

**TO: Members and Substitutes of the
Development Control Committee**

**(Copy to recipients of Development
Control Committee Papers)**

Our reference DL/CM
Your reference

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25 September 2015

Dear Councillor

**ST EDMUNDSBURY DEVELOPMENT CONTROL COMMITTEE - THURSDAY
1 OCTOBER 2015**

I am now able to enclose, for consideration on the Thursday 1 October 2015 meeting of the St Edmundsbury Development Control Committee, the following reports that were unavailable when the agenda was printed.

**Agenda
No** **Item**

4. **Planning Application DC/15/0087/FUL (Pages 1 - 6)**

(i) Change of use from Class B2 (General Industrial) to Class A1 (Retail) including side and rear extensions (following partial demolition of existing) and associated refurbishment and alterations; and (ii) provision of accesses and car parks at Haldo House, Western Way, Bury St Edmunds for Western Way Retail LLP

Report No. **DEV/SE/15/53**

5. **Outline Planning Application DC/15/1147/OUT (Pages 7 - 10)**

Construction of up to 7 dwellings at Flint Cottage, 21 Bumpstead Road, Haverhill for Mr Kenneth Dobinson

Report No. **DEV/SE/15/54**

7. **House Holder Application DC/15/1441/HH (Pages 11 - 12)**

Single storey side extension, two storey rear extension and garage conversion including extension to form 'granny annexe' at 3 Clopton Park, Wickhambrook for Mr and Mrs Keith Dailey

Report No. **DEV/SE/15/56**

9. **Tree Preservation Order Application DC/15/1689/TPO (Pages 13 - 14)**

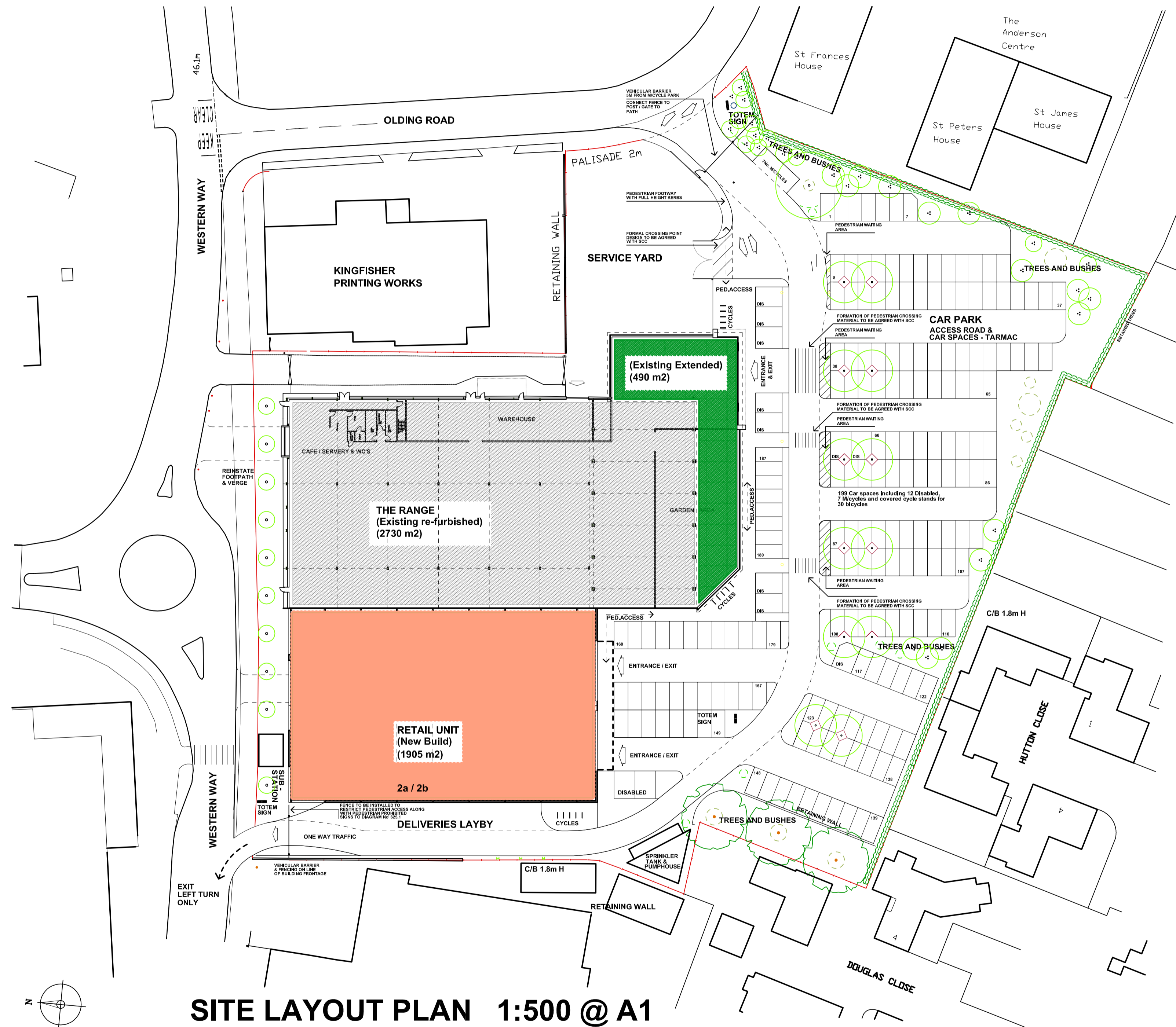
Tree Preservation Order 261 (1998) – (i) 1 no. Alder (01726 on plan within Area A1 of order); (ii) 1 no. Ash (01302 on plan) coppice; (iii) 1 no. Hazel (01346 on plan) crown lift to 3 metres; (iv) 9 no. Willow (01349 on plan) and 1no. Goat Willow (01727 on plan) re-pollard; (v) Willow and Alder (01349 on plan) reduce by 1 metre to clear garage at rear of 11 Corsbie Close (all within Area A2 of order) at 1 Corsbie Close, Bury St Edmunds for St Edmundsbury Borough Council

