

SOUTH STAFFORDSHIRE COUNCIL

PLANNING COMMITTEE – 30th January 2024

Planning Performance report

REPORT OF THE DEVELOPMENT MANAGEMENT TEAM MANAGER

PART A – SUMMARY REPORT

1. SUMMARY OF PROPOSALS

1.1 This report has been updated to be reflective of the current and most relevant issues.

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

1.3 Monthly Updates on:

- Procedural updates/changes
- Proposed member training
- Monthly application update
- Update on matters relating to Department for Levelling Up, Housing and Communities (DLUHC)
- Any recent Planning Appeal Decisions

1.4 Quarterly Updates on:

- The latest data produced by the Department for Levelling Up, Housing and Communities (DLUHC)

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	18 th January 2024	
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.

PART B ADDITIONAL INFORMATION

Monthly Updates

4. Procedure updates/changes

- 4.1 The Service as appointed a new Assistant Team Manager in Development Management, Tom Nut. He is a replacement for former colleague Lucy Duffy who has move to Solihull Council as Planning Enforcement Manager.
- 4.2 Ongoing recruitment continues to ensure a full staff contingency.

5. Training Update

- 5.1 The schedule of both mandatory and optional training has now been completed. It is the intention to undertake training for members on bespoke topics going forward before alternate planning committees (5-6pm) in the Council chamber.
- 5.2 The following training sessions have now been scheduled:
- March 19th 2024 Trees and Arboriculture – Delivered by Gavin Pearce
 - May 21st 2024 Conservation and Heritage – Delivered by Ed Higgins (Senior Conservation Officer)
- 5.3 Training with regards to the updated NPPF and what it means for South Staffordshire is scheduled for the 8th February 2024 via Microsoft Teams, all members are encouraged to attend.
- 5.4 Training with regards to the draft local plan is scheduled for the 22nd February 2024 again via Microsoft Teams, all members are encouraged to attend.
- 5.5 Any area of planning and/or topics members would like guidance on then do let the author of this report know.

6. Monthly Planning Statistics

October 2023	
Applications received	97
Application determined	76
Pre-application enquiries received	8
Pre-application enquiries determined	13

7. Update on matters relating to Department for Levelling Up, Housing and Communities (DLUHC)

- 7.1 NPPF update was published in December 2023.
- 7.2 An application for “Planning Skills and Delivery Funding” submitted to DLUHC was unsuccessful.
- 7.3 A further application for “Digital Planning Improvement” funding was submitted in December. Outcome expected mid-February.

8. Appeals

- 8.1 This section provides a summary of appeals decision received since the last report. Appeal decision letters are contained within the relevant appendix.

8.2 **Planning Reference:** 22/01066/ROOF

Site Address: 119 Springhill Lane, Lower Penn, Staffordshire WV4 4TW

Date of Inspectors Decision: 10 November 2023

Decision: Allowed (Appendix 1)

The development proposed is described as “proposed additional storey built directly above footprint of original 2 storey dwelling to create 3 storey dwelling”

The main issue were:

- The Council refused to grant prior approval in relation to paragraph AA.2, and in particular, the effect of the proposal on the external appearance of the dwelling house. The Council has not argued that the proposal fails to comply with any other conditions, limitations or restrictions under Class AA, and I have no compelling reasons to find otherwise.
- As such, in the present case, the main issue is whether prior approval should be granted under class AA of Part 1 of Schedule 2 of the GPDO, having particular regard to the external appearance of the dwellinghouse.

The inspector allowed the appeal for an additional storey to be added to this property noting that “the addition of an extra storey would not alter the proportions of the building to such an extent that it would detract from the appearance of the dwelling” and “the altered appeal dwelling would have a recessed and discreet position in the street and would be screened from the surrounding area by boundary vegetation.

Accordingly, it would not visually dominate or appear unacceptably stark amongst other buildings nearby”.

8.3 Planning Reference: 22/00662/FUL

Site Address: 7 Blakeley Heath Drive, Wombourne, Staffordshire WV5 0HW

Date of Inspectors Decision: 15th November 2023

Decision: Dismissed (Appendix 2)

The development relates to the erection of 1 no. 2 bed detached bungalow

The main issue were:

- The effect of the proposed development on the character and appearance of the area; and
- whether the living conditions of future occupiers would be acceptable, with particular regard to the provision of internal living space.

