

COMMITTEE	PLANNING COMMITTEE
DATE	10 June 2014
SUBJECT	SUMMARY OF PERFORMANCE OF THE PLANNING SERVICE FOR 2013 AND 1ST QUARTER OF 2014
REPORT OF	Leigh Palmer Senior Specialist Advisor (Planning)
<hr/>	
WARDS	All
PURPOSE	This report provides a summary of performance in relation to key areas of the Development Management Services for the relevant period
CONTACT	Leigh Palmer Leigh.palmer@eastbourne.gov.uk 01323 415 215
RECOMMENDATION	That Members note the content of this report

1 Background

Members will be aware that together we deal with a whole host of planning applications covering a range of differing forms of development.

Given the many varied types of planning application received Central Government require that all Councils report the performance in a consistent and coherent manner. To this end and for reasons the many varied applications are clumped together into three broad categories Major, Minor and Others.

In broad terms the types of application falling into these categories are outline below.

MAJOR DEVELOPMENT	MINOR DEVELOPMENT	OTHER DEVELOPMENT
10+ Dwellings / Greater .5Ha	1-9 Dwellings/ greater .5Ha	Householder applications
Office/light industrial greater 1000sqm/ 1Ha	Office /light industrial up to 999sqm under 1Ha	Change of use
General industrial greater 1000sqm / 1Ha	General Industrial up to 999sqm under 1 Ha	Adverts
Retail greater 1000sqm / 1Ha	Retail up to 999sqm under 1 Ha	Listed Building
Gypsy & Traveller 10+ Pitches	Gypsy & Traveller 0-9 Pitches	Conservation Area Applications
		Certificates of Lawfulness
		Notifications

In analysing the performance for the processing of these differing types of application the Government do allow 13 weeks for the processing major applications

and 8 weeks for processing the Minor and Other categories.

The figures below give the development control performance figures against these categories and over the calendar year 2013 and the first quarter of 2014.

In addition this report also includes information about the recent appeal decisions and Members should note that any decision made to refuse an application opens the potential for an appeal by the applicant to the Planning Inspectorate.

As Members will be aware the majority of the applications received are granted planning permission, however for those that are refused and challenged through to an appeal it is considered important to analyse the appeal decisions in order to determine and evaluate whether lessons need to be learnt, or interpretations need to be given different weight at the decision making stage.

In addition the evaluation of the appeal decisions will also go some way to indicate the robustness and the correct application of the current and emerging policy context at both a local and national level.

2 Context

2013 Q1	TYPE	NUMBER
	All determined	88
	Delegated	72
	Granted	77
	Refused	8
2013 Q2	All determined	142
	Delegated	130
	Granted	133
	Refused	9
2013 Q3	All determined	205
	Delegated	187
	Granted	183
	Refused	22
2013 Q4	All determined	139
	Delegated	121
	Granted	128
	Refused	10
2014 Q1	All determined	125
	Delegated	111
	Granted	116
	Refused	8

2013 Whole Year	TYPE	NUMBER
	All determined	574
	Delegated	510 (89%)
	Granted	521 (91%)
	Refused	49 (9%)

It is clear from the tables above that the volume of the cases determined has been generally consistent throughout the year ranging from 88 – 205; this peak of cases determined in Q3 relates to the teams focused attention of shifting the backlog of cases that accrued during data migration to a new back office supplier and the development of new scripts and process needed to support the role out of Future Model.

It is considered that in granting planning permission for 91% of all application received that the planning services of Eastbourne Borough Council have supported/stimulated the local economy and also helped to meet the aspirations of the applicants and only where there are substantive material planning considerations is an application refused.

The focussed attention that the team have given over the year 2013 to learn and implement new ways of working and also clearing the backlog of cases has had an impact on the performance (speed of decision) during the year. The table below highlights the speed of decision against the three Govt categories (Major Minor and Other).

It is clear from the graphs below that at the team started the year from a very low position but against all of the performance criteria, however the trend line is on an upward curve and looking at the first part of Q1 2014 in isolation the team are exceeding the national performance indicators.

