

Rother District Council

Report to:	Planning Committee
Date:	7 September 2023
Title:	Performance Report for Development Management
Report of:	Kemi Erifevieme, Development Manager
Ward(s):	All
Purpose of Report:	To update the Planning Committee
Officer	
Recommendation(s):	It be RESOLVED : That the report be noted.

Purpose

1. This report sets out the team performance for Development Management as an informative to the Planning Committee. The report will set out performance on planning application decisions and targets in-line with central Government set performance targets (PS1 and PS2). It will also aim to provide a benchmark of the department's performance against similar local planning authorities (LPAs).
2. The report also covers appeals performance in addition to Enforcement report on caseload.
3. Finally, the report will provide a summary of appeals allowed by the Planning Inspectorate (PINs) and what the Inspector concluded in allowing the appeal.
4. Government targets as set is as follow:

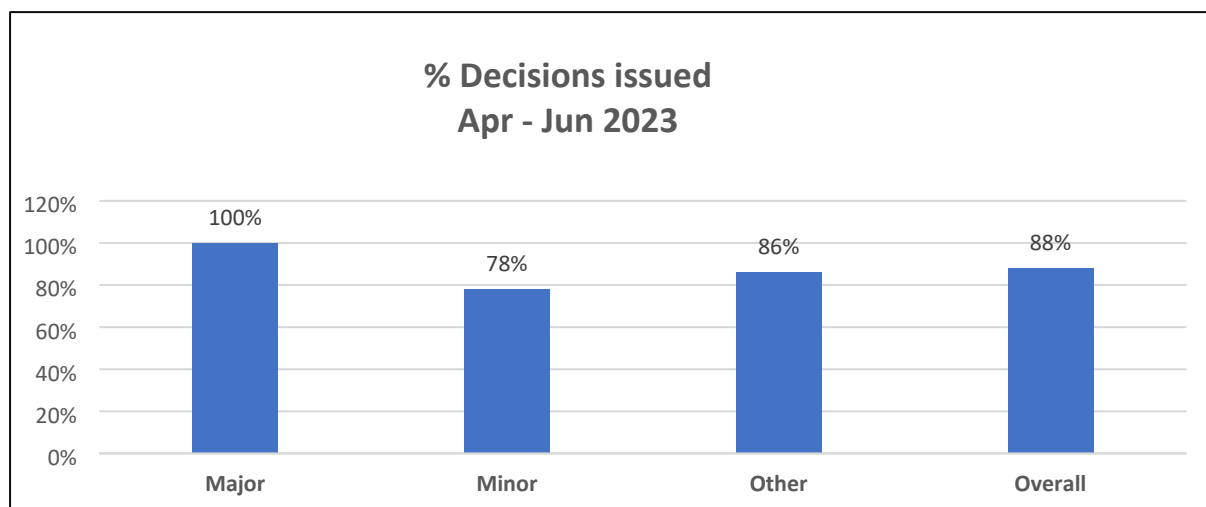
For applications for major development: less than 60% of an authority's decisions made within the statutory determination period or such extended period as has been agreed in writing with the Applicant.

For applications for non-major development: less than 70% of an authority's decisions made within the statutory determination period or such extended period as has been agreed in writing with the Applicant.

