



Llywodraeth Cymru
Welsh Government

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Evaluation of the planning permission process
for housing

Technical Appendix: Case Study Summaries

Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Outline residential development

Number of units 56
...of which affordable ?

Application Characteristics

- | | | | |
|---|---|--|--|
| <input checked="" type="checkbox"/> Outline | <input type="checkbox"/> Approved with conditions | <input checked="" type="checkbox"/> Housing only | <input type="checkbox"/> Market housing (private) |
| <input type="checkbox"/> Full | <input checked="" type="checkbox"/> Approved with conditions and S106 | <input type="checkbox"/> Mixed use scheme | <input checked="" type="checkbox"/> RSL/ housing association led |
| <input type="checkbox"/> Reserved matters | <input type="checkbox"/> Refused | <input checked="" type="checkbox"/> Affordable housing | <input type="checkbox"/> Joint market and RSL / HA |
| Officer. Recomm'n: | <input type="checkbox"/> Approved on appeal | <input type="checkbox"/> Welsh language | |
| Approval | <input type="checkbox"/> Refused on appeal | <input type="checkbox"/> EIA | |

Applicant Perspective

The applicant is a Housing Association that bought the site in mid-2009 on the basis that the site had previous planning permissions for housing development. They generally buy sites that have planning permission on them in order to avoid risk and condense the overall timescale. Timing is important to them because of the need to draw down funding for projects and ensure they can be completed in the same funding period. The applicant's perception is that they are disadvantaged compared to providers of market housing. They have to provide housing to the appropriate design quality requirement (often a higher standard than private sector housing or of a difference composition) but, as with this application, are still subject to significant Section 106 requirements. They were not aware of the DCfW but did feel that LPAs often interfere on design in a subjective way. A by-product of this is a reduced land value and thus a reluctance by landowners to sell to them.

Key Dates

Applicant secured option/ purchased land	01/06/09
Development concept	
First pre-application discussion	
Application submitted	25/05/10
Validation date	
Resubmission date (latest)	
Delegated/committee resolution	19/01/11
Decision notice issued	28/12/11
Time taken to determine (weeks)	80
S106 signed	22/11/11
No. of pre-commencement conditions	14
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	
Appeal decision date	
End to end timescale (weeks)	129
Application timescale (weeks)	78

Consultees

Consultee	Sent	Received	Days
CCW	15/06/10	16/07/10	31
Environment Agency Wales	15/06/10	29/06/10	14
Welsh Water	15/06/10	08/07/10	23
Coal Authority	15/06/10	24/06/10	9
Highways	15/06/10	14/07/10	29
Rights of way	15/06/10	29/06/10	14
Environmental Health	15/06/10	30/06/10	15
Housing	15/06/10	28/06/10	13
Planning Policy	15/06/10	06/07/10	21
Leisure	15/06/10	14/07/10	29
Lifelong Learning	15/06/10	22/06/10	7
Trees	15/06/10		
Ecology	15/06/10	09/09/10	86
Property Services	15/06/10		
Town Council	15/06/10	22/07/10	37
Bat Group	15/06/10		
Badger Group	15/06/10	22/06/10	7
No. neighbours consulted	10		
No. reps. received	12		

Local Planning Authority Perspective

Whilst the application site is outside the settlement boundary within an older previous local plan, it was allocated for housing development within the successive local plan and as a commitment within the UDP. This is significant as it means that the development does not need to demonstrate that it is to meet local needs and makes the principle of housing development acceptable. A number of consultees took longer than 21 days to respond. There were also complications around the Land Registry boundaries - with the red line including some discrepancy in land ownership and notices served. The local authority did set out its Section 106 requirements prior to the application going to committee but all work took place after the committee. The legal team we instructed on 26/01/11. A draft Section 106 was sent to the applicant on 21/10/11, nearly ten months later. The Section 106 was signed on 22/11/11.

Consultee/ Community Perspective

The Countryside Commission for Wales was consulted on the scheme with only the plans. Their initial response was a holding objection - after 31 days - setting out the requirement for an Ecological Survey to be submitted. This had been submitted by the agent as part of the initial application. This was forwarded on to CCW who left the holding objection in place, requiring additional surveys to be undertaken to make the survey satisfactory. This information was submitted by the applicant approximately two-and-a-half months later, at which point CCW confirmed the acceptability of the Survey and the removal of their objection.

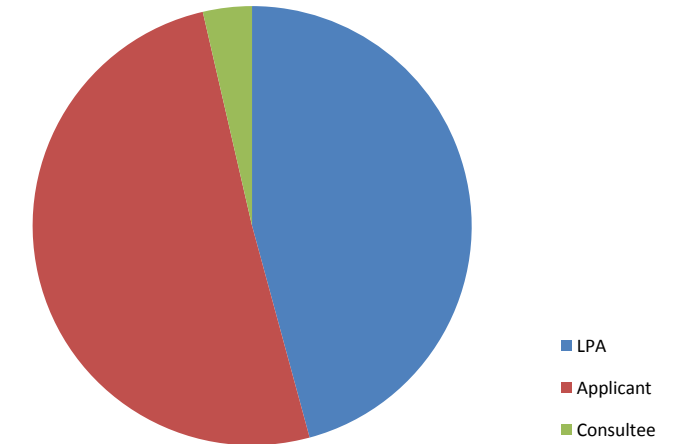
Good Practice

Excellent documentation of the site visit including an annotated location plan, notes and photos. An additional site visit was conducted following consultation responses.

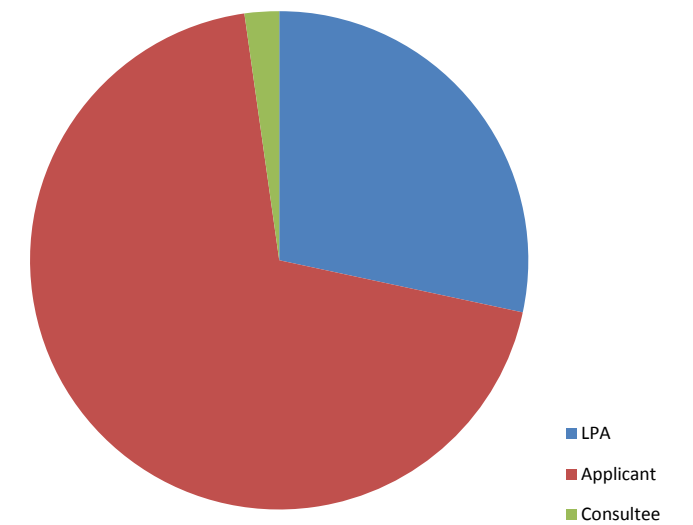
Poor Practice

The LPA issued the consultation to CCW without sending on the Ecological Survey through an administrative error. The application did not originally include a FCA despite being within Zone C2. The FCA took around 5 months to prepare. These both resulted in a significant delay.

Weeks spent: pre-application to condition discharge



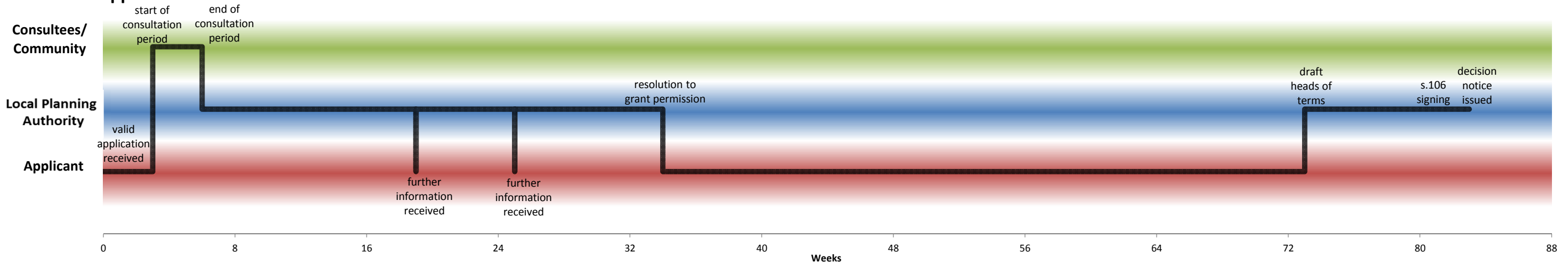
Weeks spent: concept to implementation



Summary Assessment

An application by a housing association for a mix of housing units/flats. The site had previous permission for housing in 2003, which was extended in 2007 but expired in 2010. On this basis, the applicant did not engage in pre-application discussions and submitted an application which was predominantly valid. A combination of deficient materials from the applicant, an administrative error by the LPA and slow responses from consultees delayed the consultation stage. The planning decision included 27 conditions, of which 14 were pre-commencement conditions (including reserved matters). Throughout the entire process the issue of the proportion of housing to be affordable had not been address. The LPA implicitly assumed the site would be 100% affordable (but did not adjust their Section 106 requirements). Following committee resolution, the agent asked the LPA what proportion of affordable housing they would require in order to identify the land value. This still appears to be unresolved.

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Demolition of existing nursing home and construction of a four storey block 14 student apartments.

Number of units 14
...of which affordable 0

Application Characteristics
 Outline Approved with conditions Housing only
 Full Approved with conditions and S106 Mixed use scheme
 Reserved matters Refused Affordable housing
 Officer. Recomm'n: Approved on appeal Welsh language
 Approval Refused on appeal EIA

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	01/11/11
Application submitted	17/01/12
Validation date	18/01/12
Resubmission date (latest)	
Delegated/committee resolution	10/07/12
Decision notice issued	23/07/12
Time taken to determine (weeks)	27
S106 signed	
No. of pre-commencement conditions	
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	21/09/12
Appeal decision date	25/02/13

End to end timescale (weeks)	69
Application timescale (weeks)	38

Consultees

	Sent	Received	Days
CCW	27/01/12	22/02/12	26
Environment Agency Wales	27/01/12	20/02/12	24
Welsh Water	27/01/12	24/02/12	28
Archaeological Trust	27/01/12		
Highways	27/01/12		
Ecology	27/01/12	30/01/12	3
Urban Design	27/01/12		
Conservation & Listed Buil.	27/01/12		
Trees and Hedgerows	27/01/12		
Pollution Control	27/01/12		
Estates	27/01/12		

No. neighbours consulted	2
No. reps. received	11, 1 petition

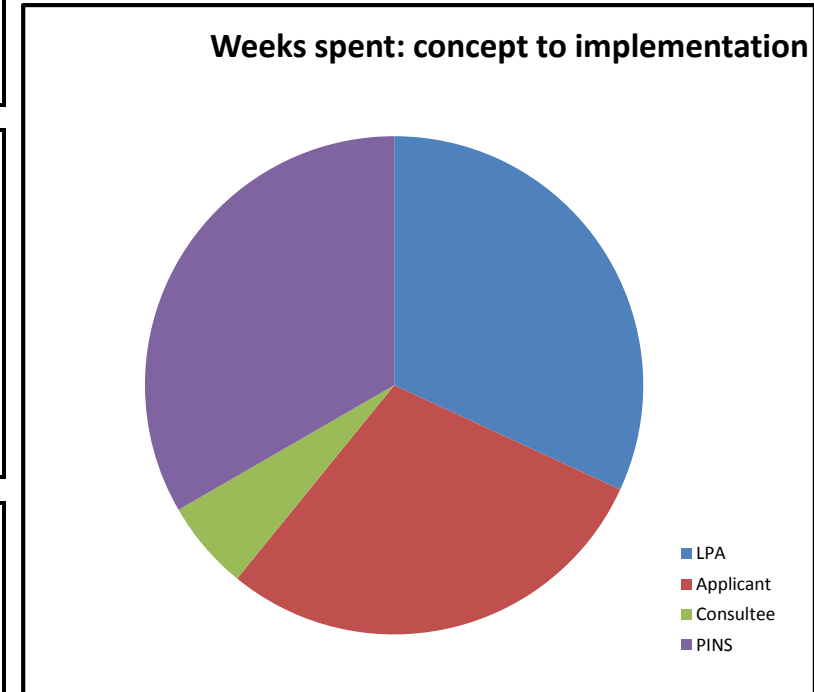
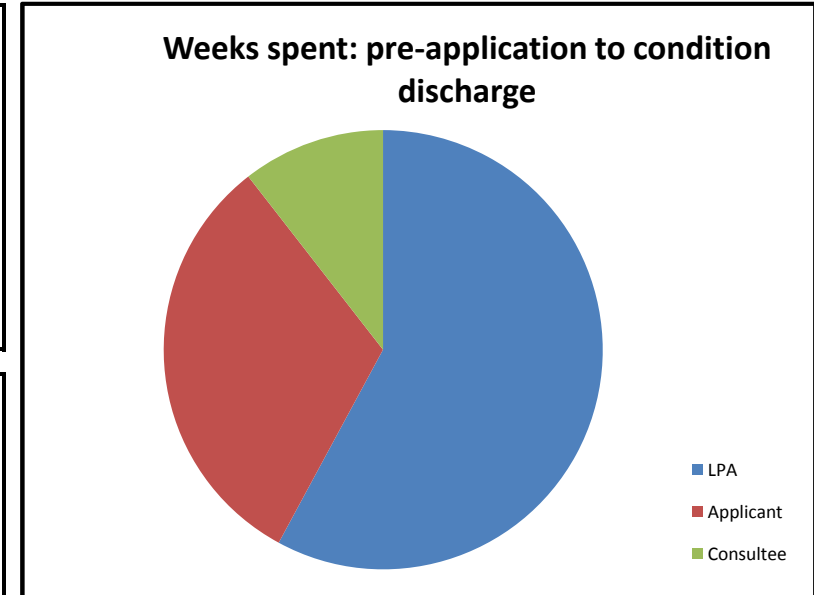
Applicant Perspective
The application was refused due to parking standards - solutions were provided in the original application and through negotiation but the authority were unsupportive and inflexible. The controversial site and controversial proposed use made it a very political application - this is why the planning committee refused it. A lot of time was spent dealing with case officers and their queries - it is a shame councillors did not see this.

Local Planning Authority Perspective
There were several issues which arose from the consultation, including ecology and parking. The applicant were receptive up to a point, but disagreed with some of the comments. The LPA was asked to 'halt' the determination for a period in order to allow the applicant to respond - this led to a delay in the process. It was decided to keep the application open rather than require the applicant to withdraw. However, the applicant was unable to sufficiently deal with the parking constraints of the site, which led to the refusal. The agent was often slow to clarify points and it took almost two months to provide the requested information on street scenes.

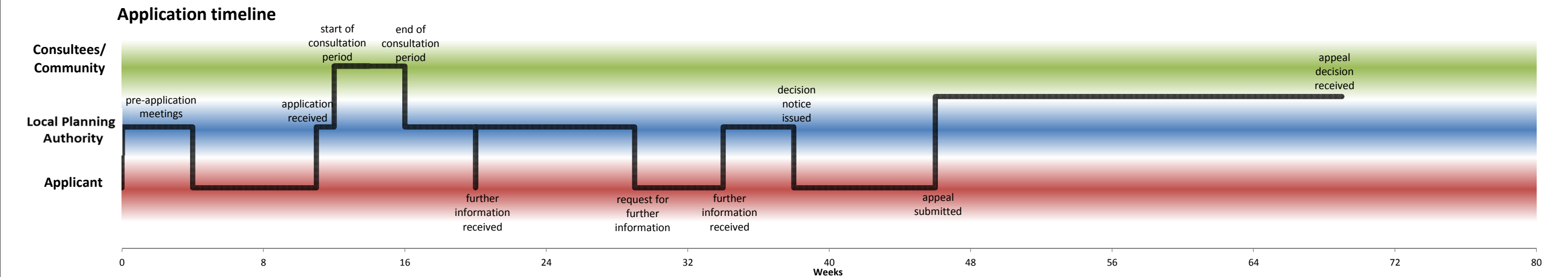
Consultee/ Community Perspective
Survey information that would normally be expected for this type of information was not initially provided, meaning we could not support the scheme initially and it was requested. When the information was provided it was of good quality and dealt with our concerns - we then raised our objection. The case officer was successful in effectively raising concerns with the applicant.

Good Practice
Pre-application discussion took place. Swift validation process.

Poor Practice
Material required by external consultees was missing, leading to delay. Applicant instructed the LPA to 'halt' the process.



Summary Assessment
The application was promptly validated and allocated to a case officer, though consultation took around 10 days to be issued. Several issues were raised during consultation and additional reports were requested from the applicant. Some was provided very quickly (suggesting it had been produced but not submitted as part of the application), whereas others was promised quickly but took far longer to come forward. There also seems to be other information submitted later on in the process which was not requested by the authority. The scheme was very controversial, and local ward councillors registered objections and requested a site visit. It was refused at committee, and upheld at appeal.



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Part demolition, conversion and extension of former hotel building to provide residential apartments, hotel, restaurant and public bar with associated car parking, services areas, amenity space and landscaping.

Number of units
...of which affordable

26
0

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n:
- Approve
- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal

Sector

- Housing only
- Mixed use scheme
- Affordable housing
- Welsh language
- EIA
- Market housing (private)
- RSL/ housing association led
- Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	01/01/11
Development concept	
First pre-application discussion	01/11/11
Application submitted	24/11/11
Validation date	16/01/12
Resubmission date (latest)	
Delegated/committee resolution	14/03/12
Decision notice issued	30/05/12
Time taken to determine (weeks)	20
S106 signed	21/05/12
No. of pre-commencement conditions	5
First pre-commencement condition discharged	18/09/12
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	
Appeal decision date	

Consultees

Consultees	Sent	Received	Days
Environment Agency Wales	16/01/12	01/02/12	16
Welsh Water	16/01/12	01/02/12	16
Police Service	16/01/12	06/02/12	21
Utility Company	16/01/12		
Network Rail	16/01/12	27/01/12	11
Archaeology	16/01/12	20/01/12	4
Highways	16/01/12	14/02/12	29
Environmental Health	16/01/12	07/02/12	22
Planning Policy	16/01/12	22/02/12	37
Countryside	16/01/12	14/02/12	29
Business and Development	16/01/12		
Conservation	16/01/12	02/02/12	17
Town Council	16/01/12	08/02/12	23
Civic Society	16/01/12	06/02/12	21

End to end timescale (weeks)	89
Application timescale (weeks)	46

No. neighbours consulted	63
No. reps. received	6

Summary Assessment

The application ran in parallel with a listed building consent application. The hotel had been out of use for some time and the LPA were keen to collaborate with a developer to find viable uses. The applicant undertook a significant programme of pre-application consultation to involve stakeholders in the design process and to demonstrate the quality of what was proposed. The application highlights that some statutory consultees are not sufficiently joined up. However, the application was lacking some information upon receipt. There is no single reason for the time taken to determine the application. Rather, each party appears to have contributed to delays throughout the process.