TITLE	Q4 12/13 %	Q1 13/14 %	Q2 13/14 %	Q3 13/14 %	Q4 13/14 %	Q1 14/15 %	TARGET PI %
MAJOR	50	50	20	80	33	33	60
MINOR	24	17	44	88	57	78	65
OTHER	30	29	41	90	83	92	80

3 Appeals

As commented above all applications that are refused have to the potential to be appealed by the applicant. The Council received 25 appeal decisions within the year of 2013 and these have been summarised below.

	Approve/Allowed	Approve/Dismissed	Refuse/Allowed	Refuse/Dismissed
2013	7 (28%)	4 (16%)	2 (8%)	12 (48%)
2012	4 (17%)	0	5 (22%)	14 (61%)
2009	11 (29%)	3 (8%)	8 (21%)	16 (42%)
2007	5 (22%)	0	2 (9%)	16 (70%)
2005	5 (35%)	1 (7%)	4 (29%)	4 (29%)

The above table identifies the relevant decision permutations.

Column 1

Officer recommendation for approval – Member overturned – Appeal

Allowed It is important to keep a watching brief on this column as this is often the scenario where costs are awarded against the Council. Notwithstanding this at the time of reporting it is acknowledged that the % of cases in this column is generally consistent with other survey periods.

It is accepted that at times there are differences of opinion between officers and Members however given that this figure/percentage has not significantly increased is an indication that all parties are aligned in their thinking and are consistent with established policy and National Advice.

Column 2

Officer recommendation for approval – member overturned – appeal dismissed (Officers were wrong and Members were right) This shows that officers are not always right, but the volume of cases in the category is modest.

Column 3

Officer recommendation for refusal – Member support for refusal (committee or delegated) – Appeal allowed – Officers and Member were wrong. This shows that officer and Members are in tune but the officers have been over zealous with their recommendation and it has not been supported by the planning Inspectorate. This % has remained constant over time but again this needs to be monitored as it is an indication that Officers may not follow planning policy/advice and skewing recommendations following neighbour concerns or trying to second guess the outcome of planning committee. In essence it is important that officers do not shy away from making difficult recommendations if the recommendation is in accordance with national and local advice/policies.

Column 4

Officer recommendation for refusal – Member support for recommendation (committee or delegated decisions) – appeal dismissed (officers and Members were right). This column shows when Officers and Members are in tune and supported by the Planning Inspectorate. The Higher the % the better, Members will note that this category is by far the largest.

Appeal Costs

As members will be aware the appeal process can award costs of the appeal to any party where the counter party has acted in an unreasonable manner. During the survey period the Council received two awards of costs:-

120432 Redevelopment of St James Road;

The Council were wrong to resist the application on the lack of detailed drawings even though it was an outline application, the appeal inspector felt that sufficient information was submitted in order to determine the application.

120604 Change of use of The Parkfield Public House

The Council were wrong to refuse the application where the majority of the proposal did not require planning permission (authorised changes of use) and that the additions and alterations were very minor.

4 Human Resources

As members are aware the Customer First team within which the planning function rests has undergone significant change during the survey period. Notwithstanding this it is acknowledged that the team are currently recruiting towards a full staff compliment.

5 Legal

Save for the costs claims as referred to above there are no other legal issues arising from this report.

4 Appeals

Application No. Application Details

120309 **Site:** Hillbrow Sports Centre, 1 Denton Road, Eastbourne, BN20 7SR

(PPP) **Proposal:** Installation of a climbing wall on the south west elevation.

