

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

For the information of other Members of the Council

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

PLANNING AND DEVELOPMENT BOARD AGENDA

11 FEBRUARY 2013

The Planning and Development Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Monday 11 February 2013 at 6.30 pm.

AGENDA

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

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

- 4 **Planning Applications** – Report of the Head of Development Control.

Summary

Town and Country Planning Act 1990 – applications presented for determination

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

- 5 **External Review of Government Planning Practice Guidance** – Report of the Head of Development Control.

Summary

Lord Taylor has undertaken a review of current Government Planning guidance. He has published his findings together with a consultation document. This report outlines the conclusions of his review.

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

- 6 **Changes of Use** – Report of the Head of Development Control.

Summary

The report updates Members on the Government's response to recent consultations on extending permitted development rights for proposed changes of use.

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

- 7 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - December 2012**

Summary

This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to December 2012.

The Contact Officer for this report is Robert Beggs (719238)

JERRY HUTCHINSON
Chief Executive

Agenda Item No 5

Planning and Development Board

11 February 2013

Report of the Head of Development Control

External Review of Government Planning Practice Guidance

1 Summary

- 1.1 Lord Taylor has undertaken a review of current Government Planning guidance. He has published his findings together with a consultation document. This report outlines the conclusions of his review.

Recommendation to the Board

That the Board supports the overall conclusions of the Taylor Report.

2 Background

- 2.1 The National Planning Policy Framework (NPPF), published last year, only dealt with Government planning policy. It accepted however, that there was still a substantial amount of detailed planning practice guidance in place, and invited Lord Taylor to undertake a swift review. The objective was to reduce the guidance available to that which was essential to assist in the implementation of the NPPF.
- 2.2 The Taylor Report has now been published and consultation has commenced on its recommendations.

3 The Main Findings

- 3.1 The review found that the guidance still in place was “no longer fit for purpose, not only in what it contains, but also in the way it is managed by Government. There are 237 separate documents still “in place”, some of which are no longer applicable, and all of which are hosted in a number of different locations. In respect of the relevance of this guidance the recommendations are that:
- 103 documents should be cancelled immediately;
 - 28 should be cancelled following a review so as to incorporate relevant material into revised guidance, and the remaining
 - 106 documents to be retained until replaced by that revised guidance.
- 3.2 In respect of how the revised guidance is to be managed, the substantive recommendations are:

- the Government needs to set up a single website to host all planning guidance;
- that needs to be continually managed so as to delete guidance that is to be replaced and to ensure that consequential revisions are made throughout the whole website,
- that the website needs to be publically available, easy to navigate and have essential links to the NPPF in all of the guidance.

3.3 The report also identifies 8 areas where immediate and essential guidance is necessary. These include guidance on the “duty to cooperate” and on how to measure the “viability” of development projects.

4 **Observations**

4.1 This review is long overdue and the recommendations welcomed. The existing array of guidance is very difficult to follow and confusing – even to professionals. Perhaps the most significant recommendation here is that a single website should be set up and that it has to be regularly updated and amended as a whole, so as to provide an up to date set of guidance whenever it is visited. Structuring the guidance around the NPPF is also a sensible recommendation.

4.2 There will be an implication for the Borough Council, in that we will have to ensure that the guidance that we think is necessary to the determination of planning applications in North Warwickshire is available in our own documentation. To this end the forthcoming Development Management DPD will be important along with Supplementary Guidance that we publish.

5 **Report Implications**

5.1 **Environment and Sustainability Implications**

5.1.1 We will need to ensure that our own local guidance is available and relevant in order to supplement new national guidance so as to protect the Borough’s environmental assets.

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

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	External Review of Government Planning Practice Guidance	December 2012
2	DCLG	Review of Planning Practice Guidance	December 2012

Agenda Item No 6

Planning and Development Board

11 February 2013

**Report of the
The Head of Development Control**

**Changes of Use
Permitted Development Rights**

1 Summary

- 1.1 The report updates Members on the Government's response to recent consultations on extending permitted development rights for proposed changes of use.

Recommendation to the Board

That the changes are noted, but that no application is made for exemption as indicated in the report.

