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PLEASE NOTE: - this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

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MID DEVON DISTRICT COUNCIL

PLANNING COMMITTEE

A MEETING of the **PLANNING COMMITTEE** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 1 February 2023 at 2.15 pm

The next ordinary meeting of the Committee will take place on Wednesday, 1 March 2023 at 2.15 pm in the Phoenix Chamber, Phoenix House, Tiverton

STEPHEN WALFORD

Chief Executive

24 January 2023

Councillors: P J Heal (Chairman), S J Clist, Mrs C Collis, Mrs F J Colthorpe, L J Cruwys, Mrs C P Daw, B Holdman, D J Knowles, F W Letch, B A Moore and B G J Warren

A G E N D A

MEMBERS ARE REMINDED OF THE NEED TO MAKE DECLARATIONS OF INTEREST PRIOR TO ANY DISCUSSION WHICH MAY TAKE PLACE

1 APOLOGIES AND SUBSTITUTE MEMBERS

To receive any apologies for absence and notices of appointment of

substitute

2 **PUBLIC QUESTION TIME**

To receive any questions relating to items on the agenda from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.

3 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

To record any interests on agenda matters

4 **MINUTES OF THE PREVIOUS MEETING** *(Pages 3 - 6)*

To consider whether to approve the minutes as a correct record of the special meeting held on 18th January 2023.

5 **CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements the Chairman may wish to make.

6 **WITHDRAWALS FROM THE AGENDA**

To report any items withdrawn from the agenda

7 **THE PLANS LIST** *(Pages 7 - 12)*

To consider the planning applications contained in the list.

8 **MAJOR APPLICATIONS WITH NO DECISION** *(Pages 13 - 14)*

To receive a list of major applications and potential site visits.

9 **APPEAL DECISIONS** *(Pages 15 - 16)*

To receive a list of recent appeal decisions

10 **Planning Performance Report** *(Pages 17 - 22)*

To receive the Planning Performance Report from the Development Management Manager

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. You must provide copies of questions to be asked no later than 4pm on the day before the meeting. Please refer to the Planning Committee Procedure [Planning Committee Procedure](https://www.middevon.gov.uk/planning-committee-procedure) ([middevon.gov.uk](https://www.middevon.gov.uk/planning-committee-procedure)). This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Member Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on:

Tel: 01884 234310

Fax:

E-Mail: Slees@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 18 January 2023 at 10.00 am

Present

Councillors

P J Heal (Chairman)
S J Clist, Mrs C Collis, Mrs F J Colthorpe, L J Cruwys,
Mrs C P Daw, B Holdman, F W Letch and B G J Warren

Apologies

Councillor(s)

D J Knowles and B A Moore

Also Present

Councillor(s)

Present

Officer(s):

Richard Marsh (Director of Place), Maria De Leiburne (District Solicitor and Monitoring Officer), James Clements (Principal Planning Officer), Carole Oliphant (Member Services Officer), Jessica Rowe (Member Services Apprentice) and Sarah Lees (Member Services Officer)

Member	Minute No	Type of Interest

102 **APOLOGIES AND SUBSTITUTE MEMBERS (0.04.08)**

Apologies were received from Cllrs B A Moore and D J Knowles

103 **PUBLIC QUESTION TIME (0.04.26)**

Cllr Elstone from Tiverton Town Council asked:

QUESTION 1

Will Committee Members take into consideration that the newly adopted Tiverton Neighbourhood Plan Policy T1 says the following ?

“ Section 4.2 In a rural parish such as Tiverton, it is particularly important that development is directed to appropriate locations and that sprawl or ribbon development, and in particular coalescence with surrounding settlements, is avoided.

Local engagement has indicated that the protection of green spaces and corridors of green space is a top priority for residents”.

QUESTION 2

Will this committee take into consideration that the proposed development abuts the Tiverton Neighbourhood Boundary being immediately against a very narrow single-track lane that forms the boundary line.

That to approve this planning application would fully defeat the Tiverton Neighbourhood Plan T1 Policy expectation and intention.

This at the very first time the purpose and value of the Tiverton Neighbourhood Plan is seen to be tested.

QUESTION 3

Will this committee take into consideration that the proposed industrial and housing development will consume a further estimated 20 acres of valuable grade 1 agricultural land .

