

**To: The Deputy Leader and Members of the Planning and Development Board
(Councillors Sweet, Barber, Butcher, L Dirveiks, Humphreys, Lea, May, B Moss, Phillips, Sherratt, Simpson, A Stanley, Turley, Watkins and Winter)**

For the information of other Members of the Council

This document can be made available in large print and electronic accessible formats if requested.

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For enquiries about specific reports please contact the officer named in the reports

PLANNING AND DEVELOPMENT BOARD AGENDA

14 JANUARY 2013

The Planning and Development Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Monday 14 January 2013 at 6.30 pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

**PART A – ITEMS FOR DISCUSSION AND DECISION
(WHITE PAPERS)**

4 **Corporate Plan 2013- 14** - Report of the Chief Executive

Summary

The Corporate Plan is updated on an annual basis. The purpose of this report is to seek the Board's approval for the Corporate Plan Key Actions for which it is responsible and to agree the 2013-14 Service Plans for Development Control and Forward Planning.

The Contact Officer for this report is Jerry Hutchinson (719200).

5 **General Fund Fees and Charges 2013/2014** - Report of the Assistant Director (Corporate Services) and the Assistant Chief Executive and Solicitor to the Council

Summary

The report covers the fees and charges for 2012/13 and the proposed fees and charges for 2013/14.

The Contact Officer for this report is Nigel Lane (719371)

6 **General Fund Revenue Estimates 2013/14** - Report of the Deputy Chief Executive

Summary

This report covers the revised budget for 2012/13 and an estimate of expenditure for 2013/14, together with forward commitments for 2014/15, 2015/16 and 2016/17.

The Contact Officer for this report is Nigel Lane (719371).

7 **Capital Programme 2013/14 to 2015/16** – Report of the Assistant Director (Finance and Human Resources)

Summary

This report identifies proposals for schemes to be included within the Council's capital programme over the next three years.

The Contact Officer for this report is Jon Illingworth (719489).

8 **Works to Trees in a Conservation Area – Abbey Green Park, Polesworth -Report of the Assistant Director (Leisure and Community Development)**

Summary

This report advises the Board of proposals for works to trees in Abbey Green Park in Polesworth, which is within a conservation area

The Contact Officer for this report is Alethea Wilson (719212).

9 **Planning Applications – Report of the Head of Development Control.**

Summary

Town and Country Planning Act 1990 – applications presented for determination

The Contact Officer for this report is Jeff Brown (719310).

10 **Planning Performance and the Planning Guarantee – Report of the Head of Development Control.**

Summary

The Government has published a consultation paper providing more detail about how it proposes to further speed up the planning process and the report provides a response to that invitation.

The Contact Officer for this report is Jeff Brown (719310).

JERRY HUTCHINSON
Chief Executive

Agenda Item No 4

Planning and Development Board

14 January 2013

**Report of the
Chief Executive**

Corporate Plan 2013 - 14

1 Summary

- 1.1 The Corporate Plan is updated on an annual basis. The purpose of this report is to seek the Board's approval for the Corporate Plan Key Actions for which it is responsible and to agree the 2013-14 Service Plans for Development Control and Forward Planning.

Recommendation to the Executive Board

- a That those Corporate Plan Key Actions as set out in Appendix A to the report for which the Planning and Development Board is responsible be agreed; and**

Recommendation to the Board

- b That the Service Plans as set out in Appendix B to the report be agreed.**

2 Consultation

- 2.1 Councillors with responsibility for the relevant areas have been involved in discussions relating to issues contained within the Appendices.

3 Report

- 3.1 Corporate Plan Key Actions and Divisional Service Plans are normally agreed in the January/February cycle of meetings and adopted by Full Council in February at the same time as the Budget.

- 3.2 At its September 2012 meeting the Council agreed the main issues to be considered for inclusion in the 2013/14 Corporate Plan and this report now seeks approval for the Corporate Plan Key Actions for 2013-14.

- 3.3 Appendix A sets out proposals for those Key Actions which fall within the remit of the Planning and Development Board. Members are requested to recommend to the Executive Board that the Corporate Plan Key Actions set out in Appendix A are agreed.

...

3.4 A report will be presented to Boards/Sub-Committees after the end of the financial year to show the year end out-turn on the 2012-13 Key Actions. Proposals for 2013-14 will form part of the 2013-14 Corporate Plan which covers the Council's top level priorities.

3.5 It is also important, however, that Members are aware of and agree the significant amount of work carried out within the Divisions to provide services to local people. This information appears in a single document for each Division, the Divisional Service Plan, which is the key management tool for ensuring that services deliver their annual work programme.

... 3.6 The Service Plans for Development Control and Forward Planning (to follow) comprise Appendix B to this report, as most of these programmes relate to work carried out for this Board.

3.7 Where there are any budget implications for another Board/Sub-Committee arising out of this work programme, those implications will be drawn to the attention of the relevant Board/Sub-Committee in the Budget report going to this cycle of meetings. Similarly, any budgetary implications for this Board from Divisional Plans being reported to other Boards/Sub-Committees are dealt with in the Budget Report also on this agenda.

3.8 Once the Corporate Plan Key Actions and Divisional Service Plans have been agreed, they will all be subject to the usual reporting procedures for monitoring performance as for last year, ie:-

- Monthly reports are considered by Management Team;
- A traffic light warning indicator is used:-
 - Red – target not likely to be achieved.
 - Amber – target currently behind schedule and requires remedial action in order to be achieved.
 - Green – target currently on schedule to be achieved;
- Progress reports to each Board/Sub-Committee meeting, and
- The Scrutiny Board to monitor the performance of indicators and targets where the traffic light is amber and red.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 Where possible, key actions and indicators for 2013-14 will be achieved from within existing Board/Sub-Committee resources. Details of any additional funding are included in the right hand column of the table in Schedule A and in the Budget report and will be in appropriate cases, the subject of reports to the Board.

4.2 Human Resources Implications

4.2.1 Any Human Resources implications resulting from the proposals in the Schedule will be the subject of further reports to the Board.

4.3 Risk Management Implications

4.3.1 The main risk is ensuring that the Council prioritises its resources to enable it to deliver its priorities. The performance monitoring arrangements set out above provide the mechanism to ensure that remedial action can be taken to review progress and ensure that priority outcomes are delivered.

4.4 Links to Council's Priorities

4.4.1 These are set out in the Appendices.

The Contact Officer for this report is Jerry Hutchinson (719200).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

PRIORITIES AND KEY ACTIONS

<p>PRIORITY 2</p> <p>LOCAL EMPLOYMENT</p>	<p>Bringing more jobs to North Warwickshire, whilst seeking to protect existing jobs and developing our workforce.</p>
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Target	Board/Lead Officer	Additional Training/ Financial Implications
<p>To work with the County Council, Job CentrePlus and other partners to provide training and to administer funding provided by the developers at Birch Coppice Industrial Estate to maximise opportunities for employment of local people including employment engagement activity, development of work clubs and bespoke training.</p>	<p>Planning and Development Board/ACE&StC, ACE (CS)</p>	<p>Use of Section 106 funding.</p>

PRIORITY 6	
COUNTRYSIDE AND HERITAGE	Protecting and improving our countryside and heritage.

Target	Board/Lead Officer	Additional Training/ Financial Implications
<p>To report the outcome of the public inquiry into the Core Strategy and recommend an adopted Strategy by December 2013 (subject to the Inspector's reporting timescale).</p> <p>To consult on a revised Site Allocation Plan and submit the same for consideration by the Planning Inspectorate by October 2013.</p> <p>To submit final Development Plan documents relating to Development Management and Gypsy and Travellers by November 2013.</p>	Executive Board/Planning & Development Board/LDF Sub-Committee/ACE&StC	To be met within existing budgets.

Target	Board/Lead Officer	Additional Training/ Financial Implications
<p>To continue to:-</p> <p>(a) Manage development so as to deliver the priorities on the Council's Corporate Plan and in the Sustainable Community Strategy;</p> <p>(b) Ensure that only appropriate development is permitted in the Green Belt, that development is focused on the agreed settlement hierarchy and protects the best of our existing buildings; and</p> <p>(c) Use the Design Champions to ensure the best achievable designs are implemented and developed.</p> <p>To report on these approaches by March 2014.</p>	<p>Planning & Development Board/Design Champions/ACE&StC</p>	<p>To be met within existing budgets.</p>

PRIORITY 8	
ACCESS TO SERVICES	Providing easier access to Council services, particularly through the internet.

Target	Board/Lead Officer	Additional Training/ Financial Implications
Looking to improve transport links to local employment.	Planning & Development Board/ACE&StC	Section 106 funding.

**Development Control Service Plan
2013/14**

Introduction

The year has been dominated through key changes introduced by the Government and its declared intentions for further planning reform. The introduction of the National Planning Policy Framework (NPPF) in March 2012 reduced over 1000 pages of planning guidance down to just over fifty. We are working through the consequences of this, but it is clear that the imperative is to have our own Core Strategy adopted as soon as possible in order to prevent planning “by appeal”. The Planning Inspectorate is already giving substantial weight to housing development proposals where there is no five year land supply; to projects for economic and infrastructure proposals designed to stimulate growth, and the review of Section 106 Agreements to make them more “viable”. Subsequent Ministerial announcements and the publication of the Growth and Infrastructure Bill all point towards expectations for us to deliver new development quickly and without limitations.

We are also now moving quickly towards the adoption of our own Core Strategy and its accompanying documents. This will be of increasing benefit to decision making in the forthcoming year. This is because we have seen an increase in applications being submitted and not only for minor and householder developments. The Core Strategy itself will stimulate expectation and thus the likely submission of applications. New housing applications are coming in and commercial activity is increasing. This should result in an increase in the level of fee income.

However it is not all about growth and new development. The Council has had notable success in appeal decisions in upholding the Green Belt and the Borough’s rural character. This has come about through both planning decisions and the substantive work undertaken by the enforcement side of the service.

1. A Review of Last Year

What has gone well?

- Overall performance remains strong
- Significant Planning Decisions made: eg. The Beach in Fillongley and Redrow Homes in Atherstone
- Variety of applications submitted remains wide
- Appeal record remains good
- Section 106 Agreements providing contributions
- Affordable housing being permitted and delivered
- No Ombudsman investigations
- High profile enforcement work
- The Introduction of Speaking at Planning Board
- Member training sessions held
- Post – development site visits undertaken
- Member involvement at pre-application presentations
- Substantial increase in planning fee income
- Building Control work increasing and thus income improving
- Building Control costs reducing and customer satisfaction with the outcome of its lean review
- The review of the service by Internal Audit was good
- New Homes Bonus likely to increase as a consequence of housing approvals.

What has not gone well?

- Work on Development Plan Documents delayed
- Support from Central Services coming under strain
- Continuing poor quality of some application submissions.
- High profile cases requiring full time officer input.
- Time taken to respond to an unusual increase in complaints.

Staffing

- No change

2. Service Plan for Next Year

External Assessments

- Planning Guarantee probably to be introduced - ie. a new performance indicator.
- Decision making diverted to the Inspectorate for “under performing” Authorities.

New Legislation

- The Growth and Infrastructure Bill
- Government will make decisions following consultations on new extensive permitted development rights
- Appeal procedures to be significantly streamlined.

New Practice or Codes

- Building for Life criteria altered
- New Codes for Sustainable Homes kick in
- Continuation of Public Speaking

Value for Money/Efficiency

- Fee increase agreed and to be taken forward
- Lean review to commence
- Web-site to be updated on a regular basis

Performance Indicators

- Revised at the start of the year to reflect the move away from a “target” culture, but probably to be replaced by the Planning Guarantee.
- Well established audit systems in place to audit performance
- Annual Report to Planning Board.