Report No. **DEV/SE/15/58**

13. **Quarterly Update Report (Pages 15 - 26)**

Report No. **DEV/SE/15/62**

David Long
Committee Administrator
for Head of HR, Legal and Democratic Services



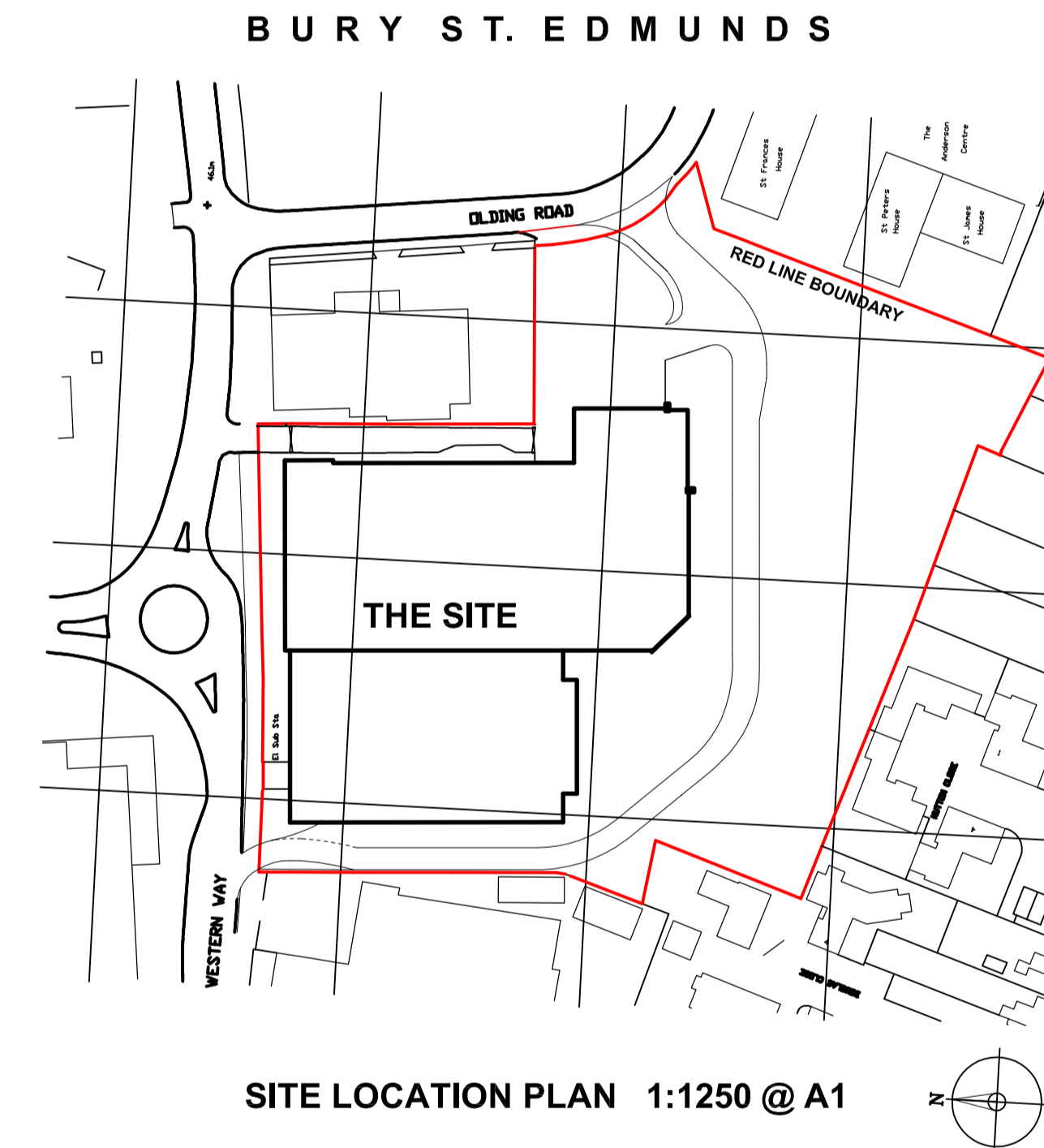
SITE LAYOUT PLAN 1:500 @ A1

NOTES:

'A' - SOUTHERN BOUNDARY:
SEE NOISE REPORT BY LEE CUNNINGHAM PARTNERSHIP DATED 12/01/15, EXECUTIVE SUMMARY AND CONCLUSION WHICH STATES THAT NOISE IMPACT FROM NEW CARPARK PREDICTED TO BE 3dB LESS THAN EXISTING BACKGROUND NOISE LEVELS AT THE FACADE OF THE HOUSES/BUNGALOWS LOCATED NEAR THE SOUTHERN BOUNDARY OF THE SITE. THEREFORE ACOUSTIC FENCING IS NOT REQUIRED.