Applicant Perspective

The hotel is a grade II listed building. In order to viably redevelop the site and to conserve the most valuable elements a residential element was introduced to the scheme. The scheme could not support any affordable housing and this was accepted by the local planning authority. The scheme included a pre-application consultation for the public (on site, so they could see the building and its current condition) and also a briefing for town and LA councillors. Statutory consultees (including Network Rail) were also engaged at pre-application stage. The local planning authority were felt to be very positive and helpful at all stages, giving a sense of co-operation and a shared desire to see the site brought back into use. Their perception of the process was that an application is submitted, then consultees come up with a reason why they're not happy with it, and then you address their concerns to navigate through the process. Negotiation time is an essential part of this and so the overall timescale was acceptable.

Local Planning Authority Perspective

The application was well-known to the LPA based on the pre-application work by the applicant. The application was initially invalid requiring some additional elevations, the correct fee, an amended application form, amended plans, a correction to the DAS and the requirement for a condition survey as an addendum to the structural survey. Based on objections from neighbours, a daylight/sunlight assessment was required. This was provided by the applicant in about 2 weeks. There was significant correspondence following planning committee approval over the drafting of the conditions. Several iterations were required to ensure that the LPA was content they were appropriate and that the applicant was happy that the development phasing meant it remained viable. Building control have contacted the case officer based on some minor differences between the plans and works in terms of doors and interior layout.

Consultee/ Community Perspective

Network Rail were engaged by the client at pre-application stage in relation to a retaining wall between the site and network rail. The site sits below the passing railway, and so the applicant discussed with the appropriate team about how this ought to be handled. This included meeting with Network Rail on site too jointly survey the wall prior to submission. However this team is separate to the team that handles planning consultations and there does not appear to be a system in place to join up such discussions. As a result, Network Rail lodged a holding objection when first consulted on the basis that details were required with regards to mitigation and / or safety issues in relation to the retaining wall. Contact details were given for the other team in order that these details could be submitted. This response was passed by the LPA to the applicant, who replied to the LPA informing them that they had pre-met with Network Rail. The LPA passed this on to Network Rail, who removed their holding objection.

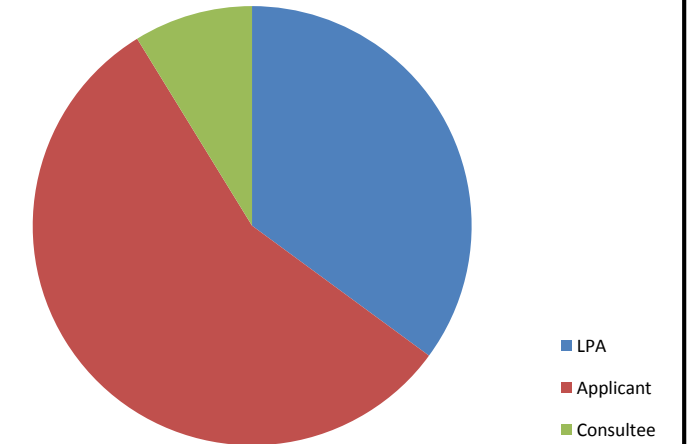
Good Practice

Second site visit prior to officers report to clarify details raised during consultation and information submitted during the life of the application. Joined-up approach with planning and building control. Pre-application consultation.

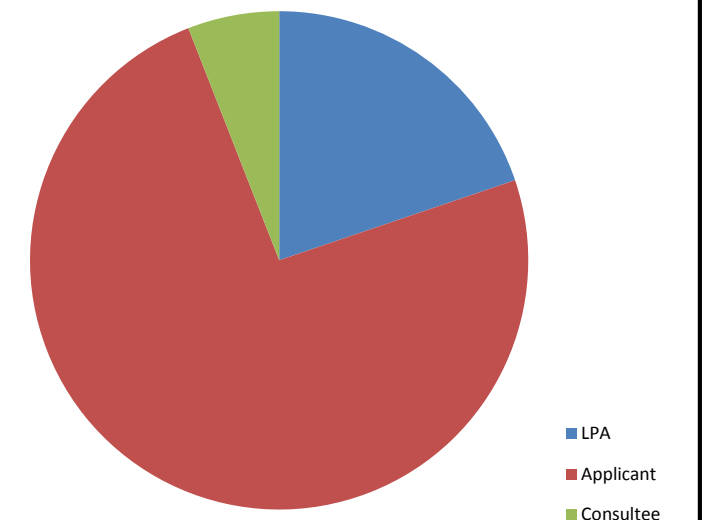
Poor Practice

The application was initially invalid with significant information gaps. A statutory consultee was not joined up between pre-application meetings and the planning application consultation stages. Both resulted in delays to determining the case.

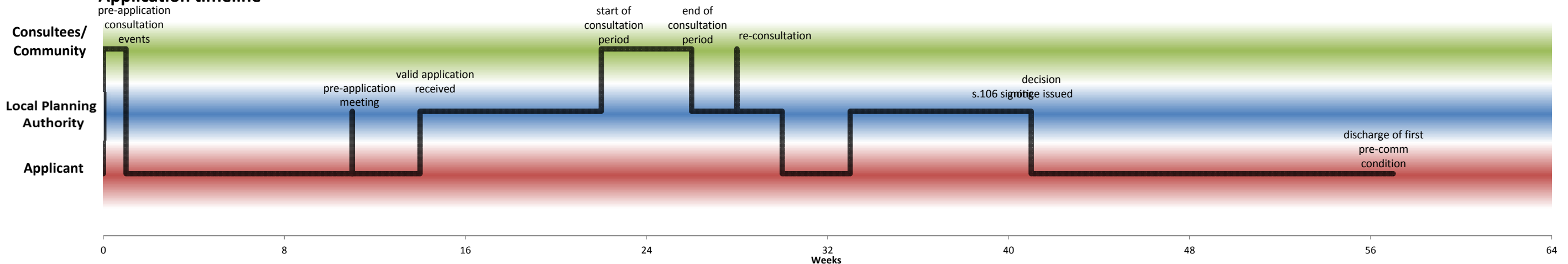
Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Proposed erection of 45 dwellings, associated garages and parking, including the provision of 4 affordable units and demolition of current buildings.

Number of units
...of which affordable

45
4

Application Characteristics

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Outline | <input type="checkbox"/> Approved with conditions | <input checked="" type="checkbox"/> Housing only | <input checked="" type="checkbox"/> Market housing (private) |
| <input checked="" type="checkbox"/> Full | <input type="checkbox"/> Approved with conditions and S106 | <input type="checkbox"/> Mixed use scheme | <input type="checkbox"/> RSL/ housing association led |
| <input type="checkbox"/> Reserved matters | <input checked="" type="checkbox"/> Refused | <input checked="" type="checkbox"/> Affordable housing | <input type="checkbox"/> Joint market and RSL / HA |
| Officer. Recomm'n: | <input checked="" type="checkbox"/> Approved on appeal | <input type="checkbox"/> Welsh language | |
| Approval | <input type="checkbox"/> Refused on appeal | <input type="checkbox"/> EIA | |

Key Dates

Applicant secured option/ purchased land	01/06/08
Development concept	
First pre-application discussion	
Application submitted	26/10/10
Validation date	23/11/10
Resubmission date (latest)	
Delegated/committee resolution	02/11/11
Decision notice issued	28/11/11
Time taken to determine (weeks)	57
S106 signed	05/07/12
No. of pre-commencement conditions	
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	01/01/13
Appeal lodged	01/02/12
Appeal decision date	17/08/12

Consultees

Consultee	Sent	Received	Days
Environment Agency Wales	23/11/10	15/12/10	22
Welsh Water	23/11/10	17/12/10	24
Airbus	23/11/10	06/12/10	13
Coal Authority	23/11/10	08/12/10	15
Archaeological Trust	23/11/10	01/12/10	8
Town / Comm. Council	23/11/10	14/12/10	21
Planning policy	23/11/10	14/12/10	21
Housing	23/11/10	10/12/10	17
Highways	23/11/10	06/01/11	44
Ecology	23/11/10		
Rights of Way	23/11/10	01/12/10	8
Environmental Health	23/11/10	07/12/10	14
Education	23/11/10	02/12/10	9
Leisure Services	23/11/10	20/12/10	27

End to end timescale (weeks) 114
Application timescale (weeks) 94

No. neighbours consulted 23
No. reps. received 55

Summary Assessment

The original application took a month to be validated. Once consultations had been issued, responses were received relatively quickly, though some were outside the 21 day window. Additional information and clarification was requested, and various meetings took place to discuss affordable housing. Around six months into the application, the applicant submitted a replan, amending site layout. This led to a full re-consultation. One consultee which had previously supporting scheme asked for a holding objection due to lack of information. However, this information had already been provided to the case officer and not passed on to the consultee. A limited re-consultation also took place after this. The scheme was refused at committee, and was appealed. The LPA decided not to present evidence at the appeal, and the appellant was successful.

Applicant Perspective

The applicant was a major housebuilder, with the application prepared in-house rather than through an agent. The applicant has delivered other schemes in the county. The applicant did not engage in pre-application discussion with the LPA. Relationships between the applicant and the LPA were constructive at the start of the process - meetings were held with the case officer and internal consultees present, and a range of issues were addressed. The relationship became more strained as the application progressed - particularly in the delays in receiving consultee responses.

Local Planning Authority Perspective

The application went through several iterations, some because of issues raised at consultation (e.g layout of affordable houses, drainage), but also due to a commercial decision based on marketability of homes. This extended the process. Overall, the applicant was receptive to changes required by the LPA. They were also proactive in discussing Section 106 requirements with the LPA at an early stage. The scheme was unpopular locally and with Councillors - one Councillor took a deep interest in the case and requested information throughout the application. At committee, the method of delivery of affordable housing was attacked and used as a reason for refusal - despite its use on other schemes.

Consultee/ Community Perspective

Housing officer was involved in the original pre-application discussion on the site with the first developer. Made an effort to work with the developer to find a better local solution in terms of affordable housing provision (gifted units rather than 30% affordable provision), and felt it was a good alternative that had already been used elsewhere. The committee's refusal of the application was embarrassing, and down to NIMBYism. The housing officer felt that more training for Councillors on the subject of affordable housing is required.

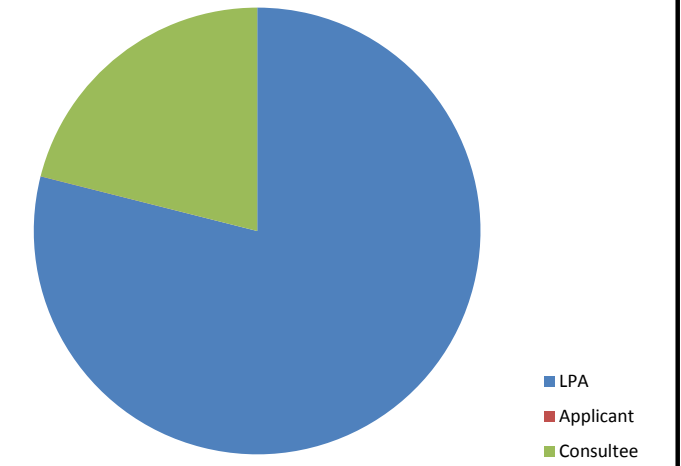
Good Practice

Applicants dealt directly at times with housing officer and internal consultees. Good use of meetings to discuss key issues.

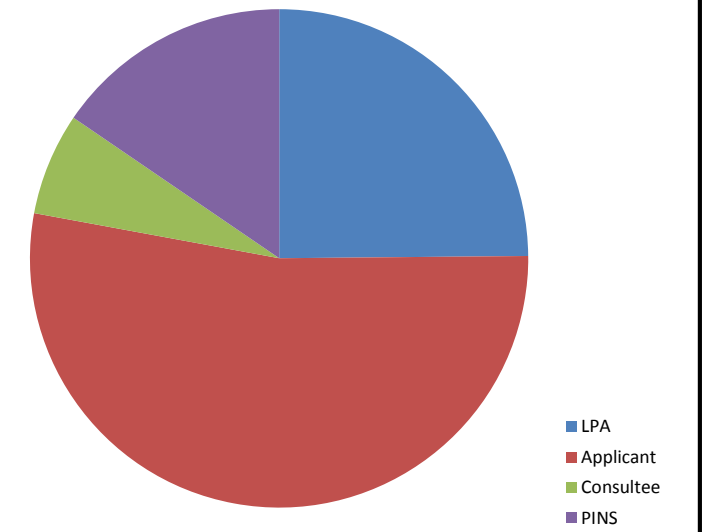
Poor Practice

The validation process was slow, taking around a month. Overturn of officer recommendation led to a position that could not be defended at appeal. Multiple amended plans / additional material, leading to re-consultation.

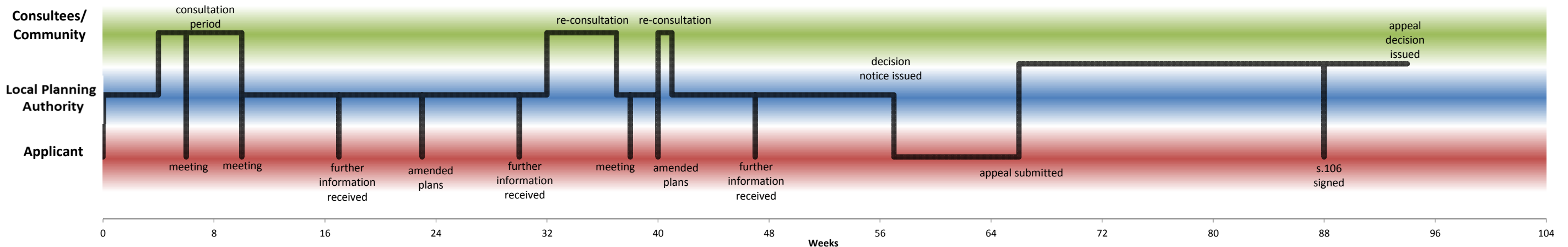
Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description Residential development - 86 dwellings, associated access	Number of units ...of which affordable	86 15
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Application Characteristics		Sector	
<input type="checkbox"/> Outline	<input type="checkbox"/> Approved with conditions	<input checked="" type="checkbox"/> Housing only	<input checked="" type="checkbox"/> Market housing (private)
<input checked="" type="checkbox"/> Full	<input checked="" type="checkbox"/> Approved with conditions and S106	<input type="checkbox"/> Mixed use scheme	<input type="checkbox"/> RSL/ housing association led
<input type="checkbox"/> Reserved matters	<input type="checkbox"/> Refused	<input type="checkbox"/> Affordable housing	<input type="checkbox"/> Joint market and RSL / HA
Officer. Recomm'n:	<input type="checkbox"/> Approved on appeal	<input type="checkbox"/> Welsh language	
Approval	<input type="checkbox"/> Refused on appeal	<input type="checkbox"/> EIA	

Key Dates		Consultees	Sent	Received	Days
Applicant secured option/ purchased land		Environment Agency	17/01/12		196
Development concept		Local Highways Authority	17/01/12	14/03/12	57
First pre-application discussion	27/04/10	Town Council	17/01/12	10/02/12	24
Application submitted	19/12/11	Welsh Water	17/01/12	20/01/12	3
Validation date	11/01/12	Coal Authority	17/01/12	24/01/12	7
Resubmission date (latest)		CCW	17/01/12	03/04/12	77
Delegated/committee resolution	19/03/13	Police	17/01/12	07/02/12	21
Decision notice issued	17/05/13	Archaeological Trust	17/01/12	09/02/12	23
Time taken to determine (weeks)	73	Ecology	17/01/12	19/01/12	2
S106 signed	16/05/13	Education	17/01/12	08/02/12	22
No. of pre-commencement conditions	10	Rights of Way	17/01/12	27/01/12	10
First pre-commencement condition discharged	01/08/13	Parks	17/01/12	26/01/12	9
Last pre-commencement condition discharged	01/08/13	Urban Design	17/01/12	02/04/12	76
Commencement of development	12/08/13	Housing	17/01/12	22/02/12	36
Appeal lodged		Drainage	17/01/12	18/03/12	61
Appeal decision date					
End to end timescale (weeks)	172	No. neighbours consulted	55		
Application timescale (weeks)	170	No. reps. received	101		

Summary Assessment
Although an allocated site in the adopted UDP there were nevertheless outstanding infrastructure issues which had not been resolved to do with the service water drainage and the need to provide compensatory surface water removal proposals and resolving this issue was the main reason for delay in approving the first 29 units of the scheme. A memorandum of understanding between the LPA, Welsh Water and NRW had been established but has not been effective. A new MOU is currently in negotiation. For simple schemes standing advice may be appropriate and for the bigger schemes early meetings or discussion between all the parties would be beneficial. For this scheme there is still the unresolved issues of offsetting for the remaining dwellings. The Council is seeking to resolve this through a register of sites.

