

**SOUTH STAFFORDSHIRE COUNCIL**

**PLANNING COMMITTEE – 15 DECEMBER 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	15 December 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 Planning Committee. The sessions may well change depending on what issues are on the agenda. Due to COVID 19, these had to be suspended, however we have our first virtual training before December committee on the Planning Protocol, committee requirements and ‘making good planning decisions’. A further session on planning enforcement is being explored for early next year.

### **4.2 Changes in National Policy:**

**4.3** In a [written ministerial statement](#) published on 30 November, Robert Jenrick MP confirmed that councils should temporarily relax any restrictions on store opening hours and publicise the move to local retailers. The statement confirms:

*“Restrictions on shop opening hours on weekday and Saturdays were removed by section 23 of the Deregulation and Contracting Out Act 1994. However, many retailers are subject to local controls through planning conditions which restrict opening times.*

*As a matter of urgency, local planning authorities should take a positive approach to their engagement with retailers to ensure planning controls are not a barrier to the temporary extension of retail opening times in December and January.*

*In particular, local planning authorities, having regard to their legal obligations, should not seek to undertake planning enforcement action which would result in the unnecessary restriction of retail hours during this period.*

**4.4** Whilst it isn’t formally changing national policy or legislation at this stage, members should also be aware that the treasury has recently published a National Infrastructure Strategy. Whilst this does not formally change planning legislation or the NPPF, it does indicate the following directions of travel from government:

- Reforms to permitted development rights to allow schools, hospitals and prisons to expand without going through the full planning permission process
- An ambition to significantly speed up the determination of Nationally Strategic Infrastructure Projects submitted from September 2023

- Greater government support for renewable energy projects such as onshore wind and solar PV, in order to decarbonise the economy and adapt to climate change

4.5 **Planning Appeal Decisions** – every Planning Appeal decision will now be brought to the Committee for the Committee to consider. There have been 2 appeal decisions since the last Committee, a copy of the decisions are attached as Appendix 1 and 2. These relate to:

- 1 An appeal against a refusal to demolish an existing dwelling and construction of four 2-bedroom bungalows with associated works at 60A Stone Lane, Kinver, DY7 6DY. The appeal was dismissed because the Inspector concluded that the proposal would fail to provide a safe and suitable access for all users.
- 2 An appeal against a refusal for a two-storey rear extension at The Old Pump House, Bennetts Lane, Wolverhampton, WV6 7EY. The appeal was dismissed because it was inappropriate in the Green Belt and the harm that would be caused to the Green Belt in addition to the harm to the character and appearance of the host dwelling would not be clearly outweighed by any private benefits to the homeowner of the scheme. Consequently, very special circumstances do not exist.

4.6 We are still awaiting the outcome of the 2 Crematoria appeal decisions. The decisions were due by 12 September 2019. On 13 October 2020, the Council received a copy correspondence from PINS to the crematoria applicants to ask whether there had been a material change to the evidence on need for crematoria in the appeals. The Cabinet agreed a response on 24 October 2020, which has been provided to Members separately. At the time of writing this report we have no further update on this matter.

4.7 The Secretary of State for Transport has 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.

4.8 **Relevant Planning Enforcement cases on a quarterly basis** – Performance is currently at 84%, above the 80% target. There has clearly been an improvement in planning enforcement performance as a result of extra staff and a targeted triage approach to dealing with new cases. We are now fully staffed after successful recruitment, and as such the temporary staff have now left the Council.

4.9 **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](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760040/Improving_planning_performance.pdf)

- 4.10 We will ensure that the Committee is kept informed of performance against the relevant targets including through the MHCLG's own data.
- 4.11 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 = 90.9% (data up to June 2020)

153 – others – target 70% (or above) – result = 88.9% (data up to June 2020)

**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 – 60A Stone Lane, Kinver, DY7 6DY

Appendix 2 – Appeal Decision – The Old Pump House, Bennetts Lane, Wolverhampton, WV6 7EY

Report prepared by:

Kelly Harris

Lead Planning Manager