Use of Technology

- Protocols set up for procedures with Statutory consultations
- Further digital plotting of constraints added during the year.
- New scanning/printing machine within Capital programme
- Electronic submission of applications up to 50%

Risk Management

- Annual Moderation of Service Risks
- Risks identified in Board reports
- Internal Audit review carried out with no adverse impacts
- Fraud Awareness raised during that review

Customer Surveys/Consultations

- None undertaken
- Unusual number of formal complaints investigated
- None found to result in change of practice or procedure

Corporate Working

- Close links with other services in delivery of Corporate priorities – affordable housing; open space enhancement, access to job opportunities
- Corporate Plan objectives – links to the Council priorities – protection of the rural character; access to job opportunities and affordable housing at the forefront
- Close links and good progression with Forward Planning on preparation of Core Strategy policies and accompanying documents
- Infrastructure planning coming forward – CIL training undertaken with Members

Sustainable Community Strategy 2009/2026

- Raising Aspirations – use of Section 106 at Birch Coppice having an impact
- Developing Healthier Communities – design of new developments and the use of 106 contributions
- Improving Access to services – design of new developments and the use of 106 public transport contributions at Birch Coppice to assist unusual shift patterns

Vision/Strategies

- Delivery of Corporate and Community Plan priorities
- Development Management and not development control
- Delivery of Core Strategy

Climate Change

- Core Strategy sets out the approach
- Development Management policies being prepared

Workforce Planning Issues

- Overall sickness record is good
- Exceptionally stable staff
- Succession Planning
- Cascading technical information through Central Support
- Skills Gaps – ie climate change

Process and Policy

- Continuing legislative reform and change
- Climate change and CIL issues still to be developed

Health and Safety

- No significant issues from audits

Equalities

- Issues covered where appropriate in Board reports – particularly on enforcement work

Data Quality

- Written procedures for all Indicators with audit checks
- Written procedures for use of software
- Digital constraint mapping from Statutory consultees constantly updated

Communications

- Weekly List of applications
- Accessible website – planning news items
- Press releases on significant outcomes
- Public Speaking at Planning Board

Previous Year

- Action 1 – To introduce our own scale of planning fees. Not undertaken due to the Government postponing the move to the localisation of planning fees. Instead we have an overall 15% increase across the board.
- Action 2 – To commence work on a lean review. Delayed due to resource issue in funding the review and to the involvement of support staff in a number of unfinished other reviews.
- Action 3 – To prepare Development Management Policies and other Design Guidance for Allocated Sites. Development Management Issues and Options consultation completed and drafting of preferred policies has commenced, with a view to referral to the LDF Committee in January. Design guides to wait until site allocations finally agreed. Preferred locations are already shortlisted.

3. Resource Implications

- Substantial increase in fee income this year could well be sustained as knowledge of and confidence in the Core Strategy and Site Allocations becomes more widespread
- 15% increase in fees in any event
- High profile cases are resource hungry in officer time
- Building Control Partnership improving significantly
- New Homes Bonus likely to rise.

4. Performance Indicators for 2013/14

Our current PI's reflect our past performance against the former National Indicators of the time take to determine planning applications, but refer to "in a timely manner". These need to be more explicit and thus it is proposed that 60 % of all major applications will be determined within 13 weeks; 80% of all minor applications within eight weeks and 90% of other applications also within 8 weeks.

If the Government introduces its "Planning Guarantee" during next year, which would set an overall time period of twelve months for all applications – including appeal cases, then we would need to follow this new "indicator".

The outcome of the lean review might also have an impact if we are still in a position of setting our own local PI's rather than performing to the Guarantee.

**PLANNING AND DEVELOPMENT DIVISION
SUMMARY SERVICE PLAN 2013/14**

Action	Community Plan/Corporate Priorities	Lead Officer	Start Date	End Date	Priority	Measurement of Success	Resource/Training Implications
1) To prepare Development Plan Documents on Development Management Policies and for Gypsy and Travellers	Countryside and Heritage Local Employment Provision Access to Services Delivery of Affordable Houses	Head of Development Control	Already underway	Autumn 2013	1	<ul style="list-style-type: none"> • Adoption of the DPD • Member Training Sessions • Post Development Site Visits 	<ul style="list-style-type: none"> • No Unusual implications
2) To commence a "lean" review of the service	Public Services and Council Tax Access to Services Use of Resources	Head of Development Control	April 2013	March 2014	1	<ul style="list-style-type: none"> • Scope of review to be agreed • Timetable to be prepared and managed • Changes introduced and phased • Quicker determination times • Better user satisfaction 	<ul style="list-style-type: none"> • Outside resources needed • Heavy staff involvement at all levels • Other Divisions heavily involved • Involvement of regular users

Workforce Implications of the Corporate and Service Plan

Workforce Area	Long Term Objectives	Objectives 2013/14	Action By	Performance Measure	Milestone Dates
Skills	<ul style="list-style-type: none"> • All staff more knowledgeable • Better resilience • Widen range/base of knowledge/skills 	<ul style="list-style-type: none"> • Greater general planning knowledge in Central Support 	Within 2013	<ul style="list-style-type: none"> • Less avoidable contact 	
Jobs and Job Roles	<ul style="list-style-type: none"> • Greater variety of work 	<ul style="list-style-type: none"> • Involvement by different members of staff 	Within 2013/14	<ul style="list-style-type: none"> • DPD published • Explore job satisfaction in staff appraisals 	
Equalities					
Recruitment & Retention	<ul style="list-style-type: none"> • Retain experienced staff • Challenge staff • Delegation of responsibilities • Widen skills base 	<ul style="list-style-type: none"> • Look at “management skills” for the service 	Within 2013	<ul style="list-style-type: none"> • Appraisals 	
Learning & Development	<ul style="list-style-type: none"> • Training integral to work • Training focused on known gaps 	<ul style="list-style-type: none"> • Focused Training Plan 	Within 2013	<ul style="list-style-type: none"> • Training completed • Evidence of knowledge in reports 	

Workforce Implications of the Corporate and Service Plan

Workforce Area	Long Term Objectives	Objectives 2013/14	Action By	Performance Measure	Milestone Dates
Succession & Career Planning	<ul style="list-style-type: none"> • Challenging work • Increase variety 	<ul style="list-style-type: none"> • Increase variety and challenge • Introduce “management skills” 	Within 2013		
Employee Relations					
Health Safety & Welfare	<ul style="list-style-type: none"> • Safe office environment • Safe out of office procedures • Annual risk assessments 	<ul style="list-style-type: none"> • Regular safety audits 	Within 2013	<ul style="list-style-type: none"> • Annual Risk Assessments 	
Pay & Rewards					
Flexible Working	<ul style="list-style-type: none"> • More flexible working (in office) • Electronic case files 	<ul style="list-style-type: none"> • React to the Accommodation Project • Expand electronic case files • Expand CITRIX 			

Agenda Item No 5

Planning and Development Board

14 January 2013

Report of the Assistant Director Corporate Services and the Assistant Chief Executive and Solicitor to the Council **General Fund Fees and Charges 2013/2014**

1 Summary

- 1.1 The report covers the fees and charges for 2012/13 and the proposed fees and charges for 2013/14.

Recommendation to the Board

That the schedule of fees and charges for 2013/14, set out in the report be accepted.

2 Consultation

- 2.1 Councillors Butcher, Moore and Smith have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Introduction

- 3.1 At its meeting in September, the Executive Board agreed the budget strategy for 2013/17, which included an expected allowance for price increases of 3% equating to £1,960 additional income from Land Charges and Street Naming and Numbering fees.

4 Fees Proposed for 2013/14

- ... 4.1 Attached for the Board's consideration at Appendix A are details of present and proposed fees and charges for the financial year 2013/14. The amounts shown have already been included in the revenue estimates for 2013/14. The fees for Land Charges have increased by more than inflation to reflect that the service has to break even in the year.
- 4.2 Although Planning Control is under the control of this board, the fees and charges have not been included in this report as they are set nationally by Government. Fees for planning control applications have been increased by 15% to address the cost inflation that has occurred since the fees were last raised in 2008. These changes came into effect on 22 November 2012.

5 Report Implications

5.1 Financial Implications

5.1.1 The pricing structure contained in this report is expected to generate an additional £1,500 of income on Street Naming and Numbering and Land Charges in 2013/14. No further allowance for fee increases has been budgeted for in addition to those of 22 November 2012 on Planning Control. The revised fees are contained within the Deputy Chief Executive's report on the General Fund estimates 2013/14, presented elsewhere within the agenda for this meeting.

5.1.2 A 1% change in income generated by services reporting to this Board would result in an increase or decrease in income of £500 (Street Naming and Numbering and Land Charges).

5.2 Risk Management Implications

5.2.1 Changes to fees and charges may impact on the level of demand. However, this has been considered in proposing the revised charges.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT BOARD
FEES AND CHARGES FROM 1 APRIL 2013

	2012/13 TOTAL	2013/14 TOTAL	VAT RATING
LAND CHARGES			
Official Land Charges Register search (LLC1)	29.00	30.50	Outside Scope
Each additional parcel of land	2.90	3.00	"
Con29 R Search	78.00	81.50	"
Each additional parcel of land	7.80	8.00	"
Full Search (LLC1 & Con29 R)	107.00	112.00	"
Each additional parcel	10.70	11.00	"
Additional Question (Con2 9O / Con29 R) - first question	16.50	17.00	"
Every additional question	1.00	1.00	"
Common Land Enquiry (if submitted as part of search)	10.25	11.00	"
STREET NAMING & NUMBERING			
Add a new property name	53.00	55.00	Outside Scope
Correct an address anomaly	26.50	27.50	"
New development (per plot up to 10 plots)	106.00	109.50	"
New development (per plot above 10 plots)	13.00	13.50	"
Rename/renumber	53.00	55.00	"
Name a new street	106.00	109.50	"
Amend development layout (per plot)	26.50	27.50	"
Commercial property (per unit)	26.50	27.50	"

PHOTOCOPYING AND PRINTING CHARGES	2012/13 TOTAL CHARGE	2013/14 TOTAL CHARGE	VAT RATING
	£	£	
Planning decision notice (domestic)	0.15	0.15	Including VAT at standard rate
Planning decision notice (commercial) (Including building regulation completion certificate)	0.15	0.15	"
Correspondence	0.15	0.15	"
Committee report	0.15	0.15	"
Copies of letters	0.15	0.15	"
A4 plans	0.15	0.15	"
A3 Plans	0.15	0.15	"
A2 Plans	1.30	1.35	"
A1 Plans	1.30	1.35	"
A0 Plans	1.30	1.35	"
Tree Preservation Order	0.15	0.15	"
Section 106 ,52 & 38	0.15	0.15	"
Weekly List (copy charge) per list	0.15	0.15	"
Listed Building Extract	0.15	0.15	"
Planning Site History (Domestic)	0.15	0.15	"
Planning Site History (Commercial)	0.15	0.15	"
Detailed Information Requests/Research (any other request not incorporated in above charges)	27.00	27.80	"

SCALE OF CHARGES FOR PLANNING AND ADVERTISEMENT APPLICATIONS

These charges are set by central government and are contained within the Town and Country Planning Regulations.

Details of current charges can be obtained from the Council's Development Control section :

Telephone	01827 715341
Fax	01827 719363
e-mail	planningcontrol@northwarks.gov.uk
Web site	www.northwarks.gov.uk

Agenda Item No 6

Planning and Development Board

14 January 2013

Report of the
Deputy Chief Executive

General Fund Revenue Estimates
2012/13

1 Summary

- 1.1 This report covers the revised budget for 2012/13 and an estimate of expenditure for 2013/14, together with forward commitments for 2014/15, 2015/16 and 2016/17.

Recommendation to the Board

- a To accept the revised budget for 2012/13; and
- b To accept or otherwise vary the Estimates of Expenditure for 2013/14, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 12 February 2013.

2 Consultation

- 2.1 Councillors Butcher, Moore and Smith have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Introduction

- 3.1 In consultation with other Assistant Directors, the Assistant Director (Finance and Human Resources) has prepared an estimate of net expenditure for 2013/14 and this, together with a revised budget for 2012/13, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2011/12 are shown.

- 3.2 At its meeting in September, the Executive Board agreed the budget strategy for 2013-2017 which required savings of £1.5 million over a four year period. This required budget savings of £532,000 in 2013/14 with additional savings of £410,000, £300,000 and £250,000 in 2014/15, 2015/16 and 2016/17 respectively. No provision for growth was built into the strategy.

- 3.3 Assistant Directors were asked to identify areas where savings could be made, either by a reduction in expenditure or through the generation of additional income. These have now been incorporated into the estimates being considered.

3.4 Board requirements have been prepared, taking into account the following assumptions:

- No increase in the level of service except where Council approval has already been given
- A 2% pay award for 2013/14 onwards
- Increases in the Council's pension contribution rate of 1% per annum up to 2015/16, at which point the rate will remain constant
- A general provision for inflation of 3% in 2013/14 although where contractual obligations require a specific price increase in line with inflation, these have been provided. A general inflationary increase of 3% has only been given in alternate years within supplies and service budgets, in order to encourage efficiencies in procurement

3.5 An increase in income has been allowed to reflect the increases included in the fees and charges report elsewhere on this agenda

3.6 A subjective analysis of the Board's requirement is shown below:

	Approved Budget 2012/13 £	Revised Budget 2012/13 £	Original Budget 2013/14 £
Employee Costs	479,170	491,440	502,720
Supplies and Services	130,150	128,050	131,880
Earmarked Reserves	-	(130)	(330)
Gross Expenditure	609,320	619,360	634,270
Income	(342,030)	(498,100)	(388,510)
Net Controllable Expenditure	267,290	121,260	245,760
Departmental Support	122,040	101,690	102,290
Central Support	198,870	200,980	205,200
Capital Charge	20,630	20,630	14,940
Net Expenditure	608,830	444,560	568,190

4 Capital Charges

4.1 The Council values all of its assets using a five year rolling programme, and this can affect the level of capital charges that are made to services and can therefore significantly affect the net service cost. Although few assets are used for the services within this Board, changes in net service expenditure that are as a result of increases or decreases in capital charges are shown below net operating expenditure in the following pages.

