

# Report to Strategic Development Control Committee

## Workload and Performance Review for Quarter: July - September 2007

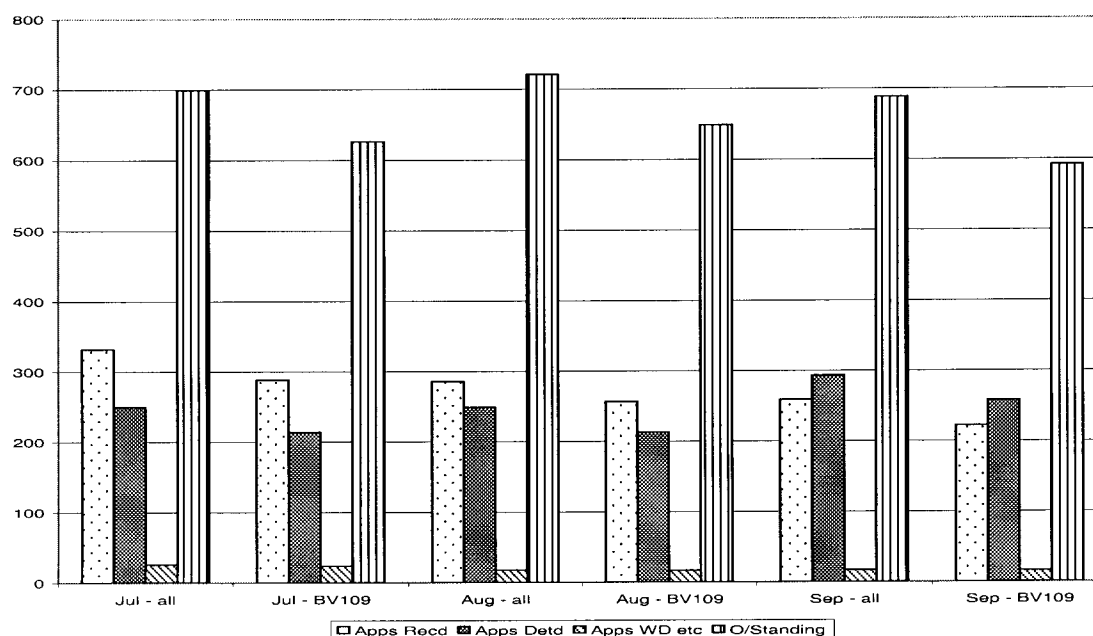
### Introduction

This report provides a summary of performance in four key areas of work, planning applications, appeals, enforcement and informal enquiries, together with a brief commentary on each section

### **Section 1: Applications received and determined**

Our application caseload comprises applications which form the basis for our performance measured against the Government performance target BV109 and other applications which are excluded from these categories and relating to proposals amongst which are applications from the County Council, Notifications for Agricultural, Telecommunications and works to trees.

