

SOUTH STAFFORDSHIRE COUNCIL

PLANNING COMMITTEE – 24 JANUARY 2023

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	24 th January 2023	
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

4. INFORMATION

- 4.1 **Future Training** – Further training dates are being arranged to cover the ‘Planning Balance exercise’, and Planning Enforcement as requested in the 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.
- 4.2 **Changes in National Policy** – No change since previous report.
- 4.3 **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 the refusal of a single and two storey side extensions at 14 Whilmot Close, Featherstone WV10 7BJ. The appeal was dismissed as the inspector concluded that the proposal would have a harmful effect upon the character and appearance of the area and would also conflict with the Council’s South Staffordshire Design Guide (2018), which, amongst other things, seeks to ensure extensions respect the scale and form of the main building and appear subservient to it. Therefore, the appeal was dismissed.
 - 2) An appeal against an Enforcement Notice which stated the alleged breach of planning control was that *‘without planning permission, the making of a material change of use of the Land and associated unauthorised development and engineering works to facilitate that change of use including, but not limited to the installation of a garden pond, the laying of a hardstanding base and siting of a shipping container, the erection of fencing and the raising of the land levels to level off the Land to facilitate that change of use for use as domestic residential garden land by the owners/occupiers’* of 8 Baggeridge Close, Gospel End, Staffordshire DY3 4AJ. The appeal was dismissed and the enforcement notice upheld with a correction and variations in the terms set out in the Formal Decision. The land must therefore be restored to its previous condition as per the Enforcement Notice within six months. The request to reinstate the removed trees through a proposed scheme of new tree planting was however not agreed as it was considered to constitute an ‘improvement’ and outside of the limits of the Notice. Two separate costs applications were also determined, submitted by both parties, which were dismissed.
 - 3) An appeal against a refusal for a detached carport and storage at 10 Castle Street, Kinver, Stourbridge DY7 6EL. The appeal was dismissed as the inspector concluded that the proposal would have an unacceptably harmful effect on the character and appearance of the area. In reaching this conclusion the inspector also noted that the cumulative benefits identified as arising from the proposal would be limited by its intended purpose as an addition to an existing property and do not outweigh the harm or associated conflict with the development plan. Therefore, the appeal was dismissed.

- 4.4 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.
- 4.5 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> . Latest communication suggests that site investigation works will soon start to take place on site.
- 4.6 **Relevant Planning Enforcement cases on a quarterly basis** – no update since last month. 79% of Planning Enforcement cases are currently being investigated within 12 weeks of the case being logged. This is slightly below the target of 80%. This is to be expected due to the level of old cases now being closed and the number of high priority open cases and appeals underway. The internal Service Review to look at areas for streamlining, efficiencies and service improvements is underway.
- 4.7 **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
- 4.8 We will ensure that the Committee is kept informed of performance against the relevant targets including through the DLUHCs own data.
- 4.9 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>

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

Speed

151a – majors – target 60% (or above) – result = 92.6% (data up to September 2022)

153 – others – target 70% (or above) – result = 87.2% (data up to September 2022)

Quality

152a – majors – target 10% (or below) – result = 1.9% (date up to June 2021)

154 – others – target 10% (or below) – result = 0.9% (date up to September 2021)

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6. PREVIOUS MINUTES

N/A

7. BACKGROUND PAPERS

Appendix 1 – Appeal Decision – 14 Whilmot Close, Featherstone WV10 7BJ

Appendix 2 – Appeal and 2 Costs Decisions – 8 Baggeridge Close, Gospel End, Staffordshire DY3 4AJ

Appendix 3 – Appeal Decision – 10 Castle Street, Kinver, Stourbridge DY7 6EL

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