5 Comments on the 2012/13 Revised Budget

5.1 The revised budget for 2012/13 is estimated to be £444,560; a decrease of £164,270 on the approved provision. The main reasons for variations are set out below:

5.2 **Employee Expenditure** has increased as a result of adjustments to staff time allocations, with increased allocations in Planning Control partly offset by reduced allocations for Local Land Charges.

£12,270

5.3 **Supplies and Services** has decreased due to a reduction in Land Charges fees of £1,610 paid to Warwickshire County Council, as a result of a decline in the number of searches undertaken, and a reduction in the Software Maintenance recharge on Planning Control .

(£2,100)

5.4 **Income** has increased as a result of additional Planning Control income due to several larger applications in the year, which is partially offset by a downturn in Local Land Charges income of £16,250.

(£156,070)

5.5 **Departmental and Central support recharges** have decreased due to a change in allocations to services within this board and the transfer of some cost to the employee line at 5.2 above.

(£18,240)

6 **Comments on the 2013/14 Estimates**

6.1 The total estimated net expenditure for 2013/14 is £568,190; a decrease of £40,640 on the 2012/13 approved budget and an increase of £123,630 on the revised 2012/13 budget. The main variations from the revised estimate are given below.

6.2 **Employee** costs have increased due to the inclusion of a 2% pay award and other related inflationary increases in Employee expenditure items.

£11,280

6.3 **Supplies and services** have increased due to inflationary increases in the cost of Supplies and Services across all budgets on this board.

£3,830

6.4 **Income** has decreased as a result of the following changes;

	£
Planning Fees – removal of income from the additional large planning applications in 2012/13	112,000
Inflationary Increases on fees	(1,730)
Additional fee income on Land Charges above inflation	(680)
	109,590

7 **Growth Items**

- 7.1 A provision for growth was not included in the Council's Budget Strategy, approved in September 2012 by the Executive Board. There are no growth items related to the services covered by this board.

8 **Income**

- 8.1 Changes to the levels of fees and charges for services under the responsibility of this Board are covered in another report on tonight's agenda. Income on fees and charges is expected to contribute to the achievement of income targets.

9 **Risks to Services**

- 9.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- The need to hold Public Inquiries into Planning Developments. Inquiries can cost the Council around £20,000 each.
- A decline in planning applications leading to a reduction in Planning Income, due to the current economic climate.
- New legislation being proposed by the Government states that all planning applications must be dealt with within 26 weeks. If this is not achieved, the costs of the application must be borne by the authority. Whilst the Planning team deal with almost 100% of current applications within this time, there is a potential that some may slip, leading to a decline in the Planning income level.

- 9.2 A risk analysis of the likelihood and impact of the risks identified above are included in Appendix C.

...

10 **Future Year Forecasts**

- 10.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2013/14. The following table provides a subjective summary for those services reporting to this Board:

	Forecast Budget 2014/15 £	Forecast Budget 2015/16 £	Forecast Budget 2016/17 £
Employee Costs	517,060	526,670	540,290
Supplies and Services	132,310	136,270	136,730
Balance Sheet Items	(40)	0	0
Gross Expenditure	649,330	662,940	677,020
Income	(390,420)	(392,390)	(394,420)
Net Controllable Expenditure	258,910	270,550	282,600
Departmental Support	104,720	106,350	108,390
Central Support	208,900	210,600	215,150
Capital Charge	14,940	14,940	14,940
Net Expenditure	587,470	602,440	621,080

10.2 The forecasts given above have used a number of assumptions, which include pay awards of 2% in 2014/15 to 2016/17, increases in contracts of 2% and general increases in supplies and services of 3% in 2013/14 and 2015/16. In total, net expenditure is expected to increase by 3.4% in 2014/2015, by 2.5% in 2015/16 and by 3.1% in 2016/2017

10.3 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However, these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

11 Report Implications

11.1 Financial Implications

11.1.1 As detailed in the body of the report.

11.2 Environment and Sustainability Implications

11.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

11.3 Risk Management Implications

11.3.1 There are a number of risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Nigel Lane (719371).

NORTH WARWICKSHIRE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT BOARD
SUMMARY OF GENERAL FUND REVENUE ESTIMATES

Code	Description	Actual 2011/2012 £	Approved Budget 2012/2013 £	Revised Budget 2012/2013 £	Original Budget 2013/2014 £
4009	Planning Control	129,384	200,940	49,990	173,520
4010	Building Control	86,918	58,570	58,570	60,330
4012	Conservation and Built Heritage	24,827	32,720	34,840	35,370
4013	Planning Delivery Grant	(3)	-	-	-
4014	Local Land Charges	(28,501)	(30,000)	(27,200)	(28,770)
4018	Street Naming and Numbering	3,861	5,060	5,060	5,310
	Net Controllable Expenditure	216,486	267,290	121,260	245,760
	Departmental Support	124,764	122,040	101,690	102,290
	Central Support	198,455	198,870	200,980	205,200
	Capital Charges	16,601	20,630	20,630	14,940
	Planning and Development Board Total	556,306	608,830	444,560	568,190

4009 - PLANNING CONTROL

A statutory service which determines planning and listed building applications submitted to the Council and the enforcement of contraventions of the Planning Acts.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2011/2012	BUDGET 2012/2013	BUDGET 2012/2013	BUDGET 2013/2014
Employee Expenditure	396,880	421,180	442,850	453,250
Supplies and Services	40,085	44,760	44,270	45,600
Balance sheet items	-	-	(130)	(330)
GROSS EXPENDITURE	436,965	465,940	486,990	498,520
GROSS INCOME	(307,581)	(265,000)	(437,000)	(325,000)
NET CONTROLLABLE EXPENDITURE	129,384	200,940	49,990	173,520
Departmental Support	93,334	91,550	66,100	65,940
Central Support	160,761	161,480	170,120	173,910
Capital Charge	13,077	15,930	15,930	11,420
NET EXPENDITURE	396,556	469,900	302,140	424,790

Contributes to corporate priorities :

- Protecting and improving our local environment
- Protecting and improving our countryside and heritage

KEY PERFORMANCE INDICATORS

Number of Planning Applications	740	740	740	740
Gross cost per application	£ 933.86	£ 971.58	£ 977.31	£ 997.80
Net cost per application	£ 535.89	£ 635.00	£ 408.30	£ 574.04
Caseload per officer	137	137	137	137

4010 - BUILDING CONTROL

A statutory service which ensures the health and safety of the occupants of buildings by achieving acceptable standards of building work through the enforcement of the Building Regulations. The Building Control service has been provided in Partnership with Nuneaton and Bedworth Borough Council since November 2007.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2011/2012	BUDGET 2012/2013	BUDGET 2012/2013	BUDGET 2013/2014
Employee Expenses	(75)	-	-	-
Supplies and Services	56,993	58,570	58,570	60,330
Balance sheet items	30,000	-	-	-
NET CONTROLLABLE EXPENDITURE	86,918	58,570	58,570	60,330
Departmental Support	1,541	1,540	1,530	1,580
Central Support Services	16,385	16,510	15,250	15,580
NET EXPENDITURE	104,844	76,620	75,350	77,490

Contributes to corporate priorities :

- Protecting and improving our local environment
- Protecting and improving our countryside and heritage

4012 - CONSERVATION AND BUILT HERITAGE

This service looks to maintain the historical built heritage within the Borough

DESCRIPTION	ACTUALS	APPROVED BUDGET	REVISED BUDGET	ORIGINAL BUDGET
	2011/2012	2012/2013	2012/2013	2013/2014
Employee Expenditure	42,911	44,170	46,610	47,490
Supplies and Services	-	50	50	50
GROSS EXPENDITURE	42,911	44,220	46,660	47,540
GROSS INCOME	(18,084)	(11,500)	(11,820)	(12,170)
NET CONTROLLABLE EXPENDITURE	24,827	32,720	34,840	35,370
Departmental Support	14,304	13,220	9,420	9,290
Central Support	5,521	5,650	5,620	5,720
NET EXPENDITURE	44,652	51,590	49,880	50,380

Contributes to corporate priorities :

- Protecting and improving our local environment
- Protecting and improving our countryside and heritage

4013 - PLANNING DELIVERY GRANT

Government provided a grant to deal with Planning Delivery across the Country. In 2008/09 and 2009/10 this was to assist the Planning Service deal with housing supply, plan making, joint working and strategic housing market assessments. The grant was withdrawn in 2010/11.

DESCRIPTION	ACTUALS	APPROVED BUDGET	REVISED BUDGET	ORIGINAL BUDGET
	2011/2012	2012/2013	2012/2013	2013/2014
Employee Expenditure	(3)	-	-	-
Miscellaneous Items	40,426	-	-	-
Earmarked Reserves	(40,426)	-	-	-
NET CONTROLLABLE EXPENDITURE	(3)	-	-	-
Central Support	840	-	-	-
NET EXPENDITURE	837	-	-	-

Contributes to corporate priorities :

- Protecting and improving our local environment
- Protecting and improving our countryside and heritage

4014 - LOCAL LAND CHARGES

The Council is obliged to maintain a register relating to its area which includes any details of developments, road proposals, closing orders etc., which may affect properties and details of any charge (financial or otherwise) that is registered against each property. In addition the Council provides details on enquiries made by solicitors acting on behalf of prospective purchasers. The income received from search fees is based upon charges that the Council is free to set itself.

DESCRIPTION	ACTUALS	APPROVED BUDGET	REVISED BUDGET	ORIGINAL BUDGET
	2011/2012	2012/2013	2012/2013	2013/2014
Employee Expenditure	11,605	13,820	1,980	1,980
Supplies and Services	17,443	18,300	16,690	17,180
GROSS EXPENDITURE	29,048	32,120	18,670	19,160
GROSS INCOME	(57,549)	(62,120)	(45,870)	(47,930)
NET CONTROLLABLE EXPENDITURE	(28,501)	(30,000)	(27,200)	(28,770)
Departmental Support	9,027	9,010	17,840	18,550
Central Support	13,738	14,020	8,620	8,680
Capital Expenditure	3,524	4,700	4,700	3,520
NET EXPENDITURE	(2,212)	(2,270)	3,960	1,980

Contributes to corporate priority :

- Protecting and improving our local environment

KEY PERFORMANCE INDICATORS

Number of Local Land Charge Searches	525	1,010	450	450
Gross cost per search	£ 98.69	£ 54.60	£ 100.29	£ 103.09
Net cost per search	-£ 4.21	-£ 2.25	£ 8.80	£ 4.40

4018 - STREET NAMING & NUMBERING

This function covers naming and numbering of new and existing properties and streets, to ensure consistency and reliability of addressing, which then feeds into the Council's Land and Property Gazetteer.

DESCRIPTION	ACTUALS	APPROVED BUDGET	REVISED BUDGET	ORIGINAL BUDGET
	2011/2012	2012/2013	2012/2013	2013/2014
Employee Expenditure	(76)	-	-	-
Supplies & Services	7,226	8,470	8,470	8,720
GROSS EXPENDITURE	7,150	8,470	8,470	8,720
GROSS INCOME	(3,289)	(3,410)	(3,410)	(3,410)
NET CONTROLLABLE EXPENDITURE	3,861	5,060	5,060	5,310
Departmental Support	6,558	6,720	6,800	6,930
Central Support	1,210	1,210	1,370	1,310
NET EXPENDITURE	11,629	12,990	13,230	13,550

Contributes to corporate priority :

- Protecting and improving our local environment

Appendix C

Risk Analysis

	Likelihood	Potential impact on Budget
Need for public enquiries into planning developments	Low	Medium
Decline in planning applications leading to a reduction in Planning Income.	Low	Medium
Applications not dealt with within 26 weeks, resulting in full refund to applicant.	Low	Medium

Agenda Item No 7

Planning and Development Board

14 January 2013

**Report of the Assistant Director
(Finance and Human Resources)**

**Capital Programme 2013/14 to
2015/16**

1 Summary

- 1.1 This report identifies proposals for schemes to be included within the Council's capital programme over the next three years.

Recommendation to the Board

That the Board supports the inclusion of the new scheme within the Council's provisional three year programme.

2 Consultation

- 2.1 Councillors Sweet and Simpson have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting

3 Introduction

- 3.1 The Council has a shortfall of capital resources when compared against potential capital schemes. As a result, schemes considered to be non essential were not included in the three year capital programme for 2012/13 – 2014/15 approved last February. Although resources have improved through areas such as additional grant allocations and expected Right to Buy property sales there is still a shortfall, so the same approach will be required for setting the capital programme for 2013/14 – 2015/16.