#### *Applications Received and Determined*

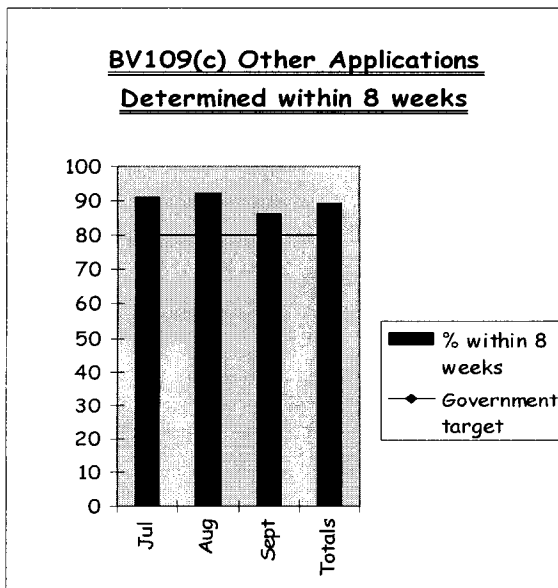
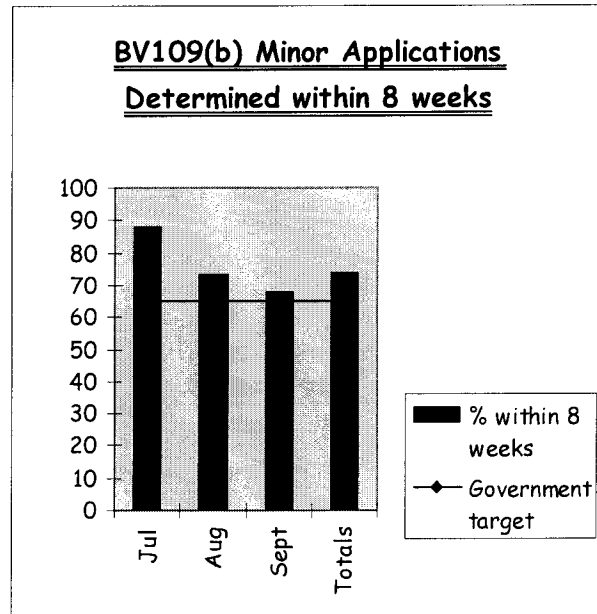
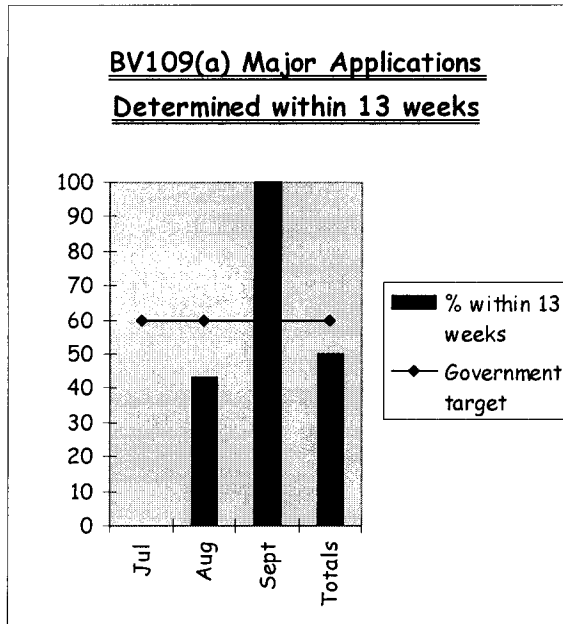


	July - all	July - BV109	August - all	August - BV109	September - all	September - BV109
Apps recd	332	288	286	257	259	222
Apps Detd	250	214	249	213	293	258
Apps WD etc	26	24	18	17	17	16
O/Standing	699	626	721	648	688	592

## **Section 2: BV109 – Speed of Determination of applications**

### Introduction

This section sets out information regarding our performance in speed of decision for each of the 3 categories of applications, which are measured against the Government performance target – BV109 (a) (b) and (c)



	Jul	Aug	Sep	Totals
<b><u>Number of Major Applications Decided</u></b>	1	7	2	10
Number within 13 Weeks	0	3	2	5
% within 13 Weeks	0%	43%	100%	50%
Government Target	60	60	60	60
<b><u>Number of Minor Applications Decided</u></b>	56	49	55	160
Number within 8 Weeks	49	36	33	118
% within 8 Weeks	88%	73%	68%	74%
Government Target	65	65	65	65
<b><u>Number of Other Applications Decided</u></b>	157	157	201	515
Number within 8 Weeks	143	144	172	459
% within 8 Weeks	91%	92%	86%	89%
Government Target	80	80	80	80
Total Decisions	214	213	258	685
Total Decisions within time	192	183	207	582

## Summary

In the quarter to 30<sup>th</sup> September 2007 we have met two of the Government Performance Targets. We reached 50% of the speed of determination of major applications which is 10% below the target. During the quarter the computer system was upgraded and as part of that process the determination date for major applications was reset with a target of 92 days rather than 91 days. Two of the 10 major applications (relating to Mentmore Towers and Wendover Road, Aylesbury) were determined on day 92.

The problem has now been corrected but it resulted in a potential performance figure of 70% being reduced to 50%.

Appendix 1 details the Major applications determined in the quarter.

We remain in a position where we have met all three targets for the calendar year and the rolling 12 months.

### **Section 3: Planning Appeals**

#### Introduction

This section deals numerically with our appeals performance. Whilst there is no government performance target a benchmarking measure is that we should seek to achieve success in 60% or more of appeals against planning decisions.

Lodged	PI	6	Determined	Dismissed	10
	IH	6		Allowed	9
	WR	21		Withdrawn	0
	Called In	0		Split	0
	Total	33		Total	19
Costs	For AVDC	0		Against AVDC	0

#### Summary

In the quarter between July and September 2007, 19 appeals against the refusal of planning permission have been determined. 9 of these (47.4%) were allowed. This is an improvement from the 61.9% of appeals allowed in the previous quarter.