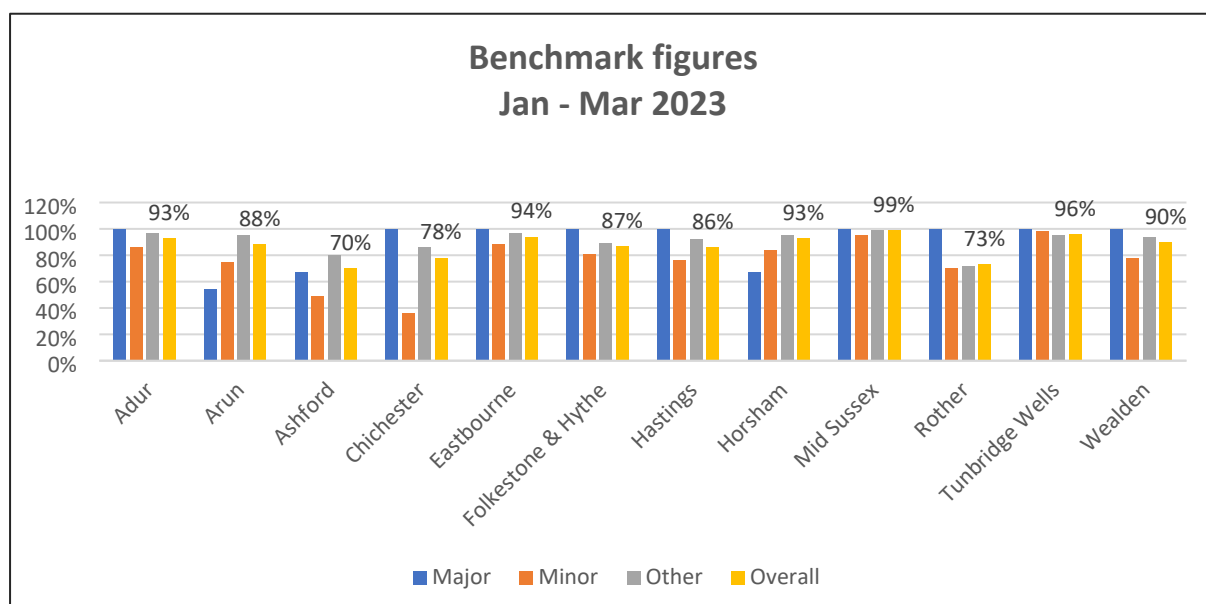
The **threshold** for designation on applications for both major and non-major development, above which a local planning authority is eligible for designation, is **10%** of an authority's total number of decisions on applications made during the assessment period being overturned at appeal.

Planning Decisions

5. The Council's performance for the first quarter April to June 2023 – benchmark with family authority:



Performance for the first quarter January to March 2023 (% overall) – latest published figures

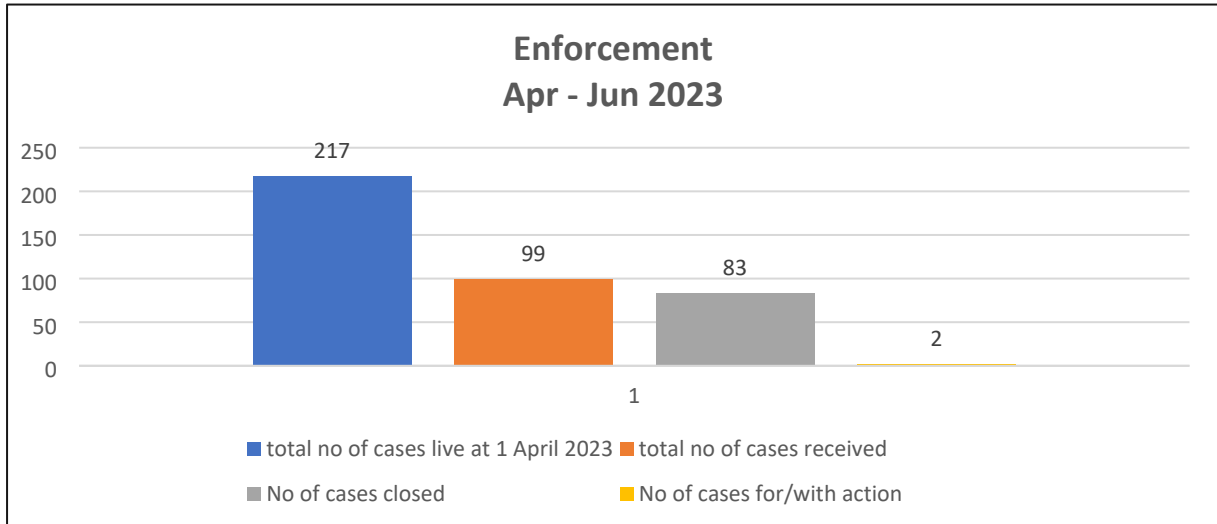


6. At present the Service is operating at (for decisions from 1 April 2023) 100% majors; 78% minors; and 86% others. The Service handled in that period a total of 477 applications with 279 (235 within timeframe) decisions issued in that period (88% overall). The overall target set (previously taken to the Overview and Scrutiny Committee at 95%) has been revised for the Service to operate at 80% overall (for majors, minors and others), on this basis the Service is currently operating above those set targets (based on this latest figures), at 88%.
7. Factors that affect the Council's performance include resourcing - staff leaving and the inability to recruit into those positions in a timely manner. There is also the issue of our outdated software which means more time is taken to complete tasks that can be easily automated with a modern software, in particular to

validating applications in a timely manner and moving it along the process in timely successions.