The inspector dismissed the appeal noting the location and siting of the dwelling to be inappropriate as “it would be a detached building and follow a different building line to the existing semi-detached bungalows at the head of the cul-de-sac. It would therefore not be in keeping with the existing pattern of development within the established street scene” as well as its cramped appearance. The inspector went on to note that as the proposed bungalow was below the internal space required by the Nationally Described Space Standards the standard of living accommodation for future occupiers would be unsatisfactory.

8.4 Planning Reference: 22/00486/LUP

Site Address: 10 Rushford Avenue, Staffordshire, Wombourne WV5 0HZ

Date of Inspectors Decision: 17TH NOVEMBER 2023

Decision: Dismissed (Appendix 3)

The development for which a certificate of lawful use or development is sought is a proposed single storey outbuilding containing garage and gym.

The main issue were:

- An LDC (Lawful Development Certificate) is not a planning permission. Its purpose is to enable owners and others to ascertain whether specific operations or activities would be lawful. Therefore, for the avoidance of doubt, I make clear that the planning merits of the proposed use are not relevant in this appeal. My decision rests on the facts of the case and on relevant planning law and judicial authority.
- The main issue is whether the Council’s decision to refuse to grant an LDC was well founded with particular regard as to whether or not it has been demonstrated that the proposed outbuilding would be permitted development taking into account the conditions and limitations of Class E (buildings etc incidental to the enjoyment of a dwellinghouse) of Part 2 of

Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPD0).

The inspector focused on the matter of the proposed building being “required” for the purposes incidental to the enjoyment of the dwellinghouse and concluded that he was not persuaded that the gym needed to be of this scale.

8.5 **Planning Enforcement Appeal**

Site Address: Land adjacent to Brinsford Bridge, Stafford Road, Coven Heath, South

Date of Inspectors Decision: : 27TH NOVEMBER 2023

Decision: Notice quashed (Appendix 4)

The appeal was against a Planning Enforcement Notice served due to a breach of condition Number 1 of planning approval 21/00624/VAR. This condition related to plan numbers for the approved scheme. The buildings were higher than that approved as well of a varying design.

The inspector noted that whilst there was a deviation from the approved plans and that, as a result, there was harm to the Green Belt, the fallback position of the approved scheme outweighed the harm.

8.6 **Planning Reference:** 22/01087/FUL

Site Address: Bridleway Barn, Mere Lane, Penkridge, STAFFORD ST19 5PJ

Date of Inspectors Decision: 13th December 2023

Decision: Allowed (Appendix 5)

The development proposed was an extension to form new main entrance and enlarged kitchen with opposing extension to form larger main bedroom (for disabled owner) with first floor house bathroom and storage over.

The main issues were:

- The effect of the proposed extensions on the character and appearance of the host dwelling,
- and whether there are other material considerations sufficient to outweigh any harm identified in respect of the above issue and any conflict with the development plan in relation to the proposed extensions.

Whilst the inspector found there to be modest harm to the character and appearance of the barn but in having due regard to the Public Sector Equality Duty put significant weight on the occupier of the dwelling being a wheelchair user.

- 8.7 **Planning Reference:** 23/00281/FUL,
Site Address: Anvil Caravan Park, Bursnips Road, Essington, Wolverhampton WV11 2RE
Date of Inspectors Decision: 27 December 2023
Decision: Allowed (Appendix 6)

The development proposed was a shed/store.

The main issues were:

- whether the shed/store is inappropriate development in the Green Belt including its effect on the openness and purposes of the Green Belt, and
- whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Whilst the inspector considered the building to be inappropriate development in the Green Belt significant weight was afforded to the need for this building on the site and that this amounts to the very special circumstances necessary to justify the development.

9. Quarterly Updates

9.1 Planning Statistics from DLUHC

Description	Target	Q1	Q2	Q3	Q4	Cumulative
23 Major	60%	100%	100%	100%		100%
22 Major		75%	100%	100%	89%	91%
21 Major		100%	100%	100%	85%	93%
23 Minor	70%	92%	89%	94%		91%
22 Minor		89%	90%	86%	100%	91%
21 Minor		82%	84%	81%	89%	84%
23 Other	70%	93%	93%	93%		93%
22 Other		93%	96%	96%	96%	95%
21 Other		88%	87%	83%	87%	86%

Stats for the rolling 24 month to September 2023

Total (overall) - 92%
Major - 91%
Minor - 91%
Other - 93%

This category includes Adverts/Change of Use/Householder/Listed Buildings.

Position in National Performance Tables (24 months to June 2023)

Majors 134th from 329 authorities

Non-Major 85th from 329 authorities

Report prepared by:

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