'B' - EXTERNAL LIGHTING:
LIGHTING TO CAR PARK TO BE LOW LEVEL AT LOCATIONS AND SPECIFICATION TO BE AGREED WITH LA. LIGHTING TO REAR OF RETAIL UNITS TO BE DOWNWARD DIRECTED AND COVERED TO PREVENT MESSANCE TO REAR OF PROPERTIES IN NEWMARKET ROAD. SPECIFICATION TO BE AGREED WITH LA.

'C' - LANDSCAPING PROPOSALS:
LANDSCAPING SHOWN IS DIAGRAMMATIC. REFER TO LANDSCAPE PROPOSALS PLAN AND PLANTING SCHEDULE AS PREPARED BY SHEILS FLYNN.



SITE LOCATION PLAN 1:1250 @ A1

NOTES

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Any apparent discrepancy is to be brought to the attention of Dennis Black Associates.

Rev | Date | Description | Draw | Ckd.

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job

**WESTERN WAY RETAIL
BURY ST. EDMUNDS**

drawing

**SITE LOCATION PLAN &
SITE LAYOUT PLAN**

scale drawn date
AS SHOWN RA-D AUG 2015

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1305 10 - PLAN

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St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

1 October 2015

Late Papers

Item 4 – Haldo House, Western Way, Bury St Edmunds – DC/15/0087/FUL

1. The applicant has submitted an updated site plan which indicates “Keep Clear” markings as requested by the County Highway Authority. This plan supersedes that which was attached to the Committee Papers on page 33.
2. The suggested conditions set out on page 23 – 29 of the report have been subject to detailed further discussion with the applicant, both during the consideration of the application and since the publication of the report.
3. In particular the applicant has made representations with regard to conditions 13 – 16 which restrict the type of goods to be sold and the ability of the units to be subdivided. These conditions have been drafted taking into account the independent advice received by the Authority from Carter Jonas during the consideration of the application and seek to ensure that the development is in accordance with the sequential test undertaken so as to minimise impact on the town centre.
4. Following further representation from the applicant on 18th September the conditions have been reviewed, in conjunction with advice from planning policy and the following amendments are suggested, which it is hoped will satisfy the applicants’ desire for flexibility, whilst ensuring the development remains compliant with planning policy.
5. Condition 15 shall be amended to also include reference to the sale of pet food and pet supplies. The applicant has asked that consideration is also given to allow the sale of clothing associated with the permitted goods – however it is considered that sufficient flexibility is already given to such by the reference to “ancillary produce ranges” in condition 13 and also by the reference to “any other goods which are ancillary and related to the main goods permitted” in condition 15. Therefore no further amendment is proposed to this condition.

6. With regard to the options available for the units to be subdivided, the applicant is concerned that the conditions as drafted do not allow sufficient flexibility for their client. However the advice the Local Planning Authority has received from Carter Jonas is that a condition should be imposed to prevent the subdivision of unit 1 – as this unit has a general A1 consent, albeit with goods restricted, and the subdivision of this unit has not been considered when taking into account the impact of the proposal on Town Centre Trade/Turnover.
7. The retail planning (impact and sequential) merits of the planning application has been carried out on the assumption that unit 1 will have a sales area of 2,737m² net. Any subdivision of this unit will lead to greater concern that the scheme could attract retailers that would normally take space in the town centre, or who might otherwise choose to move out of the town centre to the scheme. Without suitably worded conditions there is a real prospect that unit 1 could attract a wide variety of retailers more normally associated with 'High Street' locations. Therefore no amendments are suggested to condition 14.
8. With regard to condition 16, on reflection, it is accepted that this condition has been worded with too much restriction, as the condition which accepts that unit 2 can be subdivided does not allow the unit to move between being occupied as a single unit to a subdivided unit or vice versus, as it would limit the floor area to that of the first occupier. This is not what was originally intended and therefore it is accepted that this condition should be amended in order to allow the unit to be occupied by no more than 2 units up to a minimum floor area of 750m². This would not prevent future flexibility at an operators' discretion to alternate between 1 and 2 units within unit 2. Crucially however, given the minimum floor size limit, would prevent the subdivision of the unit to create a smaller unit that might otherwise appeal to 'High Street' units.
9. The following amended conditions (amended text in red) are therefore suggested to replace those within the paper:

15. The range and type of goods to be sold from unit 2a/2b as hereby permitted shall be restricted to class A1 bulky goods consisting of the following: building and DIY and/or garden goods; furniture, carpets and floor coverings and household furnishings, camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical and gas goods, office supplies, computers and accessories, **pet food and pet supplies**; and any other goods which are ancillary and related to the main goods permitted.

Reason: To protect the vitality and viability of the town centre in accordance with policy CS10 of the St Edmundsbury Core Strategy (adopted December 2010), Policy BV17 of the Bury St Edmunds Vision 2031 (adopted September 2014) and paragraphs 26 & 27 of the National Planning Policy Framework (published March 2012).