Enforcement: April – June 2023

8. This table provides the figures for enforcement on hold, being investigated and those where Enforcement Notices have been served.

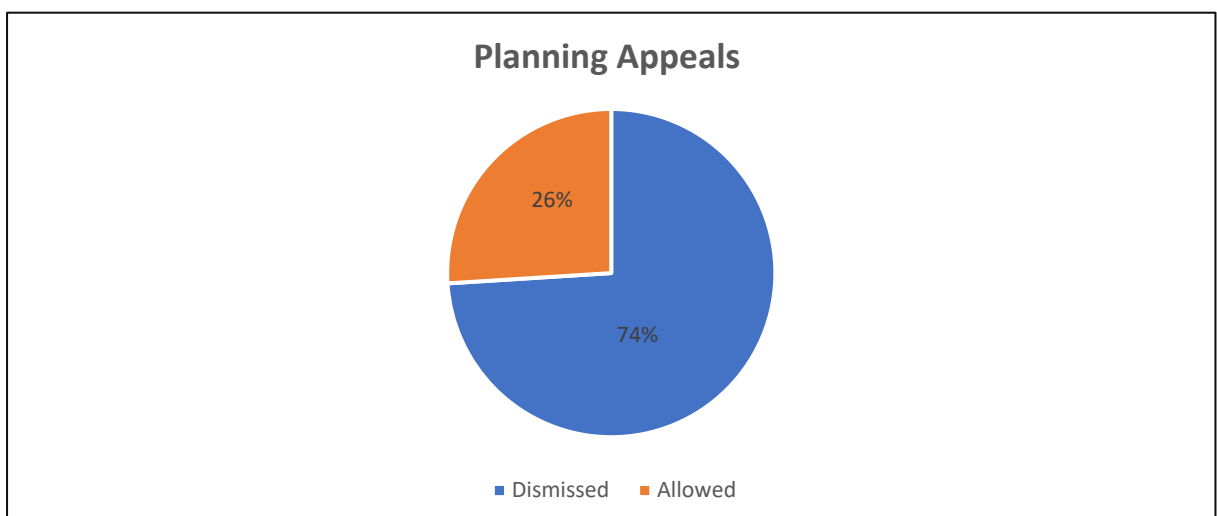


Appeals

9. Currently there are 28 appeals lodged but not started; 43 appeals have started (with timetable etc) and 43 are awaiting decisions.

April – June 2023

10. Six were allowed this is a percentage of 26% and 17 number were dismissed, 74%. The Council's record for allowed is therefore significantly below the Government's threshold.



SUMMARY OF ALLOWED APPEALS

Application Site/Reference: The Oast, Birchetts Green| RR/2022/1103/P

Proposed development: Demolition of the existing single-storey garage, conservatory and annexe. Two-storey extension to the main house and internal alterations. Bay window to replace the existing conservatory. Reconstruction of the annexe in a new location further back in the site. Relocation of the existing entrance gates and driveway alterations.