Overall 2 allowed appeals in the quarter related to decisions made by the Development Control Committee, one was a case where Members went against Officers recommendation.

Attached at Appendix 2 is a summary of the appeals which were allowed together with a note of learning points that can be taken from each decision.

## **Section 4: Enforcement**

### **Introduction**

This section details statistics relating to Enforcement matters and details the numbers of complaints received, cases closed together with the number of cases which have led to Enforcement action. Enforcement appeals are also dealt with separately and performance can be assessed accordingly.

Cases on hand at beginning of quarter	379		Cases on hand at end of quarter	374
Cases Opened	166		No of Cases closed	171
No. of Instructions to Legal to Initiate Enforcement etc. Action	5		No. of Temporary Stop Notices Served	1
No. of Enforcement Notices Served	1		No. of Breach of Condition Notices Served	0
No. of Stop Notices Served	0		No. of Planning Contravention Notices Served	1

### **Enforcement Appeals**

Lodged	PI	1	Determined	Allowed	1
	IH	0		Dismissed	1
	WR	1		W/Drawn	1
	Total	2		Split	0
				Total	3
Costs	For AVDC	0		Against AVDC	0

### **Summary**

The number of complaints received was less than the previous quarter and the number of outstanding cases has reduced. Formal instructions to commence enforcement action have been passed to the Legal Division in 5 cases and 3 notices have been served.

## **Section 5: Informals**

### **Introduction**

This information sets out the details of the letters we receive seeking informal advice on whether proposals require the benefit of planning permission and the likelihood of success if an application is made. It also relates to letters and information seeking the discharge of conditions on planning permissions and other correspondence of a general nature. However, the need to determine applications in the Government Target times remains our priority.

### **Summary**

We recognise that informal enquiries represent an area where we need to improve our performance.

The position at the end of the quarter was that in the group overall we had 637 informal enquiries outstanding. This compares to 797 at the end of the quarter to 30<sup>th</sup> June 2007, 821 at the end of the quarter to 31<sup>st</sup> March 2007 and 747 at the end of the quarter to December 2006.

We are putting in place further measures to improve our performance and develop internal standards to monitor performance.

### **Conclusion and Recommendation**

It is recommended that the Committee **NOTE** the report.

This report primarily intends to give details of factual information based on statistical data.

It is hoped that Members find it the content helpful although Members may feel that future reports should be restricted to performance in relation to the determination of applications which fall within the Committee threshold.

## Appendix 1

Reference	Proposal	Address
<b>06/02192/APP</b>	Erection of 8 affordable and 10 open market dwellings and associated highways and landscaping works	Manor Farm Main Street Mursley Buckinghamshire MK17 0RT
<b>06/02871/APP</b>	Erection of four flats and eight houses - Amendment to planning approval 05/02776/APP	Part Os 1923 Chiltern Road Wingrave Buckinghamshire
<b>07/00850/APP</b>	Change of use of premises to residential including conversion of offices in main house, annexe and coach house to form Fifteen 1 and 2 bed apartments including single storey rear extension to main house and first floor extension to coach house, landscapin	Prebendal House Parsons Fee Aylesbury Buckinghamshire HP20 2QZ
<b>07/01178/APP</b>	Change of use and extension to provide a hotel and associated facilities.	Mentmore Towers Mentmore Buckinghamshire LU7 0QH
07/01249/APP	The erection of builders merchants and associated external storage yard and No.2 units to be used for B2 and B8 with ancillary showroom use and for sui generis operations together with associated parking, landscaping and access arrangements	Land To The South Of Buckingham Ring Road Buckingham Buckinghamshire
07/01438/APP	Conversion of existing buildings to form offices.	RAF Edlesborough Tring Road Edlesborough Buckinghamshire
<b>07/01460/APP</b>	Demolition of existing dwellings and redevelopment to form 40 sheltered apartments for the elderly including communal facilities and car parking, new pedestrian access and alterations to existing vehicular access	225 -227 Wendover Road Stoke Mandeville Buckinghamshire HP21 9PB
07/01569/ADP	Approval of reserved matters pursuant to outline permission 03/00393/AOP relating to Phase 4 comprising the erection of 58 dwellings with associated garages and parking (amendment to reserved matters submitted under reference 06/03201/ADP)	Weedon Hill Major Development Area Buckingham Road Aylesbury Buckinghamshire
07/01613/APP	Erection of agricultural building for dairy cows	Moco Farm Station Road Swanbourne Buckinghamshire MK17 0SS
07/01713/APP	Erection of 24 flats comprising 2 blocks of 2,3,4 and 5 storeys with associated car parking, plant room, bike store, refuse store and landscaping	Land At Mill Street Aylesbury Buckinghamshire