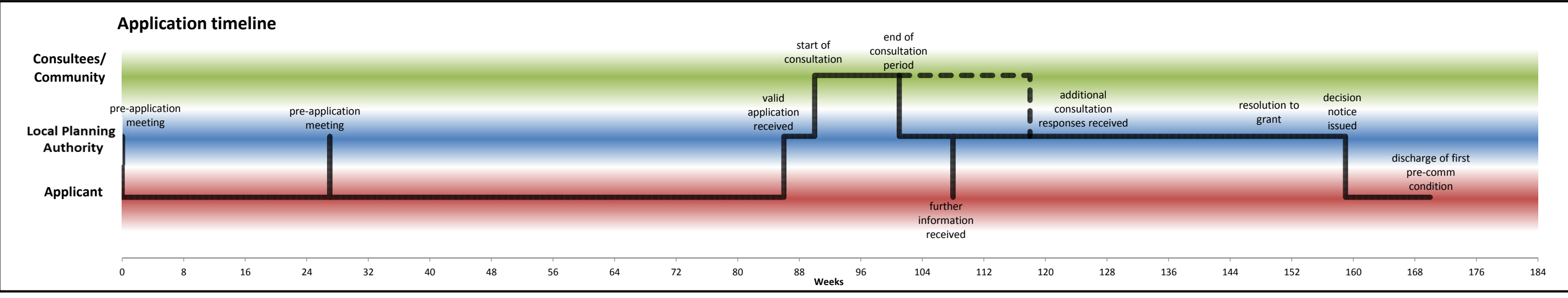
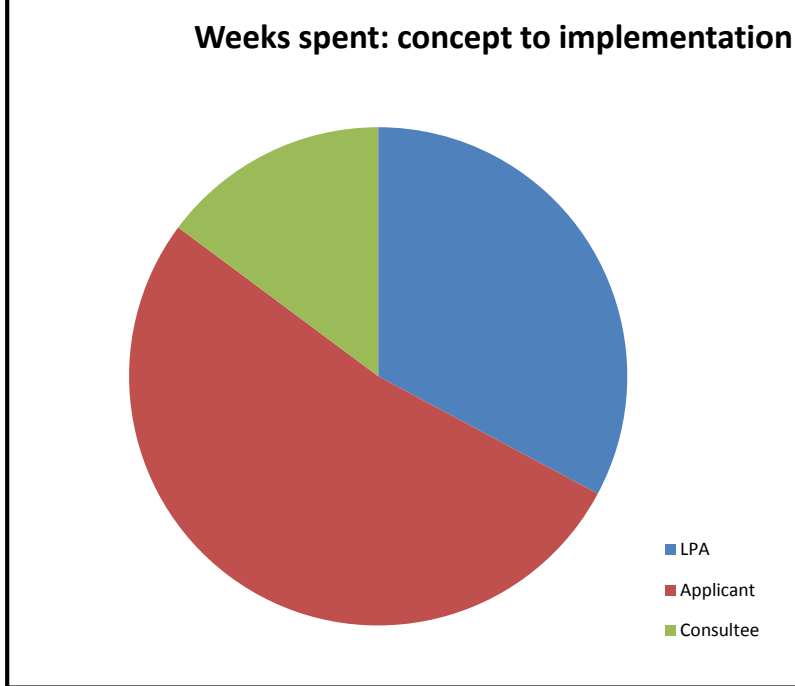
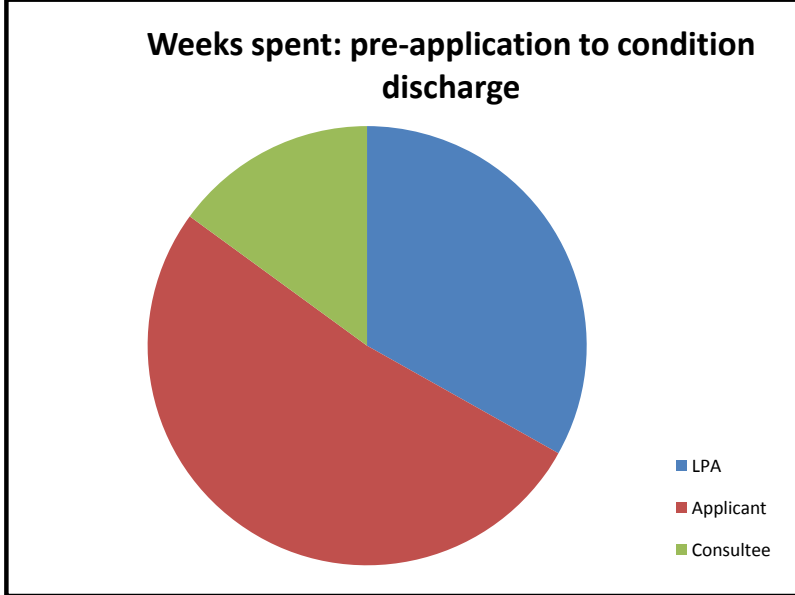
Applicant Perspective
It has been very difficult to realise developments in this area even on allocated sites so that sites are taking much longer to come forward. The applicant had no issue with the affordable housing, education and highways contributions - it was always recognised that these would need to be considered. However, it was felt that there needed to be a more proactive approach by the former Environment Agency. Although the EA objected on capacity grounds for the drainage, Welsh Water had not objected even though this issue should sit with them. The matter has only been partially resolved as a result of being pushed by the applicant with the developers technical specialists in continuous dialogue to resolve the issue. The conditions for the first phase have been discharged and the developers are now on site. However they have still to resolve the issue in order to complete the development.

Local Planning Authority Perspective
One pre-application meeting was held with the applicant for a similar scheme to that submitted. At this stage the affordable housing requirement was raised. There was no consultation at pre-application with statutory consultees. Following consultation Education and Highways also sought contributions and as a result there was some re-negotiation of the S106 requirements. £60,000 for a pick up and drop off at the school opposite the site led to the loss of one affordable housing unit. The main factor which delayed the scheme was as a result of the objection from the Environment Agency who were looking for an offset scheme to deal with surface water drainage before it could go ahead. In the end the applicant identified three properties on the frontage of the site which they controlled and where they could take surface water out of the system and this was sufficient for phase 1 or 29 units to go ahead. All pre-commencement conditions for the first phase have been discharged.

Consultee/ Community Perspective
The EA were first aware of the proposal when they were formally consulted on the application in January 2012. A deferral was requested in order to resolve issues about surface drainage. The applicant had not supplied a detailed scheme and they wanted it prior to the application being determined as it was a sensitive site. There were concerns that the applicant had not used the guidelines which had been agreed between the EA, Welsh Water and the LPA. Eventually the issue was resolved by a meeting with the applicant at which it was agreed that the first phase of the development or 29 homes dwellings could be approved as a result of a proposal for a scheme to discharge some surface water to another site in the applicants land holding. In order to fully implement the planning permission an additional scheme will be required.

Good Practice
Pre-app discussion on affordable housing requirements. When application received weekly list meeting identified key issues. Extension of time formally agreed with applicant (but not re-extended when the deadline was not met)

Poor Practice
No evidence of development team approach or corporate position on s106 requirements. Statutory consultees and LPA were not proactive in seeking to resolve the drainage issue. Heads of terms for S106 not sought as part of information requirements with application



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Original proposal was for 6 houses, 13 flats and 1 disabled bungalow. Subsequently amended to 4 houses, 13 flats and 1 bungalow

Number of units

...of which affordable

18
18

Application Characteristics

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Outline | <input type="checkbox"/> Approved with conditions | <input type="checkbox"/> Housing only | <input type="checkbox"/> Market housing (private) |
| <input checked="" type="checkbox"/> Full | <input type="checkbox"/> Approved with conditions and S106 | <input type="checkbox"/> Mixed use scheme | <input checked="" type="checkbox"/> RSL/ housing association led |
| <input type="checkbox"/> Reserved matters | <input type="checkbox"/> Refused | <input type="checkbox"/> Affordable housing | <input type="checkbox"/> Joint market and RSL / HA |
| Officer. Recomm'n: | <input checked="" type="checkbox"/> Approved on appeal | <input type="checkbox"/> Welsh language | |
| Approval | <input type="checkbox"/> Refused on appeal | <input type="checkbox"/> EIA | |

Applicant Perspective

There was no pre-application discussion, but following an initial consideration by the officers the scheme was amended and received a favourable officer recommendation. This has been a very sensitive site locally and was deferred by Committee for a site visit. There were further delays in the determination as a result of the need to resolve a legal covenant issue. Following the refusal, the appeal was dealt with expeditiously and the Inspector accepted the evidence to justify a lower than maximum parking provision for rented accommodation and that there would not be undue pressure on the number of available on street parking spaces.

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	
Application submitted	12/12/11
Validation date	13/12/11
Resubmission date (latest)	
Delegated/committee resolution	04/10/12
Decision notice issued	05/10/12
Time taken to determine (weeks)	43
S106 signed	
No. of pre-commencement conditions	6
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	24/10/12
Appeal decision date	13/02/13

Consultees

Consultee	Sent	Received	Days
Environment Agency	05/01/12	31/01/12	26
Welsh Water	20/12/11	10/01/12	21
reconsult EA	30/01/12	06/02/12	7
Transport	20/12/11	12/01/12	23
Drainage	20/12/11	30/12/11	10
Public Health	20/12/11	11/01/12	22
countryside/ecology	20/12/11	05/01/12	16
Recreation	03/01/12	19/01/12	16
Education	03/01/12	04/01/12	1
Affordable Housing	03/01/12	05/01/12	2
Estates	03/01/12	05/01/12	2
Spatial Planning	20/12/11	06/01/12	17

End to end timescale (weeks)	61
Application timescale (weeks)	61

No. neighbours consulted	17
No. reps. received	10 + petition

Local Planning Authority Perspective

The application was submitted by architects on behalf of a housing association. The application was submitted and the site visited in December 2011. Discussions took place at an early stage about the legal covenant on the site, contributions and comments on the application were provided to the applicant. As a result revised plans were received and a reconsultation undertaken. The application was reported to Committee in March 2012 and deferred for a site visit with a recommendation for approval. As the site was on a main bus corridor with good transport links it was considered by officers that the proposed provision of spaces was an acceptable level of parking. The Committee however refused the application on highway grounds

Consultee/ Community Perspective

A number of objections were received to the application including insufficient parking to serve the development. Using the South Wales Parking Guidelines, the proposal would require between 29-40 spaces with only 28 proposed. However there was no objection from the Council's Transportation Section who considered the layout to be acceptable. To mitigate against any potential overspill parking from the proposed development a financial contribution was requested to ensure the removal of restricted parking opposite the site and introduce restricted parking in front of the site.

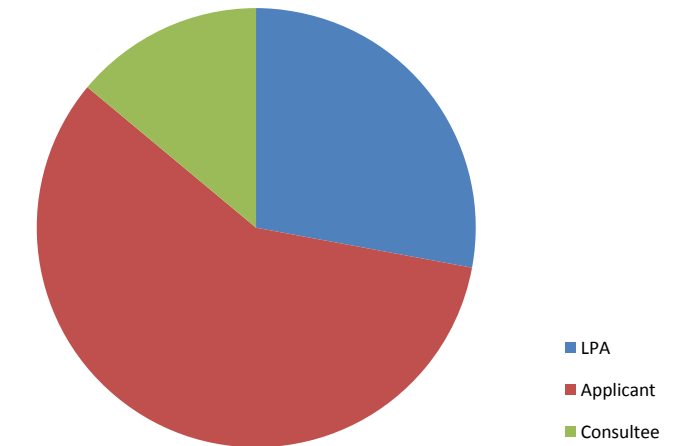
Good Practice

Site visit notes - liaison with applicant

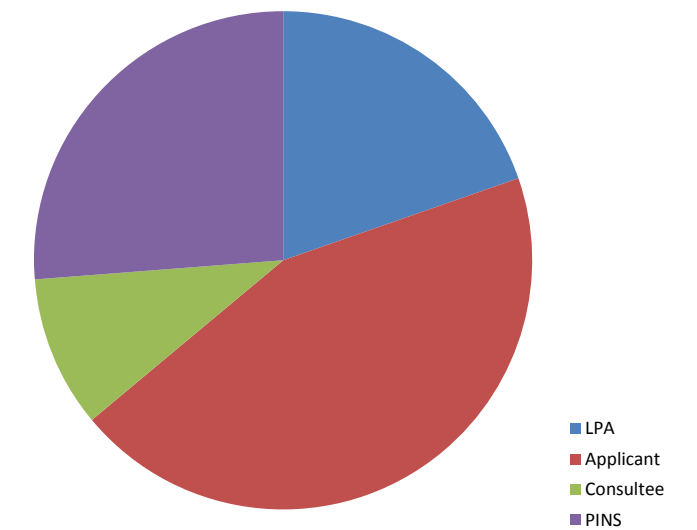
Poor Practice

Lack of pre-application discussions

Weeks spent: pre-application to condition discharge



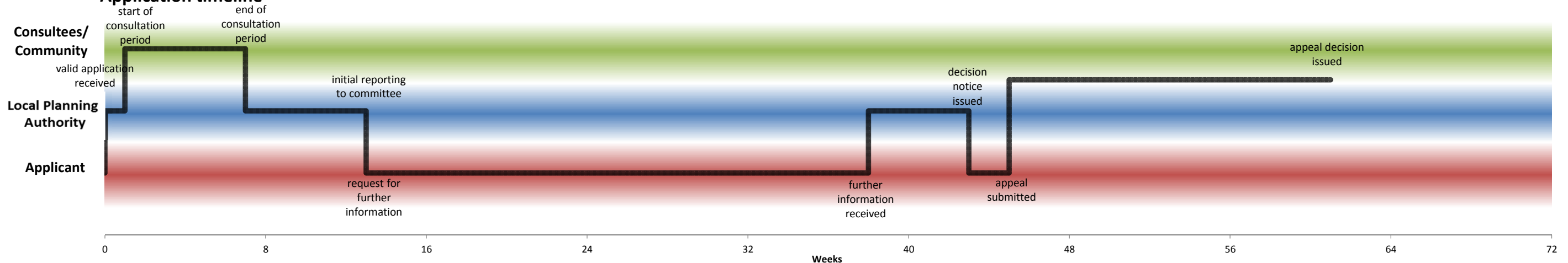
Weeks spent: concept to implementation



Summary Assessment

Despite there being no pre-application discussions, the application was submitted and reported to the first Committee meeting within 3 months. The determination was delayed by the legal covenant issue following a member site visit. Following the refusal in October 2012, the applicants appealed and the appeal was determined in February 2013. (End to end and application timescales match due to either: i) current progress of application; ii) pre-commencement conditions not yet discharged; or iii) lack of knowledge of end-to-end timescale.)

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Erection of 139 homes with road layout, means of access and public open space with habitat improvement and protection

Number of units

...of which affordable **139**
5

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n:
- Approval
- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal

Sector

- Housing only
- Mixed use scheme
- Affordable housing
- Welsh language
- EIA
- Market housing (private)
- RSL/ housing association led
- Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	01/01/07
Development concept	01/01/07
First pre-application discussion	
Application submitted	27/11/07
Validation date	
Resubmission date (latest)	
Delegated/committee resolution	12/05/10
Decision notice issued	04/08/11
Time taken to determine (weeks)	192
S106 signed	02/08/11
No. of pre-commencement conditions	7
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	01/01/12
Appeal lodged	
Appeal decision date	

Consultees

Consultee	Sent	Received	Days
CCW	02/01/08	28/01/08	26
Environment Agency Wales	02/01/08	04/02/08	33
Welsh Water	02/01/08	30/01/08	28
National Grid Transco	02/01/08		
Airbus	02/01/08	28/01/08	26
SP Power Systems	28/12/07	07/01/08	10
Wales and West Utilities	07/01/08	10/01/08	3
Ramblers Association	28/12/07	24/01/08	27
Town / Comm Council	02/01/08	04/02/08	33
Planning policy	02/01/08	08/02/08	37
Housing	02/01/08		
Environmental health	02/01/08	15/01/08	13
Education	02/01/08	04/01/08	2
Ecology	02/01/08		

End to end timescale (weeks)	261
Application timescale (weeks)	214

No. neighbours consulted	28
No. reps. received	15

Summary Assessment

There were major delays at each stage of the application. Consultations responses were made relatively quickly, but raised major issues with the (allocated) site, particularly drainage and design. This led to a long period of negotiation between the applicant, case officer and certain consultees, and lead an amended scheme being submitted. It took the applicant around six months to submit their amendments, whilst the clock was 'kept ticking'. Welsh Water objected to the scheme as it stood, and required off-site work to be funded by the developer - something which was strongly objected to by the applicant. This led to delay in both the determination and the post-decision phase, whilst a suitable condition was negotiated. At committee, the application was deferred as members objected to the (authority requested) gifted affordable housing proposal. This was amended for the next meeting and was approved. It took around a year for the Section 106 to be signed due to probate issues following the landowner's death.

Applicant Perspective

Pre-application was undertaken by another developer for the same site, where no significant issues were raised - major problems were only brought up by the LPA once the scheme had been submitted. No evidence was given that supported the LPA's Section 106 requests - 'held to ransom' by being told it would be refused if applicant tried to negotiate. Case officer did not share responses to consultation, and was not flexible enough to override responses or deal with them through conditions - led to a stand-off with a consultee where the site was deemed undeliverable (despite being allocated). Very poor customer service - most emails went unanswered. Complained to Head of Service but was not taken seriously. It is now company policy not to acquire sites in this authority, due to the difficulty in gaining planning permission.

Local Planning Authority Perspective

The original scheme did not adequately reflect the conservation area, so design and layout amendments were required. The amended scheme took several months to be received - it was decided to keep the application open rather than refuse the original submission. Section 106 signing caused a major delay, as did amendments to the scheme post-submission, which required re-consultation. Again, it was decided to keep the application open rather than refer it back to committee. Changes to the affordable housing provision meant that a Supplementary Agreement also had to be reached before work could start.

Consultee/ Community Perspective

There were serious concerns over the suitability of the site itself - this was highlighted by us in consultation and re-consultation. Objected to the scheme, and required the applicant to fund significant on-site and off-site improvements. It was proposed that this could be dealt with using a 'Grampian' condition, but the applicant would not agree. The site was not included in the 5-year investment plan, which meant that the works could not be undertaken by the consultee themselves. Following the decision, a solution was found for the site to be brought forward.

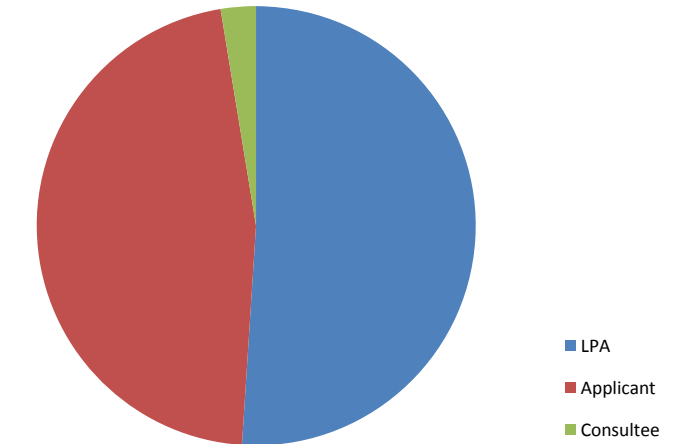
Good Practice

Housing officer was proactive in negotiating innovative affordable housing provision.

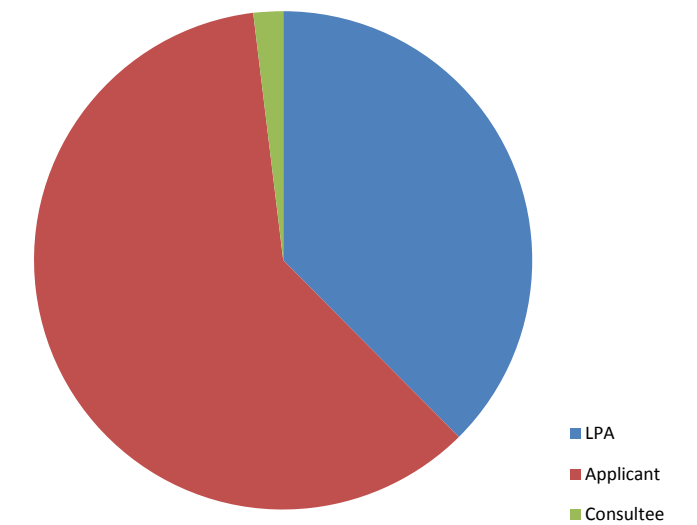
Poor Practice

Scheme was changed halfway through the scheme, leading to a major delay. Poor relationship between applicant, case officer and certain consultees. Long delay in negotiating conditions and signing Section 106.

