

**SOUTH STAFFORDSHIRE COUNCIL**

**PLANNING COMMITTEE – 21 May 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	
SCRUTINY POWERS APPLICABLE	Has an Equality Impact Assessment (EqIA) been completed?	
	No	
KEY DECISION	Report to Planning Committee	
	No	

TARGET COMPLETION/ DELIVERY DATE	9 <sup>th</sup> May 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 It is proposed to increase pre-application fees from the 3<sup>rd</sup> June 2024. This is to align with the increased planning fees, set nationally, inflation and to more accurately reflect the input of officer time. The proposed fee scale is outlined in appendix 1 of this report.
- 4.2 Continued progress has been made in the last month with the introduction of a new workflow system within Development Management. This is intended to speed up internal processes and automate simple tasks, removing the need for manual intervention. Work is progressing well.
- 4.3 We are currently advertising for a full-time permanent Senior Planning Officer in Development Management. This is a replacement post following resignation of the current post holder.

#### **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:
- June 18<sup>th</sup> 2024 Trees and Arboriculture – Delivered by Gavin Pearce
  - August 20<sup>th</sup> 2024 Planning Conditions – Delivered by Helen Benbow and Pardip Sharma.
- 5.3 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

April 2024	Decided	In Time	%	With agreed EoT or PPA
Major	1	1	100%	0
Minor	12	12	100%	6
Householder	34	34	100%	16
Other	3	3	100%	1

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

- 7.1 The application for “Digital Planning Improvement” funding was awarded (100K) and meetings with DLUHC have commenced. CLT have agreed to the creation of a temporary 2-year fixed term post to support the progress of this project.
- 7.2 The consultation on “An accelerated planning system” has been agreed by the Council and the representations submitted.

## 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:** 22/01170/FUL

**Site Address:** Kingsford House, Kingsford Lane, Kinver, Staffordshire DY11 5SB

**Date of Inspectors Decision:** 26 April 2024

**Decision:** Dismissed (Appendix 2)

The development proposed was replacement of existing stables and garage with new garage and ancillary building.

The main issues were related to the sites location within the Green Belt:

- whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
- the effect of the proposal upon the character and appearance of the area;
- whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

The inspector noted that whilst the proposal was previously developed land with regards to the policy it would have greater impact on the openness of the Green Belt due to the size of the replacement buildings. The inspector also stated that the land level changes

across the site combined with the size of the proposed footprint that the development would not be subservient to the host dwelling. Indeed, it was commented that the building would be akin to a dwelling within its own right, therefore eroding the spacious character of the area. Very special circumstances are not considered to have been forthcoming to outweigh the harm caused by this proposed development.

- 8.3 **Planning Reference:** 23/00437/FULHH and 23/00436/FULHH  
**Site Address:** 58A Springhill Lane, Lower Penn WV4 4TJ  
**Date of Inspectors Decision:** 12<sup>th</sup> April 2024  
**Decision:** Dismissed (Appendix 3)

This appeal deals with two applications for development. The first relates to the erection of an outbuilding and the second to boundary fencing.

The main issues:

- Whether or not the proposal would be inappropriate development in the Green Belt;
- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area; and,
- If the proposal is inappropriate development, whether or not there are any other considerations which clearly outweigh the harm by reason of inappropriateness, and any other harm, so as to amount to the very special circumstances necessary to allow the development.

The inspector dismissed both appeals noting that both developments would constitute inappropriate development in the Green Belt resulting in limited harm to openness, this was however afforded significant weight. The inspector did go onto however note that the developments would not have an unacceptable effect on the character and appearance of the area. The inspector concluded that all other considerations do not clearly outweigh the substantial weight given to the harm caused to the Green Belt.

- 8.4 **Planning Reference:** 23/00623/TTREE.  
**Site Address:** 39 Copper Beech Drive, Wombourne, Staffordshire WV5 0LH  
**Date of Inspectors Decision:** 2<sup>nd</sup> May 2024  
**Decision:** Dismissed (Appendix 4)

The work proposed was crown reduction over garden of 5 Gittens Park by up to three metres.

The main issues were:

- the effect of the proposed works on the character and appearance of the area;
- whether or not the reasons given provide sufficient justification for the works..

Whilst the tree is located within the rear garden of 39 Copper Beech Drive the proposed works would be to the crown of the tree overhanging the rear garden area of number 5 Gittens Park. The inspector noted that the whilst the tree has a significant lean the specimen “remains in apparent good health with a full and verdant crown and main structural elements that appear free from any obvious defects”. The proposed works to the tree were considered to result in material harm to the character and appearance of the area and as such clear and convincing justification must be provided. In this case it was considered that the justification and evidence provided was insufficient to justify the harmful works to the tree crown.

- 8.5 **Site Address:** Land on east side of Teddesley Road, Penkridge, Stafford ST19 5RH **Date of Inspectors Decision:** 1<sup>st</sup> May 2024  
**Decision:** Allowed (Appendix 5)

The original appeal decision was challenged under s288 and s289 of the Town and Country Planning Act 1990 (the Act). The consent Order of the High Court confirmed that the previous decision letter contained an error of law in that it failed to take into account the harm that had been found to heritage assets when considering the overall planning balance. The Court ordered that the decision be quashed in accordance with these findings.

The main issues were:

- Whether the development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
- The effect of the development on the openness of the Green Belt and the purposes of including land within the Green Belt;
- The effect of the development on the character and appearance of the area;
- The effect of the development on heritage assets;
- The effect of the development on the Special Area of Conservation;
- The need for Gypsy and Traveller sites;
- The personal circumstances of the appellant;
- The question of intentional unauthorised development;
- If the development is inappropriate, whether the harm to the Green Belt by way of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

This is a complex case to summarise and members are encouraged to read this appeal decision in full. However, in summary the development was allowed as whilst the inspector found that the development was inappropriate in the Green Belt and that harm to the Conservation Area was found, albeit less than substantial, the significant unmet need for pitches as manifested in a lack of a five year supply was attributed substantial weight in the planning balance. Further, the personal circumstances of the occupiers was also afforded significant weight.

9. Quarterly Updates

9.1 Planning Statistics from DLUHC

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

Stats for the rolling 24 month to December 2023

Total (overall) - 93%  
 Major - 95%  
 Minor - 91%  
 Other - 94%

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

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

Majors 100<sup>th</sup> from 329 authorities  
 Non-Major 83<sup>th</sup> from 329 authorities

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