Level of decision: Delegated

Refused on following grounds:

1. While attempts have been made to amend the proposal, the proposed development would result in harm to the character and appearance of the existing dwelling, which is a former traditional agricultural building. The proposed extensions due to their design, siting, size and materials would subsume the existing building. As a result, the vernacular character and its legibility as a traditional Oast would be significantly harmed. The proposed development would therefore be contrary to policies EN2, EN3 and RA4 (ii) and (iii) of the Rother Local Plan Core Strategy; and Policy DHG9 (ii) (iii) (v) and (vi) of the Development and Site Allocations Local Plan.
2. The site lies within the High Weald Area of Outstanding Natural Beauty where development is carefully controlled to protect the landscape character and scenic beauty of the area; including historic and cultural heritage. The proposed extensions by reason of their size, design, siting and materials would dominate the Oast. It would appear an incongruous feature within the traditional farmstead. By detracting from the visual integrity of the Oast house building (a traditional feature of the High Weald landscape) the proposal would erode its significance and thus harm the character and appearance of the rural area. The development would therefore fail to conserve or seek to enhance its landscape and scenic beauty, or its cultural heritage, as required by the NPPF (paragraph 176). It would also be contrary to Policies EN1, OSS4 (iii), RA3 (iv) (v) of the Rother Local Plan Core Strategy; Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan; and the High Weald AONB Management Plan 2019-2024 that identifies oast houses as both locally distinctive and nationally important features of the Wealden landscape that should be protected.

Summary of decision:

The appeal proposed 2-storey side extension would follow the existing front and rear building lines and have the same ridge and eaves height. The dormers would respect those on the existing roof. The side extension would be in keeping with the existing building. Although, the Inspector considered that the extension would be the same height as the existing building, they did not consider this to be a significant addition, that would overly dominate the host property. Whilst the proposal would elongate the stowage, it would not unnaturally do so. The size of the proposed stowage would not be dissimilar to others in the area. The proposal would retain the key features of the oasthouse, being its rectangular shaped stowage barn with attached square kiln and therefore the building's typology, form and agricultural character and appearance would be preserved.

The removal of the existing garage / conservatory / proposed extensions / alterations would enhance the character and appearance of the host property and also enhance the significance of the building (as non-designated heritage asset) and its relationship with the AONB setting.

In allowing the appeal the Inspector concluded that the appeal proposal would enhance the character and appearance of the area (in terms of scale, layout, design and materials), the High Weald AONB and the host dwelling, which is a non-designated heritage asset.

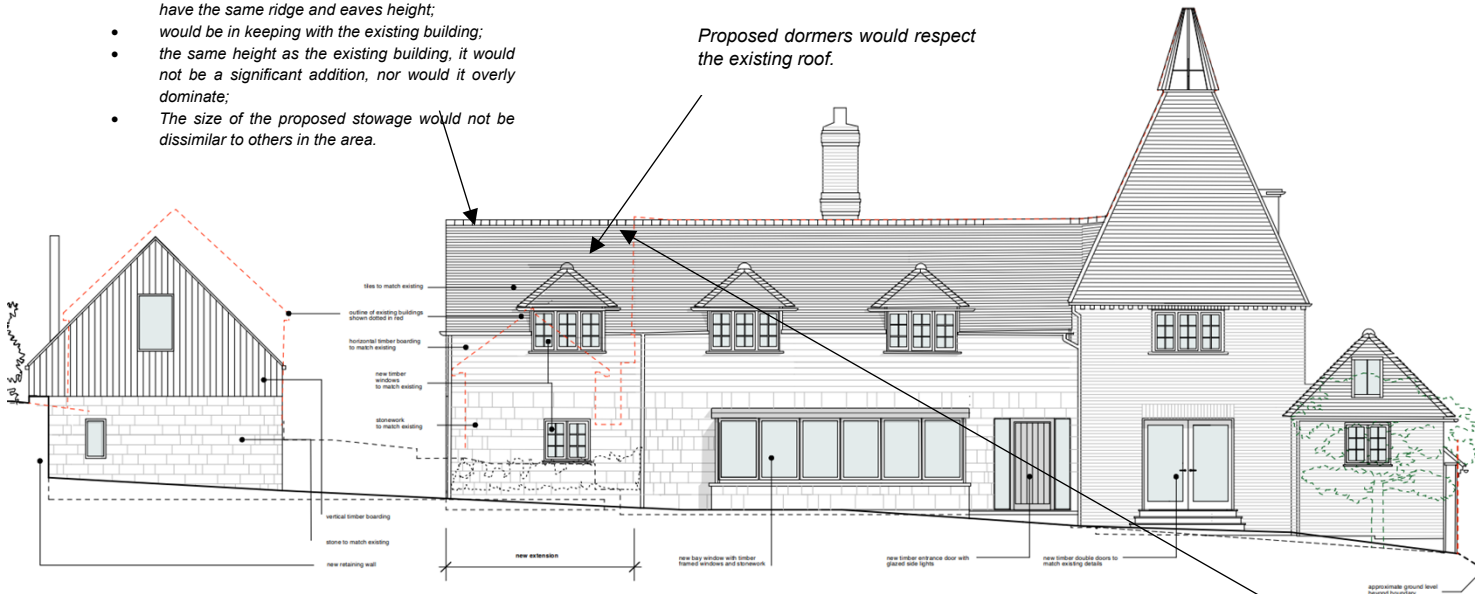
Appeal proposal:

South-West Elevation

Proposed side extension:

- follow the existing front and rear building lines and have the same ridge and eaves height;
- would be in keeping with the existing building;
- the same height as the existing building, it would not be a significant addition, nor would it overly dominate;
- The size of the proposed storage would not be dissimilar to others in the area.

Proposed dormers would respect the existing roof.



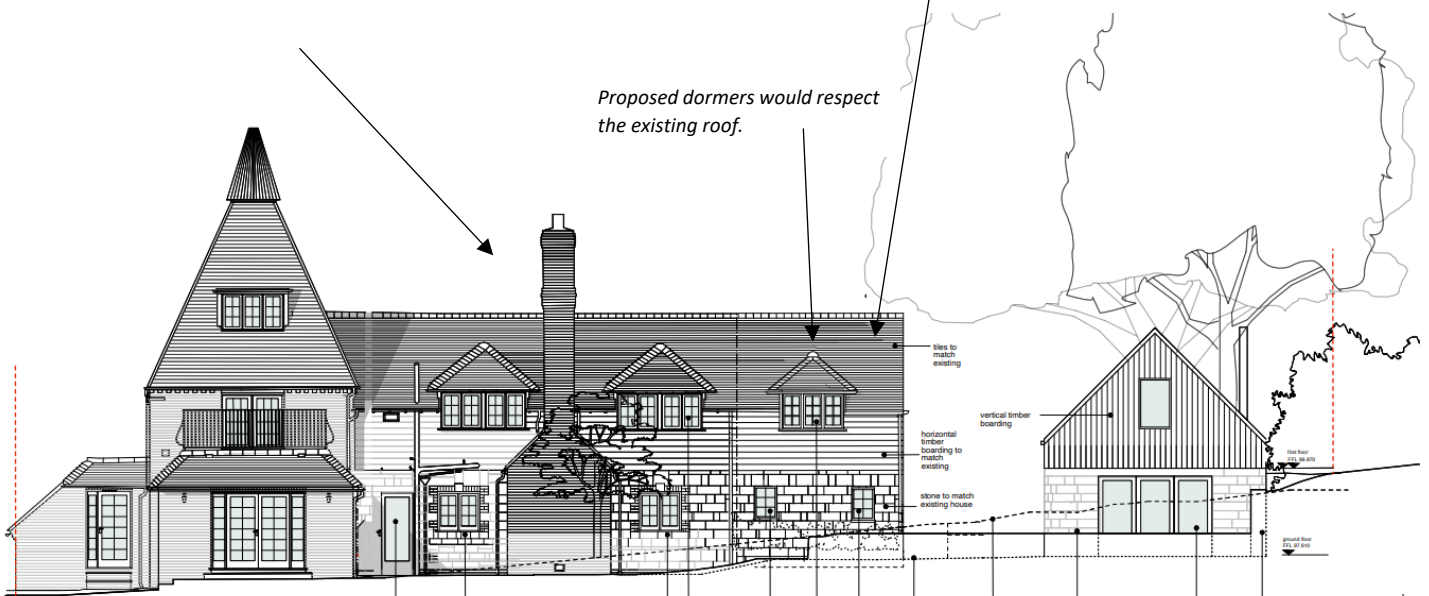
North-East Elevation

Proposal would retain the key features of the oasthouse, being its rectangular shaped storage barn with attached square kiln and therefore the building's typology, form and agricultural character and appearance would be preserved.