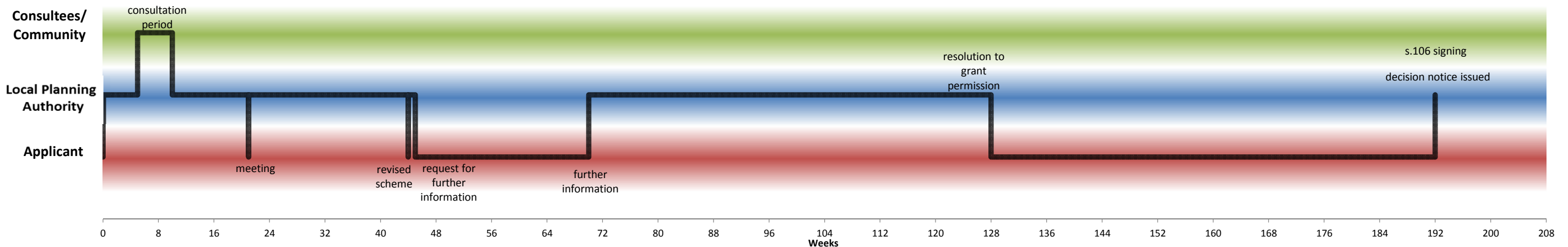
Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Approval of reserved matters following outline planning for erection of 65 residential units, open space, infrastructure, and all other associated works

Number of units

...of which affordable

65
19

Application Characteristics

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Outline | <input checked="" type="checkbox"/> Approved with conditions | <input checked="" type="checkbox"/> Housing only | <input checked="" type="checkbox"/> Market housing (private) |
| <input type="checkbox"/> Full | <input type="checkbox"/> Approved with conditions and S106 | <input type="checkbox"/> Mixed use scheme | <input type="checkbox"/> RSL/ housing association led |
| <input checked="" type="checkbox"/> Reserved matters | <input type="checkbox"/> Refused | <input checked="" type="checkbox"/> Affordable housing | <input type="checkbox"/> Joint market and RSL / HA |
| Officer. Recomm'n: | <input type="checkbox"/> Approved on appeal | <input type="checkbox"/> Welsh language | |
| Approval | <input type="checkbox"/> Refused on appeal | <input type="checkbox"/> EIA | |

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	01/01/11
Application submitted	25/08/11
Validation date	01/09/11
Resubmission date (latest)	
Delegated/committee resolution	31/01/12
Decision notice issued	03/02/12
Time taken to determine (weeks)	22
S106 signed	
No. of pre-commencement conditions	3
First pre-commencement condition discharged	25/05/12
Last pre-commencement condition discharged	03/09/12
Commencement of development	
Appeal lodged	
Appeal decision date	

Consultees

Consultee	Sent	Received	Days
Environment Agency Wales	09/09/11	23/09/11	14
Welsh Water	09/09/11	27/09/11	18
Western Power	08/09/11	12/09/11	4
South Wales Police	08/09/11	26/09/11	18
Housing	08/09/11	03/11/11	56
Highways	08/09/11	01/11/11	54
Ecology	09/09/11	07/10/11	28
Education	08/09/11	07/10/11	29
Urban Design	09/09/11	22/09/11	13
Trees	09/09/11	12/09/11	3
Drainage	09/09/11	21/09/11	12
Parks	09/09/11		
Noise and Air	09/09/11	17/10/11	38
Landscape	09/09/11	04/10/11	25
Contaminated Land	09/09/11	15/09/11	6
Waste	09/09/11	19/09/11	10

End to end timescale (weeks)	87
Application timescale (weeks)	73

No. neighbours consulted	44
No. reps. received	1

Summary Assessment

A limited amount of pre-application engagement occurred before the application was submitted. The application was validated quickly and an acknowledgement was sent to the applicant. Consultations took a week to be issued, and the public notice was not issued until about three weeks after the date of validation. Whereas all of the external consultees responded within the 21 day window, many of the internal consultees did not - the longest one took 56 days from consultation issue. One response was of poor quality and did not understand the conditions set out in the outline permission - the case officer had to ask for clarification. The application was delayed by a call for additional information and subsequent objection from an internal consultee, and negotiation with the applicant to resolve this. A re-consultation was also required after the scheme was amended following initial feedback. A re-plan was made submitted after the decision, which delayed the discharge of conditions.

Applicant Perspective

Pre-application was difficult on this site as the original outline application was not undertaken by the applicant, and they were not always the preferred bidder. Missing information (which held up the process) should have been highlighted earlier - at the validation process - to prevent it from causing the delay that it did. Whereas most of the consultee responses appeared considered, there were a couple which had a) been involved at too late a stage, and b) did not have a sufficient understanding of the context. This caused a delay to the application. Responses received at consultation were fed back to the applicant bit by bit, rather in one go. However, the applicant felt that the case officer did a good job and that this was a relatively straightforward application.

Local Planning Authority Perspective

As this application had a related outline approval, many of the key issues were known and had been dealt with in previous conditions. There was missing information which was picked up during consultation - however, this was provided relatively swiftly. There were also some layout changes requested early on in the determination process - again, these were made swiftly. There were a couple of issues which held the application up, and involved the applicant meeting with the relevant officers in the authority. Once these had been resolved the delegated permission could be granted. Discharge of conditions was relatively slow - this was because of the re-plan being submitted, as well as conditions being discharged on both the outline and reserved matters application.

Consultee/ Community Perspective

The application was missing three key reports, one of which was a validation requirement. They were requested as part of the initial response, but were still missing from the re-consultation. They were then provided so quickly that the quality of the information was compromised. The consultee had a meeting with the applicant, where concerns were dealt with through a condition.

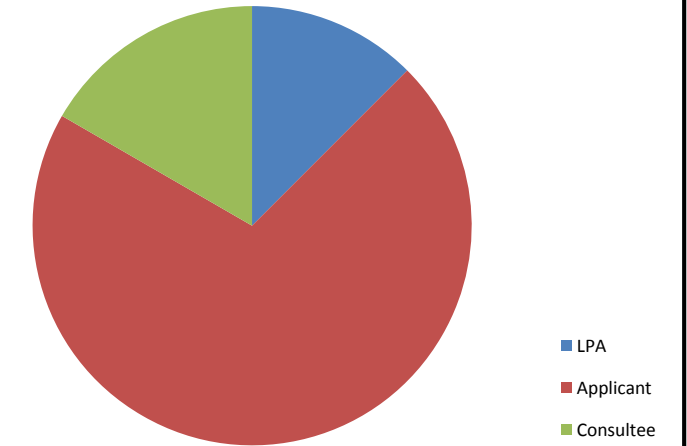
Good Practice

Appears to have been a good relationship between the case officer and the applicant, as well as with consultees where appropriate - for instance, one consultee met the applicant on site to discuss issues. Limited number of pre-comm conditions.

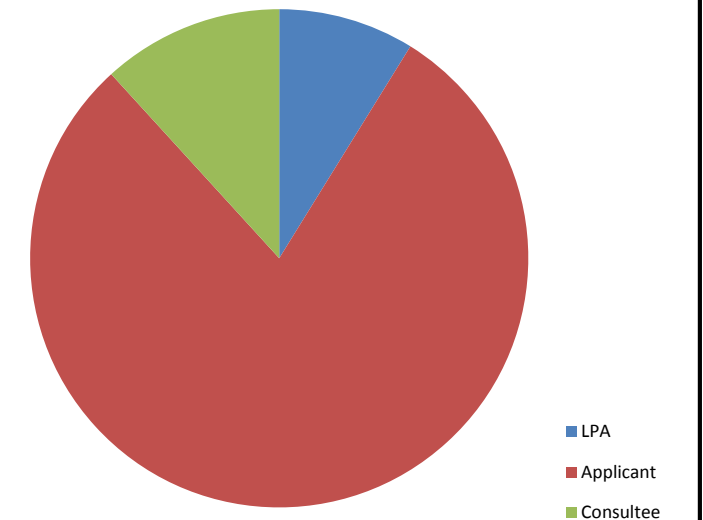
Poor Practice

Re-plan after decision led to a delay in discharging conditions and starting on site. Some delay in issuing of consultations.

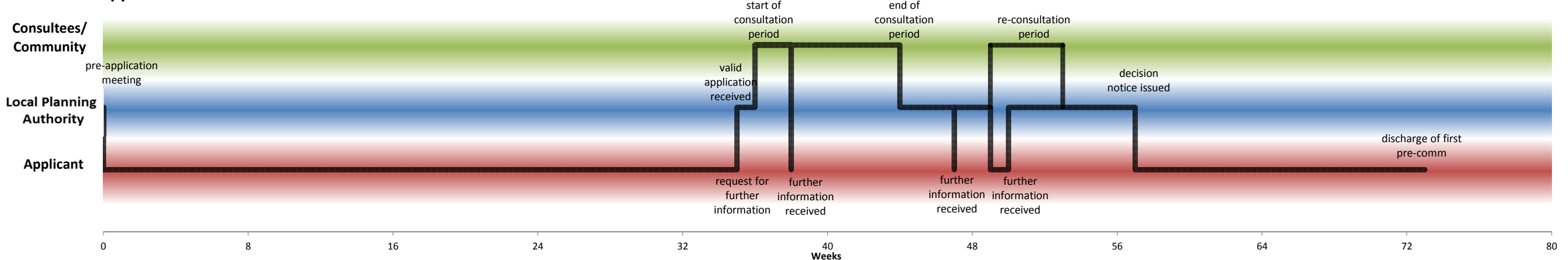
Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Conversion of first, second and third floors to 17 self-contained apartments

Number of units 17
...of which affordable 0

Application Characteristics

Outline Approved with conditions Housing only
 Full Approved with conditions and S106 Mixed use scheme
 Reserved matters Refused Affordable housing
Officer. Recomm'n: Approved on appeal Welsh language
 Refused on appeal EIA

Sector

Market housing (private)
 RSL/ housing association led
 Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	
Application submitted	12/04/12
Validation date	
Resubmission date (latest)	
Delegated/committee resolution	27/07/12
Decision notice issued	21/12/12
Time taken to determine (weeks)	36
S106 signed	
No. of pre-commencement conditions	1
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	27/07/12
Appeal decision date	21/12/12

End to end timescale (weeks)	36
Application timescale (weeks)	36

Consultees

Consultee	Sent	Received	Days
Welsh Water	08/05/12		
Community/Town Council	08/05/12		
Conservation advisory panel	08/05/12	01/08/12	85
Planning policy department	08/05/12	26/06/12	49
Housing department	08/05/12		
Highways (local)	08/05/12		
Conservation officer	08/05/12	26/06/12	49
Environmental services	08/05/12		
Business and enterprise	08/05/12	09/07/12	62
Environmental health	08/05/12	29/05/12	21

No. neighbours consulted	
No. reps. received	1

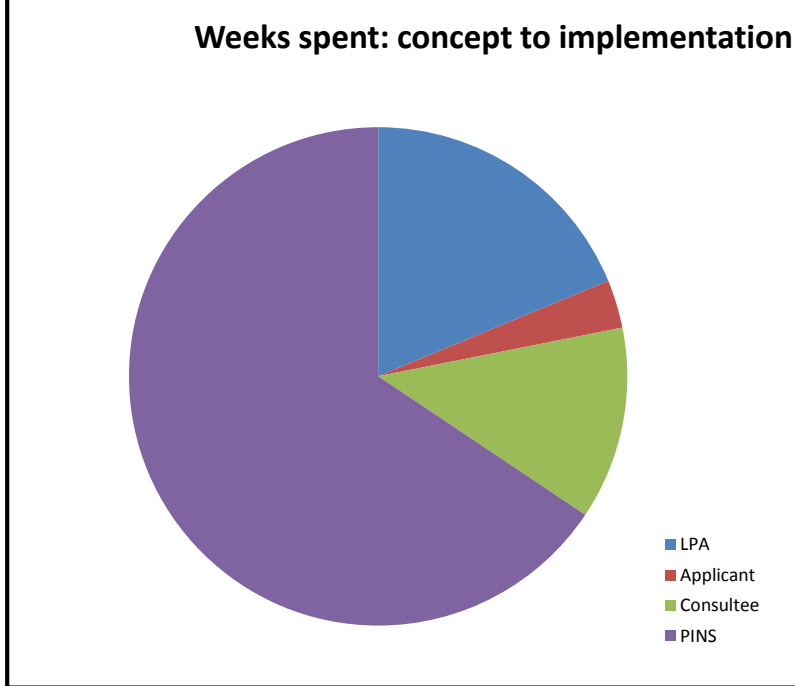
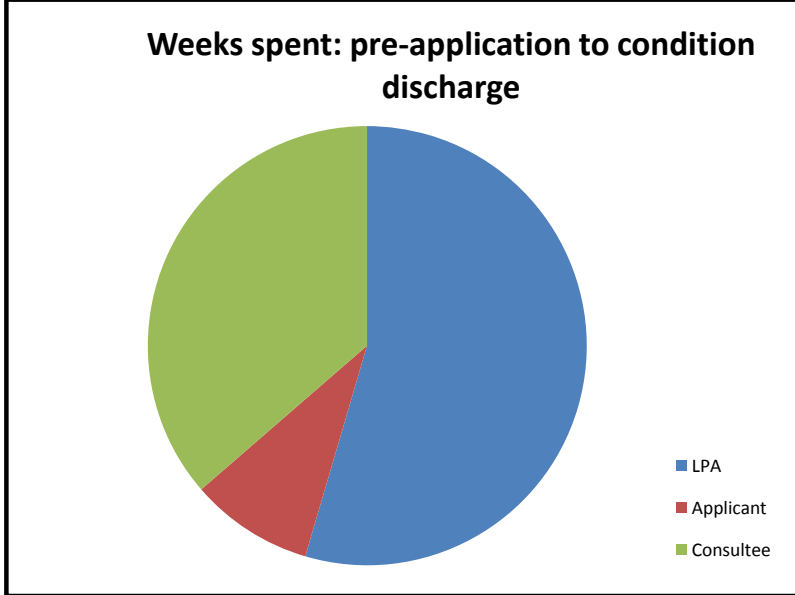
Applicant Perspective
The disagreement within the Council over the use of the hotel site meant they were 'dragging their heels', and not making a decision or any progress. Wouldn't meet to discuss the application, which meant that we could not resolve the issue. By this point the target decision date had long passed and we could tell it was going to drag on, so we decided to appeal.
The request for more information was understandable - managed to turn it around quickly through specialist consultant (work had already been done).
It was felt that the case officer was good but did not control consultation process - it took a long time and the applicant did not know what was going on.

Local Planning Authority Perspective
Sensitive site, so an effort to 'get it right'. Of the view that, as the hotel had not operated for several year, conversion to residential was appropriate. Would have recommended approval if not for the appeal.
The applicant signed a Unilateral Undertakings before the decision, which allowed Council to get the contributions that would have been through Section 106.
The building was subsequently listed by Cadw after the appeal - which dealt with some of the concerns.

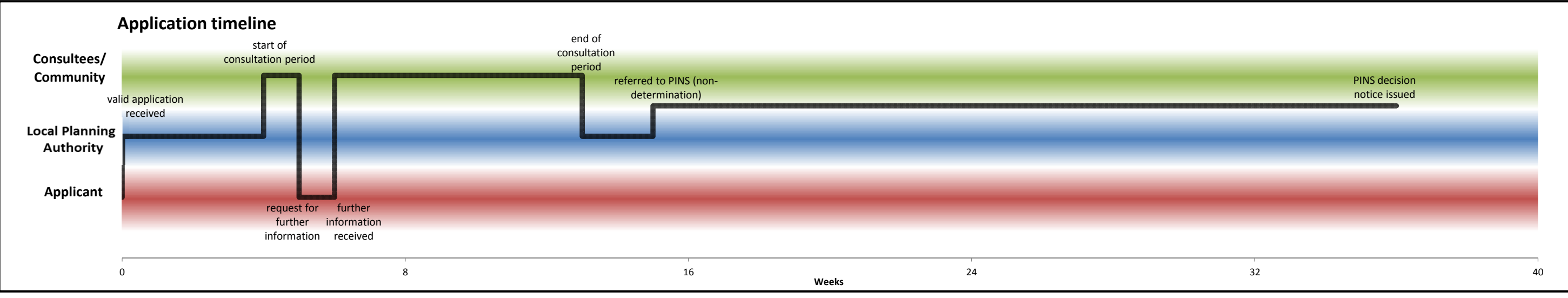
Consultee/ Community Perspective
The scheme was controversial - loss of hotel use. Not convinced by the evidence submitted that the scheme was the only viable option for the site, or that policy supported the conversion into residential. More information was requested but it was felt it did not fully demonstrate the unviability of a hotel on the site.
Important to get this right, which is why there was negotiation on this. However, appeal took it out of our hands before we could resolve matter.

Good Practice
Additional information request was dealt with quickly.

Poor Practice
Delay between receiving application and registering.
Long consultation period.
Open disagreements between case officer and internal consultees on current policy, leading to an impasse.



Summary Assessment
There was a delay of around four weeks between receiving a valid planning application and registering it on the system. Consultation responses were generally very slow, with the last one received after the case had been referred to the Planning Inspectorate. Two of those consultees who were late in responding strongly objected to the scheme.
There was disagreement between the case officer and an internal consultee on the interpretation of current policy, which led to a delay. The consultee disagreed with the change of use of the site from a hotel, and marketed the premises to non-residential developers during the application. The applicant requested a meeting with the internal consultee to discuss these issues, but was refused - shortly after, the application was referred to the Planning Inspectorate for non-determination. The appeal took 21 weeks to make a decision. One request for additional material was made during the application - this was dealt with quickly by the applicant. (End to end and application timescales match due to either: i) current progress of application; ii) pre-commencement conditions not yet discharged; or iii) lack of knowledge of end-to-end timescale.)



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Outline planning application for the construction of up to 150 dwellings, the laying out of open space, new means of vehicular access and associated infrastructure.

Number of units 150
 ...of which affordable ?

Application Characteristics

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Outline | <input type="checkbox"/> Approved with conditions | <input checked="" type="checkbox"/> Housing only | <input checked="" type="checkbox"/> Market housing (private) |
| <input type="checkbox"/> Full | <input type="checkbox"/> Approved with conditions and S106 | <input type="checkbox"/> Mixed use scheme | <input type="checkbox"/> RSL/ housing association led |
| <input type="checkbox"/> Reserved matters | <input checked="" type="checkbox"/> Refused | <input checked="" type="checkbox"/> Affordable housing | <input type="checkbox"/> Joint market and RSL / HA |
| Officer. Recomm'n: | <input checked="" type="checkbox"/> Approved on appeal | <input type="checkbox"/> Welsh language | |
| Refusal | <input type="checkbox"/> Refused on appeal | <input type="checkbox"/> EIA | |

Applicant Perspective

The applicant decided not to undertake a pre-application discussion, as the LPA did not take the site seriously. It was known before submission that it would be refused and go to appeal - it was a politically charged site. However, there was a time during application where it was felt they were on-side. Extra information was required to allow officers to postpone making a decision. The case officer was very unwilling to show any judgement. Consultees found it difficult to look beyond their own remit and consider the wider benefits of the scheme, or the clear lack of a five year land supply. The appeal process was very slow, and took far longer than the LPA decision. As it was called in by the Minister it became more complex.