2 Background

- 2.1 Members will recall reports brought to the Board advising of the Government's proposals to extend permitted development rights for some proposed changes of use in order to stimulate growth and economic development. Consultation papers were circulated and responses invited. The Government has considered those replies and has very recently indicated how it proposes to proceed. In short, the proposals will be taken forward.

3 The Proposals

- 3.1 From the spring of this year a change of use from Use Class B1(a) offices to C3 residential will be permitted development. In other words no planning application would be required. This situation would last for three years. The Government has indicated that there would be a "prior approval" system to enable Authorities to look at impacts such as traffic, land contamination and flooding issues, but there is currently no guidance available. That would come in the spring with the legislative change.
- 3.2 The Government has acknowledged that in some Authorities an office sector is essential to the viability of that area, and hence it is asking Authorities to apply for exemption from this forthcoming change. However the criterion for this is set very high – eg. "the loss of a nationally significant area of economic activity". In other words the office sector has to be far more than just of local significance. It is not considered that this would apply to North Warwickshire.
- 3.3 In making this statement, the Secretary of State has also indicated that he also intends to extend permitted development rights for other changes of use

as outlined in the earlier consultation papers. These will be subject to thresholds and details, which are not yet available, but in principle the following changes of use would become permitted development, requiring no planning application:

- change of use of agricultural buildings to “a range of uses, but excluding residential dwellings”
- increasing the range for changes between B1 industrial uses and B8 warehouse uses, and between B2 general industrial uses and B1 uses.
- Change of use of “a range of buildings in town centres to convert temporarily to alternative uses including A1 (shops), A2 (financial and professional services) A3 (restaurants and cafes) and offices (B1) for up to two years “.

More detail on these will emerge later in the year.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 Increasing permitted development rights means less planning applications and thus reduced planning fee income. It is not at all possible to estimate the impact of this particularly in a rural Authority without large scale office developments. It will have to be kept under continual review.

4.2 Environment and Sustainability Implications

4.2.1 Growth and economic development is just as important in North Warwickshire as any where else, but that has to be balanced against our valued environmental, rural and heritage assets as well as the general amenity of our residents. There could be isolated adverse impacts.

4.3 Links to Council’s Priorities

4.3.1 Growth and economic development is just as important in North Warwickshire as any where else, but that has to be balanced against our valued environmental, rural and heritage assets as well as the general amenity of our residents. There could be isolated adverse impacts.

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

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	Letter	24 January 2013
2	DCLG	Written Statement	24 January 2013

Agenda Item No 7

Planning and Development Board

11 February 2013

Report of the Chief Executive and the Deputy Chief Executive

Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - December 2012

1 Summary

- 1.1 This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to December 2012.

Recommendation to the Board

That Members consider the performance achieved and highlight any areas for further investigation.

2 Consultation

- 2.1. Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

3 Background

- 3.1 This report shows the third quarter position with the achievement of the Corporate Plan and Performance Indicator targets for 2012/13. This is the third report showing the progress achieved so far during 2012/13.

4 Progress achieved during 2012/13

- 4.1 Attached at Appendices A and B are reports outlining the progress achieved for all the Corporate Plan targets and the agreed local performance indicators during April to December 2012/13 for the Planning and Development Board.
- 4.2 Members will recall the use of a traffic light indicator for the monitoring of the performance achieved.

Red – target not being achieved (shown as a red triangle)

Amber – target currently behind schedule and requires remedial action to be achieved (shown as an amber circle)

Green – target currently on schedule to be achieved (shown as a green star)

5 Performance Indicators

- 5.1 Members will be aware that national indicators are no longer in place and have been replaced by national data returns specified by the government. A number of previous national and best value indicators have been kept as local indicators as they are considered to be useful in terms of managing the performance of our service delivery corporately.
- 5.2 The current performance indicators are being reviewed by each division and Management Team for monitoring for the 2012/13 year.