That the existing Industrial Area which has already seen development creep, will double in size getting ever closer to the Grand Western Canal and which as a very important local amenity and visitor attraction that must be protected not just visually but from noise?

QUESTION 4

Will this committee take into consideration that rather than consuming valuable Grade 1 agricultural land to extend and increasingly industrialised development at Hartnoll Farm.

That 5.5 acres or 22,000 square meters of land for employment has been approved as part of the Tiverton EUE and a site which is only around half a mile distant from Hartnoll Farm.

An employment area which will have far better road access directly onto the A361. Its location which will support taking the majority of traffic away from Halberton.

That work is already ongoing on the land drainage and attenuation pond. The link road is complete and near to opening?

The Chairman stated that the questions would be addressed when the application was heard.

Mike Sanderson from the CPRE asked:

How can the Planning Department consider such an application which is highly controversial and not within the bounds of the Local Plan 2013 - 2033?

In response the District Solicitor and Monitoring Officer stated that the Local Planning Authority had a legal duty to determine all planning applications submitted to them.

104 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (0.11.06)**

Members were reminded of the need to make declarations where appropriate

105 **MINUTES OF THE PREVIOUS MEETING (0.11.12)**

The minutes of the meeting held on 4th January 2023 were agreed as a true record and duly **SIGNED** by the Chairman

106 **CHAIRMAN'S ANNOUNCEMENTS (0.11.51)**

The Chairman had no announcements to make.

107 **WITHDRAWALS FROM THE AGENDA (0.12.01)**

There were no withdrawals from the agenda

108 **THE PLANS LIST (0.12.15)**

The Committee considered the applications in the *Plans List.

Note: *List previously circulated and attached to the minutes

- a) Application 21/01576/MOUT - Outline for the extension of existing business park for up to 3.9ha of employment land and up to 150 dwellings with associated infrastructure and access with all other matters reserved at Land at NGR 298976 112882 (Hartnoll Farm), Tiverton, Devon.***

The Principal Planning Officer outlined the application by way of a presentation which highlighted the site location plan, an aerial image, framework plan, proposed site access and access strategy and photographs of the site.

The officer explained there had been a late representation which opposed the application.

In response to public questions asked he stated:

- Because the application was in the Halberton Parish no weight could be afforded to the Tiverton Neighbourhood Plan
- The use of grade 1 agricultural land was a reason for refusal

Consideration was given to:

- The reasons for refusal as set out in the report
- The application was delayed as an Environmental Statement had not been provided by the applicant
- In principle officers may be supportive of employment use for the site but this would need to be determined
- Even if affordable housing had been included within the application the recommendation would have been to refuse as the site was outside of policy
- The views of Halberton Parish Council who stated they had held a public meeting on the matter and the public were overwhelmingly opposed to the development. That the application site was outside of settlement limits, on grade 1 agricultural land and outside of MDDC's planning policy
- The views of the Ward Member who stated that the site was outside of settlement limits and there was adequate land already designated for housing. That the development would have a detrimental effect on the Grand Western Canal Country Park and increase traffic on the road to Halberton
- The views of Members that Tiverton and Halberton should remain as two separate parishes and not be joined by this development

It was therefore **RESOLVED** that planning permission be refused as recommended by the Development Management Manager

(Proposed by L J Cruwys and seconded by Cllr B G J Warren)

Reason for the decision: As set out in the report

Notes:

- Cllr B Holdman made a declaration in accordance with Protocol of Good Practice for Councillors dealing with planning matters as he had been contacted by residents
- Cllr B G J Warren made a declaration in accordance with Protocol of Good Practice for Councillors dealing with planning matters as he had received correspondence regarding the Anaerobic Digester
- Cllr Mrs C P Daw made a declaration in accordance with Protocol of Good Practice for Councillors dealing with planning matters as she had been dealing with the Anaerobic Digester as part of her portfolio
- Cllr Rob Furmedge spoke on behalf of Halberton Parish Council
- Cllr Ray Radford provided a statement which was read out by the Chairman

(The meeting ended at 11.28 am)

CHAIRMAN

PLANNING COMMITTEE AGENDA - 1st February 2023

Applications of a non-delegated nature

<u>Item No.</u>	Description
01.	22/02321/TPO - Application to fell one Common Beech tree (T001) protected by Tree Preservation Order 96/00015/TPO close to ground level at All Saints Church, Fore Street, Culmstock. RECOMMENDATION Grant consent.