Key Dates

Applicant secured option/ purchased land	01/01/09
Development concept	
First pre-application discussion	
Application submitted	07/09/10
Validation date	08/09/10
Resubmission date (latest)	
Delegated/committee resolution	14/09/11
Decision notice issued	16/09/11
Time taken to determine (weeks)	53
S106 signed	
No. of pre-commencement conditions	
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	23/11/11
Appeal decision date	31/05/13
End to end timescale (weeks)	63
Application timescale (weeks)	63

Consultees

Consultee	Sent	Received	Days
CCW	13/10/10	18/11/10	36
Environment Agency Wales	16/09/10		
Welsh Water	16/09/10	11/10/10	25
Town / Comm. Council	16/09/10	n/a	
Archaeological Trust	16/09/10	17/09/10	1
South Wales Police	16/09/10	01/10/10	15
Planning Policy	16/09/10		
Housing	16/09/10	14/12/10	89
Highways	16/09/10	14/10/10	28
Ecology	16/09/10	18/10/10	32
Countryside	16/09/10	14/12/10	89
Education	16/09/10	21/09/10	5
Urban Design	16/09/10	13/10/10	27
Conservation	16/09/10	19/10/10	33
Trees	16/09/10	23/11/10	68
Parks	16/09/10	03/11/10	48
Drainage	16/09/10	28/09/10	12
Neighbourhood Regen.	16/09/10	18/10/10	32
Pollution	16/09/10	05/10/10	19
No. neighbours consulted	45		
No. reps. received	12		

Local Planning Authority Perspective

The scheme was not on an allocated site, and it was felt that there were several aspects which meant that it was unacceptable, including sustainability/connectivity and landscape. The design and layout of the scheme was also poor. Though amended schemes were submitted (such as crossings over the road), it did not make it appropriate development. There were strong local and Member objections to the scheme.

Consultee/ Community Perspective

Information needed to support the application was requested, and took a long time to be received. The site opposite lost at appeal on this issue, so there was no excuse for the applicant not supplying the information. It should also have been picked up at the validation stage. Once the information had been submitted it was satisfactory and was supported (though with a condition).

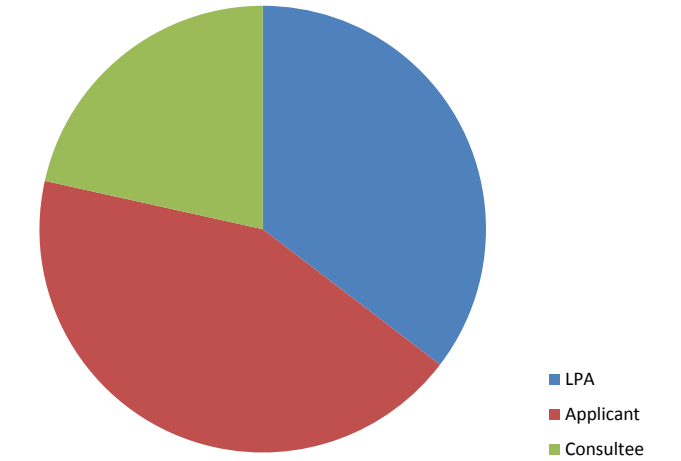
Good Practice

Validation and consultation period appeared to be efficient.

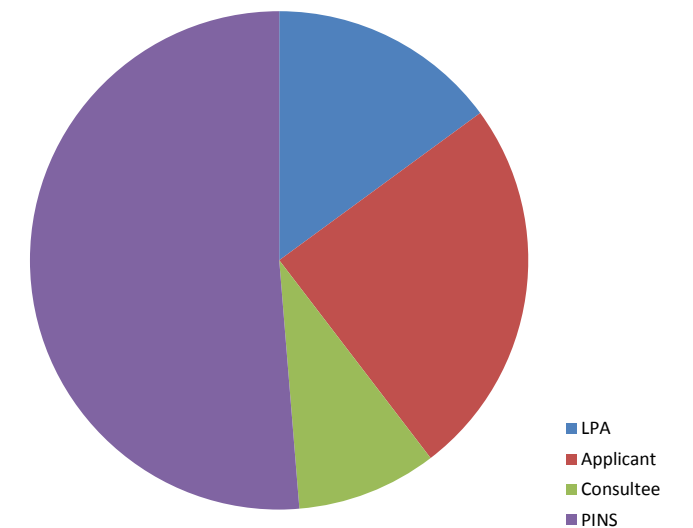
Poor Practice

Multiple documents had to be requested after submission, some of which took a long time to be received. Poor relationship between officers and the applicant. Many of the consultation responses were received after the 21 day period.

Weeks spent: pre-application to condition discharge



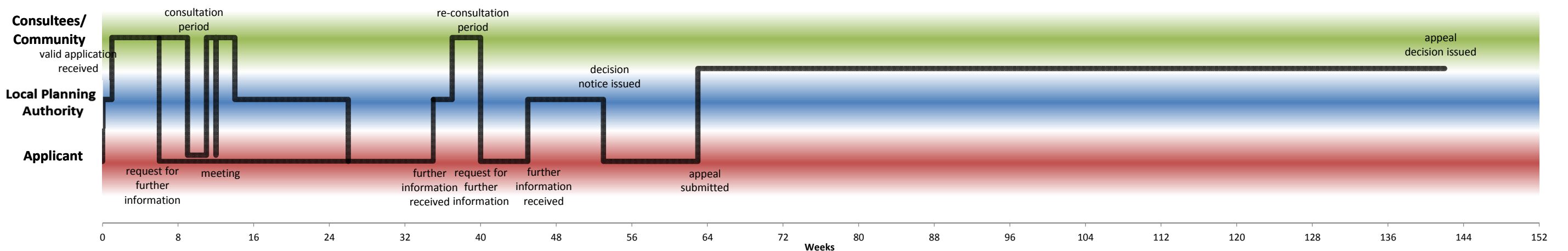
Weeks spent: concept to implementation



Summary Assessment

Validation and consultation was efficient, though some details of the application form were incorrect, leading to a re-issuing of neighbour consultations. Ecological material (amongst others) was missing, which caused a long delay and reconsultation. Additional information was submitted in bits and pieces rather than all in one go. An independent audit of some of the material submitted was requested - the applicant was initially unhappy but eventually agreed. The applicant appealed, and the appeal was called in to the Welsh Ministers. It took 75 weeks to issue a decision notice. (End to end and application timescales match due to either: i) current progress of application; ii) pre-commencement conditions not yet discharged; or iii) lack of knowledge of end-to-end timescale.)

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description Construction of 14 no. dwellings and associated works	Number of units ...of which affordable	14 14
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Application Characteristics		Sector	
<input type="checkbox"/> Outline	<input type="checkbox"/> Approved with conditions	<input type="checkbox"/> Housing only	<input type="checkbox"/> Market housing (private)
<input checked="" type="checkbox"/> Full	<input checked="" type="checkbox"/> Approved with conditions and S106	<input type="checkbox"/> Mixed use scheme	<input checked="" type="checkbox"/> RSL/ housing association led
<input type="checkbox"/> Reserved matters	<input type="checkbox"/> Refused	<input checked="" type="checkbox"/> Affordable housing	<input type="checkbox"/> Joint market and RSL / HA
Officer. Recomm'n:	<input type="checkbox"/> Approved on appeal	<input type="checkbox"/> Welsh language	
Approval	<input type="checkbox"/> Refused on appeal	<input type="checkbox"/> EIA	

Key Dates		Consultees	Sent	Received	Days
Applicant secured option/ purchased land		Environment Agency	21/12/11	10/01/12	20
Development concept		Dwr Cymru Welsh Water	21/12/11	19/01/12	29
First pre-application discussion		Crime Reduction: SW Police	21/12/11	12/01/12	22
Application submitted	20/12/11	Strategic Planning	21/12/11	03/01/12	13
Validation date	20/12/11	Highways	21/12/11	16/01/12	26
Resubmission date (latest)		Transport Services	21/12/11		
Delegated/committee resolution	13/06/12	Pollution Control	21/12/11		
Decision notice issued	13/07/12	Urban Design	21/12/11	03/01/12	13
Time taken to determine (weeks)	29	Drainage	21/12/11	29/12/11	8
S106 signed	13/07/12	Parks	21/12/11	13/01/12	23
No. of pre-commencement conditions	6	Neighbourhood Renewal	21/12/11	05/01/12	15
First pre-commencement condition discharged	17/10/12	Waste Management	21/12/11	05/01/12	15
Last pre-commencement condition discharged	16/04/13	Trees	21/12/11	22/12/11	1
Commencement of development	01/12/12	Equality and Diversity	21/12/11		
Appeal lodged					
Appeal decision date					
End to end timescale (weeks)	50	No. neighbours consulted	21		
Application timescale (weeks)	43	No. reps. received	23		

Summary Assessment
The application was registered and consultations were issued promptly by the LPA. There was considerable variation in the timescale for consultees responses. Of the 14 consultations, which were initially issued, only 6 responded within the 21 day period. Consultation responses from 3 internal departments of the Council were not recorded on the file. Due to time constraints, the applicant did not engage in a pre-application discussion. Similarly, an FCA was not submitted with the application due to the need to submit the application by a certain date. The delay in the application was caused by protracted negotiations on detailed design issues, which required several re-consultations. These issues could have been addressed earlier in the process if a pre-application discussion had taken place. The late submission of the FCA resulted in an initial objection from the former Environment Agency Wales (EAW). On receipt of the FCA further consultation with EAW was required. The application did not have a large number of pre-commencement conditions (six in total). However, these took time to discharge and work started on site before the last condition was discharged.

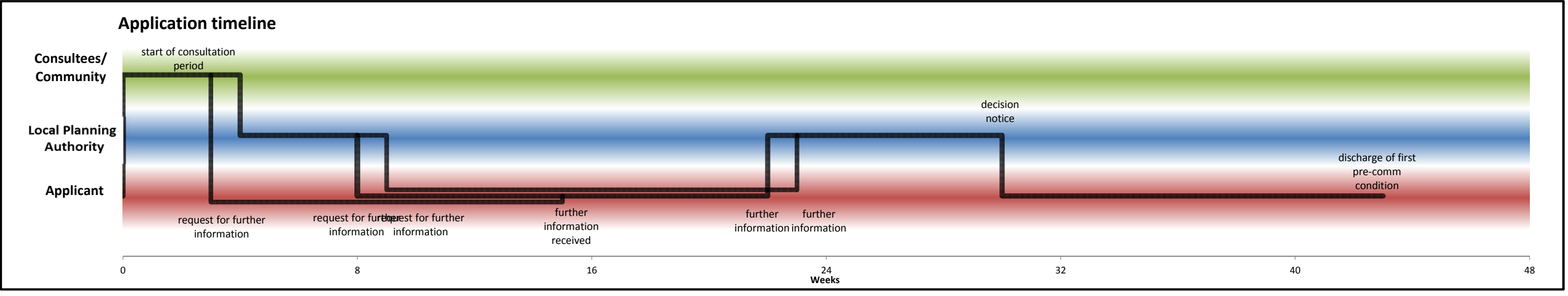
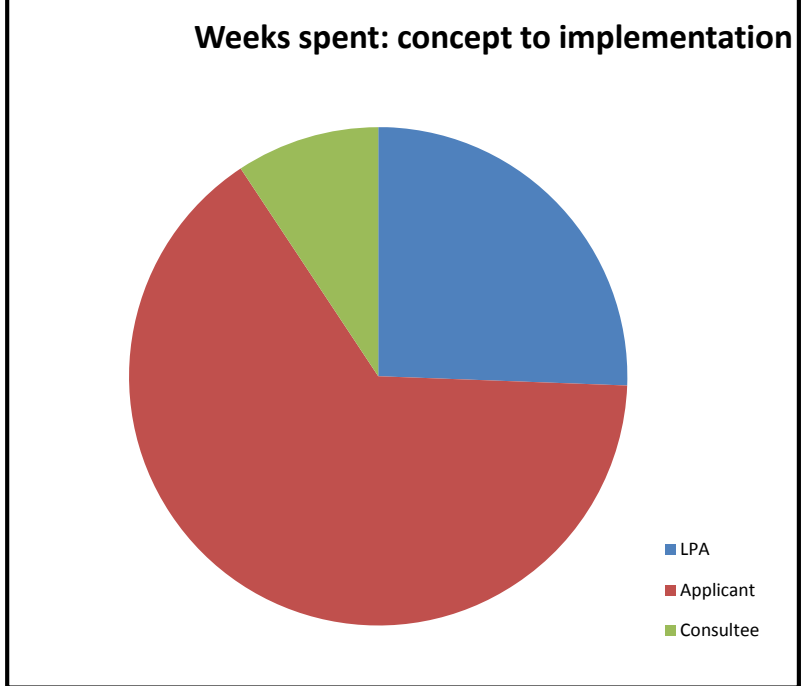
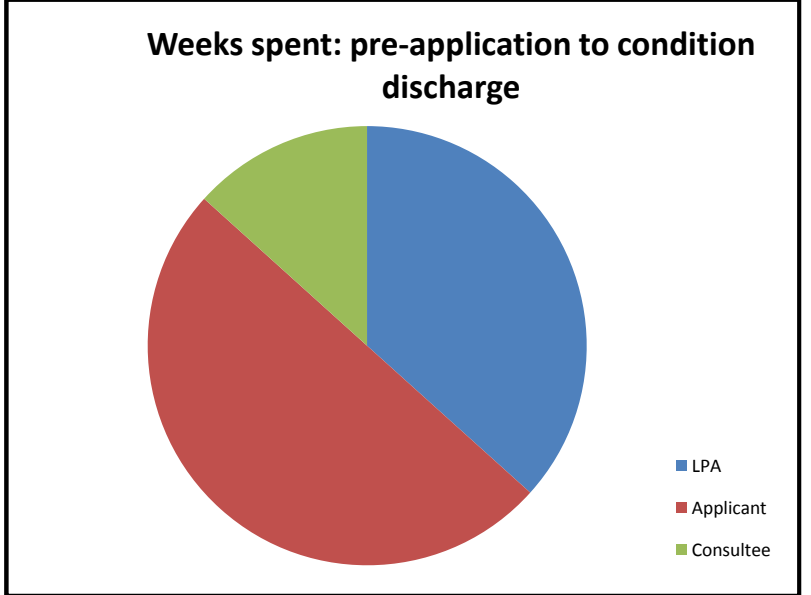
Applicant Perspective
For a site of this size, the applicant would normally expect the planning process to take approximately 6 months. The 7 month timescale was therefore very slow. The agent did not arrange a pre-application discussion due to pressures for submitting the application. There were numerous discussions regarding design, but the applicant preferred to negotiate to avoid a refusal. The agent and the applicant were aware that an FCA was required, but this was submitted later due to funding time pressures to submit the application. The applicant has strong links with the Council's Housing Officer as well as other technical departments including highways and waste management and considered this to be very beneficial in the planning process. The applicant prepared a unilateral undertaking as it is a quicker and more cost effective procedure and gave certainty to the applicant on S106 costs.

Local Planning Authority Perspective
The Planning Officer also considered that the planning application was not complex and that the 7 month determination period was slow for the size of the development. The determination took longer than most for an application of this sort. This was largely due to discussion and negotiation regarding detailed elements of the design. As a result, there was a lot of "to-ing and fro-ing" with the agent. There had been no formal pre-application discussion for this site. A pre-application meeting would have been beneficial in identifying some of the potential design concerns prior to the planning application being submitted. Consultations were issued on this case a number of times as a result of the design changes. In addition, an FCA was not submitted with the application. This meant that subsequent consultation with statutory consultees was required. Most pre-commencement conditions have been discharged. However, it was acknowledged that approach to discharging conditions was "as and when."

Consultee/ Community Perspective
The consultee had not been involved in any pre-application discussions for this site. There was a minor delay (one day) in responding to the planning application consultation. The response rates of the consultee are self monitored, but a service level agreement is in place with the Planning Department. The consultee has a good working relationship with the Planning Department, as well as the Council's Housing Officer and the Housing Association (the applicant). Housing Association development is required to comply with Secure by Design. Agents and architects are aware of this requirement and as a result, these design principles are usually incorporated into proposed housing layouts at the outset. In this case, the consultee contacted the architect direct to provide their comments on the application and to agree a particular aspect of the design. This is common practice on housing applications, which the consultee is involved in. Correspondence on the application file confirmed this proactive approach.

Good Practice
Prompt registration and consultation. Proactive involvement of the consultee in agreeing design aspects. Early preparation of a unilateral undertaking by the applicant meant that the decision notice was issued one month after the Committee resolution.

Poor Practice
Absence of the FCA at submission required re-consultation. Protracted negotiations on detailed design points could have been avoided by a pre-application discussion. Discharge of conditions received a lower priority.