4 Updating the Capital Programme

- 4.1 No schemes relating to this Board were included in the approved capital programme.
- 4.2 The plotter and scanner within the Planning Department is at the end of its useful life and is becoming costly to maintain. A combined solution will cost £10,000 and would save space in accordance with the accommodation review. However this cost may be offset by a trade in of £1,500 for the old equipment. This scheme is not included in the 3 year capital programme and therefore will need to be included in 2013/14 if the scheme is to go ahead.

5 Report Implications

5.1 Finance and Value for Money Implications

5.1.1 In terms of the overall capital programme, the bid for the plotter and scanner included in this report will be collated into an overall programme and submitted to the Executive Board for final approval in February.

5.2 Environment and Sustainability Implications

5.2.1 Capital investment is required if the Council is to maintain and enhance both its assets and the quality and consistency of its services to the community.

5.3 Risk Management Implications

5.3.1 The risks associated with the failure to purchase the plotter and scanner are taken into account in assessing whether the scheme is essential or non essential.

5.4 Links to Council's Priorities

5.4.1 The capital project proposed for inclusion will contribute to maintaining a balanced budget and keeping Council Tax rises lower than inflation.

The Contact Officer for this report is Jon Illingworth (719489).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
The Proposed 3 Year Capital Programme	Management Team	Report to Executive Board	6 February 2012

Agenda Item No 8

Planning and Development Board

14 January 2013

**Report of the
Assistant Director
(Leisure and Community Development)**

**Works to Trees in a Conservation
Area – Abbey Green Park,
Polesworth**

1 Summary

- 1.1 This report advises the Board of proposals for works to trees in Abbey Green Park in Polesworth, which is within a conservation area.

Recommendation to the Board

That the Board notes the proposed works to be undertaken to trees in Abbey Green Park, Polesworth, and indicates whether it has any concerns that it wishes to be referred to the Community and Environment Board for further consideration.

2 Consultation

- 2.1 The Chairman, Vice-Chairman and Opposition Spokesperson for the Community and Environment Board and appropriate Ward Members have all had the opportunity to comment on the content of this report.
- 2.2 Polesworth Parish Council has also been consulted regarding the proposed works.
- 2.3 Any comments received will be reported verbally at the meeting.

3 Proposed Works

- 3.1 Works to trees in a Conservation Area ordinarily require the submission of a S211 Notice to the Local Planning Authority in order to determine the need or otherwise for a Tree Preservation Order (TPO). Local authority work to its own trees is exempt from this procedure. In accordance with the consultation procedures set out in the adopted Tree Management Briefing Note, however, this report informs Members of proposed works to trees in Abbey Green Park in Polesworth, which is within the Authority's ownership.
- 3.2 Members will be aware that the Authority will be embarking on a project to implement significant landscape works in the Park, as identified in the Management Plan approved by the Community and Environment Board at its meeting held in October 2012. The aim of the project is to improve the overall quality of the park to ensure that it continues to be a valued, safe and

sustainable community facility. Work is expected to commence on site in spring 2013.

3.3 In conjunction with the Management Plan, a schedule of treeworks has been prepared, which was informed by an inspection of all of the trees in the Park to assess their condition in terms of tree health, expected long-term amenity value and public safety. The works have been deemed necessary to ensure both that the Authority upholds its Duty of Care in respect of tree management and that a healthy tree stock is assured in the Park for future generations. The proposed works to be undertaken and the location of the trees are shown on the plans attached at Appendix A. The works are intended to be carried out in late January / early February 2013, ahead of the main improvement works contract.

3.4 The proposals comprise remedial works to 25 individual trees and five groups, such as removing deadwood, crown raising or rectifying storm damage, and the felling of a further 43 trees. Of those to be felled, two are dead, 12 are small, of poor form or suppressed by neighbouring trees or need to be removed to open up views across the Park to improve natural surveillance. The remaining 29 trees are all poplars of various types, which are prone to collapse and can cause significant disruption through root damage, such as occurring to one of the main footpaths and the adjoining bowling green. (The Council has been subject to an insurance claim in respect of the hazard on the footpath). The removal or thinning of the poplars is also felt to be beneficial in helping to create opportunities for replanting with more appropriate tree species.

3.5 The Management Plan for the Park includes proposals for planting 64 heavy standard trees, as well as significant new shrub planting, as shown on the plans attached at Appendix B. It is intended that all of the planting will be completed by spring 2014.

3.6 The Board is asked to indicate whether it has any concerns or comments relating to the tree works detailed above that it wishes to be referred to the Community and Environment Board for further consideration.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The improvement works at Abbey Green Park, Polesworth, including those works identified in this report and the appendices, will be funded primarily through the Birch Coppice Section 106 Fund supplemented, if necessary, by a contribution from the Parks, Playing Fields and Open Spaces revenue budget.

4.2 Safer Communities Implications

4.2.1 Well managed trees are less likely to present a hazard to persons or property.

4.3 Legal and Human Rights Implications

4.3.1 The Authority has a Duty of Care in respect of the management and maintenance of its land and trees. The act of a tree or part thereof causing injury to a person or persons is likely to give rise to litigation, either as a claim in negligence or under the Occupiers liability Acts 1957 and 1984.

4.4 Environment and Sustainability Implications

4.4.1 Well-managed and maintained trees make a positive contribution to the environment and to creating sustainable communities within which a good quality of life is enjoyed by local residents.

4.5 Health, Well-being and Leisure Implications

4.5.1 Well-managed parks and recreation areas provide opportunities for formal and informal recreation and leisure activities that have a positive impact on physical and mental health and well-being.

4.6 Risk Management Implications

4.6.1 The schedule of works to be carried out in Abbey Green Park, Polesworth, has been prepared in response to the findings of a risk-based inspection process that identifies the risks associated with a failure to undertake the recommended works. It is this process that has identified the need for the highlighted works to be undertaken.

4.6.2 The Tree Management Briefing Note, approved by the Community and Environment Board in March 2011, sets out the Authority's approach to managing any potential risks arising from the trees in its care. The operational risks of the tree management programme are assessed in accordance with corporate risk management procedures.

4.7 Equalities Implications

4.7.1 There are no differential equality-related impacts on particular groups or individuals within the community arising from this report.

4.8 Links to Council's Priorities

4.8.1 An efficient and effective tree management process contributes directly to the corporate priorities in respect of:

- Public services and Council Tax
- Environment
- Countryside and heritage
- Access to services
- Health and well-being

4.8.2 An efficient and effective tree management process has positive links to the priorities of the North Warwickshire Sustainable Community Strategy to:

- Raise aspirations, educational attainment and skills
- Develop healthier communities
- Improve access to services

4.8.3 Implementation of an effective tree management programme also delivers against priorities set out in the adopted North Warwickshire Green Space Strategy.

The Contact Officer for this report is Alethea Wilson (719212).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Assistant Director (Leisure and Community Development)	Report to Community and Environment Board (Tree Management)	21 March 2011
2	Assistant Director (Leisure and Community Development)	Report to Community and Environment Board (Green Space Management Plans Progress Report)	22 October 2012

Agenda Item No 9

Planning and Development Board

14 January 2013

Planning Applications

Report of the Head of Development Control

1 Subject

1.1 Town and Country Planning Act 1990 – applications presented for determination.

2 Purpose of Report

2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.

2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.

2.3 The proposals presented for decision are set out in the index at the front of the attached report.

2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications. .

3 Implications

3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

4 Site Visits

4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.

4.2 Members are reminded of the "Planning Protocol for Members and Officers dealing with Planning Matters", in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

5 **Availability**

- 5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council's web site: www.northwarks.gov.uk.
- 5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 11 February 2013 at 6.30pm in the Council Chamber at the Council House.

6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at: www.northwarks.gov.uk/downloads/file/4037/.
- 6.2 If you wish to speak at a meeting of the Planning and Development Board, you may either:
- e-mail democraticservices@northwarks.gov.uk;
 - telephone (01827) 719222; or
 - write to the Democratic Services Section, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE enclosing a completed form.

Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
1	PAP/2012/0532	4	<p>Grimscote Manor, Lichfield Road, Coleshill, Warwickshire, Extensions and alterations to hotel to provide further 10 bedrooms (totalling 24), dining area and terrace, altered kitchen and ancillary facilities</p>	General
2	PAP/2012/0546	17	<p>Marston Farm Hotel, Dog Lane, Bodymoor Heath, Warwickshire, Demolition of North West wing and temporary relocation of existing marquee, and the construction of 14 new bedrooms and new function room to replace the marquee</p>	General

(1) Application No: PAP/2012/0532

Grimscote Manor, Lichfield Road, Coleshill, Warwickshire, B46 1LH

Extensions and alterations to hotel to provide further 10 bedrooms (totalling 24), dining area and terrace, altered kitchen and ancillary facilities, for

Mr Steven Cuddy

Introduction

This application is reported to Planning Board following a request from a Councillor citing concern that the proposal is “overdevelopment” of the site.

The Site

This site is on the western edge of Coleshill, sandwiched between residential properties and the A446 Lichfield Road, a dual carriageway. The access lies to the southern corner of the site, with a driveway taking vehicles past a small paddock and the marquee up a steep rise to a parking area in front of Grimscote Manor. There is a further dwelling in the northern corner and an additional outbuilding close the recently approved marquee. Due to the marked changes in levels across the site, the hotel and residential buildings sit much higher than the marquee, which is at the foot of densely vegetated embankments to the south-east and north-east.

The Proposal

It is proposed to extend and alter the existing hotel to provide a further 10 bedrooms, bringing the capacity to 24; along with improved dining and social facilities, and altered terrace, kitchen and ancillary facilities.

Background

An application to change the use of the former dwelling here into a hotel was refused in 2000. Part of this building was converted to bed and breakfast accommodation, but a retrospective application to retain this use failed in 2004. A Certificate of Lawfulness application for this accommodation also failed in 2005. Enforcement action was then taken with the issue of an Enforcement Notice. This Notice was appealed, and one of the grounds of that appeal was that the bed and breakfast accommodation was lawful. The appeal succeeded on that ground. As a consequence the Inspector made it clear that the lawful use at that time was for a mixed use – as a residential dwelling and the provision of bed and breakfast accommodation.

The conversion of an existing garage into a dwelling was approved in 2009 and that dwelling remains separate to the proposed hotel use. The existing access onto the A446 is lawful, and recent improvements are covered by the 2011 temporary approval for the marquee. Most recently Members will recall an application to regularise the guest use of the premises, with permission granted in May 2012 to bring all but the separate dwelling under a hotel use. It is important to recognise this as the lawful status of the site.

Development Plan

North Warwickshire Local Plan 2006 (Saved Policies): Core Policy 2 (Development Distribution), ECON11 (Hotels and Guest Houses), ENV4 (Trees and Hedgerows), ENV5 (Open Space), ENV6 (Land Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), TPT1 (Transport Considerations), TPT3 (Access and Sustainable Travel) and TPT6 (Vehicle Parking).

Other Relevant Material Considerations

North Warwickshire Core Strategy (Pre-submission Document November 2012): NW1 (Settlement Hierarchy), NW8 (Sustainable Development), NW10 (Quality of Development) and NW17 (Services and Facilities).

Government Advice: National Planning Policy Framework (NPPF).

Consultations

The County Highway Authority notes that the existing access has been improved in line with conditions set out under the permission for the marquee, allowing free flowing two way movements for multiple users. They also consider the speed recording data used for that application to remain valid and therefore the available visibility splays are acceptable. In addition they note that the signal controlled junction with Gorsey Lane help vehicles access/egress the site during the inter green phases. They thus find the existing access suitable for intensification, and also consider the parking provision to be appropriate.

The Environmental Health officer notes the proximity to the Grimstock Hill quarry. Information held by the Council suggests that unidentified wastes were used to part-infill the quarry, with the results of a site investigation accompanying a nearby development proposal identifying a ground gas environment which required gas protection measures to be included in the foundations. Consequently they recommend a site investigation is carried in order to determine the need for gas protection or remedial measures and if so to enable to correct design of those measures.

Coleshill Town Council raises no objection.

Coleshill and District Civic Society note that whilst the extension is quite large, the design is acceptable and blends reasonably well with the existing building, as well as benefiting from good screening.

Representations

Neighbour notifications were sent on 29 November 2012, and a site notice erected on 5 December.

A letter of support has been received noting that it will not only provide tourist accommodation but employment benefits.

Two letters of objection have been received noting that the Board agreed at an earlier meeting that no further developments would be permitted and ask that this stance is followed; whilst highlighting their concerns regarding a lack of car

parking and reasserting their previous objections. It is noted that both the correspondents have a common interest.

At the time of writing amended plans addressing minor matters of preference for the applicant. These are subject to re-consultation and any further comments will be reported verbally to the Board.