Meads **Cons. Area:** Meads **Officer:** Jane Sabin

Officer Rec	Appeal Dec	Main Issue	Other Issues
Approved	Allowed	The effect of the proposal on the living conditions of nearby residents in Denton Road	No additional lighting controlled via condition

Application No. Application Details

120356 **Site:** 5 Elmwood Gardens, Eastbourne, BN23 8JH

(PPP) **Proposal:** Erection of three bedroom chalet bungalow with integral garage together with new vehicular access (amendments to vehicular access)

Langney **Cons. Area:** Not applicable **Officer:** Suzanne West (no longer with E

Officer Rec	Appeal Dec	Main Issue	Other Issues
Approved	Dismissed	Effect on character and appearance of the street scene; unacceptable living conditions in relation to outlook, privacy and daylight	None

Application No. Application Details

120432	Site: Garage Block On The South Side Of, St James Road, Eastbourne, BN22 7BJ		
(OSR)	Proposal: Redevelopment of site including demolition of existing garages and erection of a terrace of three houses with associated parking (outline application)(AMENDED SITE ADDRESS)		
Devonshire	Cons. Area: Not applicable	Officer: Suzanne West (no longer with E	
Officer Rec Approve	Appeal Dec Allowed	Main Issue Effect on character and appearance of the street scene; unacceptable living conditions in relation to outlook, privacy and daylight	Other Issues Costs Awarded against the Council

Application No. Application Details

120513	Site: Flat 7 Central Court, 13 South Street, Eastbourne, BN21 4UJ		
(PPP)	Proposal: Installation of glazed balcony and door to the rear		
Meads	Cons. Area: Town Centre and Seafront	Officer: Suzanne West (no longer with E	
Officer Rec Refuse	Appeal Dec Dismissed	Main Issue No issue on living conditions; fail to pursue the character and appearance of the Conservation Area	Other Issues None

Application No. Application Details

120789 **Site:** 29a Park Lane, Eastbourne, East Sussex, BN21 2UY
(PPP) **Proposal:** Redevelopment of site including demolition of existing buildings and erection of a terrace of 4 three bedroom houses and provision of associated parking

Ratton **Cons. Area:** Not applicable **Officer:** Suzanne West (no longer with E

Officer Rec Approve	Appeal Dec Expected	Main Issue	Other Issues
-------------------------------	-------------------------------	-------------------	---------------------

Application No. Application Details

120599 **Site:** 2 Priory Road, Eastbourne, BN23 7AT
(PPP) **Proposal:** Demolition of existing bungalow and erection of block of eight flats together with eight parking spaces

St Anthony's **Cons. Area:** Not applicable **Officer:** (R) Katherine Quint

Officer Rec Approve	Appeal Dec Dismissed	Main Points Loss of privacy and harm to the living conditions of neighbouring plots	Other Comments No objection to principle or highway issues
-------------------------------	--------------------------------	---	--

Application No. Application Details

120600 **Site:** 44A Dudley Road, Eastbourne, BN22 8HE

(PPP) **Proposal:** Retrospective application for the retention of enlarged replacement balcony and rendering of facing brickwork

Devonshire **Cons. Area:** Not applicable **Officer:** Suzanne West (no longer with E

Officer Rec	Appeal Dec	Main Points	Other Comments
Refused	Dismissed	Impacts on the living conditions of adjoining occupiers with regard to privacy	None

Application No. Application Details

120604 **Site:** The Parkfield, Lindfield Road, Eastbourne, East Sussex, BN22 0AU

(PPP) **Proposal:** Change of use from public house (A4) to retails (A1) together with demolition of existing single storey extension and erection of two single storey extensions.

Ratton **Cons. Area:** Not applicable **Officer:** Bethan Smith

Officer Rec	Appeal Dec	Main Points	Other Comments
Allow	Allowed	Planning permission not required for change of use and extension acceptable	Costs awarded against the Council

Application No. Application Details

120617 **Site:** Land To The Rear Of, 15 Hartfield Road, Eastbourne, BN21 2AP
(PPP) **Proposal:** Erection of 2No. 3 bedroom dwellings with off street parking at front
Upperton **Cons. Area:** Upperton Gardens **Officer:** Suzanne West (no longer with E
Officer Rec **Appeal Dec** **Main Points** **Other Issues**
Refuse Dismissed Impacts upon the None
 character and
 appearance of the
 Conservation Area
 and adverse impacts
 upon living
 environment No1
 Eversfield

