needed, citing a complex planning system where Local Plans take too long to adopt and low public trust in the system. An overarching aim appears to be a much simpler 'rule-based' planning system that leaves less scope for discretion and case by case judgment. The rule book would be a slimmed down map and data based Local Plan, all within the context of achieving the Government's principal aim of increasing housing supply and delivering 300,000 homes a year. Proposals are set out into 3 pillars and can be viewed in full here:

<https://www.gov.uk/government/consultations/planning-for-the-future>

<https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

- 4.8 Members will consider the detail of the consultations, and the Council's proposed response to the consultation, in a separate Member briefing and covering report.

- 4.9 **Planning Appeal Decisions** – every Planning Appeal decision will now be brought to the Committee for the Committee to consider. There has been 4 appeal decisions since the last Committee (2 months), a copy of the decisions are attached as Appendix 1 - 4. These relates to:

- 1 The development of a log cabin on a concrete foundation in rear garden at 1 Edge Hill Drive, Perton, Wolverhampton WV6 7SN. The appeal was a Committee overturn and allowed on appeal on the basis that does not harm the living conditions of the occupiers of the adjoining residential properties and would accord with Policy EQ9 of the South Staffordshire Core Strategy (2012) which amongst other matters seeks to ensure that all development proposals take into account the amenity of nearby residents.
- 2 The conversion of the existing New Inn Public House to 1 x 5 bed house with associated amenities at the New Inns Pub, Kiddemore Green Road, Brewood ST19 9BH. The appeal was dismissed as the development would not accord with LP Policy EV9 with regard to the retention of local services and facilities in the interests of sustainable communities.
- 3 The development of a new detached dwelling house at 42 Bridgnorth Road, Wombourne, South Staffordshire WV5 0AA. The appeal was dismissed because it was contrary to the Local Plan and that the conflict with the development plan taken as a whole would not be outweighed by other material considerations. (NB officers have responded to PINS to correct the statement that at the time of appeal the Council could not demonstrate a 5YHLS.)
- 4 The demolition of existing dwelling and construction of replacement dwelling at the Meadows, Middle Lane, Oaken, Wolverhampton WV8 2BE. The appeal was dismissed because the inspector felt the benefits which arise from the appeal scheme (against the totality of the fallback proposals) do not clearly outweigh the harm to the Green Belt and very special circumstances necessary to justify the development do not exist. The inspector did however award partial costs to the appellants for 2 draft conditions (11 and 12 relating to trees and PD) as it was concluded that neither of these conditions would be necessary to make the development acceptable in planning terms. (NB officers are working with legal colleagues to understand if we have grounds to question this).

- 4.10 We are still awaiting the 2 Crematoria applied for some time ago, and the decision is still awaited. It was due by 12 September 2019. We have had no update from the Secretary of State, but have been assured by PINS that they would keep in touch with us should that position change.
- 4.11 The Secretary of State for Transport has now 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 in the process of considering the decision to understand next steps.
- 4.12 **Relevant Planning Enforcement cases on a quarterly basis** – No update from last month on performance.
- 4.13 **The latest data produced by the Ministry of Housing Communities and Local Government** – As members will recall MHCLG 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 MHCLG 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
- 4.14 We will ensure that the Committee is kept informed of performance against the relevant targets including through the MHCLG’s own data.
- 4.15 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 MHCLG’s 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 MHCLG website and the key figures are below:

Speed

151a – majors – target 60% (or above) – result = 89.4% (data up to December 2019)
153 – others – target 70% (or above) – result = 86.3% (data up to December 2019)

Quality

152a – majors – target 10% (or below) – result = 6.1% (date up to March 2019)

154 – others – target 10% or below – result = 0.8% (date up to March 2019)

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6. PREVIOUS MINUTES

N/A

7. BACKGROUND PAPERS

Appendix 1 – Appeal Decision – rear garden at 1 Edge Hill Drive, Perton,
Wolverhampton WV6 7SN

Appendix 2 – Appeal Decision – The New Inns Pub, Kiddemore Green Road, Brewood
ST19 9BH

Appendix 3 – Appeal Decision – 42 Bridgnorth Road, Wombourne, South
Staffordshire WV5 0AA

Appendix 4 (a and b) – Appeal Decisions – The Meadows, Middle Lane, Oaken,
Wolverhampton WV8 2BE

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