Application No. 22/02321/TPO

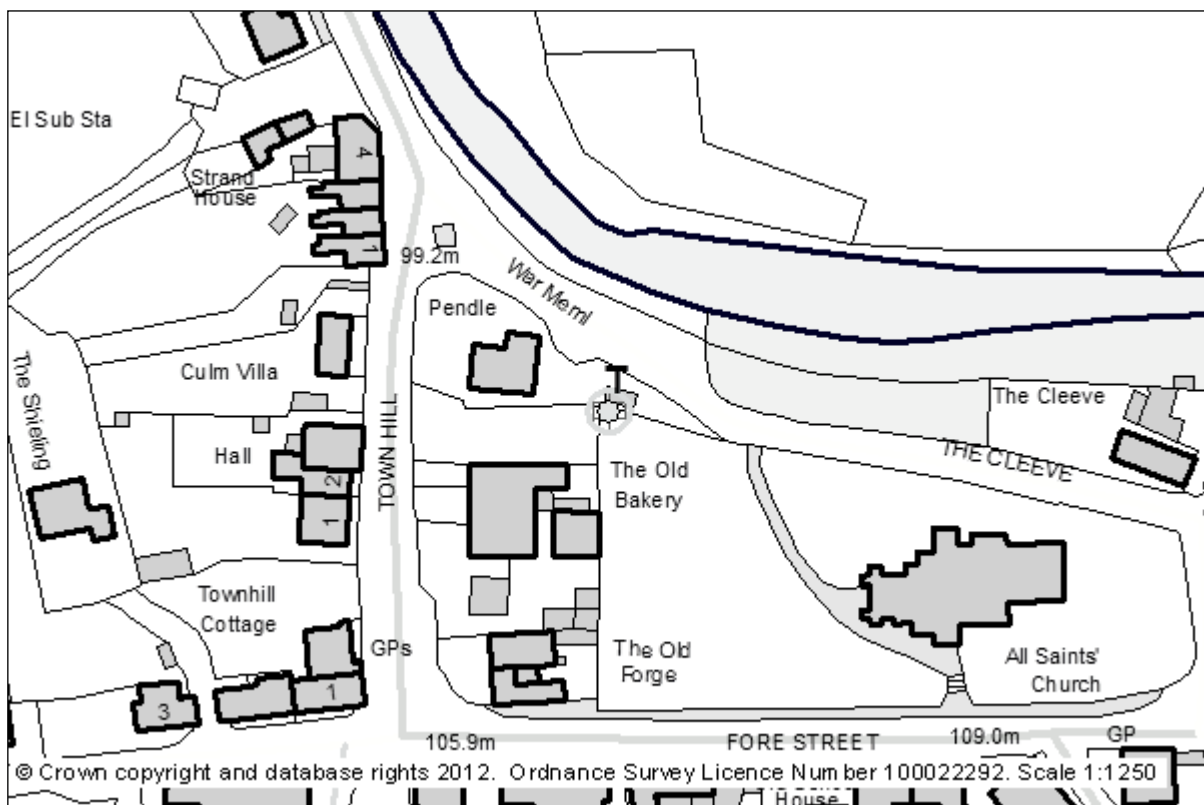
Grid Ref: 310248 : 113535

Applicant: Mr Tim Jarratt

Location: All Saints Church
Fore Street
Culmstock
Devon

Proposal: Application to fell one Common Beech tree (T001) protected by Tree Preservation Order 96/00015/TPO close to ground level

Date Valid: 6th December 2022



APPLICATION NO: 22/02321/TPO

Site Visit: Yes Date of Site Visit: 15th December 2022

REASON FOR REFERRAL TO COMMITTEE

This application is required to be considered by the Planning Committee, in line with the Council's adopted Scheme of Delegation, as Mid Devon District Council is the landowner, and the application is submitted by the Council's Tree Officer.

RECOMMENDATION

Grant consent

PROPOSED DEVELOPMENT

Application to fell one Common Beech tree (T001) protected by Tree Preservation Order 96/00015/TPO close to ground level.