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Redevelopment of housing (reserved matters)

Number of units 48
...of which affordable 0

Application Characteristics

Outline Approved with conditions Housing only
 Full Approved with conditions and S106 Mixed use scheme
 Reserved matters Refused Affordable housing
Officer. Recomm'n: Approved on appeal Welsh language
 Approval Refused on appeal EIA

Sector

Market housing (private)
 RSL/ housing association led
 Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	27/02/12
Application submitted	18/07/12
Validation date	25/07/12
Resubmission date (latest)	41229
Delegated/committee resolution	03/01/13
Decision notice issued	14/01/13
Time taken to determine (weeks)	25
S106 signed	
No. of pre-commencement conditions	5
First pre-commencement condition discharged	18/02/13
Last pre-commencement condition discharged	01/04/13
Commencement of development	01/05/13
Appeal lodged	
Appeal decision date	

End to end timescale (weeks) 61
Application timescale (weeks) 51

Consultees

Consultee	Sent	Received	Days
CCW	n/k	12/10/12	
Welsh Water	30/07/12	20/08/12	21
Wales and West Utilities	30/07/12	08/08/12	9
Fire and Rescue Service	30/07/12	07/08/12	8
Highways	30/07/12	13/08/12	14
Ecology	30/07/12		
Drainage	30/07/12	09/08/12	10
Urban Design	30/07/12		
Public Health	30/07/12	07/08/12	8

No. neighbours consulted 72
No. reps. received 0

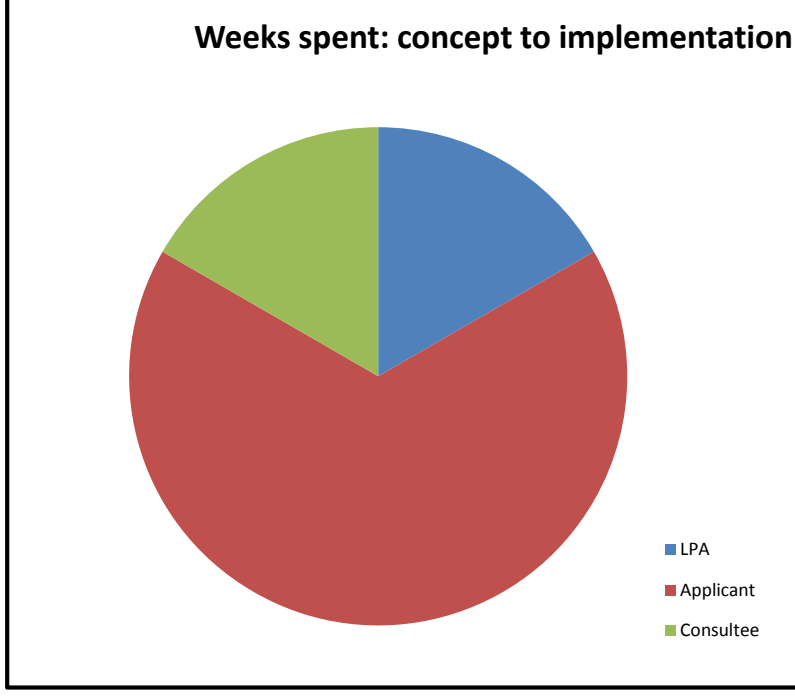
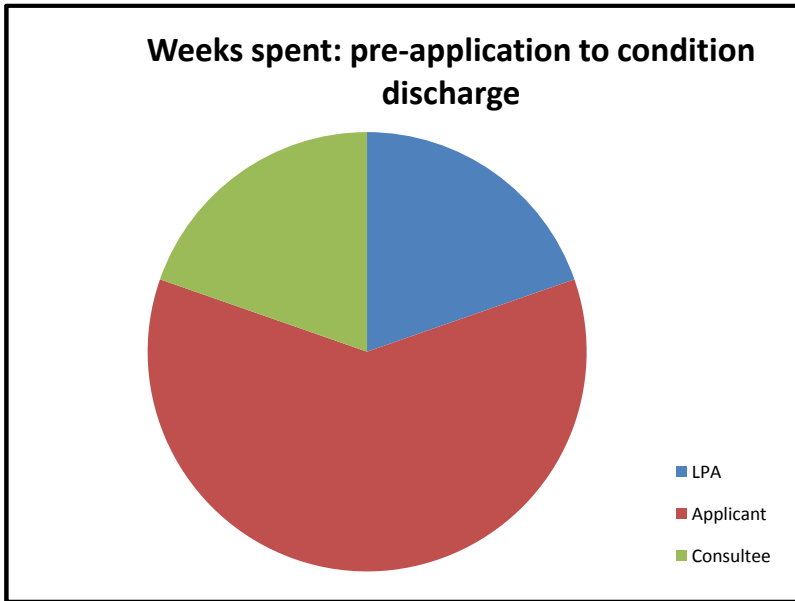
Applicant Perspective
The pre-application was useful - same case officer as outline application, who was very knowledgeable. However, there were differences between the highways advice received at pre-app and the responses at consultation. The reserved matters application and pre-commencement conditions from the outline application were submitted together (as separate applications) - however, they were not dealt with together. This led to duplication of questions etc. Case officer was very good, though did not seem aware of the fact that delays had an impact on the options on the site. The validation requirements required by the LPA are very onerous - not all the information we were required to submit was used or even looked at. Further info was requested, even though it was included in the original submission.

Local Planning Authority Perspective
Pre-application discussion meant that there weren't too many surprises - though advice was not always followed. The scheme has a lot of history, and half of the site is built out. Many of the issues were borne out of an unclear understanding of ownership of access land - this should have been foreseen. Applicant re-submitted with an application which reflected this and re-consultation took place. Good relationship with internal consultees, particularly highways and design, meant that a good overall scheme was approved.

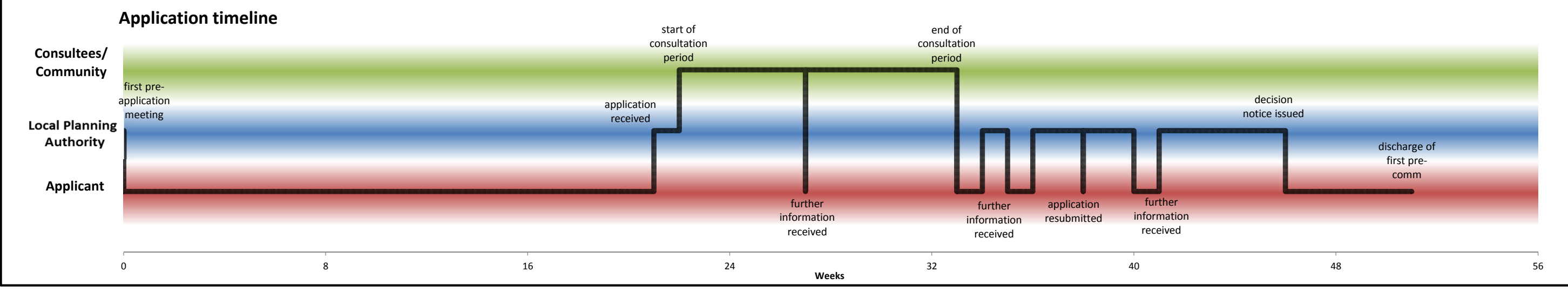
Consultee/ Community Perspective
Concerns raised at pre-application phase and at first round of applications were not dealt with, which led to further amendments to be made to the scheme. The original scheme did not reflect the design framework set for the site, and so was unacceptable. Negotiation within an application is a normal part - through it an acceptable scheme came about. The applicants were relatively engaged, and willing to make changes to the design.

Good Practice
Pre-application advice was sought. Responses to consultation was made promptly. Good working relationship between the case officer and internal consultees. Direct relationship between applicant and internal consultees.

Poor Practice
Delay in issuing public notice. Several design iterations taking place within the determination period, along with the need for a resubmission.



Summary Assessment
This reserved matters scheme dealt with half of an outline permission - permission the other half of the site had already been granted, leading to a clear design precedent. Pre-application advice was sought on this, though it appears not all was followed. Issue of consultations was done quickly, however there was a delay of around two weeks for the public notices and case officer site visit. Consultations were all received within the 21 day period. There were several times where additional information was requested by the case officer, and negotiation over design and layout. Relationships were mostly constructive, despite the fact that the case officer remained clear that the current scheme could not be supported. A revised scheme (reflecting design changes and variations as a result of land ownership) was re-submitted and re-consulted on, and subsequently granted. However, negotiation over a draft condition led to a delay of many months in issuing a notice. Minor amendments were later deemed acceptable.



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Demolition of three pairs of semi detached houses; construction of 25no general needs houses and 12no general needs apartments together with roads, parking and landscaping

Number of units

...of which affordable

37
37

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n:
- Approval
- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal

- Housing only
- Mixed use scheme
- Affordable housing
- Welsh language
- EIA

Sector

- Market housing (private)
- RSL/ housing association led
- Joint market and RSL / HA

Applicant Perspective

The applicant was a housing association which had submitted similar schemes - prefabricated social housing on plots of derelict buildings - in the past. They had won praise for their innovative approach to delivering housing and enhancing amenity. The applicant engaged in pre-application meetings with the authority, where car parking and layout of units was raised as potential issues. This advice was reflected in the submitted application. Some information referred to but not submitted as part of the original application was requested by the case officer - whilst this was dealt with promptly by the applicant, it led to re-consultation. If this had been included at the start the process could have been more streamlined.

Local Planning Authority Perspective

The scheme was supported by the authority - the houses to be demolished were derelict, and replaced with social housing. The pre-fabricated method of construction was relatively new, and the pilot was successful. Therefore there was an expectation that this scheme would get approval. The number of conditions was reflective of the high environmental standard of the proposed homes, as well as some of the environmental characteristics of the site.

Consultee/ Community Perspective

The scheme was well supported by local Councillors and the community. The applicant engaged with the community through pre-application events and mail-outs, and it was demonstrated in the application that any public concerns had been addressed during the design process. For this reason, no representations from neighbours were received. The number of internal and external consultees appears to be kept low - this had the effect of a more compact consultation period, with all responses received within 24 days. The re-consultation period was similarly well-managed.

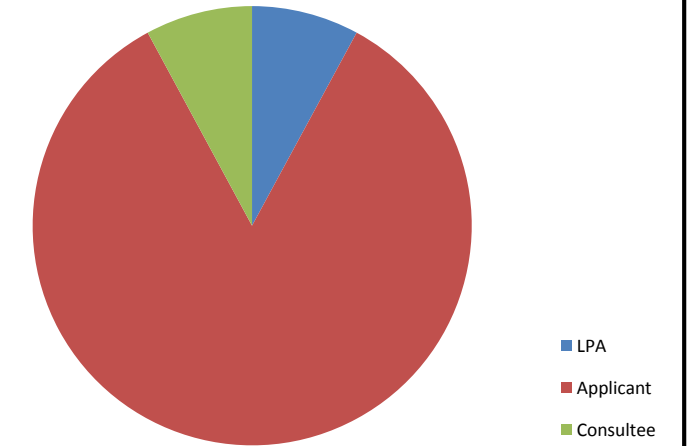
Good Practice

Responses to consultation was swift. Pre-application engagement with the community meant that the scheme was highly supported.

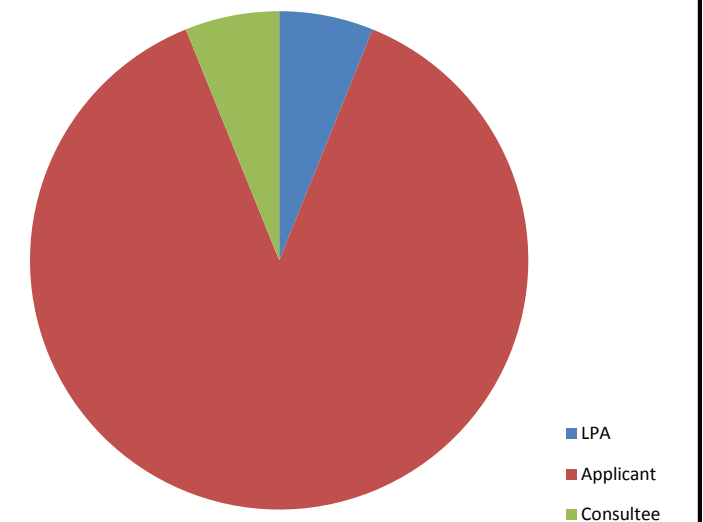
Poor Practice

Long period of time between decision notice and discharge of conditions. Large number of pre-commencement conditions.

Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	06/09/11
Application submitted	30/11/11
Validation date	07/12/11
Resubmission date (latest)	
Delegated/committee resolution	15/03/12
Decision notice issued	26/03/12
Time taken to determine (weeks)	16
S106 signed	
No. of pre-commencement conditions	13
First pre-commencement condition discharged	22/02/13
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	
Appeal decision date	

Consultees

Consultee	Sent	Received	Days
Welsh Water	12/12/11	05/01/12	24
Western Power	12/12/11	19/12/11	7
Wales and West Utilities	12/12/11		
Highways	12/12/11	21/12/11	9
Drainage	12/12/11	19/12/11	7
Ecology	12/12/11	23/12/11	11
Public Health	12/12/11	29/12/11	17
Contaminated Land	12/12/11		

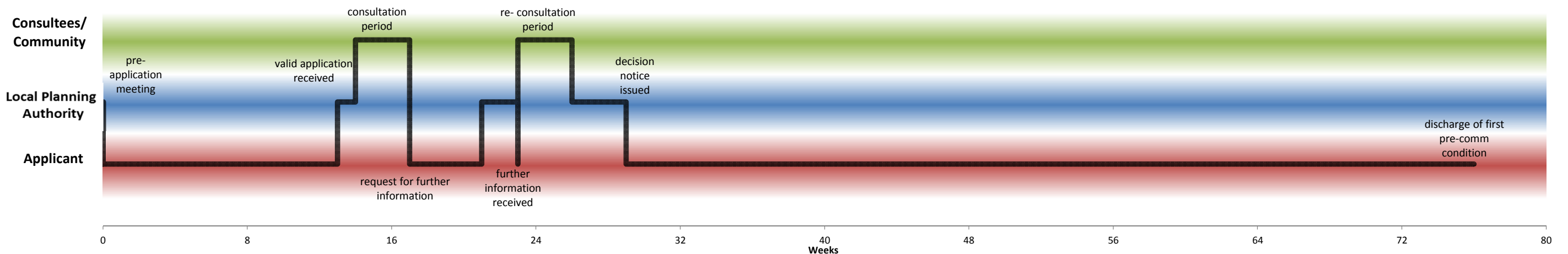
End to end timescale (weeks)	98
Application timescale (weeks)	76

No. neighbours consulted	54
No. reps. received	0

Summary Assessment

Incorrect information on the original application form delayed validation by a week. Once validated, consultations were issued quickly and responses were generally swift. Information on contaminated land was requested by a consultee, and provided by the applicant in around three weeks. The read line boundary was also amended (unclear why), leading to a full re-consultation. Notice 1 and Certificate B were also re-issued to highways, as a landowner. The scheme was locally supported and no other significant issues were raised. Despite a relatively straightforward application, a high number of pre-commencement conditions (13, out of 25 conditions in total) were attached. Almost a year passed until the first pre-commencement condition was discharged, seemingly on the part of the applicant.

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Erection of 46 extra care apartments, a health and social care facility, and extension to existing community centre.

Number of units
...of which affordable 46

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n: Approval
- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal

- Sector**
- Housing only
 - Mixed use scheme
 - Affordable housing
 - Welsh language
 - EIA
 - Market housing (private)
 - RSL/ housing association led
 - Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	01/10/10
Application submitted	21/02/11
Validation date	03/03/11
Resubmission date (latest)	
Delegated/committee resolution	20/06/11
Decision notice issued	20/06/11
Time taken to determine (weeks)	16
S106 signed	
No. of pre-commencement conditions	5
First pre-commencement condition discharged	28/10/11
Last pre-commencement condition discharged	14/12/12
Commencement of development	
Appeal lodged	
Appeal decision date	
End to end timescale (weeks)	115
Application timescale (weeks)	56

Consultees

Consultee	Sent	Received	Days
Environment Agency Wales	16/03/11	21/04/11	36
Welsh Water	16/03/11	12/04/11	27
Wales and West Utilities	16/03/11		
Community / Town Council	16/03/11	07/04/11	22
Care Standards Inspectorate	16/03/11	16/03/11	
Health and Safety Executive		09/03/11	
Sport Wales	16/03/11	29/03/11	13
Archaeological Trust	16/03/11	06/04/11	21
Planning Policy	16/03/11		
Housing	16/03/11		
Highways	16/03/11	29/03/11	13
Countryside	16/03/11	17/03/11	1
Conservation	16/03/11	05/04/11	20
Environmental Services	16/03/11	17/03/11	1
Business development	16/03/11		
Environmental Health	16/03/11	28/03/11	12
Social Services	16/03/11		

No. neighbours consulted	41
No. reps. received	1

Applicant Perspective

The applicant was a Housing Association, providing extra care apartments and associated facilities for the elderly. An outline planning application was submitted for the site in 2008, but the subsequent application was for full rather than reserved matters permission, as the scheme had changed substantially. The relationship between the LPA and the applicant and agent was constructive - additional information and clarification was requested and received promptly. There was some negotiation over planning obligations for the site, particularly surrounding highways and access - the number and location of pedestrian crossings was agreed upon quite late in the process. The strong relationship was weakened somewhat during discharge of conditions - this appeared to be a result of the reduced input of the case officer.

Local Planning Authority Perspective

The applicant engaged not only the LPA but also local residents before the scheme was submitted - this meant that the scheme had a good level of support. The issues raised at consultation (road crossings) were largely known about and more easily dealt with. However, some information which is a validation requirement was not included in the original submission.

Consultee/ Community Perspective

Not all of the information needed to comment on the application was provided in one go, which resulted in a few separate responses. This slowed down the process somewhat, as well as making it difficult to comment on the application as a whole. Nevertheless, this proposal was supported by the authority and the community and was relatively straightforward.

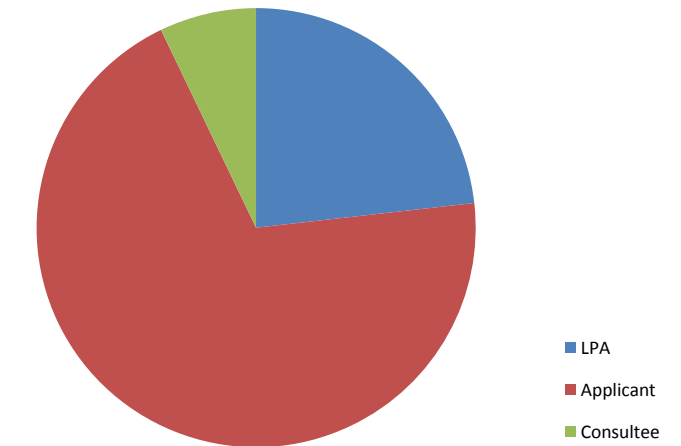
Good Practice

Constructive relationship between the applicant and the case officer, with additional information provided promptly. Errors in material provided picked up at the validation stage. Relatively swift consultation period, with no re-consultation.

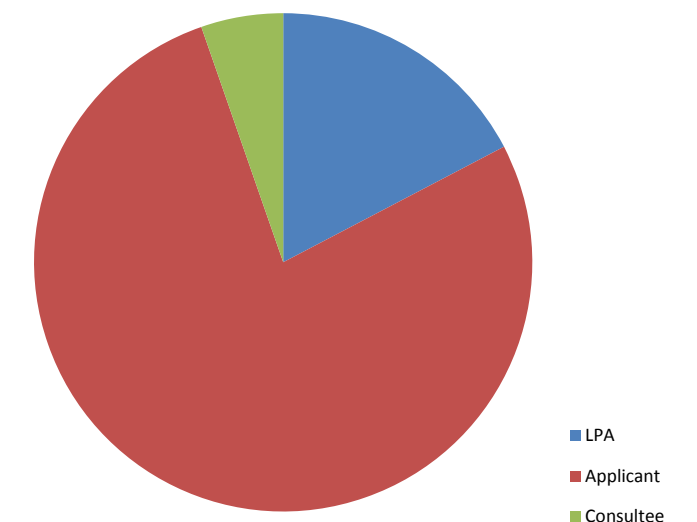
Poor Practice

Post-decision, progress on discharging conditions was slow. Occasionally, consultation responses were not clear.