Observations

It is first necessary to address part of the objections received. Planning legislation does not allow for a “moratorium” on development. The public can exercise their right to make an application on any piece of land at any time. Hence despite the objectors’ requests for this and further applications to simply be rejected, this application must be determined in line with the Development Plan and any relevant material considerations. Any refusal must be based on policy and not moral or business competition grounds.

The baseline for this proposal is important. As it is within the development boundary for Coleshill, as defined by the Local Plan, the principle of this form of development is wholly appropriate. If it were outside of the development boundary, the “starting point” would be totally different. The proposal reinforces existing services and facilities, together with providing local employment opportunities within one of the Council’s main settlements. Further support is afforded by the NPPF as it will encourage economic growth and competition. There are however other planning considerations which could be of such weight individually or cumulatively, to outweigh this support in principle. These considerations focus on highway safety, neighbouring residential amenity, and design.

(a) Access and parking provisions

Members’ attention is drawn to the Highway Authority’s opinion set out above. The Highway Authority’s conclusion is taken in the knowledge that the traffic generation from the site involves the hotel as existing and proposed, the use of the marquee, the further function room (the George Lewis suite), and the residential dwelling. Its conclusion is that the recent access improvements remove concern of conflict around the access and that sufficient parking space is provided – a view shared by officers particularly when the extent of functions are and will be “self regulated” by the capacity and scale of the hotel and its facilities (e.g. the dining area or the recreational provision). Indeed the level of parking provided as a result of the marquee application was considered more than necessary. The Highway Authority has no objection. It is clear that despite there being a material increase in the number of rooms, they have no concern that this proposal represents “over development”. If a refusal is to be made on such grounds, Members would need to soundly substantiate a reason here.

(b) Amenity impacts

The additional rooms are not expected to generate further disturbance to neighbours. Members will note that the marquee permission is subject to conditions to control noise breakout and is temporary in any case. This proposal will not change that, and any increase in vehicle movements will be negligible in the background of the A446 and transport noise of the Cole valley.

(c) Design

It is acknowledged that the footprint of the proposal and its nature as a three-storey extension would suggest a significant impact which may raise concerns as to over-intensification of the site. However there are material circumstances here which considerably lessen the harm arising. Firstly this is not a Green Belt site such that the only limit of the scale of a proposal is in its outward impacts and its visual appearance. Secondly the proposed footprint is already well developed. It comprises an existing terrace to the front at ground floor, and a swimming pool terrace to the rear at first floor. The site slopes steeply from the front to rear and the design looks to capitalise on this by “cutting in” to the slope. The result is that the rear of the ground floor will effectively sit underneath the existing swimming pool terrace, and extensions above will be built onto this and existing walls around the terrace. The plans at Appendix A outline this approach. Thirdly a relatively small proportion of the site remains developed and no further green space within the site is lost, with the exception of a new smaller terrace. Finally the site is well screened to all aspects, with adjacent trees to be retained through appropriate design and control. The existing and proposed elements of the hotel will only be visible from within the site.

The scale and appearance of the extension relative to the original building is considered appropriate. Indeed the first and second floor does not extend above the entire ground floor – only the rear element of it. This enables the original building to be appreciated for its original quality whilst recognising where later additions feature. In any case this is not a listed building or one within a Conservation Area. The detailing and materials are also considered appropriate. There is not considered to be a substantive reason for refusal on design grounds.

(d) Other matters

The matter regarding the former Grimstock Hill quarry is noted. The Environmental Health officer's concerns are supported. Whilst a precautionary approach may be appropriate which could overcome these concerns (i.e. installing a gas membrane regardless), there is no certainty over the extent of protection required or indeed whether other issues are present. As such a site investigation is considered necessary, although this can be conditioned.

Recommendation

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered SC-PL-01, GMP-06a and GMP-07a received by the Local Planning Authority on 22 November 2012; and the plans numbered GMP-01b, GMP-02a, GMP-03b, GMP-04b and GMP-05b received by the Local Planning Authority on 11 December 2012.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. No development or site works whatsoever shall commence on site until details of measures for the protection of existing trees have been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall then be installed prior to any works commencing and remain in situ until all external works are complete.

REASON

In the interests of the long term health of trees on the site and the amenities of the area.

4. No works whatsoever shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by suitably qualified and experienced persons, shall be based on a Phase I Assessment carried out for the site in accordance with the British Standard for the investigation of potentially contaminated land, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. In the event that significant contamination is identified as a result of the site investigation under condition 4, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be implemented in accordance with the approved timetable of works and site management procedures.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Notes

1. The Development Plan policies which are relevant to this Decision are as follows: North Warwickshire Local Plan 2006 (Saved Policies): Core Policy 2 (Development Distribution), ECON11 (Hotels and Guest Houses), ENV4 (Trees and Hedgerows), ENV5 (Open Space), ENV6 (Land Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), TPT1 (Transport Considerations), TPT3 (Access and Sustainable Travel) and TPT6 (Vehicle Parking).
2. The applicant is advised that to comply with the condition relating to the protection of trees, the measures should be in accordance with British Standard 5837:2005 "Trees in Relation to Construction - Recommendations".
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through appropriately addressing planning objections, suggesting amendments, and quickly determining the application. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

Justification

The principle of further tourism accommodation is acceptable in this location, with the site well linked to services and facilities, public transport and the highway network. The impacts on highway safety are considered acceptable in light of recent improvements to the access; neighbouring amenity are negligible; and the design of the proposal is not considered to be oppressive in scale, nor out of character with the existing building and area. The proposal is thus in accordance with saved policies Core Policy 2, ECON11, ENV4, ENV6, ENV11, ENV12, ENV13, TPT1, TPT3 and TPT6 of the North Warwickshire Local Plan 2006, and national policies as set out in the National Planning Policy Framework.

BACKGROUND PAPERS

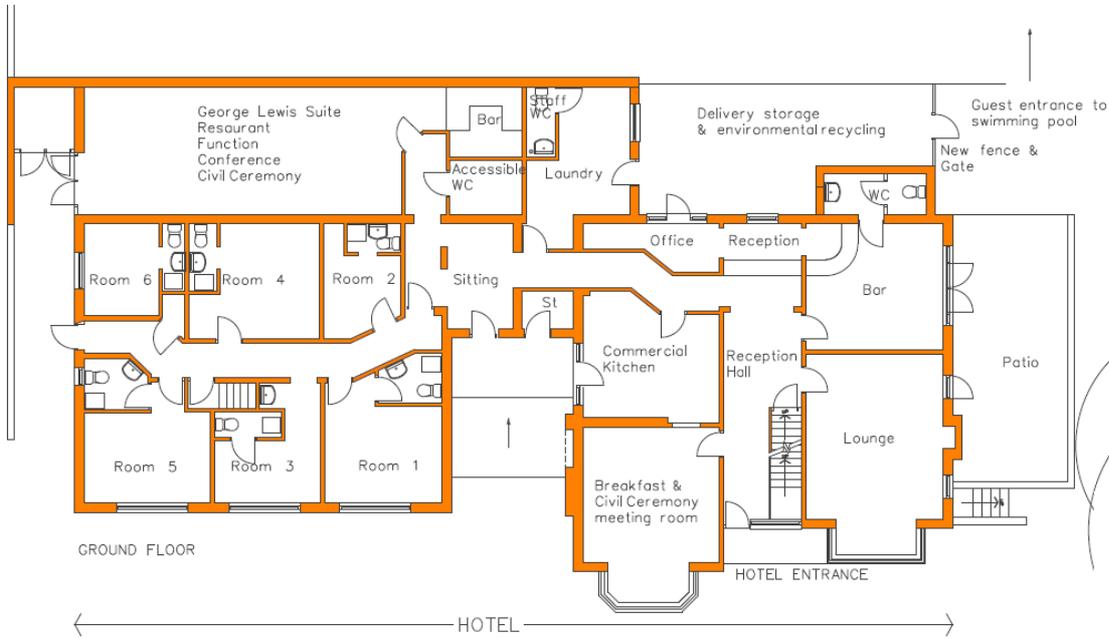
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2012/0532

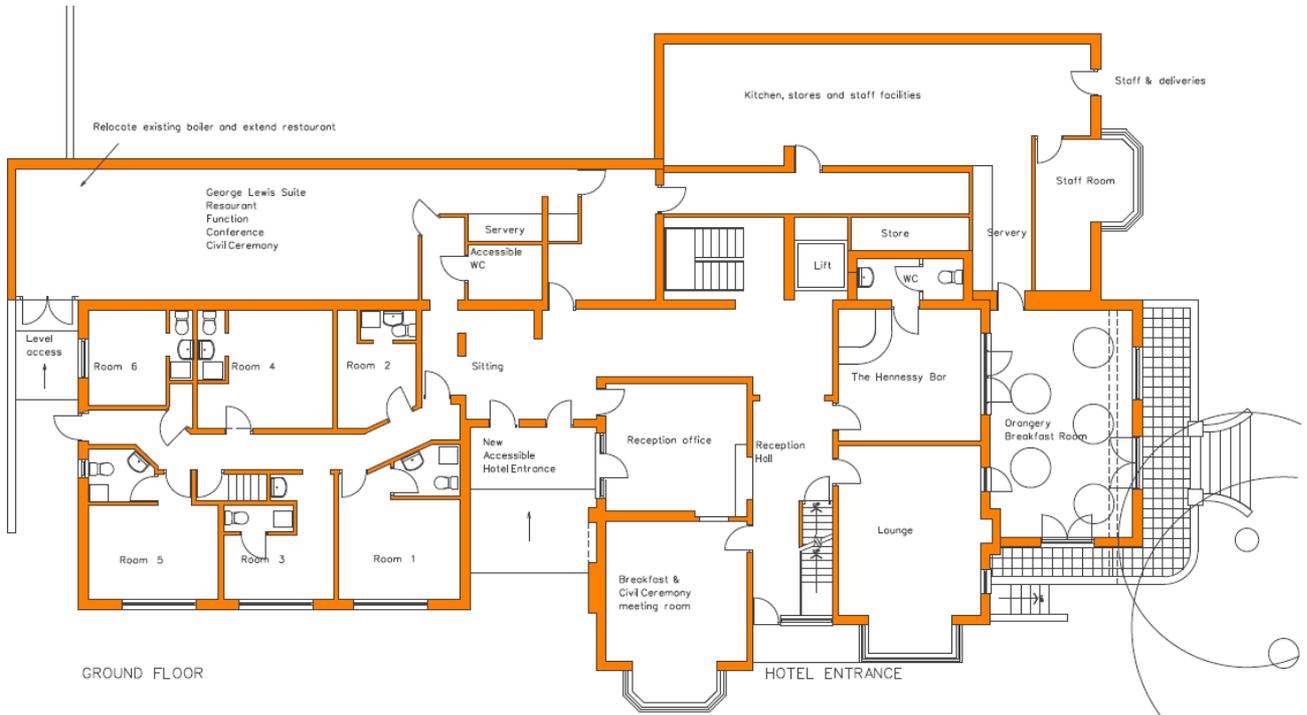
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	22/11/2012 11/12/2012
2	Derek Axe	Representation	02/12/2012
3	Environmental Health Officer	Consultation reply	04/12/2012
4	Coleshill Town Council	Consultation reply	06/12/2012
5	Coleshill and District Civic Society	Consultation reply	08/12/2012
6	Mr M Vakil	Representation	13/12/2012
7	Rod Furnell	Representation	13/12/2012
8	County Highway Authority	Consultation reply	20/12/2012

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

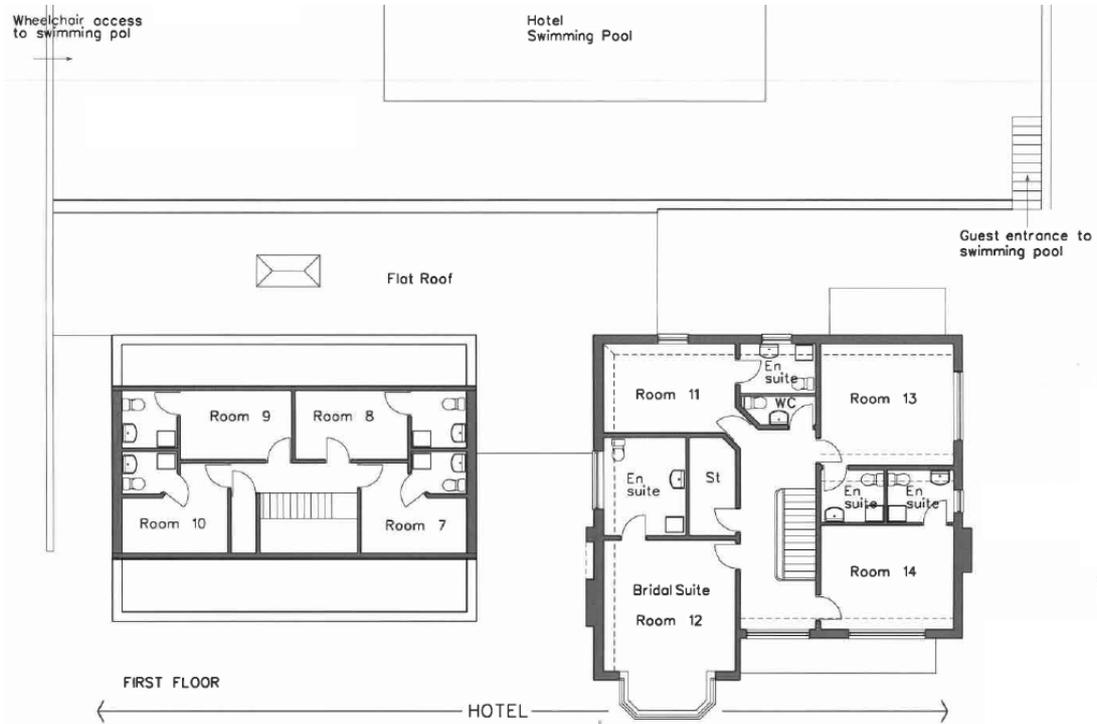
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