This application relates to a Common Beech tree (*Fagus sylvatica*), which is subject to a Tree Preservation Order (TPO). It is located in the north west corner of the churchyard of All Saints Church, Culmstock. The tree is sited close to an adjoining residential properties and has been identified as having a high volume of the fruiting body of the decay pathogen *Meripilus giganteus* at the base of the tree, on the western, northern and eastern sides, within 2 metres of the stem. As a result of this, structural roots have been compromised, meaning that they now offer little in terms of physiological functionality, and will degrade further in the long-term. This poses a risk to neighbouring residents and properties. It is therefore proposed to sectional dismantle and fell.

APPLICANT'S SUPPORTING INFORMATION

Application form, site location plan and tree survey report.

RELEVANT PLANNING HISTORY

95/00382/CAT - WD date 13th April 1995

Consent to fell a Holly tree, multi stemmed Ash and Cherry Laurel trees growing on or close to the churchyard wall, which is situated within a Conservation Area

96/01633/CAT - REFUSE date 18th December 1996

Consent to raise head and reduce branches of Copper Beech situated in the Conservation Area

DEVELOPMENT PLAN POLICIES

None applicable to this development

National Planning Practice Guidance - *Tree Preservation Orders and trees in conservation areas*

CONSULTATIONS

SILVERTON COUNCIL

Support the application

REPRESENTATIONS

This planning application has been advertised by means of a site notice, neighbour notification letters and by advertising in a local newspaper in accordance with the legal requirements for publicity on planning applications, and the Council's Adopted Statement of Community Involvement (October 2016).

No comments have been received.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The application is made to a Common Beech tree protected by Tree Preservation Order (TPO) 96/00015/TPO, located in the north west corner of the churchyard of All Saints Church, Culmstock. The works would comprise sectional dismantling and felling the tree close to ground level.

When considering an application relating to works to trees protected by a TPO, the Planning Practice Guidance outlines that the Local Planning Authority may grant consent unconditionally; grant consent subject to such conditions as it thinks fit; or refuse consent. The authority must decide the application before it, so it should not issue a decision which substantively alters the work applied for. The authority could, however, grant consent for less work than that applied for. The authority should make absolutely clear in its decision notice what is being authorised. This is particularly important where the authority grants consent for some of the operations in an application and refuses consent for others.

In assessing this application, it is important to consider the amenity value of the tree. In this case, it is a prominently located mature tree. The tree does however suffer from a high volume of the fruiting body of the decay pathogen *Meripilus giganteus*. Root excavations have identified dead and compromised structural roots, which are visible across the northern quadrant, between the tree base and boundary wall. Due to the proximity to neighbouring residential properties, it is proposed to fell the tree.

The tree has been assessed as being potentially dangerous and a risk to adjoining properties as a result of its height, and structural deficiencies. In cases such as this, it is usually necessary to fell the tree, fence it off or reduce it. In this case felling is considered to be the most appropriate course of action.

It is concluded that the proposals have been appropriately justified, and are considered necessary to prevent damage to local properties. It is therefore recommended that consent is granted for the proposed works to fell this tree. It is however appropriate to condition the planting of a replacement tree, with a Common or Copper Beech considered to be the most suitable replacement. A condition is proposed to secure this replacement planting.

REASON FOR GRANT OF CONSENT

The proposal to fell one Common Beech tree (T001) protected by Tree Preservation Order 96/00015/TPO is considered acceptable and viewed as prudent management, and should be subject to replacement tree planting to be secured by condition.

CONDITIONS

1. The works hereby permitted shall be carried out within two years of the date of this consent.
2. All works shall be carried out in accordance with BS3998:2010 Tree Work Recommendations and/or European Pruning Guide (AA Guidance Note. 5) by an appropriate experienced and qualified tree surgeon.
3. The tree(s) that is to be removed shall be replaced by Common or copper beech, heavy standard (10/12) in accordance with BS8545:2014 Trees: from independence in the landscape – Recommendations. The tree shall be planted within 10m of the felled tree, or other such species and location as may be agreed in writing with the Local Planning Authority. The replacement tree should be planted in the next growing season following the felling of the tree and in accordance with the above specification should they be damaged, uprooted, destroyed or die.

REASON FOR CONDITIONS

1. To ensure the works carried out remain appropriate to the conditions of the tree and in the interests of visual amenity.
2. To ensure the works are carried out in accordance with best Arboricultural practice.
3. In the interests of replacing the amenity lost by the removal of the tree.