Application No. Application Details

120645 **Site:** Hampden Retail Park, Lottbridge Drove, Eastbourne, BN23 6QV
(ADV) **Proposal:** Display of three externally illuminated 48 sheet advertisements
Hampden Park **Cons. Area:** Not applicable **Officer:** Suzanne West (no longer with E
Officer Rec **Appeal Dec** **Main Issue** **Other issues**
Refuse Dismissed Effect of the None
 proposed display on
 the character and
 appearance of the
 site and surrounding
 area

Application No. Application Details

120654	Site: 74 Terminus Road, Eastbourne, BN21 3LX		
(ADV)	Proposal: Display of non-illuminated panel signs at first floor level		
Meads	Cons. Area: Not applicable	Officer: Suzanne West (no longer with E	
Officer Rec Refuse	Appeal Dec Dismissed	Main Points Effect of the first floor signage on the visual amenity of the site and its surroundings	Other Points None

Application No. Application Details

120664	Site: Lathom Hotel, 4 - 6 Howard Square, Eastbourne, BN21 4BG		
(LBC)	Proposal: Conversion of hotel to provide for two town houses (fronting Howard Square) six self contained flats (fronting Howard Square/Compton) together with provision of new entrance steps		
Meads	Cons. Area: Town Centre and Seafront	Officer: Jane Sabin	
Officer Rec Approve	Appeal Dec Allowed	Main Issue No impact upon the tourist accommodation zone and would preserve listed building	Other Issues Remains on DPG as property is in poor state of repair

Application No. Application Details

120665 **Site:** Lathom Hotel, 4 - 6 Howard Square, Eastbourne, BN21 4BG

(PPP) **Proposal:** Conversion of hotel to provide for two town houses (fronting Howard Square) six self contained flats (fronting Howard Square/Compton) together with provision of new entrance steps

Meads **Cons. Area:** Town Centre and **Officer:** Jane Sabin
Seafront

Officer Rec	Appeal Dec	Main Issue	Other Issues
Approve	Allowed	No impact upon the tourist accommodation zone and would preserve listed building	Remains on DPG as property is in poor state of repair

Application No. Application Details

120675 **Site:** 18 Middleton Drive, Eastbourne, BN23 6HD

(HHH) **Proposal:** Erection of attached garage to the side

Sovereign **Cons. Area:** Not applicable **Officer:** Chris Cave (no longer with EBC)

Officer Rec	Appeal Dec	Main Issue	Other Issues
Refuse	Dismissed	Development would be prominent and incongruous and enclose the entrance to Cochrane Close	None

Application No. Application Details

120699 **Site:** 2-8 Upwick Road, Eastbourne, BN20 8NB

(PPP) **Proposal:** Demolition of the garages at the rear of 2-8 Upwick Road and the erection of 2 No. 3 bedroom detached houses and garages, parking spaces and access road from Upwick Road.

Old Town **Cons. Area:** Not applicable **Officer:** Chris Cave (no longer with EBC

Officer Rec	Appeal Dec	Main Points	Other Issues
Approve	Allowed	Acceptable impact on the safety of those using the highway	None

Application No. Application Details

120915 **Site:** Land Rear Of Langney Cottages, Langney Rise, Eastbourne, BN23 7PG

(PPP) **Proposal:** Erection of a self-contained bungalow to the rear in association with demolition of existing garages

Langney **Cons. Area:** Not applicable **Officer:** Mehdi Rezaie

Officer Rec	Appeal Dec	Main Points	Other Issues
Refuse	Dismissed	Out of character with area and impacts upon living environment of nearby properties	None

Application No. Application Details

120748

Site: 14 Carlton Road, Eastbourne, BN22 7EN

(HHH)

Proposal: Erection of a single storey extension to the rear

Devonshire

Cons. Area: Not applicable

Officer: Chris Cave (no longer with EBC

Officer Rec
Refuse

Appeal Dec
Allowed

Main Issues
Acceptable impacts
upon Neighbours

Other Issues
None

Application No. Application Details

130022

Site: 1 The Hydneye, Eastbourne, BN22 9BU

(PPP)

Proposal: Change of use from laundrette to A3/A5 takeaway with installation of new extraction ducting to the rear elevation and minor alterations

Hampden Park

Cons. Area: Not applicable

Officer: (R) Katherine Quint

Officer Rec
Approve

Appeal Dec
Allowed

Main Issues
Acceptable use in
the area and
would not impact
upon residential
amenity

Other Issues
None

Application No. Application Details

130162 **Site:** Land To The Rear Of, 3 St Annes Road, Eastbourne, BN21 2AJ

(HHH) **Proposal:** Erection of double garage to the rear of the property.