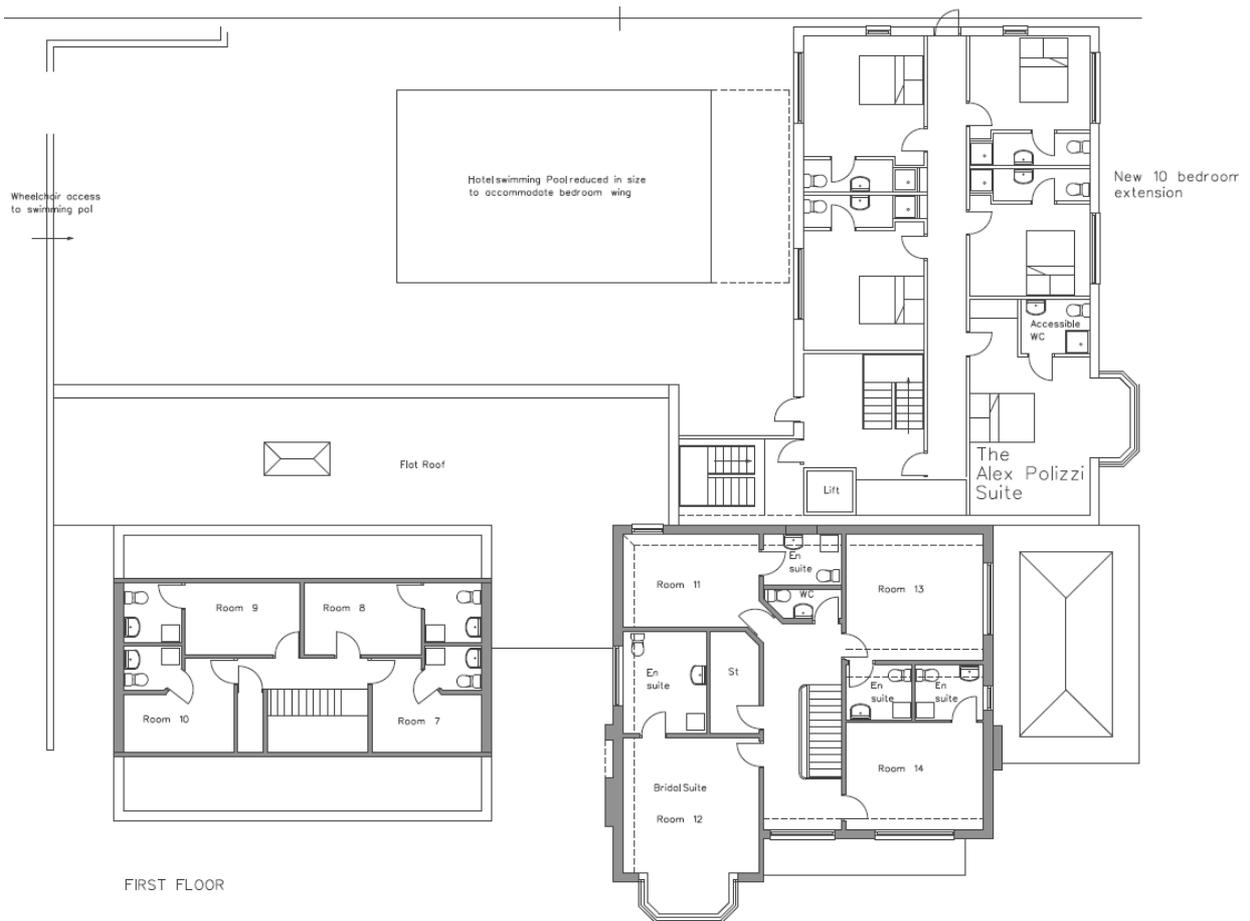
Existing Ground Floor



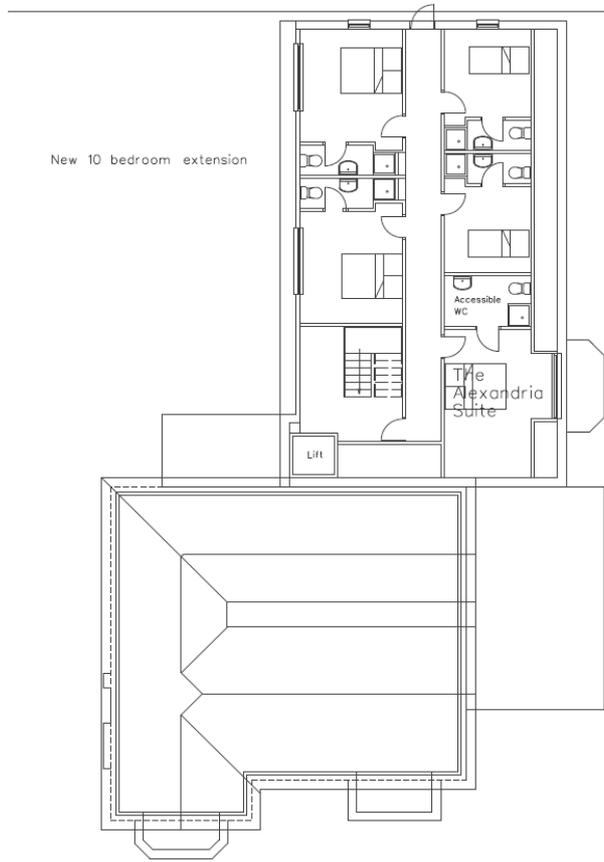
Proposed Ground Floor



Existing first floor and swimming pool terrace



Proposed first floor and swimming pool terrace



New 10 bedroom extension

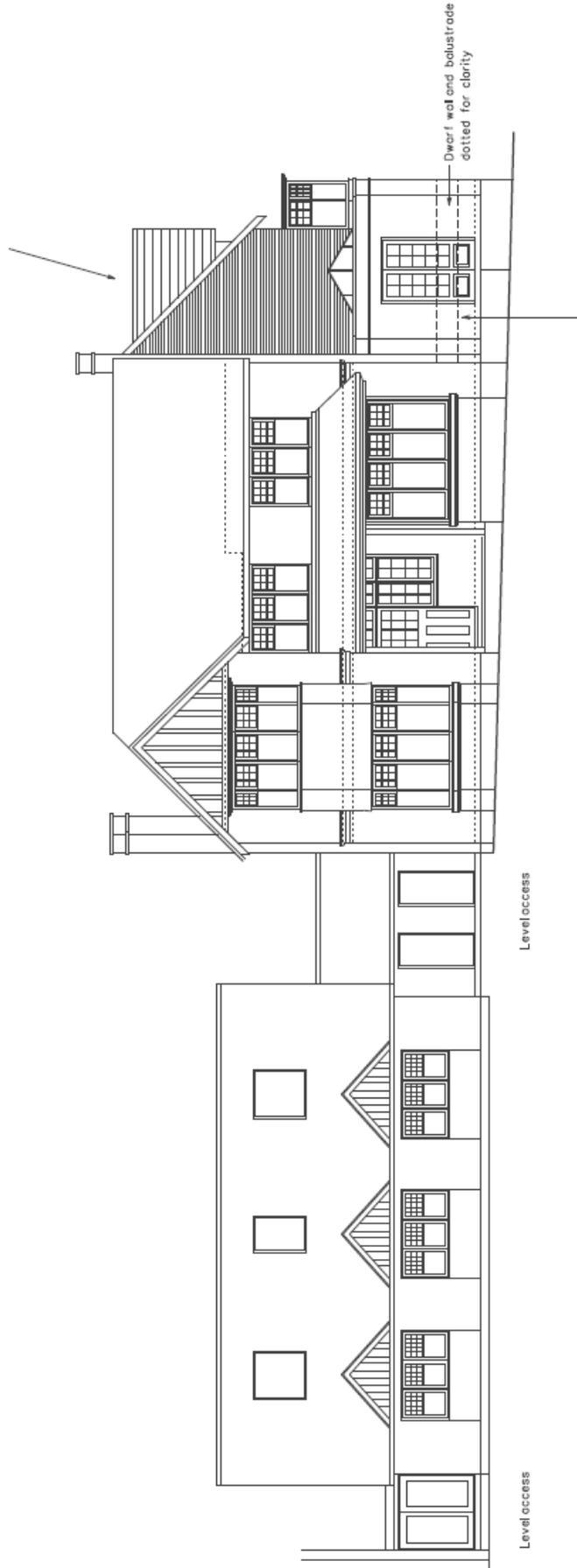
The Alexandria Suite

Lift

Accessible WC

Proposed second floor

New Bedroom block in facing brickwork
and plain tiles to match existing



New Orangery Breakfast
Room in painted rendered finish

FRONT ELEVATION



(2) Application No: PAP/2012/0546

Marston Farm Hotel, Dog Lane, Bodymoor Heath, Warwickshire, B76 9JD

Demolition of North West wing and temporary relocation of existing marquee, and the construction of 14 new bedrooms and new function room to replace the marquee, for

Brook Hotels

Introduction

This application is reported to Board due to it constituting a departure from the Development Plan.

The Site

The site is wholly within the Green Belt at the end of Dog Lane which connects to Bodymoor Heath Lane adjacent to the canal bridge. There are residential and commercial properties some distance away along Dog Lane. The M42 lies beyond agricultural land to the east, with further agricultural land to the north and south of the site. The Birmingham and Fazeley Canal runs along the western edge with the towpath to this side. The existing hotel is broadly in a 'C' shape, although it does create an enclosed courtyard, and is two-storeys for much of its footprint. It has evolved from an original farmhouse and barns in the 1970s to its current form. A marquee is sited adjacent to the 'C' and provides further enclosure to the internal courtyard. A redundant tennis court lies within the grounds between the Canal and the hotel, with car parking to the northern side of the buildings, and the perimeter is framed by a mix of hedgerow and mature trees. The site and its context is shown at Appendix A.

The Proposal

It is proposed to temporarily relocate the existing marquee before demolishing the north-west wing and construct new extensions in its place and to the south-west corner to provide 14 new bedrooms and a new function room which will replace the marquee. Overspill parking will also be provided. The proposals are shown at Appendix B.

Background

As noted above, the hotel has evolved from a former farmhouse and barn. Permission was first granted for a bed and breakfast establishment across the barn in 1977. Various extensions were permitted through the 1980s and 1990s – most notably a 24 bedroom extension in 1989. An application for 16 bedrooms was withdrawn in 1991 and a 20 bedroom extension with other extensions was refused in 1995.

Permission was first granted for the marquee in 1994 for a period of 5 years. This consent was renewed for a further 5 years in 1999 and again in 2004. That consent lapsed but the marquee was allowed to remain until January 2011 by way of permission in October 2009. An application to enable the marquee to permanently remain was submitted in late 2010, but due to visual amenity and noise concerns a further temporary period was offered instead in February 2011, allowing it to remain until end of December 2012.

This proposal follows pre-application discussions regarding the same.

Development Plan

Core Policy 2 (Development Distribution), ECON5 (Facilities Relating to the Settlement Hierarchy), ENV1 (Protection and Enhancement of Natural Landscape), ENV2 (Green Belt), ENV3 (Nature Conservation), ENV4 (Trees and Hedgerows), ENV6 (Land Resources), ENV7 (Development of Existing Employment Land Outside Defined Development Boundaries), ENV8 (Water Resources), ENV9 (Air Quality), ENV10 (Energy Generation and Energy Conservation), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), TPT1 (Transport Considerations in New Development), TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking).

Other Relevant Material Considerations

North Warwickshire Core Strategy (Pre-submission Document November 2012): NW1 (Settlement Hierarchy), NW2 (Green Belt), NW8 (Sustainable Development), NW9 (Renewable Energy and Energy Efficiency), NW10 (Quality of Development), NW11 (Natural and Historic Environment) and NW12 (Nature Conservation).