The removal of the existing garage / conservatory / proposed extensions / alterations would enhance the character and appearance of the host property, which is a non-designated heritage asset.

The proposal would also enhance the significance of the building and its relationship with the AONB setting, by removing some of the existing domestic additions that detract from the building's agricultural character.

Proposed dormers would respect the existing roof.



Application Site/Reference: 2 Silverhill Cottages, Silverhill Cottages, Hurst Green/RR/2022/1062/P

Proposed Development: First floor extension

Level of decision: Delegated

Refused on the following grounds:

1. The proposed extension would be out of character and would not respect or respond positively to the scale, form or overall design of the host dwelling and to the locality. It would result in a dominant feature on the rear elevation of Silverhill Cottages which would detract from the modest form and proportions of the host dwellings and the terrace as a whole. As such the proposal is contrary to policy DHG9 of the DaSA Local Plan, as well as policies OSS4 and EN3 of the Rother Core Strategy Local Plan.
2. By reason of its height, mass and bulk, the proposed extension would result in an overbearing dominance that would demonstrably harm the residential amenities of neighbouring properties no's 1 and 3 Silverhill Cottages. As such the proposal is contrary to policy OSS4 of the Rother Core Strategy Local Plan and policy DHG9 of the DaSA Local Plan.

Summary of decision

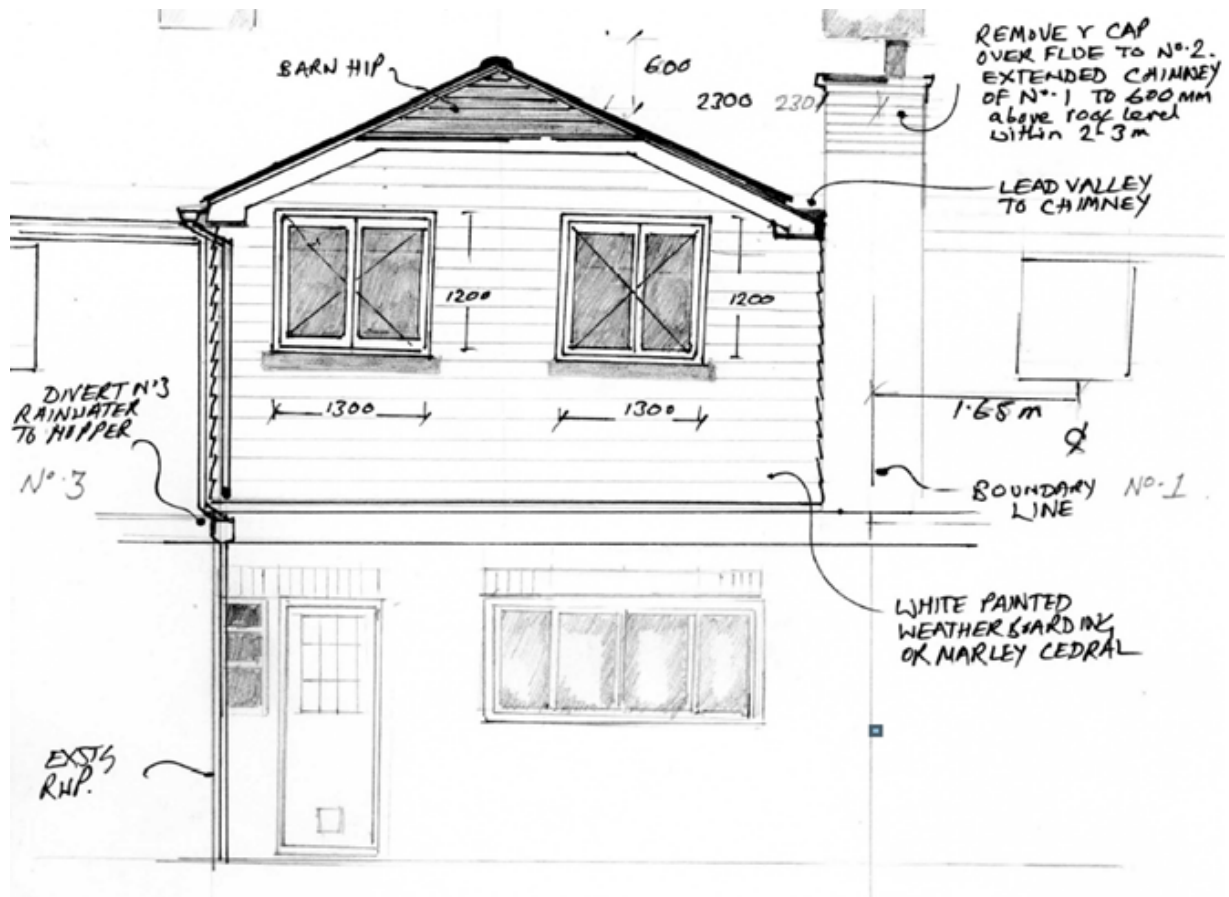
The inspector states that the proposal is of a modest scale, sufficiently set down from the roof ridgeline and set in from the ground floor extension so that it would appear as a subservient addition to the host dwelling. It is also stated that it would not look excessively large or out of scale with the host dwelling or area, especially in the context of the larger extensions and alterations on a comparable terrace which is within view of the rear garden of the appeal property.