INFORMATIVES

1. **WILDLIFE AND THE LAW.** The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's

advisers on wildlife, Natural England (Tel. 0845 1300 228). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between different people when carrying out their activities. This is called the Public Sector Equality Duty or "PSED". No persons that could be affected by the development have been identified as sharing any protected characteristic.

The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

Major Applications with no Decision (Since last Committee Close Date)

Members are asked to note that some major applications will be dealt with under the delegation scheme. Members are also requested to direct any questions about these applications to the relevant case officer. It was resolved at the meeting of Planning Committee on 21st March 2018 that with the exception of small scale proposals, applications for ground mounted solar PV arrays recommended for approval be brought before the Committee for determination.

<i>Item</i>							<i>Expected Decision Level</i>	
<i>No.</i>	<i>Weeks</i>	<i>TARGET DATE</i>	<i>REFVAL</i>	<i>PROPOSAL</i>	<i>LOCATION</i>	<i>NAME</i>	<i>Delegated</i>	<i>Committee</i>
1	2	05/04/2023	22/02374/MFUL	Construction and operation of a solar photovoltaic (PV) farm together with associated works, equipment and infrastructure	Land at NGR 301974 110937 Dean Hill Road Willand Devon	Mr James Clements	COMM	
2	4	17/03/2023	22/02386/MARM	Variation of condition 1 of planning permission 19/01344/MARM for substitution of plans to allow the removal of fake chimneys	Land at NGR 306965 113252 (North of Belle Vue) Ashley Road Uffculme Devon	Mr Jake Choules	DEL	

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LIST OF APPEAL DECISIONS FROM 15th December 22 to 19th January 23

Application No	Description	Location	Officer Recommendation	Committee or Delegated	Decision	Appeal Type	Inspector Decision
20/01458/FULL	Erection of single storey extension to Care Home	Ashdowne Care Centre Ashdowne House Orkney Mews Tiverton Devon EX16 6SJ	Grant permission subject to conditions.	Committee Decision	Refuse permission	Written Representations	Allow with Conditions
22/00641/PNCOU	Prior notification for the change of use of an agricultural building to 1 dwelling under Class Q	Land and Buildings at NGR 293938 116315 (Stanterton Farm) Washfield Devon	Refusal of Prior Approval	Delegated Decision	Refusal of Prior Approval	Written Representations	Appeal Dismissed
22/01285/HOUSE	Erection of an extension	14 Deep Lane Crediton Devon EX17 2BX	Refuse permission	Delegated Decision	Refuse permission	Householder Appeal	Appeal Allowed

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PLANNING COMMITTEE

AGENDA ITEM

1 FEBRUARY 2023

REPORT OF ANGHARAD WILLIAMS, DEVELOPMENT MANAGEMENT MANAGER.

PLANNING PERFORMANCE

Reason for Report:

To provide the Committee with information updating on the performance of aspects of the planning function of the Council. This report would normally also cover the performance of the Building Control team, but due to staffing issues, the data is not currently available to report on.

Matters for Consideration:

Performance against targets, the Government's performance assessment and resources within the Planning Service.

RECOMMENDATION: For information and discussion.

Financial Implications: Planning performance has the potential for significant financial implications in the event that applications are not determined within 26 weeks or an extension of time negotiated beyond the 26 week date. In that instance if requested, the planning fee is returned. Through the issue of planning permissions for new dwellings the service enables the award of New Homes Bonus money to the Council.

Budget and Policy Framework: None directly.

Legal Implications: The Government monitors planning performance in terms of speed and quality of decision-making. In the event minimum standards are not met, an authority may be designated as underperforming with special measures applied that allow applicants for major development to apply for permission direct from the Planning Inspectorate and bypassing local decision-making.

The speed measure is twofold: firstly, the percentage of major applications determined within 13 weeks as measured over a 2 year period and secondly the percentage of non- major applications determined within 8 weeks as measured over a 2 year period. Accordingly, it is important to continue to meet these targets.

The quality measure is also twofold: firstly the percentage of all major applications determined over a two year period that have been overturned at appeal and secondly, the percentage of all non-major applications determined over a two year period that have been overturned at appeal. The target for both measures is less than 10%. It is important to continue to meet these targets or special measures will be applied.