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the retail floor space of Unit 2a/2b as hereby permitted shall not be subdivided into individual retail units of less than 750 sqm without first having received planning permission from the local planning authority. At no time shall Unit 2a/2b be occupied by more than two individual retail units. Furthermore, there shall be no additional floorspace created within the unit(s) over and above the 1905 m² shown on the approved floor plans (excluding any insertion of mezzanine floorspace otherwise covered by permitted development rights).

Reason: To ensure that the proposed development meets the requirements of the sequential test, in accordance with Policy CS10 of the St Edmundsbury Core Strategy (adopted December 2010), Policy BV17 of the Bury St Edmunds Vision 2031 (adopted September 2014) and paragraphs 24 and 27 of the National Planning Policy Framework (published March 2012)

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Development Control Committee 1 October 2015

Late Papers

Item 5 – Flint Cottage, 21 Bumpstead Road, Haverhill – DC/15/1147/OUT

1. This paper provides updates on:
 - Information with regard to Local Listing
 - Update on impact on wildlife

Information with regard to Local Listing

2. Following the publication of the report, representation has been made by Cllr. Crooks with regard to the ability of the Development Control Committee to designate Flint Cottage as “locally listed”. Therefore the following further information is provided to assist members in the consideration of the application.
3. A Local List for Haverhill was adopted in December 1997 and was drawn up following the confirmation of the new statutory list of listed buildings for Haverhill. The Local List comprised buildings which were recommended for listing by officers but were not listed, and other buildings of historic interest that did not meet the national listing criteria. Both the Haverhill Town Council and Haverhill Historical Society were consulted on the proposed Local List. Flint Cottage was not included in the list. In May 2012 Historic England produced a detailed guide about compiling a Local List. This includes advice about developing selection criteria to be used in assessing buildings for inclusion in a Local List and the need for consultation. If members wish to view this document it is available through the following link: information <http://historicengland.org.uk/advice/planning/local-heritage/local-listing>
4. The **NPPF** states that: *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a **balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.***

'Significance' is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic.'

5. The **National Planning Practice Guidance** further explains:

What are non-designated heritage assets and how important are they?

Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.

*A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. **Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.***

6. *How are non-designated heritage assets identified?*

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.

7. The term 'non-designated heritage asset' has a specific meaning in the context of the policies in the NPPF. The building has been separately assessed by a Historic Buildings Consultant and by officers. In view of the substantial alterations which the property has undergone, and the extent of the loss of historic fabric as a result of these alterations, its heritage interest has been considerably diminished to the point where it does not constitute sufficient significance to be considered a non-designated heritage asset or a material consideration in the planning process.
8. The production of a Local List in accordance with the Historic England guidance follows a defined procedure. This includes the formulation of selection criteria against which buildings would be assessed for inclusion on the list. These criteria would then be tested through public consultation. Once the selection criteria are confirmed, a list of candidates for consideration for local listing would be drawn up and assessed. This would need to be done on a Haverhill-wide scale, in order to update the existing Local List, and not for a single building.

Without selection criteria in place, it is not possible to confirm at this stage that Flint Cottage would or would not be included in any Local List.

9. **It is important to note that local listing does not convey any statutory protection.** Its role is to identify assets with heritage significance which merit consideration in planning matters, with the LPA taking a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. The point made in the original Officer report about the ability to otherwise demolish such buildings under a prior notification process remains.

Update on impact on wildlife

10. Suffolk Wildlife Trust have now reviewed the additional survey information for Bats and Reptiles and have made the following response:

The reptile survey appears to be ok. Should permission be granted a mitigation strategy will need to be secured and implemented in accordance with the consultant's recommendations.

11. In summary, the Council's Landscape and Ecology Officer has also reviewed the submitted information and is satisfied that the reports are adequate and that no bat roosts have been identified. The report suggests a condition with regard to lighting to ensure that bats foraging within the vicinity are not adversely affected and that bat boxes should be installed within the development to ensure that existing habitats are enhanced for bats.

12. *The applicant has submitted further ecological survey information to support the application and demonstrate the effects of the site on biodiversity.*

13. *Reptile survey: The site falls within an area where reptile species are known to frequently occur. The proposals for the site involve the demolition of the existing garage and development of most of the garden for residential housing which will impact on some habitat considered to be suitable for reptiles for reptiles – mostly located to the periphery of the site. In particular features such as brash, rubble and log piles as well as compost heaps and piles of grass cuttings provides suitable foraging, basking, refuge and hibernation opportunities for reptiles and egg laying opportunities for grass snake. The reptile surveys undertaken identified a low population of slow worm within the survey area.*

14. *The proposed development site is not considered to be a Key Reptile Site however it will result in the loss of suitable reptile habitat. Clearance of vegetation to facilitate the works has the potential to directly impact reptiles. To avoid any direct adverse impacts such as killing or injury, mitigation measures are required to ensure compliance with relevant wildlife legislation. The mitigation strategy*

will need to include precautionary clearance of the site, retention of/ or creation of alternative habitat and enhancement for biodiversity within garden areas. This can be conditioned.