*\* Numbers in bold denote applications determined outside target time*

**Appeals against refusals of planning permission which were allowed by the Planning Inspectorate – July to September 2007**

In the quarter between July and September 2007 21 appeals against the refusal of planning permission were decided. 10 of these (47.6%) were allowed. This is above our target of not more than 40% allowed although it represents an improvement over the previous quarter where 61.9% of appeals were allowed. One of the appeal decisions this quarter relates to an advertisement appeal where there was a split decision where one sign was allowed and the other refused, in such cases the overall decision goes against the Council. The details of all those appeals allowed are set out below together with any learning points arising from the decision which can be used to seek to improve performance in the future.

Application Reference: 06/03254/APP	Decision: Committee Decision (overturned recommendation)
Site: Rear of Arthur's Radio, 24 West Street, Buckingham	
Development: 2 no new studio flats	
<p>Analysis: Planning permission was refused because the development would not provide adequate parking and would be a cramped form of development that would fail to preserve the character or appearance of the Conservation Area or the amenities of nearby residents.</p> <p>The Inspector considered that the scale and location of the proposal would justify an exception to the provision of parking in accordance with normal guidelines bearing in mind the location of the site in the town centre and that the physical characteristics of the site would be a disincentive to on-site parking.</p> <p>The Inspector considered that the scale of the proposal would be similar to other built development in the locality and would not be out of keeping with the character of the Conservation Area.</p> <p>The Inspector considered that the development had been designed so that there would be no harm to the amenities of the occupants of nearby dwellings</p>	
Learning Points: The need to have regard to the specific circumstances that apply to developments within Buckingham Town Centre which may justify a decision that does not accord with guidelines relating to parking or the design and layout of extensions.	

Application Reference: 06/01686/APP	Decision: Committee Decision
Site: Quince House, 4 School Lane, Weston Turville	
Development: 2-storey front/side extension and dormer window in roof over entrance	
<p>Analysis: Planning permission was refused because of the cumulative impact of the proposed extension, in addition to other recent additions would harm the character and appearance of the dwelling.</p>	
Learning Points: This decision turned on a matter of judgement, but there is a need to demonstrate clearly not only that a development conflicts with policies and guidance but also the harm that would result	

Application Reference: 07/00227/AAD	Decision: Delegated decision
Site: The Plough, Tring Road, Aylesbury	
Development: Public House signs	
<p>Analysis: Advertisement consent had been refused for two signs, the Inspector supported that decision in relation to the individual letters, but concluded that the beacon sign was acceptable. This is therefore a “split” decision which nevertheless counts as an allowed appeal.</p> <p>Consent was refused on grounds of visual amenity and the Inspector concurred with that as being the issue. Having regard to the beacon sign it was concluded that it formed part of the commercial appearance of the premises and was read in conjunction with signage on the adjacent petrol filling station.</p>	
Learning Points: This decision is a matter of judgement but account needs to be taken of adjacent land uses and the character of the area in considering whether a sign is harmful to amenity	

Application Reference: 06/01769/APP	Decision: Delegated decision
Site: 3 Rochester Place, Aylesbury	
Development: Erection of a storage shed	
<p>Analysis: Planning permission was refused because the proposed storage shed was prominent and incongruous in the street scene.</p> <p>The Inspector concurred with that view but gave weight to the fact that the applicant was disabled and the shed was required to store mobility aids. Having regard to this, and that the shed was not of permanent construction and did not harm the amenity of any adjacent dwelling, the Inspector granted a personal planning permission.</p>	
Learning Points: Whilst Government advice is that personal circumstances in such a case as this should not override land use planning issues the particular circumstances of this case provided an opportunity of treating the building as a temporary structure.	