Risk Assessment: Financial risk because of fee return and the designation of planning authorities in special measures for underperformance is referred to above. These aspects are actively monitored, to allow priorities to be adjusted as required to reduce the risk. The speed and quality of the determination of major applications has been the subject of Government performance indicators for some time. However, it

should be noted that the application performance data reported does include a significant reliance upon agreeing extensions of time with the applicant. Whilst this is allowed within the performance reporting system requirements of the Government, it is an indication of a service carrying a high number of applications on hand and application assessment being overly protracted.

Equality Impact Assessment: No equality issues identified for this report.

Relationship to Corporate Plan: The effective operation of the planning function of the Planning, Economy and Regeneration Service including the processing of applications is central to achieving priorities in the Corporate Plan.

Impact upon Climate Change: No climate change issues are identified arising from this report on service performance.

1.0 APPLICATION DETERMINATION PERFORMANCE

1.1 The Government uses speed and quality of decision indicators as the main means of assessing planning application performance. The Government requires that Local Planning Authorities submit what they call 'PS1 and PS2' figures quarterly to assess the speed of decision making on both major and non-major applications. The performance of Mid Devon planning for quarters 1, 2 and 3 of 2021-2022 are shown below. For clarity, two tables have been provided to show the speed of decision making within the required timeframe with extensions of time, and without extensions of time (eot). It is important to note, that an application which has an agreed eot between both the LPA and the applicant can still be counted in accordance with Government guidance as still being within the required timeframe.

Speed of major applications – with and without EOTs:

Major Applications with EOTs determined within 13 Weeks			
Q1	Q2	Q3	Q4
100%	100%	69%	0%

1.2 As members will note from the above figures, major applications determined within 13 weeks that are subject to an EOT are at 100% consecutively for both Quarter 1 and Quarter 2. In Quarter 3, we see a decline in this figure, and that is because not all major applications within that period were granted an EOT.

If we take a look at the following table, this is provided to show a break down of how many application were determined within the 13 weeks without an EOT being required.

Major Applications without EOTs determined within 13 Weeks			
Q1	Q2	Q3	Q4
43%	23%	31%	

- 1.3 Whilst the numbers appear low, these are actually positive given that these applications were able to be determined within the 13 weeks without having to agree an EOT with the applicant. As members will know, EOT's are perfectly acceptable and a requirement by Government if the determination date of 13 weeks cannot be met due to on going discussions/negotiations. Whilst the first table shows much higher figures, the first table is a more accurate representation of how well the team are doing, as despite the EOT being requested, it is still considered as to have been determined in an acceptable time frame and in accordance with Government timeframes.

Speed of non major applications - with and without EOTs

Non-Major Applications with EOTs determined within 8 Weeks			
Q1	Q2	Q3	Q4
86%	92%	90%	0%

Non-Major Applications without EOT's determined within 8 Weeks			
Q1	Q2	Q3	Q4
40%	48%	53%	

- 1.4 As with the major applications, the above two tables illustrate those non major applications determined within 8 weeks with and without EOTs.
- 1.5 As with majors, the team is continuing to do exceptionally well and we have a high percentage of applications being determined within the timeframe agreed by Government. Where we fall short of 100%, this is down to some applications being withdrawn and those of which where the applicant has not agreed an extension of time and we have still been required to determine the application.

Mid Devon's planning performance when compared with that of other LPA's in the South West

- 1.6 The table below illustrates that at the end of March 2022, Mid Devon was on the top of the performance board. This is a great achievement by the team and one to be proud of.

24 months to end of March 2022					% within 8 weeks or within agreed time witho ut penalt	% within 8 weeks or within agreed time with penalt y for
Planning authority	Total non- major developm ent decisions ¹	Total non- major developm ent decisions within 8 weeks ²	Planning Performance Agreement, agreed Extension of Time or Environmen tal Impact	Planning Performance Agreement, agreed Extension of Time or Environmen tal Impact Assessmen		