Weeks spent: pre-application to condition discharge



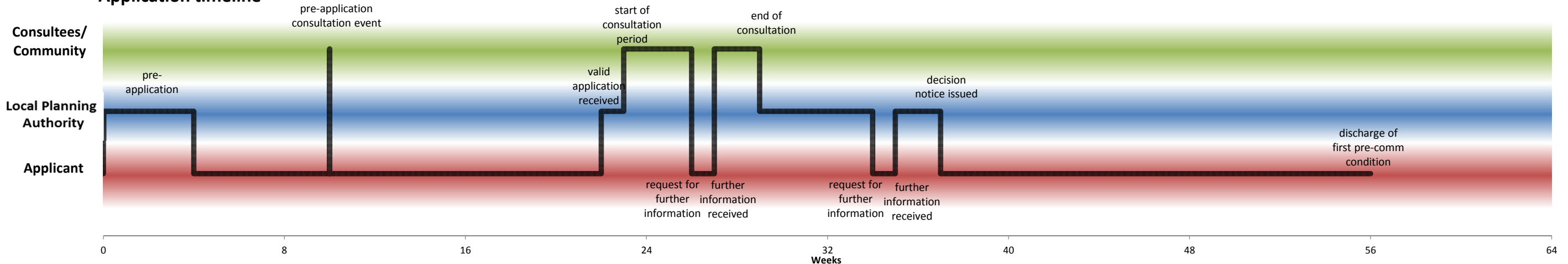
Weeks spent: concept to implementation



Summary Assessment

The application could not be validated at first, due to incorrect information and missing information. Registration and validation occurred promptly after the receipt of a valid application, and on the whole responses were received in a timely fashion. However, there was one consultee where clarification on an issue had to be sought by the case officer twice, which led to a delay. Additional information on highways and crossings was requested at two points in the application - at both points it was received promptly. However, it is unclear why this information was not provided in one 'batch', rather than two. After the second set of information was received, the application quickly proceeded to committee and was approved. The good relationship between officers and the applicant was congratulated in the minutes of the committee meeting. There was a long delay in discharging conditions on the application - in some cases this was down to consultees objecting to the level of detail provided by the applicant, as well as less frequent communication between the case officer and applicant.

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Demolition of timber yard buildings, construction of 65no. units including 49no. apartments and 16no. student studio flats

Number of units 65
...of which affordable ?

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n:
- Refusal
- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal
- Housing only
- Mixed use scheme
- Affordable housing
- Welsh language
- EIA

Sector

- Market housing (private)
- RSL/ housing association led
- Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	
Application submitted	19/10/10
Validation date	20/10/10
Resubmission date (latest)	
Delegated/committee resolution	09/03/11
Decision notice issued	10/03/11
Time taken to determine (weeks)	20
S106 signed	
No. of pre-commencement conditions	
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	07/09/11
Appeal decision date	09/12/11

Consultees

Consultee	Sent	Received	Days
CCW	01/12/10	12/01/11	42
Environment Agency	01/12/10	11/01/11	41
Dwr Cymru Welsh Water	27/10/10	18/11/10	22
Western Power Distribution	27/10/10	08/11/10	12
Network Rail	01/11/10	09/11/10	8
Police	27/10/10	23/11/10	27
Policy & Econ. Dev.	27/10/10	09/11/10	13
Housing	27/10/10	01/12/10	35
Highways	01/11/10	22/12/10	51
Education	27/10/10	05/11/10	9
Leisure and Parks	27/10/10	03/11/10	7
Drainage	01/11/10	09/11/10	8
Contaminated Land	01/11/10	16/11/10	15
Waste Management	01/11/10	25/11/10	24

End to end timescale (weeks) 59
Application timescale (weeks) 59

No. neighbours consulted 82
No. reps. received 11

Summary Assessment

Pre-application discussions were held, although not recorded, with Officers advising that a smaller scheme at the site would be acceptable. There were numerous discussions regarding the design, plus the submission of various design iterations. Supplementary information on ecology and contaminated land were submitted post registration of the application. This contributed to delayed consultation responses from statutory consultees. However, substantial delays in consultations were experienced from both the housing and highways departments of the Council. In addition, of the 14 consultations issued, only 6 were returned within the 21 day period. There was substantial Member interest in the application. Although the application was recommended for refusal by Officers on four grounds, Members requested a further 2 grounds for refusal. The application went to Committee twice as a result. The applicant appealed, but the appeal was subsequently refused by the Inspector. (End to end and application timescales match due to either: i) current progress of application; ii) pre-commencement conditions not yet discharged; or iii) lack of knowledge of end-to-end timescale.)

Applicant Perspective

The applicant considered that the timescale for determination was "ridiculous" and took too long. A number of pre-application discussions were held, but the applicant felt that the Officers were not helpful and "had their own ideas" about what would be acceptable at the site. The applicant submitted two applications for a larger (this case) and a smaller scheme to give the best chance of gaining planning permission. The applicant considered that the Officers did not have a "business-like" approach and that there was "no give and take" in the negotiation process, even at a late stage in the application. The applicant was aware that there was a lot of political interest in the application. Members of the Committee were considered to be naive, ill informed and "performing" for public votes. The applicant decided to let the application for the larger scheme run and "to try to win it" on appeal.

Local Planning Authority Perspective

Pre-application discussions were held, with concerns raised regarding access, scale and the impact on adjoining residential properties. However, there was no record of this on the file, although the application form did note that the pre-application advice was for a smaller scheme. The application was submitted a few days before new guidance on affordable housing was due to be published. This was regarded as an attempt to avoid an affordable housing contribution. It was a complex case, with development on a "tight space." The fact that the application was "twin tracked" was also a complicating factor: "one could not be dealt with without the other." The second application met Officers' concerns and was recommended for approval, but refused at Committee. Consultation responses had to be chased by the officer, but were complicated by numerous revisions to plans. This could have been prevented if the applicant had been more willing to accept the pre-application advice that was offered.

Consultee/ Community Perspective

A pre-application discussion with the consultee had not been held in this case. Nevertheless, the application was considered by the consultee to be straightforward and there were no fundamental problems with the case. The consultee was initially consulted and then re-consulted following the later submission of a contamination report. The provision of late information did not cause any confusion, but the consultee's response was delayed as a result. This was compounded by the fact that the consultation occurred over the Christmas period. The Planning Officer was contacted by the consultee to check that a delay in the response would not impact on the timescale for determination and this was confirmed as being acceptable.

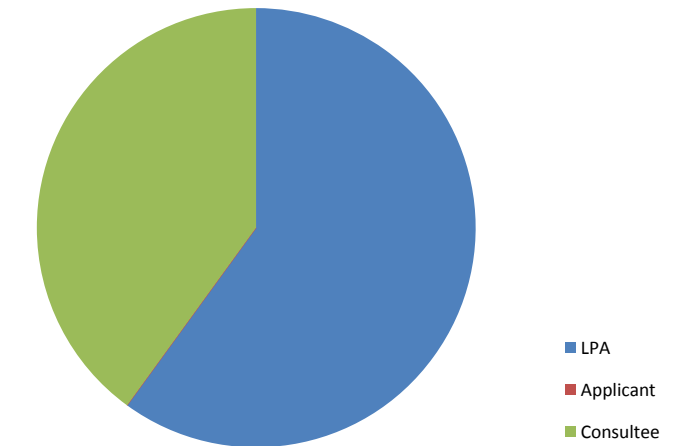
Good Practice

Pre-application discussions were held with the applicant.

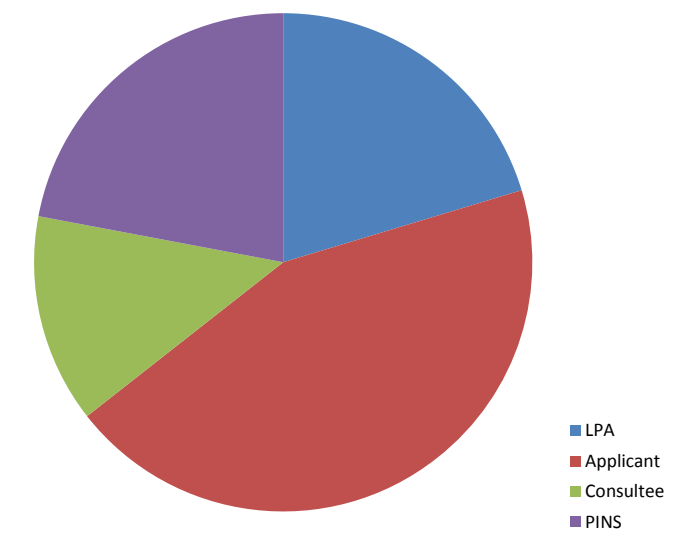
Poor Practice

Details of the pre-application discussions were not recorded on the file. Consultees were slow in responding. This was compounded by numerous plan revisions and late provision of information on contaminated land and ecology.

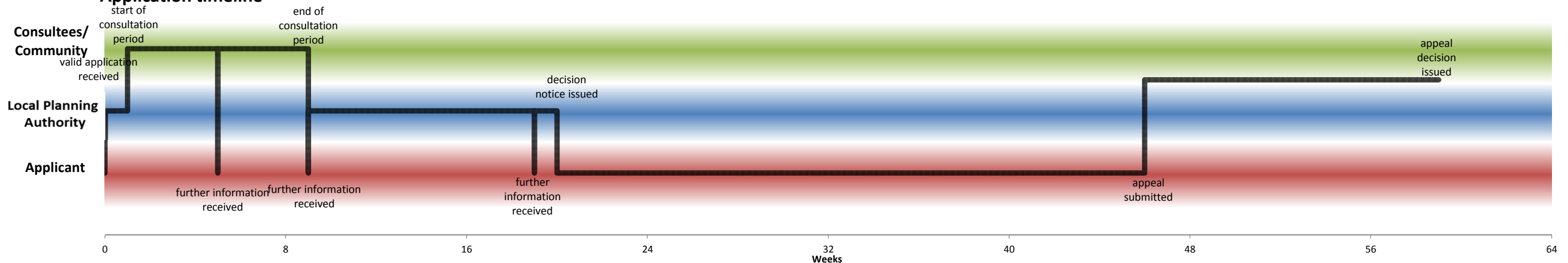
Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Residential development incorporating public open space and new access roads (outline)

Number of units

...of which affordable

-
-

Application Characteristics

<input checked="" type="checkbox"/>	Outline
<input type="checkbox"/>	Full
<input type="checkbox"/>	Reserved matters
<input type="checkbox"/>	Officer. Recomm'n:
<input type="checkbox"/>	Approval

<input type="checkbox"/>	Approved with conditions
<input checked="" type="checkbox"/>	Approved with conditions and S106
<input type="checkbox"/>	Refused
<input type="checkbox"/>	Approved on appeal
<input type="checkbox"/>	Refused on appeal

<input checked="" type="checkbox"/>	Housing only
<input type="checkbox"/>	Mixed use scheme
<input type="checkbox"/>	Affordable housing
<input type="checkbox"/>	Welsh language
<input type="checkbox"/>	EIA

Sector

<input checked="" type="checkbox"/>	Market housing (private)
<input type="checkbox"/>	RSL/ housing association led
<input type="checkbox"/>	Joint market and RSL / HA

Applicant Perspective

No evidence of pre-application discussion for the scheme. The agent was unhappy with the speed of determination - sent formal letters querying why a decision had not been reached after twelve weeks. Some of the demands of the consultees - SuDS, multi-use games area, highways improvements, education, and ecological improvements - were not proportionate and not borne out by evidence. Successfully negotiated some of the education and open space obligations. After approval was granted, opportunity arose to improve scheme - getting permission for this was another protracted process. Difficulties in land ownership was a major barrier to this scheme, which has since been resolved and a reserved matters application submitted.

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	
Application submitted	07/11/05
Validation date	10/11/05
Resubmission date (latest)	
Delegated/committee resolution	23/11/06
Decision notice issued	23/04/10
Time taken to determine (weeks)	233
S106 signed	31/03/10
No. of pre-commencement conditions	13
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	
Appeal decision date	

Consultees

Consultee	Sent	Received	Days
CCW	15/11/05	27/03/06	132
Environment Agency Wales	15/11/05	02/02/06	79
Welsh Water	15/11/05	21/12/05	36
Town / Comm. Council	15/11/05		
South Wales Police	15/11/05	10/02/06	87
Planning Policy	15/11/05		
Highways	15/11/05		
Rights of Way	15/11/05	17/11/05	2
Ecology	15/11/05	06/12/05	21
Countryside	15/11/05		
Education	15/11/05	22/12/05	37
Urban Design	15/11/05		
Estates	15/11/05		
Technical Services	15/11/05		
Design	15/11/05	09/01/06	55
Culture and Tourism	15/11/05	17/03/06	122

End to end timescale (weeks)	233
Application timescale (weeks)	233

No. neighbours consulted	50
No. reps. received	15, 1 petition

Local Planning Authority Perspective

A lot of negotiation was undertaken within the application period, due to the complexity of the site and the various sections of planning obligations which were required. This was done using a development team approach, with highways, education and design officers dealing directly with the agent, rather than solely through the case officer. The scheme was a Welsh Development Agency-sponsored scheme, which meant it was broadly supported. Discussion over Section 106 occurred during the application, but precise sums were not discussed until the resolution to grant was made.

Consultee/ Community Perspective

The scheme was locally controversial and received a high number of neighbour representations objecting to the scheme. The main issues that were raised included: traffic volumes; construction; amenity during construction; wildlife; and access. There was also objections raised by an Assembly Member following 'concerns raised by constituents', and local Councillors. At committee, the scheme was deferred for a site visit, then again for reasons for refusal, then again to be considered by an alternative committee. This led to a long delay between officer recommendation and the resolution to grant permission.

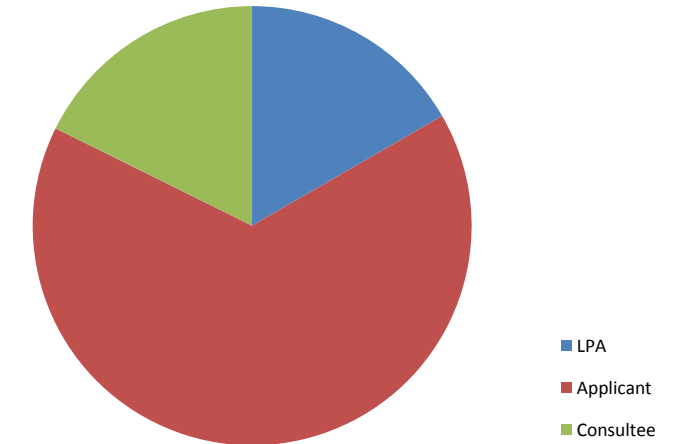
Good Practice

Development team approach was used during application.

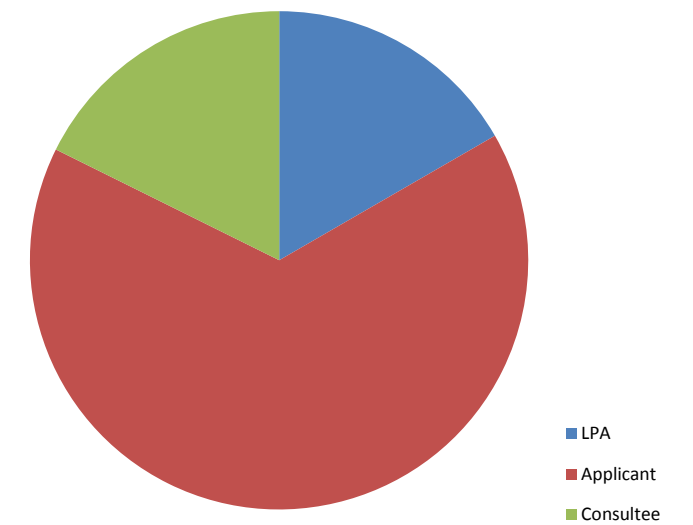
Poor Practice

Many consultation responses were slow to be received. Protracted committee decision with multiple deferrals. Long delay in signing the Section 106.

Weeks spent: pre-application to condition discharge



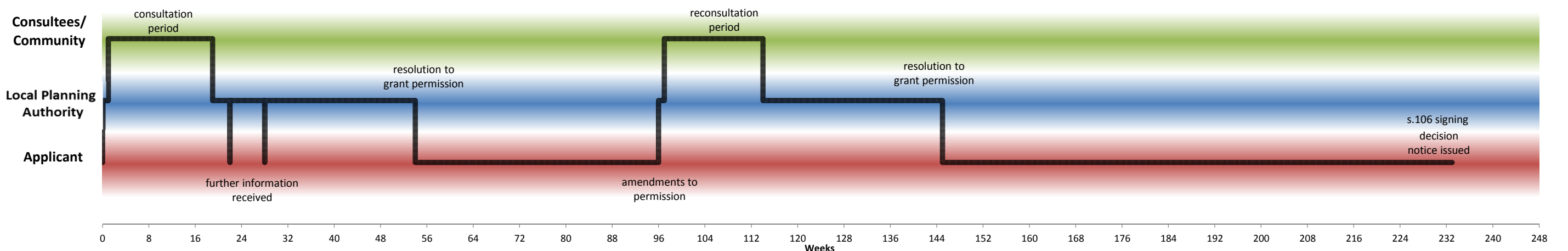
Weeks spent: concept to implementation



Summary Assessment

This large outline application was controversial with local residents as well as Councillors and a local Assembly Member. Consultations were issued swiftly after validation, but were slow to be received. Some of the consultants called for amendments to the scheme deal with ecology, open space and highways issues. There were also access issues, with the proposed access through a cul-de-sac locally unpopular. Consultation led to amended versions of the scheme being submitted, including an amended red line boundary. The scheme was recommended for approval but before it went to committee it was referred to the Welsh Government. After a delay of around a month, it was delegated back to Swansea, and approved over three months after this due to several deferrals. An amended scheme with improved access was then submitted, which was re-consulted on and went back to committee. It took around two years to sign the Section 106, due to land ownership issues. (End to end and application timescales match due to either: i) current progress of application; ii) pre-commencement conditions not yet discharged; or iii) lack of knowledge of end-to-end timescale.)

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

Erection of 224no dwellings and associated infrastructure on land adjacent to XXX with access from XXX.