15. *Bat survey: The daytime assessment of the buildings revealed a number of potential opportunities for bats, however detailed inspection of features could not be easily undertaken. The buildings were classed as having a high potential to support roosting bats.*
16. *Emergence surveys revealed, two bat species; soprano pipistrelle and common pipistrelle were using the site for commuting and foraging around the rear garden area. No bats emerged from or entered the surveyed buildings.*
17. *Flint Cottage and garage do not contain a bat roost. The recommendations of the bat report should be conditioned – these will require:*
 - *a survey refresh if work is not commenced within 12 months;*
 - *that the development should aim to limit the impact of light pollution on bats;*
 - *bat boxes should be installed to provide roosting habitat; and*
 - *planting of species which attract night flying insects.*
18. *Therefore the recommendation at paragraph 73 needs to be revised to state:*

It is RECOMMENDED that outline planning permission be granted subject to the conditions listed on pages 48 and 49 with the following updates and additions:

Update: Condition 9 – To include provision of bat boxes

Addition: Condition 12 – 25B No External Lighting (unless first agreed)



Development Control Committee

1 October 2015

Item 7 – Abbots House, 2 Newmarket Rd, Bury St Edmunds – DC/15/1540/FUL

1. The following paragraph should substitute paragraph 12 of the published report:

The purchase and conversion of Abbots House goes a long way to achieving aims set out in two key Housing Strategies. The West Suffolk Housing Strategy 2015-2018 sets out that “West Suffolk should increase the amount of temporary accommodation available for individuals and families in crisis housing need, to reduce the use of Bed & Breakfast accommodation.” In addition:

“Within the lifetime of the (West Suffolk) Homelessness Strategy (2015-2018) we aim to:

- *minimise the use of bed & breakfast to the extent it is only used in an emergency and*
- *ensure that enough suitable temporary accommodation is available and that it is in the right location for homeless households to access support, maintain employment and education.”*

2. The following paragraph should substitute paragraph 18 of the published report:

With the site currently operating as an 11 bed B&B, the existing access and parking arrangements (6-7 spaces) are considered adequate to serve the proposed HMO use. The applicant contends that the 6 car parking spaces shown will be more than sufficient for this HMO. The property will be used to provide temporary accommodation for homeless people. This client group is far less likely to have access to a car and are often reliant on public transport. Newmarket Road is well served by public transport and is within easy walking distance of both the town centre and the Council Offices. In the housing team’s experience of managing homelessness temporary accommodation, (for example, Forest Heath’s former Homeless Hostel at Rockfield House, Bury Road in Newmarket and The Elms, High Street, Brandon) as few as a third of homeless households have access to a car. Abbots House is presently an 11 bedroom B&B. The current parking provision has been sufficient for this number of bedrooms. The proposal to convert the building into 7 units for temporary accommodation will result in less demand for parking than that currently and should therefore result in less traffic movements using the existing access. The Highways

Authority would normally require one parking space per unit of accommodation, but they have confirmed that given location of the dwelling (access to pedestrian/cycle routes and public transport), provision of satisfactory cycle parking and close proximity to local amenities within Bury St Edmunds, they have no objections to the proposals subject to conditions to secure the parking area shown, bin storage provision and improvements to visibility where the access meets the main road.

3. The following paragraph should substitute paragraph 20 of the published report:

The Council's proposals would result in the property being converted into 7 units of temporary accommodation, predominately for families and pregnant women who have become in need of temporary accommodation whilst waiting for permanent rehousing, rather than individuals with complex issues who are understood to make up some of the current residents. It is not anticipated that the proposed client group would be a nuisance to other residents but this can never be discounted, just as disturbance from B & B guests arriving or departing from the property at potentially unsocial hours could likewise never be discounted either. The likely residents however would be families with the usual parental responsibilities, pregnant women or those with medical issues.

4. In addition, further representations have been received from the neighbouring property (4 Newmarket Road). They noted the correspondence on the Council's website confirming no formal noise complaints had been received by the Council in relation to Abbots House. A list of incidents is provided with the letter (16 incidents in total witnessed from July 2014 – September 2015). The point made is that these incidents combined with others that other residents have referred to do make this a significant issue and it is requested that these be taken into account. Whilst Officers recognise the concerns from the neighbours, this matter is addressed in detail within the report (paragraphs 19-22) and does not change the recommendation.



Development Control Committee

1 October 2015

Late Papers

Item 9 – 1 Bullen Close, Bury St Edmunds, Suffolk – DC/15/1688

1. This paper provides updates on:
 - Consultation responses
2. The Town Council have no objection to the proposed works.
3. The following summarised objection has been received from the owner/occupier of no. 23 Bullen Close:
 - *I object to this application because of the amount of wildlife that uses that area both in the trees and on the floor.*
 - *Cutting it all back and taking the bushes out doesn't need to be done.*
 - *The trees are no bother to me and I am right beside them also in the recent high winds they were fine so I don't really understand why it has been proposed in the first place.*
 - *I enjoy watching all the birds, squirrels, foxes which use the trees and bushes for food.*
 - *I am sure my neighbours and their kids enjoy it too.*
 - *Please don't cut it back*
4. In undertaking the works the Borough Council will have regard to wildlife constraints as is their duty under NERC Act. It is not anticipated that there will be a long term affect on wildlife within the tree belt as sufficient trees and shrubs will be retained.
5. The works is needed because the beech tree has had numerous branch failures which has resulted in wounds which are forming cavities. There is concern that decay from these wounds is spreading, also typical for the species, and that the cavities themselves are also structurally weak. If the tree were to fail, there is potential that it would damage adjacent property.
6. Whilst we recognise the concerns from the neighbours, in this case the safety issues outweigh any minor disbenefit that would occur.