Upperton **Cons. Area:** Upperton Gardens **Officer:** Ray Deans

Officer Rec	Appeal Dec	Main Issues	Other Issues
Refuse	Dismissed	Fail to preserve the character and appearance of the Conservation Area	None

Application No. Application Details

130168 **Site:** Land Between, 37-39 Friday Street, Eastbourne, BN23 8AR

(OSR) **Proposal:** Erection of a single dwelling with parking spaces and vehicular access from Friday Street (outline application).

Langney **Cons. Area:** Not applicable **Officer:** Ray Deans

Officer Rec	Appeal Dec	Main Issue	Other Issues
Refuse	Dismissed	Adverse impact upon the character and appearance of the area	None

Application No. Application Details

130195 **Site:** 15 Ravens Croft, Eastbourne, East Sussex, BN20 7HX

(HHH) **Proposal:** First floor front/side extension.

Meads **Cons. Area:** Meads **Officer:** Mehdi Rezaie

Officer Rec	Appeal Dec	Main Issue	Other Issues
Refuse	Allowed	Development held to be in accordance with Conservation Area	None

Application No. Application Details

130236 **Site:** 39 Upperton Lane, Eastbourne, BN21 2DB

(PPP) **Proposal:** Change of use from vehicle repair workshop to a single private dwelling, together with external alterations, including the provision of a pitched roof with dormer to the rear.

Upperton **Cons. Area:** Upperton Gardens **Officer:** Jane Sabin

Officer Rec	Appeal Dec	Main Points	Other Issues
Refuse	Dismissed	Development would have an adverse impact upon the character and appearance of the Conservation Area	None

Application No. Application Details

130339 **Site:** 88 Terminus Road, Eastbourne, East Sussex, BN21 3LX

(PPP) **Proposal:** Change of Use with installation of new shopfront, installation of x2satellite dishes, aerial and x2 condensor units to the rear

Meads **Cons. Area:** Not applicable **Officer:** (R) Katherine Quint

Officer Rec	Appeal Dec	Main Points	Other Points
Allow	Dismissed	Appealed time limit condition Primacy of the development plan and the impacts upon the health and vitality of the town centre	This application reverses the decision made by EBC

Application No. Application Details

130387 **Site:** 23 Hartfield Road, Eastbourne, East Sussex, BN21 2AR

(HHH) **Proposal:** Provision of new parking area to front with new vehicular crossover. Includes demolition of part of the front wall and rebuilding of part of front wall. Conservation Area consent also applied for in relation to the development (Ref: 130496)

Upperton **Cons. Area:** Upperton Gardens **Officer:** Toby Balcikonis

Officer Rec	Appeal Dec	Main Points	Other Points
Refuse	Dismissed	Loss of the front wall would have a detrimental impact upon the character of the Conservation Area	None