		Assessment decisions ³	Assessment decisions ³	Assessment decisions ³	Assessment decisions ³	Percentage for missing data	Percentage for missing data
Mid Devon		1,595	828	726	704	96.1	96.1
Sedgemoor		1,820	1,050	690	690	95.6	95.6
North Devon		1,928	1,088	779	749	95.3	95.3
Plymouth		1,711	1,163	502	450	94.3	94.3
North Somerset		2,911	1,597	1,149	1,076	91.8	91.8
South Somerset		2,320	1,126	965	938	89.0	89.0
Mendip		1,935	1,023	774	688	88.4	88.4
Torridge		1,433	821	491	440	88.0	88.0
Somerset West and Taunton		1,925	1,028	695	644	86.9	86.9
England		695,738	360,067	265,441	238,457	86.0	86.0
Cornwall		12,163	6,232	4,812	4,121	85.1	85.1
Teignbridge		1,689	911	590	512	84.3	84.3
West Devon		789	342	349	323	84.3	84.3
South Hams		2,347	1,155	910	818	84.1	84.1
Wiltshire		8,095	2,578	4,664	4,215	83.9	83.9
Dartmoor National Park		882	627	120	109	83.4	83.4
Torbay		1,522	476	831	736	79.6	79.6
Isles of Scilly		143	70	50	42	78.3	78.3
Bournemouth, Christchurch and Poole		5,421	1,762	2,788	2,461	77.9	77.9
Exeter		1,083	587	284	252	77.5	77.5
East Devon		3,340	1,605	1,044	856	73.7	73.7
Dorset		6,556	1,174	4,146	3,573	72.4	72.4
Exmoor National Park		381	167	119	109	72.4	72.4

Quality of decision making

No More than 10% of Major Applications Overturned at Appeal			
Q1	Q2	Q3	Q4
5.00%	4.00%	2.00%	0.00%

- 1.7 Q1 sees a figure of 5% which isn't too different to that seen in Q4 of the last financial year. It is important that these figures remain below the 10% and preferably below 5%. On that note, it is good to see the numbers in Q2 and Q3 remaining below 5%. We must endeavour to keep this number below the 10% to ensure we remain in control of our applications.

No More that 10% of Non- Major Applications Overturned at Appeal			
Q1	Q2	Q3	Q4
1.00%	1.00%	0.00%	0.00%

- 1.8 As can be seen in the above table. The percentage of non major applications overturned at appeal remains well below the 10% which is very positive. In Q3 we see a figure of 0.00% which has been rounded down from the result of 0.40%. As with the majors, this is a figure that we need to ensure remains low. Reflecting on the above figures, its another good news story. All of the data above demonstrates that the team continue to do really well despite challenges and continue to achieve and even excel targets consistently.
- 1.9 As was with the last report in August, we continue to employ agency members of staff to support the team where we can. As a means to help sustain the team, we have also introduced new discretionary fee charges that went live on 15th November, as well as make more suitable uses of planning performance agreements. This is to ensure the team have the support where they need it, as well as ensure that caseloads are manageable. Our new planning officer started on the 1st November and is settling in well, and there are plans to go out to recruit for the remaining vacancies shortly. This includes two Prinicipal Planning Officers and a remaining planning officer post.
- 1.10 The number of applications in hand currently is 355 which includes all preliminary enquiries. As always, the team continue to work hard to keep the departments head above water.

2. Planning enforcement

- 2.1 The team continue to work hard to keep the cases moving, as you can see they get almost the same amount of cases in as they close. Bearing in mind the limited permanent enforcement resources which this Council has, this places considerable pressure upon the team and it will therefore be necessary to continually and increasingly prioritise enforcement activity to focus upon high priority cases.
- 2.2 Officers have been working on complex notices and enforcemnet appeals in Q3 and these are very time consuming.
- 2.3 In line with ongoing continuous improvement work and processes, meetings continue to happen to regularly in order to discuss workloads and cases as a team. Attendees regularly consist of the enforcement officers, DM Manager, Corporate Manager and Director of Place. Priorities can also be agreed at these meetings to help manage the high caseload.

Planning Enforcement Management Information as at Quarter 3	
	Totals
Cases closed	283
New Cases	256
Cases in hand(under investigation or pending investigation)	293
Notices as at Q3	44

Contact for Information:

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List of Background Papers:

PS1 and PS2 returns
 HM Treasury 'Fixing the foundations – creating a more prosperous nation' July 2015
 Improving Planning Performance: Criteria for Designation, MHCLG 2020

Circulation of the Report:

Cllr Richard Chesterton
 Director of Place
 Members of Planning Committee