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Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Quarterly Monitoring Report of Development Management Services	
Report No:	DEV/SE/15/62	
Report to and date/s:	Development Control Committee	1 October 2015
Portfolio holders:	Councillor Alaric Pugh Portfolio Holder for Planning and Growth Tel: 07930 460899 Email: alaric.pugh@stedsbc.gov.uk	
Lead officer:	Rachel Almond Service Manager (Planning-Development) Tel: 01638 719455 Email: rachel.almond@westsuffolk.gov.uk	
Purpose of report:	To update Development Control Committee with regard to performance and key trends relating to Development Management, Planning Enforcement and Appeals on a quarterly basis.	
Recommendation:	It is recommended that Members note the update on performance and key trends.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	• N/A	
Alternative option(s):	• N/A	
Implications:		
Are there any financial implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are there any staffing implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are there any ICT implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Update to note only		Update to note only
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		none	
Documents attached:		Appendix A – Performance against Key Indicators: Quarters 1 & 2 Appendix B – Details of Appeals	

1. Key issues and reasons for recommendation(s)

1.1 Introduction

- 1.1.1 As part of the Shared Service Procedural Review, agreed by Council in September 2013 and implemented since January 2014, there has been a commitment to provide DC Committee with a Quarterly Monitoring Report. This has been somewhat delayed by service requirements and by the review of the implementation of the Procedures which was carried out and reported to DC Committee earlier this year.
- 1.1.2 This is the first of these reports and it will provide headline information on the performance of Development Management, Planning Enforcement and Appeals. It will also provide service improvement updates and an analysis of key trends in the service. Please note that whilst the report will provide updates on notable cases in Enforcement and Appeals, any site specific questions relating to ongoing cases should be directed to the relevant case officer or manager outside of the consideration of this performance report.

2. Performance Updates:

2.1 Development Management:

- 2.1.1 Performance: Development Control Committee is an integral part of the development management process, and plays a key role in determining applications. It is therefore important that the Committee is aware of how the service is performing against the Key Performance Indicators agreed by the Council. This performance is also reported to Performance and Audit Committee.
- 2.1.2 Appendix A shows performance against key indicators for Quarter 1 (April to June 2015) and for July and August in Quarter 2.
- 2.1.3 The performance targets for planning applications are based on the statutory expiry date for applications being determined as follows:
- Majors – no less than 60% of applications determined in 13 weeks
 - Minors – no less than 65% of applications determined in 8 weeks
 - Others – no less than 80% of applications determined in 8 weeks
- 2.1.4 The figures in Appendix A illustrate that there has been an improvement in overall performance for West Suffolk when comparisons are made between Quarter 1 and the performance in the last month of full figures, August 2015. The table also clearly demonstrates an excellent month for SEBC in August with Majors and Others being 100% within the statutory period and Minors exceeding the performance target. It is also pleasing to note that the total number of applications on hand (live applications still being considered) has dropped from 336 to 299 since June 2015. There has been a concerted effort from officers to work on getting this figure lower by going through the backlog of older applications, particularly where there has been little movement from the applicant/agent over recent months. Finally, it is disappointing to note that the percentage of applications which are able to be registered "clean" (ie. all the information required to validate the application was available at the

time the application was first submitted, without technicians seeking further information from the applicant/agent) is low at 37%. This is one of the issues which will be tackled in forthcoming service improvements.

2.1.5 Capacity: The team currently has two vacancies, one permanent full time planning officer and a temporary post for a planning officer maternity cover. In mid October we will also have a vacancy for a full time senior planning officer. Managers are actively working with Human Resources to fill these vacancies as soon as possible. In the meantime, an agency planner has been retained to fill some of the gap in resources. It is worth noting that since the shared service business plan was agreed in 2012 the total number of applications being processed has risen considerably:

2011/2012 - 2174 total applications

2014/2015 - 2776 total applications

Increase in total applications in 3 years - 28%

2.1.6 Projections for applications received at end of 2015/2016 are slightly higher still than 2014/2015. Some officers are working overtime or additional hours to deal with the planning officer vacancies and ensure applications continue to be determined in a timely and effective manner. Against the backdrop of capacity the performance improvements detailed above are not insignificant.

2.1.7 Service Improvement: The Development Management team has been involved in two recent reviews of the service. A Business Process Re-engineering (BPR) project has taken place from an internal and corporate perspective looking at how the team can work more effectively and efficiently by evaluating the processes of dealing with a planning application and identifying areas for improvement. Alongside this, the service has also been involved in a Resources review through the Planning Advisory Service (PAS) which provides consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform. PAS is a Local Government Association programme and is directly funded by the Department for Communities and Local Government. Work is now taking place to finalise these reviews and put in place a service improvement plan (incorporating the recommendations from BPR/PAS and the IDOX computer software project plan), alongside timescales for delivery and a business case for the resources needed to implement the improvements.