Application Reference: 06/02145/APP	Decision: Delegated decision
Site: Land to the Rear of 25 Nelson Street, Buckingham	
Development: Alterations to garage building, including roof alterations to provide loft room	
<p>Analysis: Planning permission was refused because of the impact of the development on the character and appearance of the Conservation Area.</p> <p>The Inspector concurred that this was the key issue to address.</p> <p>The Inspector concluded that the existing building was, because of its design and appearance, an incongruous feature in the Conservation Area.</p> <p>The Inspector felt that the new elements that would result, in the form of a steeply pitched roof, use of materials and introduction of glazing would improve the building and, whilst more prominent in views from the highway, would not appear harmful.</p>	
Learning Points: Where an application relates to a building in a Conservation Area which does not positively contribute to its character and appearance consideration should be given to whether greater weight should be given to the benefits of securing changes to improve the appearance of the building	



Application Reference: 06/02119/APP	Decision: Delegated decision
Site: Fowlers Field, Station Road, Haddenham	
Development: Warehouse and workshops, open storage and car parking	
<p>Analysis: Planning permission was refused because of the impact of the proposal on the rural character of the area. The development involved the extension of a site originally comprising a range of farmbuildings that have been converted for business use.</p> <p>The Inspector gave significant weight to the appellant's case for consolidating and expanding the existing site which he considered to be in an accessible location in an arc of larger rural settlements. Whilst he considered that there was a need for a landscape screen to mitigate the impact he concluded that the advantages of the development justified an exception to Development Plan policy</p>	
Learning Points: In considering proposals at larger rural settlements greater weight should be given to sustainability principles.	

Application Reference: 07/00493/APP	Decision: Delegated decision
Site: 23 Church Lane, Weston Turville	
Development: Two storey side extension	
<p>Analysis: Planning permission was refused because the cumulative impact of the extension would be harmful to the character and appearance of the original dwelling and be visually intrusive in the street scene.</p> <p>The Inspector concluded that the extension would not be over-dominant and would not have an adverse impact on the street scene.</p>	
Learning Points: This decision turned on a matter of judgement but there is a need to determine clearly not only that a development conflicts with policies and guidance but also the harm that would result.	

Application Reference: 06/02545/APP	Decision: Delegated decision
Site: 8 Colet Road, Wendover	
Development: Side extension to existing property, window replaced by french doors (sliding), rear existing extension replaced (single storey)	
<p>Analysis: Planning permission was refused because the size and bulk of the extensions was not considered to be sympathetic to the character and appearance of the existing dwelling and conflicted with the Council's guidelines relating to Residential Extensions.</p> <p>The Inspector concluded that a front projection incorporated into the design of the proposal, together with the width of the extension would not result in a harmful effect on the character of the existing building.</p> <p>The Inspector noted that as the adjacent dwelling was higher than the appeal site it would not lead to unacceptable terracing</p>	
Learning Points: Regard should be had to the specific details of the design of the proposed development and the location of the site when assessing proposals against the general guidance contained in the Council's Design Guides.	

Application Reference: 06/02667/APP	Decision: Delegated decision
Site: 30 Dobbins Lane, Wendover	
Development: A bungalow	
Analysis: Planning permission was refused because the size, siting and design of the plot were out of keeping with the more spacious development surrounding the site. It	

was also considered that the use of the proposed access road would be harmful to the amenities of adjacent properties.

The Inspector concluded that the smaller size of the proposal and its location would be generally hidden from view and that the layout of the development would not be harmful to the character of the area or amenity of nearby residents.

Planning permission had been refused and an appeal dismissed for a dwelling on this site previously. The Inspector concluded that having regard to the revised design and the opportunity of making efficient use of land gave sufficient reason to reach a different conclusion.

Learning Points: The details of each individual application needs to be considered in assessing whether reasons for previous refusals of permission have been overcome.

Application Reference: 06/01923/APP	Decision: Delegated decision
Site: 70 Cornbrook Road, Aylesbury	
Development: Single storey rear conservatory	
Analysis: Planning permission was refused because of the impact of the proposal on the amenities of the adjacent residential property because of the overall depth of the rearward projection. The Inspector gave weight to the existing rear-ward projection of the dwelling that was the subject of the appeal and concluded that, because of its design and that it was set 0.5m away from the party boundary, it would not have an adverse impact on the amenities of the occupants of the neighbouring dwelling.	
Learning Points: This decision turned on a matter of judgement, but there is a need to demonstrate clearly not only that a development conflicts with policies and guidance but also the harm that would result.	