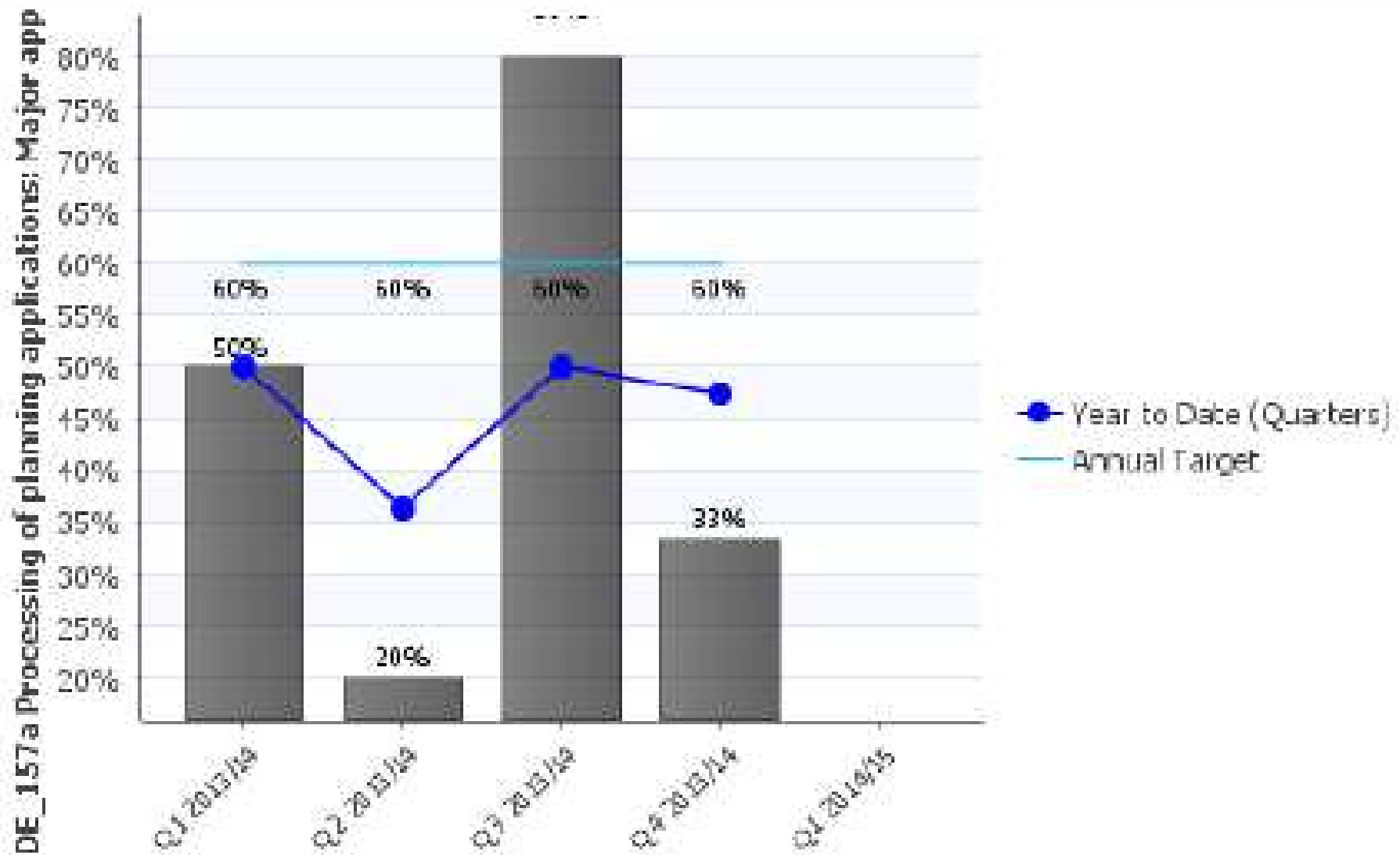
Application No. Application Details

130500	Site: 34 Dillingburgh Road, Eastbourne, East Sussex, BN20 8LU		
(PPP)	Proposal: Erection of two storey, two bedroomed detached property with garage and access from Dacre Road.		
Old Town	Cons. Area: Not applicable	Officer: Mehdi Rezaie	
Officer Rec Approve	Appeal Dec Dismissed	Main Points Out of character with the area and adverse impacts upon the living conditions of the occupiers with regard to privacy	Other Issues None