2.2 **Planning Enforcement:**

2.2.1 Background: A fully staffed planning enforcement team has been in place since April 2015 covering West Suffolk. The team includes 3 officers and 1 administrative support officer. In the three years prior to that the enforcement service had undergone several staffing and resourcing changes, had a considerable backlog of cases and was using a Planning and Law firm to carry out many of its duties. Since April 2015 much work has been undertaken to bring back the majority of cases under the control of the enforcement team and close down old cases.

2.2.2 Caseload and Performance: The following statistics for St Edmundsbury give an indication of the workflow generated and closed:

- Cases outstanding at 31/5/15 - 217
- New cases received in the 3 months ending 31/08/15 - 64.

- Outstanding caseload as at 15/09/15 - 185

2.2.3 Backlog - Members can see from the statistics above that the backlog has been reduced by 32 in the last 3 months. This has not been easy given the large volumes of new cases received. An indication of the increasing amount of new complaints is that by the beginning of September, as many new complaints had been received in 2015 as for the whole of 2014. Although it is normal for the volume of new complaints to reduce over the autumn and winter months, this does affect our ability to target older cases. To address this, the team has met in conjunction with Dave Beighton, Principal Planner, and 60 older cases have been selected for attention and priority over the coming weeks.

2.2.4 Case update -The Birches, Glassfield Road, Bardwell

A further update is hereby provided due to the complex and controversial nature of this breach.

Further to committal proceedings, an initial compliance visit has been undertaken by officers with the majority of those elements requiring attention, (following the order served post committal) being attended to. A further compliance visit is due week commencing the 21st September to consider any matters outstanding from the above, and to address those requirements due to be resolved by the second trigger date.

2.2.5 Case update- Land North of Linden Bungalow, Station Road, Barnham

Following an award of costs (to the Council) in relation to an enforcement appeal, these have been calculated and the figure has been put to the appellants which is awaiting a response.

2.2.6 Enforcement Priorities and work programme.

Local Enforcement Plan - A draft survey for consultation has been completed and is in the process of being checked. The consultation will be undertaken over the autumn period.

Procurement Framework - Criteria for the procurement framework is being put in place, with a further meeting planned with Legal Officers for week commencing 14th September. It is hoped to have the framework in place by the end of the year.

Monthly case list - As previously reported members will now be receiving a monthly caseload list giving details of enforcement investigations in their areas. Legal advice is being sought regarding matters relating to Data Protection and address information. Positive feedback has been received and this service will be improved over the forthcoming months.

2.3 **Appeals:**

2.3.1 Appendix B gives details of the appeals received since 1 January 2015. This table highlights the following:

- No. of appeals received since 1 Jan 2015 – 24
- No. of appeals determined – 10
- No. allowed – 5 (50%)
- No dismissed – 4 (40%)
- No. of split decision – 1 (10%)

- Two of the allowed appeals (40%) were refused by DC Committee contrary to the recommendation of approval.
- No. of appeal decisions where LPA decision was delegated – 8
- Of which, 3 (37.5%) were allowed, 4 (50%) were dismissed and 1 (12.5%) was a split decision.
- Of the 24 appeals received in 2015 to date 20 are made under the Written Representations (WR) procedure and 4 by Informal Hearing.

2.3.2 The overall number of appeals allowed so far this year is high at 50%. Two of the allowed appeals were ones where the application was recommended for Approval but was refused by the DC Committee – Gain’s Hall and the Garage site at Nayland Road, Haverhill. In terms of appeals still pending, the same applies to the solar farm proposal at Barnham which is awaiting a Hearing currently. It is worth exploring further whether there are any lessons to learn from these appeal decisions, indeed, any allowed appeals, to ensure decisions are made taking into account local and national policy as well as current appeal decisions and relevant case law.

2.3.3 Details of appeals for Members to note will be presented orally at the committee meeting and forthcoming monitoring reports will also make comments on costs applications and awards for or against the Council in order to build on lessons learnt for the future determination of applications.

2.4 **Conclusions:**

2.4.1 Whilst the service continues to face significant challenges in terms of capacity and service delivery there has been an improvement in performance as outlined above. Service Improvements are now top of the agenda and the team are making effective roads for delivery. There will be more updates on service improvements with these quarterly reports moving forward.

BALANCED SCORECARD - PLANNING

	FHDC			SEBC			WS		
	% IN TIME	Total apps	No. in time	% IN TIME	Total apps	No. in time	% IN TIME	Total apps	No. in time
APRIL 2015									
MAJOR APPLICATIONS	0%	0	0	0%	2	0	0%	2	0
MINOR APPLICATIONS	66%	6	4	88%	26	23	84%	32	27
OTHER APPLICATIONS	80%	20	16	83%	72	60	83%	93	77
No of applications on hand at end of month									
Major/Minor/Other		115			248			363	
% of Clean apps					37%				
MAY 2015									
MAJOR APPLICATIONS	100%	2	2	0%	0	0	2%	2	
MINOR APPLICATIONS	75%	8	6	71%	38	27	72%	46	33
OTHER APPLICATIONS	67%	15	10	70%	71	50	70%	86	60
No of applications on hand at end of month									
Major/Minor/Other		125			215			240	
% of Clean apps					41%				
JUNE 2015									
MAJOR APPLICATIONS	0%	2	0	100%	2	2	50%	4	2
MINOR APPLICATIONS	64%	14	9	59%	22	13	61%	36	22
OTHER APPLICATIONS	65%	20	13	86%	63	52	78%	83	65
Total All app. types recd.		73						274	
No of applications on hand at end of month									
Major/Minor/Other		119			218			337	
% of Clean apps					41%				
QUARTER 1 - 2015/16									
MAJOR APPLICATIONS	60%	5	3	40%	5	2	50%	10	5
MINOR APPLICATIONS	69%	32	22	73%	96	70	72%	128	92
OTHER APPLICATIONS	69%	59	41	77%	216	168	76%	275	209