6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 100% of the Corporate Plan targets and 33% of the performance indicator targets are currently on schedule to be achieved. The report shows that individual targets that have been classified as red, amber or green. Individual comments from the relevant division have been included where appropriate. The table below shows the following status in terms of the traffic light indicator status:

Corporate Plan

Status	Number	Percentage
Green	5	100%
Amber	0	0%
Red	0	0%
Total	5	100%

Performance Indicators

Status	Number	Percentage
Green	1	33.3%
Amber	1	33.3%
Red	1	33.3%
Total	3	100%

7 Summary

- 7.1 Members may wish to identify any areas that require further consideration where targets are not currently being achieved.

8 Report Implications

8.1 Safer Communities Implications

8.1.1 Major applications are considered by the Police Architectural Liaison Officer who is looking to ensure that Secure by Design principles are applied for new developments.

8.2 Legal and Human Rights Implications

8.2.1 The national indicators were specified by the Secretary of State for Communities and Local Government. They have now been ended and replaced by a single list of data returns to Central Government from April 2011.

8.3 Environment and Sustainability Implications

8.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community. The action to improve employment opportunities for local residents at Birch Coppice is contributing towards the Raising aspirations, educational attainment and skills priority of the North Warwickshire Sustainable Community Strategy 2009 – 2026.

8.4 Risk Management Implications

8.4.1 Effective performance monitoring will enable the Council to minimise associated risks with the failure to achieve targets and deliver services at the required performance level.

8.5 Equality Implications

8.5.1 The action to improve employment opportunities for local residents at Birch Coppice is contributing to equality objectives and is a positive impact in terms of the protected characteristics for age through the young people employment programme.

8.6 Links to Council's Priorities











8.6.1 There are a number of targets and performance indicators included relating to bringing more jobs to North Warwickshire, protecting and improving our environment and defending and improving our countryside and rural heritage.

The Contact Officer for this report is Robert Beggs (719238).







Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
National Indicators for Local Authorities and Local Authority Partnerships	Department for Communities and Local Government	Statutory Guidance	February 2008

NWCP Planning Board 12/13						
	Action	Priority	Reporting Officer	Update	Status	Direction
NWCP 012 11/12	Manage development so as to deliver the priorities on the Council's Corporate Plan and in the Sustainable Community Strategy by March 2013	Countryside and Heritage	Brown, Jeff	To be reported in March 2013	 Green	
NWCP 013 11/12	Ensure that only appropriate development is permitted in the Green Belt, that development is focused on the agreed settlement hierarchy and protects the best of our existing buildings by March 2013	Countryside and Heritage	Brown, Jeff	To be reported in March 2013	 Green	
NWCP 014 11/12	Use the Design Champions to ensure the best achievable designs are implemented and developed by March 2013	Countryside and Heritage	Brown, Jeff	To be reported March 2013	 Green	
NWCP 051 11/12	To work with the County Council to provide training and to administer funding provided by the developers at Birch Coppice Industrial Estate to maximise opportunities for employment of local people	Local Employment	Maxey, Steve	The North Warwickshire Works programme is in place and this is aiming to maximise the opportunity for local residents to access employment opportunities at Birch Coppice. The programme has recently awarded two contract. A young people contract (CDA) and an employment contract (Life Beyond Schools). A tour of Ocado for Cllrs and partners took place in October. Work Clubs are being developed in Arley, Hartshill and Baddesley and some training tenders have been agreed.	 Green	
NWCP 070	Looking to improve transport links to local employment	Access to Services	Brown, Jeff	To be reported March 2013	 Green	

NWPI Planning Board 12/13

Ref	Description	Section	Priority	Year End Target	Performance	Traffic Light	Direction of Travel	Comments
@NW:NI157a	Percentage of major planning applications dealt with in a timely manner	Development Control	Countryside and Heritage	60	60	 Green		Fall due to involved S106 negotiations
@NW:NI157b	Percentage of minor planning applications dealt with in a timely manner	Development Control	Countryside and Heritage	80	76.86	 Amber		Due to Christmas break, will recover in final quarter
@NW:NI157c	Percentage of 'other' planning applications dealt with in a timely manner	Development Control	Countryside and Heritage	90	79.84	 Red		Due to Christmas Break, will recover in final quarter