Furthermore, the use of matching materials and the inclusion of a barn hip roof would be consistent with the design of the terrace row. Although the neighbouring properties do not have a first-floor extension, the small scale of the scheme and the central location of the extension within the terraced row would avoid any dominating or unbalancing effect on the terrace. As such, the proposal would be of an appropriate scale, form, proportions and overall design and would have no adverse impact on the character and appearance of the surrounding area.

Due to the residential nature of the area and the scale of the development the inspector does not consider that the proposal would be harmful to the High Weald AONB.

The inspector does not believe that the proposal would have an impact in terms of the outlook and loss of light to Nos. 1 and 3 Silverhill Cottages. This is due to the positioning of neighbouring windows, a 45 degree line shown on the proposed plans and the limited protection of the proposed extension.

Overall, the inspector concludes that the proposed development would not harm the character and appearance of the host dwelling or the area, including the AONB or harm the living conditions of neighbouring properties no 1 and 3 Silverhill Cottages. It is stated that the proposal accords with Policy DHG9 of the Development and Site Allocations Local Plan, as well as Policies OSS4 and EN3 of the Rother Local Plan Core Strategy.



Application Site/Reference: Fairlight, Oakhurst Road, Battle/ RR/2022/1661/P

Proposed Development: Proposed wraparound extension and alterations, including new lower ground floor and improved off road parking area.

Level of decision: Delegated

Refused on the following grounds:

The proposal would be out of character with the size and scale of the existing dwelling which is a modestly sized bungalow. The wrap around extension would not be subservient to the existing dwelling and would be an overdevelopment of the site which is within the High Weald Area of Outstanding Natural Beauty. The proposal is therefore contrary to policies DHG9, DEN1 and DEN2 of the Development and Site Allocations Local Plan, Policy OSS4 of the Rother Core Strategy Local Plan and policy HD4 of the Battle Neighbourhood Plan.

Summary of decision:

- The Inspector reasons that, although the extension would be of a significant scale compared to the existing property, the majority of the increased mass and bulk, being set into the lower ground level, would be experienced at the rear only, and therefore would not affect the bungalow appearance from the street scene. Viewed from the front of the dwelling, the proposal would reflect the varied nature of the local area.
- The Inspector also acknowledges that the resulting development would not be unusual in the vicinity given the presence of other extended and redeveloped properties, including the adjoining property.
- The Inspector also provides commentary regarding the impact to dark skies, being an important feature that contributes to the natural beauty and special qualities of the AONB. However, given the sites location within the existing settlement, the Inspector considered that it is unlikely that dark skies would be as strong in the vicinity of the site - as it would do in more remote locations within the High Weald AONB. Accordingly, any additional light spillage caused by the proposed development was considered to neither be significant nor have an unacceptable effect on dark skies.
- Overall, any adverse effects of the development would be seen within the context of the existing residential settlement. And at the very least, the proposal would conserve the landscape and natural scenic beauty.