No of applications on hand at end of month

Major/Minor/Other

119

217

336

% of Clean apps

40%

JULY 2015

MAJOR APPLICATIONS

75%

4

3

0%

0

0

75%

4

3

MINOR APPLICATIONS

77%

13

10

50%

28

14

50%

41

24

OTHER APPLICATIONS

73%

26

19

77%

87

67

76%

113

86

No of applications on hand at end of month

Major/Minor/Other

115

211

326

% of Clean apps

21%

August 2015

MAJOR APPLICATIONS

43%

7

3

100%

2

2

55%

9

5

MINOR APPLICATIONS

50%

18

9

74%

27

20

64%

45

29

OTHER APPLICATIONS

80%

20

16

100%

50

50

94%

70

66

No of applications on hand at end of month

Major/Minor/Other

95

204

299

% of Clean apps

34%

SEPTEMBER 2015

MAJOR APPLICATIONS

MINOR APPLICATIONS

OTHER APPLICATIONS

No of applications on hand at end of month

Major/Minor/Other

% of Clean apps

Type	Location	Appeal Ref - Application no.	Start Date	Appeal Decision	Decision Date	Delegated - Refuse	Off Rec. Refuse and Comm Decision Refuse	Off Rec. Approve - Comm Decision Refuse	Other Off/Comm Decision
WR	Gaines Hall, Attleton Green, Wickhambrook CB8 8YA	DC/14/0579/FUL	28/01/15	Allowed	11 June 2015			Yes	
Hearing	Land West of West Farm, Dukes Ride, Barnham	DC/13/0801/FUL	02/02/15	Pending				Yes	
WR	Garage Site, Nayland Rd, Haverhill CB9 8NA	DC/14/0608/FUL	23/02/15	Allowed	4th June 2015			Yes	
WR	2 Lindisfarne Rd, BSE	DC/14/2004/HH	24/02/15	Dismissed	28 March 2015	Yes			
Hearing	Dover Farm, Stow Rd, Ixworth IP31 2HZ	DC/14/2435/S106BA	19/03/15	Dismissed	2nd June 2015	Yes			
WR	40 Chaffinch Rd, Bury St Edmunds	DC/14/1509/FUL	26/03/14	Allowed	28th July 2015	Yes			
Hearing	The Willows, Bury Rd, Ixworth	DC/14/0999/LB	01/05/15	Pending		Yes			
WR	40 Tayfen Rd, Bury St Edmunds	DC/15/0027/ADV	07/05/15	Split decision	8th September 2015	Yes			

WR	Green Farm, Culford, Bury St Edmunds IP28 6UE	DC/14/1595/PMBPA	13/05/15	Allowed	7th September 2015	Yes			
WR	land Adj The Maltings, Felsham Road, Bradfield St George	DC/14/2192/PMBPA	13/05/15	Dismissed	17th August 2015	Yes			
WR	2A Newmarket Road Bury St. Edmunds	DC/14/1066/FUL	15.05.2015	Pending		Yes			
WR	Burnham Lodge, The Street, Stanton	DC/14/2421/FUL	18/05./2015	Pending		Yes			
WR	Sainsburys, Haydocks Rd, Haverhill CB9 7YL	DC/14/1870/FUL	21/05/15	Allowed	19th August 2015	Yes			
WR	62 Hales Barn Rd, Haverhill	DC/15/0370/HH	16/06/15	Pending		Yes			
WR	The Rowans, Sandy Lane, Barningham, IP31 1BX	DC/15/0273/FUL	17/06/15	Dismissed	02 September 2015	Yes			
WR	Wratting Croft, Haverhill Road, Little Wratting, Haverhill	DC/14/1806/FUL	07/07/15	Pending		Yes			
WR	Ringers Farm, North Common, Hepworth	DC/15/0312/P3MPA	15/07/15	Pending		Yes			
WR	Fen Farm Cottage Bury Road Market Weston	DC/14/1760/S106R	20/07/15	Pending		Yes			

WR	M2m Flooring Ltd 29 St Johns Place Bury St Edmunds	DC/15/0742/PIAPA	27/07/15	Pending		Yes			
WR	65 Horsecroft Rd, BSE	DC/14/2281/FUL	11/08/15	Pending			Yes		
WR	5 Squires Court, Haverhill	DC/15/0126/FUL	14/08/15	Pending		Yes			
WR	Block C, Burton End, Haverhill	DC/14/1813/FUL	26/08/15	Pending			Yes		
Hearing	The Willows, Bury Rd, Ixworth	DC/15/0872/LB	01/09/15	Pending		Yes			

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