Government Advice: National Planning Policy Framework (NPPF).

Consultations

A number of statutory and technical consultees have been approached. Their responses will be reported to the Board at a future meeting.

Representations

All residents along Dog Lane have been consulted, a press notice published and a site notice erected. Any representations will be reported to the Board at a future meeting.

Observations

This report is provided as an interim report only. The extent and nature of the development and location within Green Belt means that it must be referred to the Secretary of State as a departure from the Development Plan.

Members will note the background to the site and the current situation. The marquee has long been established within this location and the harm to openness of the Green Belt is equally well established. Indeed successive temporary permissions did not raise issue on Green Belt grounds, but instead on the visual impact of a white marquee structure adjacent to the Canal corridor and within the open countryside, and on the noise breakout from this marquee towards residents along Dog Lane from its use for functions. The latter has resulted in complaints to the Environmental Health officer. The proposals seek to resolve these matters on a permanent basis and so that the ongoing scenario of temporary consents is ended.

In light of the scale of the proposal, its location within the Green Belt and conflict with the Development Plan, the recommendation here is to enable an appreciation of the current situation against the proposals under this application.

Recommendation

That Members of the Planning Board undertake a site visit before determining the application at a future meeting.

BACKGROUND PAPERS

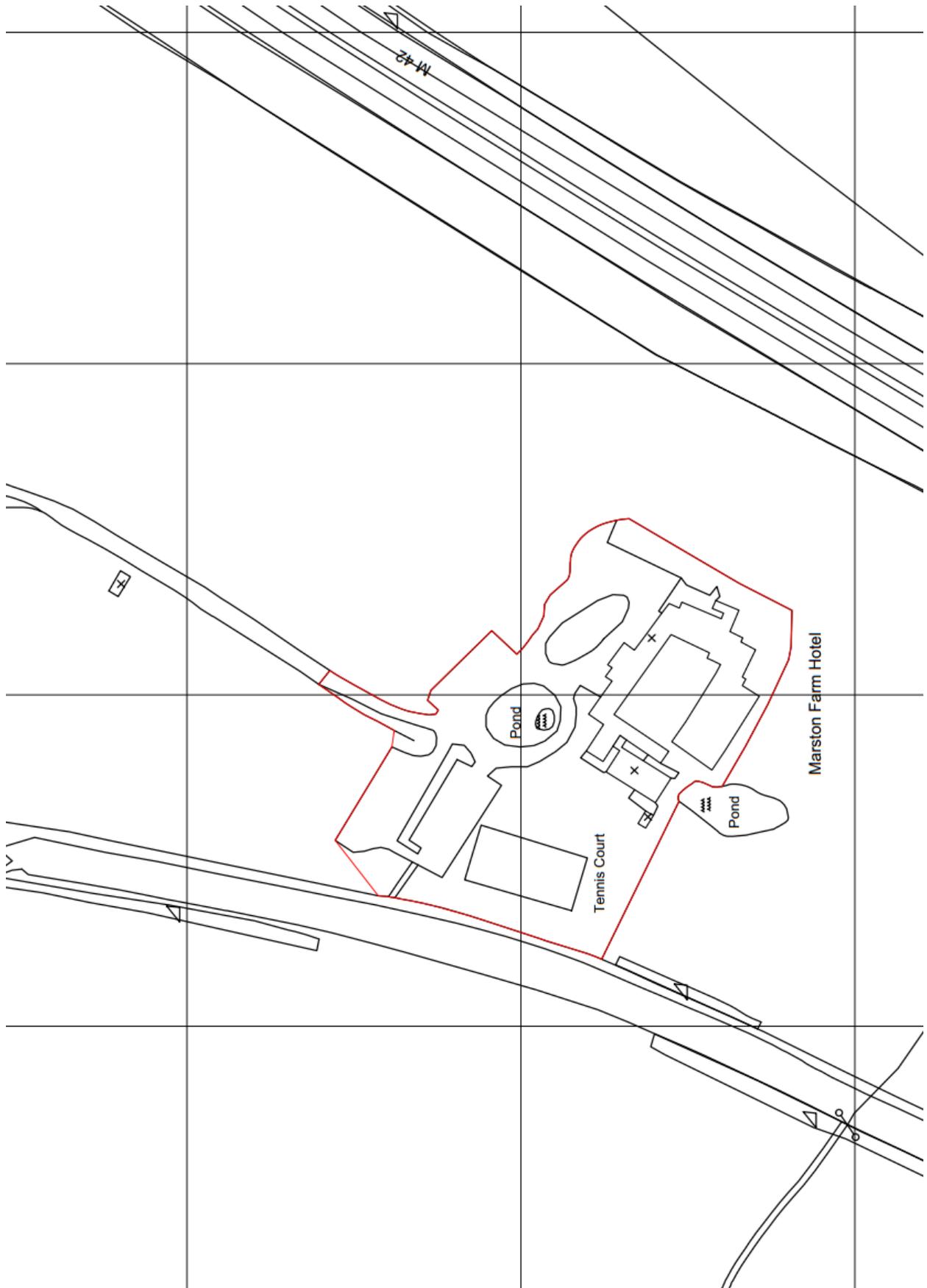
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2012/0546

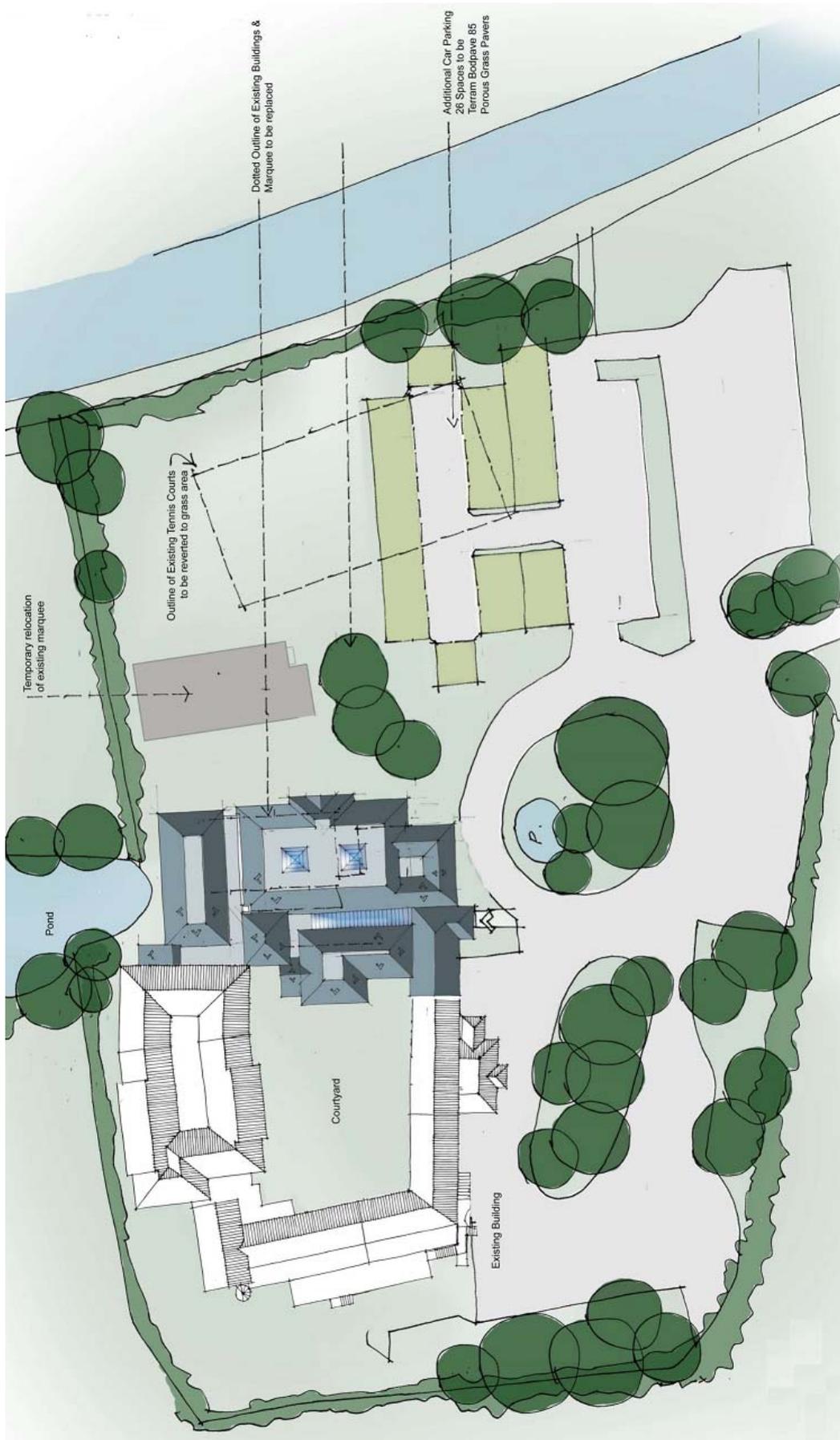
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	06/11/2012 03/12/2012

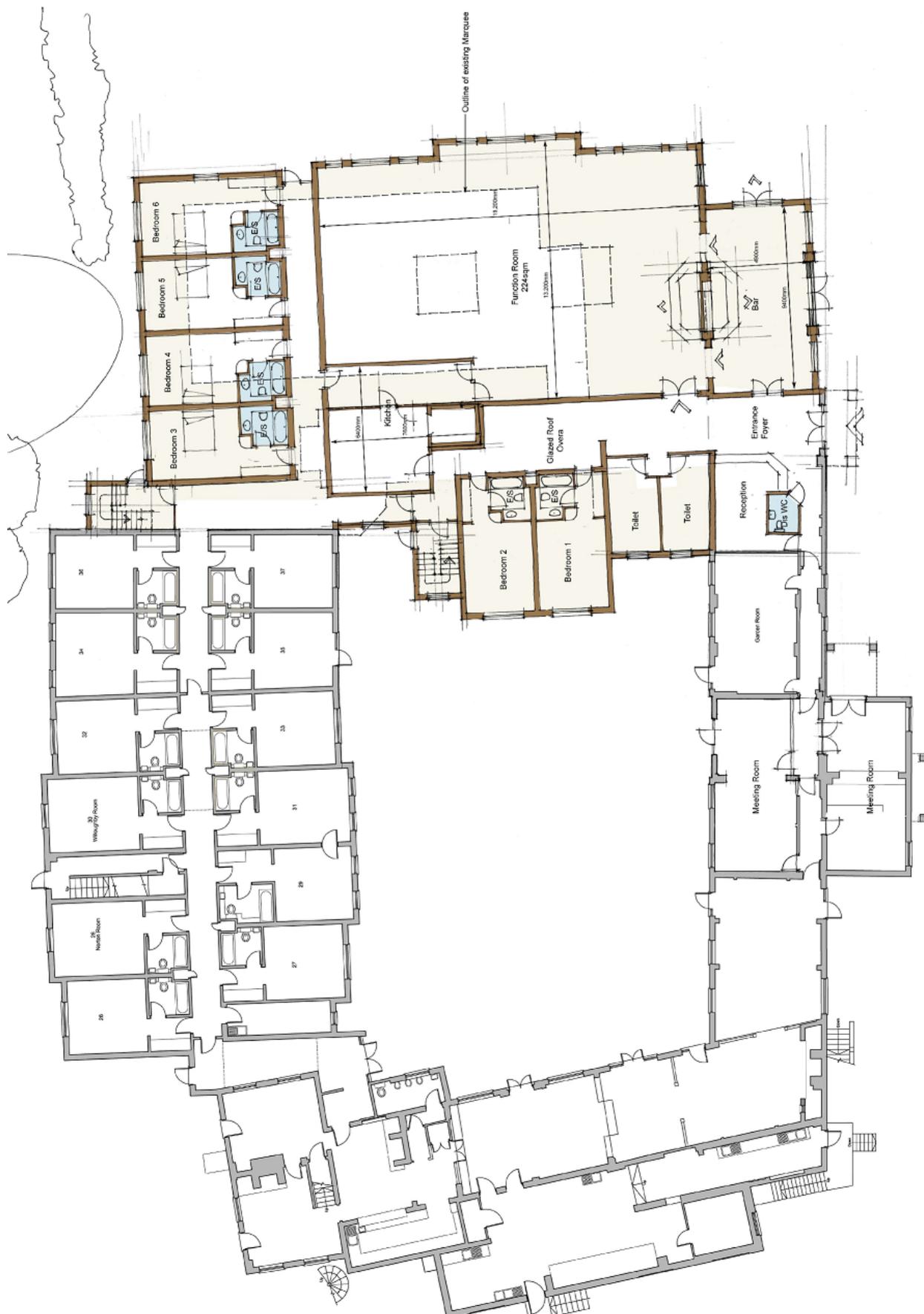
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

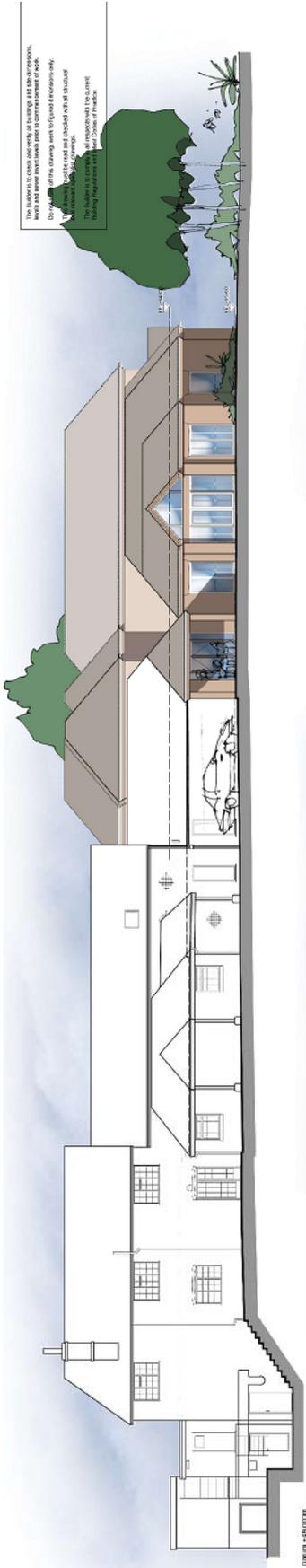
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.