Number of units
...of which affordable

224
21

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n:
- Approval

- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal

- Housing only
- Mixed use scheme
- Affordable housing
- Welsh language
- EIA

Sector

- Market housing (private)
- RSL/ housing association led
- Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	01/06/07
Development concept	
First pre-application discussion	04/08/10
Application submitted	14/02/11
Validation date	05/04/11
Resubmission date (latest)	
Delegated/committee resolution	07/12/11
Decision notice issued	15/05/12
Time taken to determine (weeks)	58
S106 signed	08/05/12
No. of pre-commencement conditions	19
First pre-commencement condition discharged	02/11/12
Last pre-commencement condition discharged	
Commencement of development	23/05/12
Appeal lodged	
Appeal decision date	

Consultees

Consultee	Sent	Received	Days
CCW	08/04/11		
Environmental Agency Wales	08/04/11	09/05/11	31
Highways	08/04/11		
Rights of Way	08/04/11	14/04/11	6
Environmental Health	08/04/11		
Planning Policy	08/04/11	27/04/11	19
Housing	08/04/11	22/06/11	75
Trees	08/04/11	18/05/11	40
Ecology	08/04/11		
Engineering	08/04/11		
Leisure	08/04/11		
Lifelong learning	08/04/11	19/04/11	11
Public open spaces	08/04/11	26/04/11	18
Community / Town Council	08/04/11	25/05/11	47
Coal Authority	08/04/11	21/04/11	13
Welsh Water	08/04/11	09/05/11	31
Ramblers Association	08/04/11		

End to end timescale (weeks) 260
Application timescale (weeks) 117

No. neighbours consulted 52
No. reps. received 53

Applicant Perspective

The site has a complex planning history, including a previous scheme (by a different applicant) with a Section 106 agreement that was not implemented and which legal advice suggests is unenforceable. A substantial amount of pre-application engagement was entered into with all parties. There were 13 separate reports submitted as part of the application. Consultation responses during the application were fed back to the agent, resulting in alterations to address concerns raised. Site clearance works were commenced in February 2012 ahead of the nesting season. The majority of pre-commencement conditions have been discharged through several submissions. The local planning authority has been co-operative throughout.

Local Planning Authority Perspective

The site has been 'inherited' from the previous UDP and plans before that. The authority had numerous pre-application discussions with the applicant across several departments. An application was submitted but found to be missing several important items. Comments on the masterplan resulted in the density of the development being reduced from 234 dwellings to 224 dwellings. Following consultation the Flood Consequence Assessment and Land Contamination Assessment required updating. Updated plans (and heads of terms for the Section 106 agreement) following the DCfW design review resulted in additional consultation. Members were given a briefing on the project ahead of the committee meeting.

Consultee/ Community Perspective

The Community, Local Authority Members and Community Councillors were involved in a pre-application consultation around the uses/mix and design of the scheme. The applicant sought pre-application advice from the Environment Agency Wales in 2007, 2008, 2010 and 2011. At each stage the issue of on-site watercourses and the need to avoid culverting was identified. When the application was submitted the Flood Consequence Assessment did not adequately address the culverting issue leading to an objection as their consultation response. Community objections were focused on shade/light, traffic, character, access and safety issues. One resident complained that they have not been consulted on changed plans which were submitted following the committee meeting. The authority said that they had consulted on these plans.

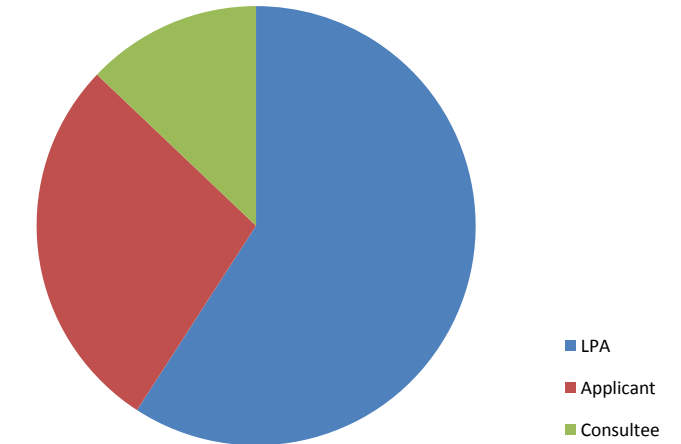
Good Practice

There was a Design Review involving DCfW, but this was during the life of the application rather than preceding it. Innovative approach to phasing development to enable start on site with some pre-commencement conditions still outstanding.

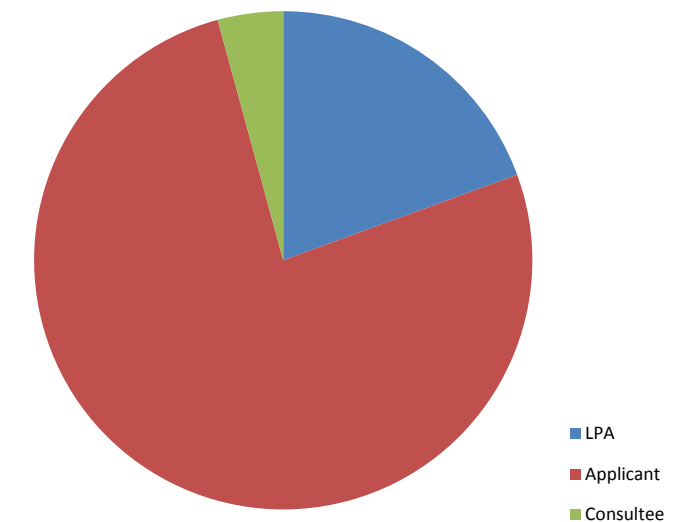
Poor Practice

Pre-application advice not heeded. Seven separate sets of revised plans were submitted during the life of the application. Section 106 agreement took over seven months to conclude.

Weeks spent: pre-application to condition discharge



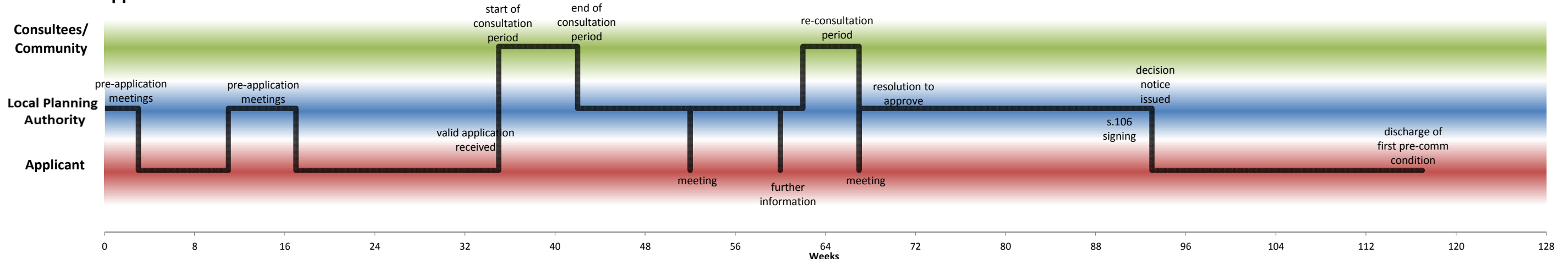
Weeks spent: concept to implementation



Summary Assessment

The site has a complex history and the lack of up-to-date planning policy in combination led to the applicant seeking legal advice on the likely nature of on-site requirements. There was a requirement to deliver on-site open space provision including a football pitch, play space and associated facilities. The level of affordable housing represented the level of local demand. There was significant pre-application engagement of around 15 meetings with the authority. However, the submitted scheme did not reflect all of the advice received and so the value of that advice and the quality of the initially submitted scheme are both called into question. The agents adopted an iterative approach, dealing with each consultation issue as it was raised. This had the effect of delaying the application whilst additional materials or revisions were prepared. Despite this additional information being submitted, a substantive amount of information was deferred to be required via pre-commencement conditions.

Application timeline



Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description

14 dwellings and associated works (amended from 18 then 19 dwellings) and 38 car spaces

Number of units

...of which affordable

14
14

Application Characteristics

- Outline
- Full
- Reserved matters
- Officer. Recomm'n:
- Approval
- Approved with conditions
- Approved with conditions and S106
- Refused
- Approved on appeal
- Refused on appeal

Sector

- Housing only
- Mixed use scheme
- Affordable housing
- Welsh language
- EIA
- Market housing (private)
- RSL/ housing association led
- Joint market and RSL / HA

Key Dates

Applicant secured option/ purchased land	
Development concept	
First pre-application discussion	
Application submitted	03/08/12
Validation date	06/08/12
Resubmission date (latest)	
Delegated/committee resolution	02/05/13
Decision notice issued	14/05/13
Time taken to determine (weeks)	41/24
S106 signed	
No. of pre-commencement conditions	7
First pre-commencement condition discharged	
Last pre-commencement condition discharged	
Commencement of development	
Appeal lodged	
Appeal decision date	

Consultees

Consultee	Sent	Received	Days
Environment Agency	14/08/12	19/08/12	5
Welsh water	14/08/12	29/08/12	15
CCW	14/08/12	06/09/12	23
Electricity	14/08/12		
Gas	14/08/12	05/11/12	83
Fire	26/10/12	06/11/12	11
Education	14/08/12	21/08/12	7
Transport	14/08/12	30/08/12	16
Drainage	14/08/12	06/09/12	23
Ecology	14/08/12	29/09/12	46
Urban design	14/08/12	25/08/12	11
Public Health	14/08/12	30/08/12	16
Spatial Planning	14/08/12	18/10/12	65

End to end timescale (weeks) 41
Application timescale (weeks) 41

No. neighbours consulted 50
No. reps. received 6

Applicant Perspective

This was a contentious scheme. Amendments were made to the scheme to accommodate the needs of the housing association which resulted in requirement to substitute some of the units for larger units. The proposal for a S106 agreement for a one way system and associated works was introduced at a late stage. This was not acceptable as number of units had already been reduced and on the basis of a traffic study report. However if members still maintained desire for a one way system they were prepared to negotiate. When the application was ready to go to committee there was a request for a deferral in order to make further changes to the layout such as removal of a bungalow.

Local Planning Authority Perspective

The proposal was amended in October 2012 as a result of discussions with the applicant. This led to a delay in reporting the application to Committee in January 2013. Following the initial discussion, the applicant decided to make further amendments to the scheme and include additional bungalows which led to re-consultation in February 2013. The possibility of a S106 to cover a traffic management order for a one way system arose at the second committee meeting in February 2013, but this was dealt with quickly by the submission of revisions to the scheme and a traffic study report. The decision issued in May 2013 was on the basis of the revised plans submitted in February 2013. None of the details to discharge the pre-commencement conditions have yet been submitted. It is understood that the applicant wants to make further amendments to the approved scheme. This had been apparent at the May Committee meeting, but the Committee resolved to go ahead and make a decision.

Consultee/ Community Perspective

The Highways Authority did not object to the proposal subject to conditions including the improvement of part of the highway outside the site boundary and initially confirmed that no S106 was applicable as the application is for social housing. Following members concerns however, consideration was given to a traffic management order to provide a one way system. In the event, the applicant was not prepared to agree and Committee accepted the proposal without such a scheme.

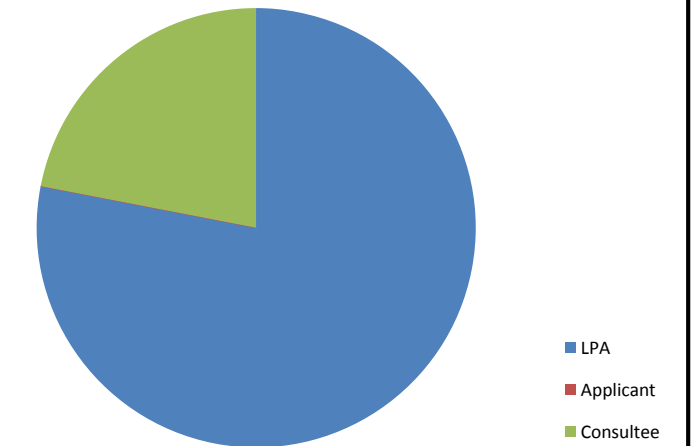
Good Practice

Site visit early and notes on file, good communication with applicant including sharing of draft committee report and proposed conditions

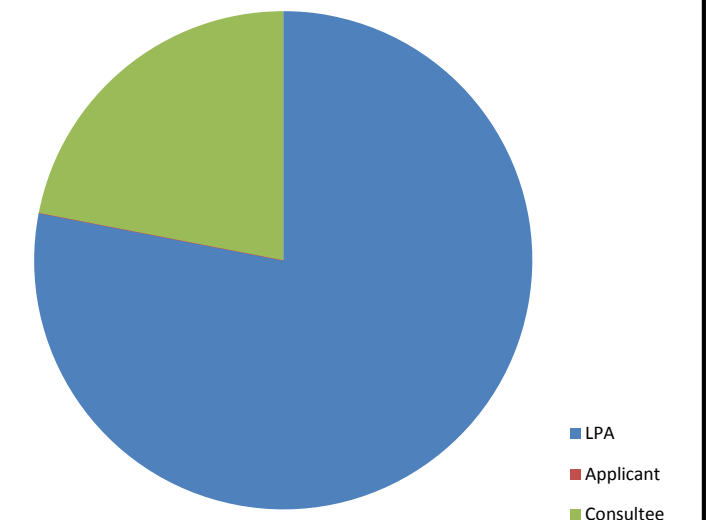
Poor Practice

Late attempt to get S106 to cover traffic management order, which was then dropped. Lack of pre-apps; Multiple committee reports. Delays from the applicant in providing additional information and requests to amend scheme post submission which led to re-consultation.

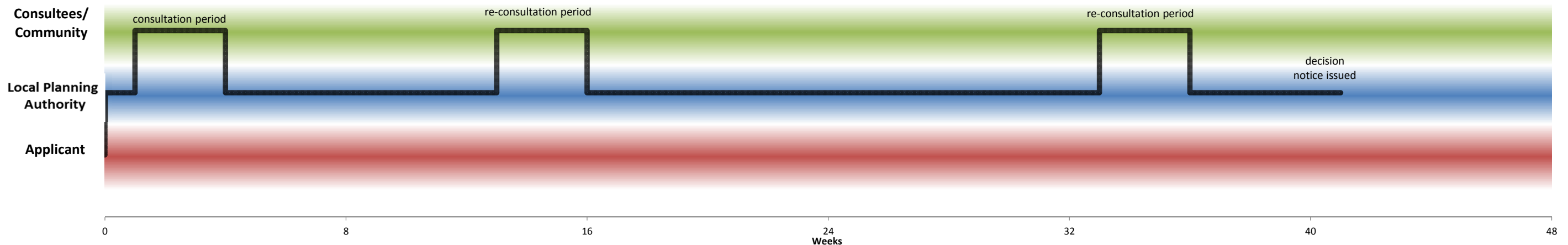
Weeks spent: pre-application to condition discharge



Weeks spent: concept to implementation



Application timeline



Summary Assessment

The delay in determining this application was as a result of a number of changes to the scheme - although some of these were as a result of comments by the local planning authority, two sets of amendments were as a result of the applicant wishing to revise the scheme. There was a short delay whilst members requested that the possibility of a S106 to cover a traffic management order for a one way system was considered. In the event the applicant did not agree and Committee approved the application. At the final Committee meeting in May 2013 the applicant advised they wished to amend the scheme further but it was determined on the basis of the submitted plans. Since then there has been nothing further from the applicants and the pre-commencement conditions have yet to be discharged. (End to end and application timescales match due to either: i) current progress of application; ii) pre-commencement conditions not yet discharged; or iii) lack of knowledge of end-to-end timescale.)

Welsh Government - Evaluation of the Planning Permission Process for Housing

Development Description
Erection of 14no dwellings (4no affordable and 10no open market dwellings) (outline application)

Number of units
...of which affordable

14
4

Application Characteristics

Outline Approved with conditions Housing only Market housing (private)
 Full Approved with conditions and S106 Mixed use scheme RSL/ housing association led
 Reserved matters Refused Affordable housing Joint market and RSL / HA
 Officer. Recomm'n: Approved on appeal Welsh language
 Refusal Refused on appeal EIA

Key Dates		Consultees	Sent	Received	Days
Applicant secured option/ purchased land	01/10/08	CCW	16/10/12	07/11/12	22
Development concept	18/07/11	Environmental Agency Wales	16/10/12	19/10/12	3
First pre-application discussion		Welsh Water	16/10/12	21/11/12	36
Application submitted	11/09/12	Highways	16/10/12	31/10/12	15
Validation date	11/10/12	Environmental Health	16/10/12	24/10/12	8
Resubmission date (latest)		Planning Policy	16/10/12		
Delegated/committee resolution	12/12/12	Building Control	16/10/12		
Decision notice issued	13/12/12	Countryside	16/10/12	19/11/12	34
Time taken to determine (weeks)	9	Landscape	16/10/12	16/11/12	31
S106 signed		Town Council	16/10/12	08/11/12	23
No. of pre-commencement conditions					
First pre-commencement condition discharged					
Last pre-commencement condition discharged					
Commencement of development					
Appeal lodged					
Appeal decision date					
End to end timescale (weeks)	219	No. neighbours consulted	12		
Application timescale (weeks)	73	No. reps. received	6		

Summary Assessment
A comparatively straightforward application, but one that was still determined (just) outside of the eight week target. There were only limited pre-application discussions, and the applicant felt that the reasons for refusal of the previous application had now passed. The key issue for the application was the unacceptability of development outside the urban boundary, however the application decision was delayed by additional plans to resolve comments relating to highway access. Irrespective of resolving these highway issues, the application site would still have been outside the settlement boundary. The applicant engaged with the local members prior to submitting the application and believes that the members were supportive. The applicant was therefore disappointed that those members then refused the application at committee. Whilst anyone refused planning permission is unlikely to be satisfied with the service they received, the applicant would like to see greater professionalism in the service and feels that this decision was politically motivated.

Applicant Perspective
Proposal for a mix of housing units which would form part of an urban extension to a village. The applicant is a local landowner who has previously undertaken development of this scale. The applicant had previously submitted a similar application for this site in 2009. It was refused as premature in light of the emerging LDP, although it did resolve identified highways, biodiversity, drainage and infrastructure issues. The application was submitted electronically online, but the CSH pre-assessment was too large to upload via the planning portal and so was sent by email. Copies of consultation responses were requested so that the agent could be kept up to date with the applications progress and the main issues arising.

Local Planning Authority Perspective
Some limited pre-application discussions took place, however the application received was initially invalid and the applicant took one month to provide site plans with the appropriate parking and access details. In addition to this a further two sets of revised plans were received following consultation comments from the highways department.

Consultee/ Community Perspective
The application came to the highways department and a consultation response was provided in two weeks. The initial application had laid out access to each house in such a way that some units conflicted with street lighting poles. The applicant was asked to reassess access arrangements. There was no objection to the principle of the development in highways terms. A revised set of plans were received three weeks later, but these still has deficiencies in terms of access arrangements. Two weeks later a third set of revised plans were received and these were signed off as acceptable.

Good Practice
The applicant submitted full cost / profit assumptions breaking down the affordable housing component.

Poor Practice
Whilst this is clearly not EIA development, the standard screening was not undertaken until two months are validation. The applicant appears to be still unclear as to why the development was unacceptable, feeling it was a political decision.