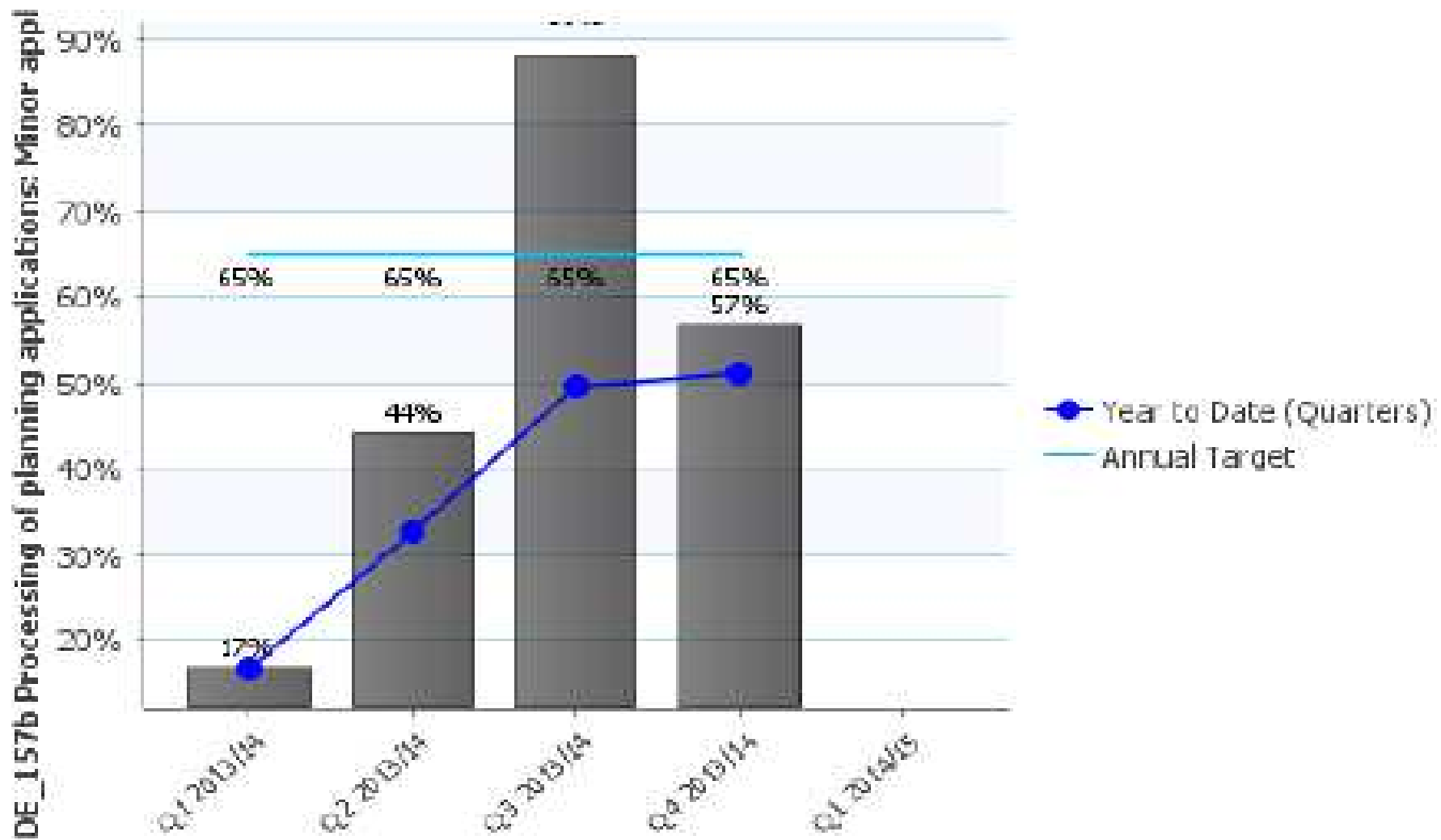
Application No. Application Details

130613	Site: Myrtle Cottage, 4 Old Barn Close, Eastbourne, East Sussex, BN20 9HJ		
(HHH)	Proposal: Single storey extension to rear elevation.		
Ratton	Cons. Area: Willingdon	Officer: Sally Simpson	
Officer Rec Refuse	Appeal Dec Dismissed	Main Issues Failure to preserve character of Conservation Area	Other Issues None

2013 Performance for Major Applications



2013 Performance for Minor Applications



2013 Performance for Other Applications

DE_157c Processing of planning applications: Other appl