The builder is to make sure that all building materials are approved, and that all work is done in accordance with the approved plans. The contractor is to be responsible for obtaining all necessary permits and for coordinating with all structural and mechanical trades. The contractor is to be responsible for the overall quality of the work and for ensuring that the building is completed in accordance with the approved plans.

04/21/2021

North Eastern Elevation



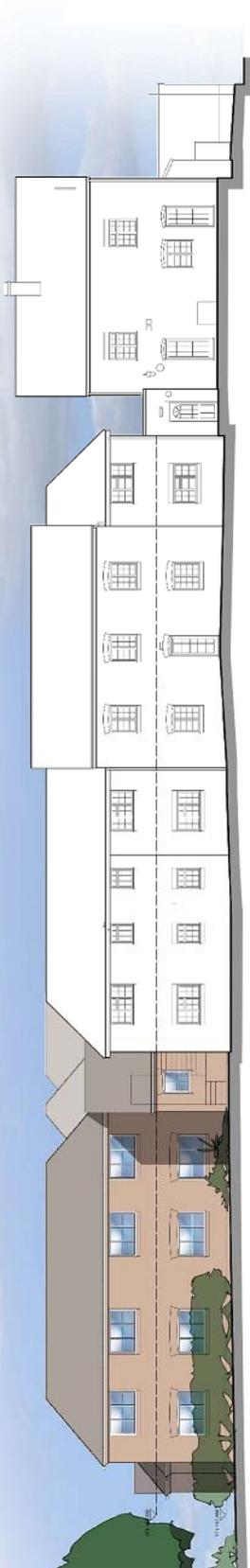
04/21/2021

North Western Elevation

04/21/2021

Courtyard South Eastern Elevation

04/21/2021

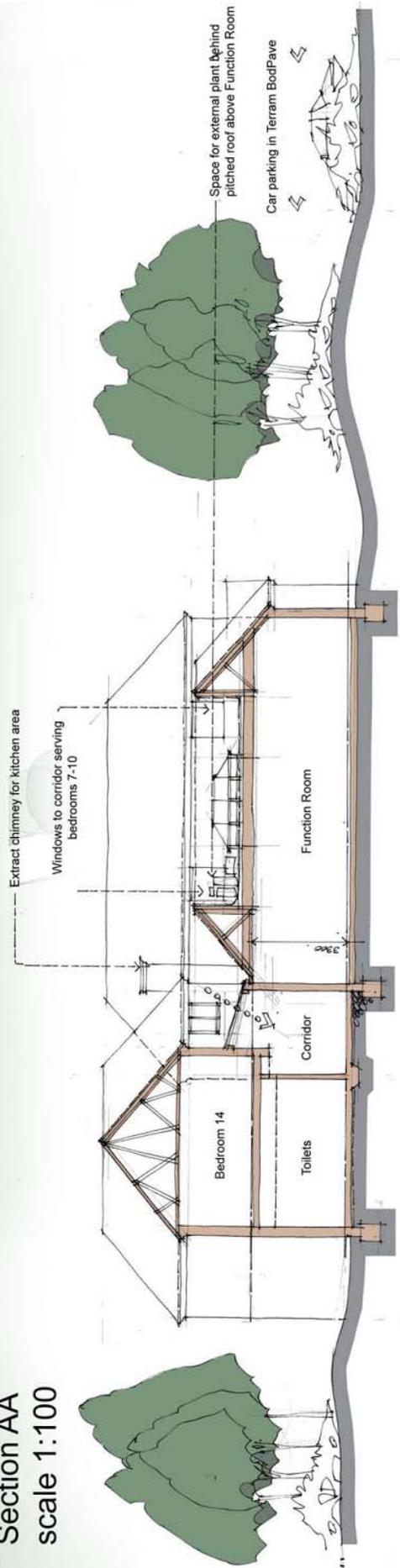


04/21/2021

South Western Elevation

04/21/2021

Section AA
scale 1:100



Agenda Item No 10

Planning and Development Board

14 January 2013

**Report of the
Head of Development Control**

**Planning Performance and the
Planning Guarantee**

1 Summary

- 1.1 The Government has published a consultation paper providing more detail about how it proposes to further speed up the planning process and the report provides a response to that invitation.

Recommendation to the Board

That the Council respond as indicated in the report together with any further comments that it might wish to add.

2 Background

- 2.1 During last year, officers have reported on a number of Government initiatives in the form of various consultation papers, which have been proposed in order to promote growth and provide an impetus for economic development. In the large part these have firstly been about reducing the degree of planning control with the aim that far more work would be undertaken without the need for a planning permission, and secondly increasing the speed of determining planning applications. One of the measures announced was that of the Planning Guarantee whereby all planning decisions would be determined within a twelve month period. This has now been given more thought, and a consultation paper was published just before Christmas with a closing date of 17 January. This report outlines its content.

3 The Proposals

- 3.1 The Paper amplifies the content of the Growth and Infrastructure Bill, and in particular the power under which, following the identification of “under-performing” Local Planning Authorities, applicants would be given the option of submitting their applications directly to the Planning Inspectorate, thus bypassing the named Authority. In this case the paper confirms that this procedure would just apply to the determination of major applications, not all applications. Additionally the paper states that the definition of an “under performing” Authority will be looked at after the Bill has been given the Royal Assent. However early ideas are given in the paper as to how this will be looked at. The definition to be used will probably include two measures, and these are expanded on in the paper.

- 3.2 The first of these is the % of appeals allowed, following refusals by a Local Planning Authority – in other words where there is a “poor” appeal record. It is proposed that the measure will have to show a “substantial track record of losing more significant appeals than the average” if an Authority is said to be under-performing. It is proposed that the measure would be “the proportion of all major decisions made that are overturned at appeal over a two year period”.
- 3.3 The second measure would be the speed in which applications are determined, particularly for major applications. This will follow on from the previous targets that were set some years ago as Performance Indicators. Because for some Authorities, these applications are not submitted regularly or indeed in few numbers, the paper suggests that the measure, as with that of appeal decisions outlined above, should be the determination of such applications within 13 weeks, averaged over a two period. It is recognised however that there may be instances where the speed of determination may not be as a direct result of the Local Planning Authority – eg. complex legal issues or outstanding consultation issues. As a consequence, if there is a signed Agreement between the two parties, that agrees that the decision will be made beyond the 13 weeks, then these determinations will not be included in the definition as outlined above. However to qualify for this “exemption”, they must be signed post-submission and contain explicit time scales.
- 3.4 Planning Authorities already supply this type of data to Government on a quarterly basis and this would form the source for the Government’s identification of underperformance. In order to discourage the non-submission of data, Government would “assume” a figure for any missing quarter but deduct five % points if two or more quarters were missing. The Government will publish the source data.
- 3.5 These measures will identify an Authority’s performance. The key however is the identification of the threshold over which an Authority would become an under-performing Authority. It is repeated several times in the paper that “only very poor performance” would be “designated”. It is recommended that this would be the case where 30% or less of major applications have been determined in the 13 week period, or more than 20% of major decisions have been overturned at appeal. The paper makes it clear the designation would not be based on both thresholds not being met - it is not meeting just one of them that would set the trigger.
- 3.6 There is a completely new proposal included in the paper, not even referred to at all during all of the changes being put forward last year. This is that, “as a further means of ensuring that decisions are made within the guarantee period, we are also proposing a refund of the planning application fee should an application remain undetermined after 26 weeks. This would apply to all planning applications”.

4 Observations

- 4.1 The content of this paper, with the exception of the last proposal as set out above, sets out in a little more detail what has already been known about for some time. How the “designation” of an under- performing Authority is to be determined was always the issue. The first thing to note is that the thresholds set out above are high - probably as a consequence of the re-action from the Planning Inspectorate having the prospect of a much larger workload potentially coming its way, and secondly in order to enable Local Planning Authorities to introduce systems and change procedures well in advance of the measures so that they can prepare. The second thing to note is that North Warwickshire is not near either of these thresholds – our figures are % in the case of appeals and % for determination speeds.
- 4.2 The greatest causes of delay to the determination of major applications in North Warwickshire are, in no particular order, the drawing up and signing of Section 106 Agreements; getting amendments agreed to plans arising from technical consultation responses, and waiting for survey work to be completed and evaluated as a consequence of technical consultation requirements. It is unlikely that these particular matters will change because they are largely outside of the control of the Borough Council. What is critical is the identification of these matters prior to submission and the quality of the documentation submitted with major applications. As a consequence the focus of future work will be even more concentrated on pre-application discussions. Secondly, it could bring back the “target” related practices of a few years ago – more withdrawn applications, early refusals ending up with potential appeal workloads and un-validated applications being left “on-hold” for periods of time. As indicated above, the Borough Council’s performance is not near the draft thresholds and officers are very aware of all of the issues involved with pre-application work. What will be needed however are timely and proportionate responses from consultees particularly if undertaken at a pre-application stage, together with the continual improvement of documentation supporting planning applications, and the submission of draft Section 106 Agreements with applications. These messages will need to be repeated more than once in the following months.
- 4.3 The new suggestion concerning the potential refund of planning fees for all types of planning application is of particular concern. At present we determine 96% of all applications within the 26 weeks suggested by the paper. On the face of this, it should not be an issue to raise that to 100% if strict monitoring takes place of all applications. However it only needs one refund to occur and the reputation of the service and the Council will be affected. If that refund is for a major application, then there could be a significant financial penalty. All officers will therefore be placed under greater pressure. Members too should be aware that referrals to Board under the Scheme of Delegation and deferrals at Board for whatever reason will certainly add to the time taken in which to determine an application.
- 4.4 These proposals are not new, but they will add to the pressure to determine applications swiftly and with planning reasons that can be substantiated at

appeal. Current procedures and systems need not be altered but more regular monitoring of performance will need to be introduced. It is necessary however to point out to the Government in the response to this paper that Local Planning Authorities are not the only source of “delay” in the determination of applications. Examples can be provided in the response - eg. a four month “direction” from the Highways Agency not to determine an application. Importantly too, it is worthwhile reminding Members that the progress towards adoption of the Core Strategy is again critical and once the Council has both this and its other Development Plan Documents in place, the likelihood of appeal decisions overturning Council decisions will be lessened and there too should be far less time at application stage, given over to the “interpretation” of policies and the weights to be given to Local Plan policies vis-à-vis the NPPF and the draft Core Strategy as is sometimes the case now.

5 Report Implications

5.1 Finance and Value for Money Implications

5.1.1 If the Council is designated, then there is the likelihood of planning fees being lost if applications are submitted to the Planning Inspectorate as a consequence. Similarly the failure to determine in 26 weeks could lead to the refund of a fee. Neither scenario is considered to be likely. Additional monitoring and awareness will identify if the risk of either of these happening is possible.

5.2 Environment and Sustainability Implications

5.2.1 There are not likely to be adverse impacts here as the decisions taken by the Board are sound and in line with the Development Plan. The adoption of the Core Strategy will assist.

5.3 Links to Council's Priorities

5.3.1 The risk of becoming a designated Authority or having to refund a fee would damage the Council's priority of working within a balanced budget and damage its reputation.

The Contact Officer for this report is Jeff Brown (719310).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	Planning Performance and the Planning Guarantee	November 2012
2	DCLG	Planning Guarantee Monitoring report	September 2012