

PLANNING ACTIVITY REPORT – Q3 2024/25

1. Background

- 1.1 The Ebbsfleet Development Corporation (EDC), as a Local Planning Authority, has a requirement to collect and submit data to the Ministry of Housing Communities and Local Government (MHCLG) on the time taken to determine planning applications and the quality of decisions.
- 1.2 The approach to planning performance is published by the government in a document entitled 'Improving Planning Performance – Criteria for designation'. This document covers performance in relation to both speed and quality of decisions and was most recently updated in December 2024.
- 1.3 The performance thresholds for the reporting period are: -
 - Speed Major Developments: to determine 60% of applications within 13 weeks.
 - Speed Non-Major Developments: to determine 70% of applications within 8 weeks.
 - Quality Major Developments: to have no more than 10% of appeals overturned.
 - Quality Non-Major Developments: to have no more than 10% of appeals overturned.
- 1.4 It should be noted that the quality of decision making in relation to appeals is calculated on the basis of the number of schemes overturned in the context of the overall number of decisions made by an authority during the assessment period.
- 1.5 This paper provides EDC's Planning Committee with the statistics for Q3 of 2024/25.

2. Statistics

- 2.1 Annex A contains a series of charts showing data concerning the determination of planning applications.
- 2.2 Figure 1 shows the number of applications received and determined for the year by quarter. During the period 1st October 2024 to 31st December 2024 the Corporation received 7no. planning applications which fall within the statutory returns. During this same period the Corporation determined 12no. such planning applications.
- 2.3 Applications can be subject to a bespoke determination timescale which is agreed between the applicant and the local planning authority. These can be in the form of a Planning Performance Agreement (PPA) or a Planning Extension Agreement (PEA). Of the decisions this quarter 3no. were subject to either a PPA or PEA.
- 2.4 Figures 2 & 3 show performance against the targets for major and non-major applications set out in paragraph 1.3. The overall performance for the period 1st October 2024 to 31st December 2024 is:
 - 'Major application' within time or within time agreed is 100%.
 - 'Non-major applications' within time or within time agreed is 100%.
- 2.5 The Corporation received 2no. planning appeal decisions during Q3, both of which were allowed (see section 4 below).

3. Advice and Analysis

- 3.1 This report is submitted for information and enables EDC's Planning Committee to monitor the work of the Planning Team.
- 3.2 It should be noted that the activity outlined in these performance statistics relates only to those applications which are covered under the statutory reporting process. The Corporation considers a substantial number of other applications including pre-application enquiries, condition discharge applications and non-material amendment applications which do not get captured in these numbers.
- 3.3 The overall activity for the quarter including those applications not formally reported shows 47no. being received and 54no. being determined.

4. Planning Appeals

- 4.1 EDC received 2no. planning appeal decisions this quarter in relation to applications for consent for the display of advertisements. Both appeals were allowed by the appointed Planning Inspector and a summary of these decisions is attached at Annex C.

5. Planning Enforcement

- 5.1 In relation to planning enforcement matters, 3no. notices were served during Q3 comprising 1no. Enforcement Notice, 1no. Breach of Condition Notice and 1no. Planning Contravention Notice.
- 5.2 The Enforcement Notice related to an unauthorised garage conversion at a residential property in Danzey Close (Castle Hill) following refusal of a retrospective planning application which has subsequently been appealed. The Breach of Condition Notice related to a residential property in Cherry Orchard (Castle Hill) requiring relocation of a boundary fence to address a highway safety issue. The Planning Contravention Notice was served on a residential property in Danzey Close (Castle Hill) following allegations of self-containment of a domestic garage, the response to which was sufficient to conclude that no breach of planning control had taken place.
- 5.3 No new enforcement cases were received and 5no. existing cases were closed. A notable closed case related to an acoustic fence that was installed by the developer at Cable Wharf following a complaint from a local resident regarding noise from the adjacent public house. Following positive liaison with the developer the acoustic fence was installed in accordance with the approved details sufficient to fully address the breach and the cause of complaint.

6. Financial and Legal Implications

- 6.1 Planning income for 1st October 2024 to 31st December 2024 was £24,951.58. Annex B (Figure 1) shows the planning application fees received.
- 6.2 The most significant application fee received during this quarter related to a full planning application in relation to a temporary educational facility at the Alkerden Education Campus site which proposed construction of a 5FE secondary school facility (£16,428.08). The quarterly breakdown is given as follows:
- Apr - Jun 2024 = £43,454.00
 - Jul – Sept 2024 = £70,691.00
 - Oct – Dec 2024 = £24,951.58

6.3 If the Local Planning Authority is designated as non-performing then applicants would have the choice of submitting applications to the Planning Inspectorate, which would include the fee. This would not only take control away from the Corporation but would reduce income.

6.4 There are no legal implications arising directly from this report.

7. Recommendation

7.1 This report is submitted for information to assist EDC's Planning Committee in monitoring development management activity and therefore there are no recommendations for the committee to consider.

Annex A: Applications

Figure 1: Number of applications received and determined per quarter

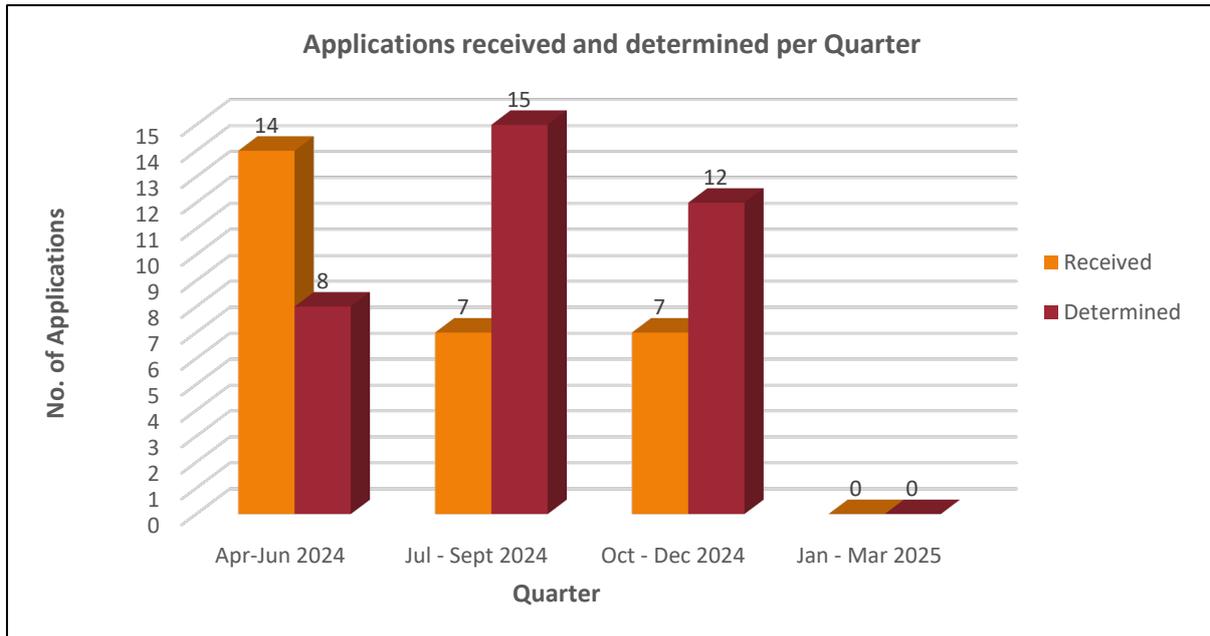


Figure 2: Percentage of Major Applications determined against the statutory performance target per quarter.

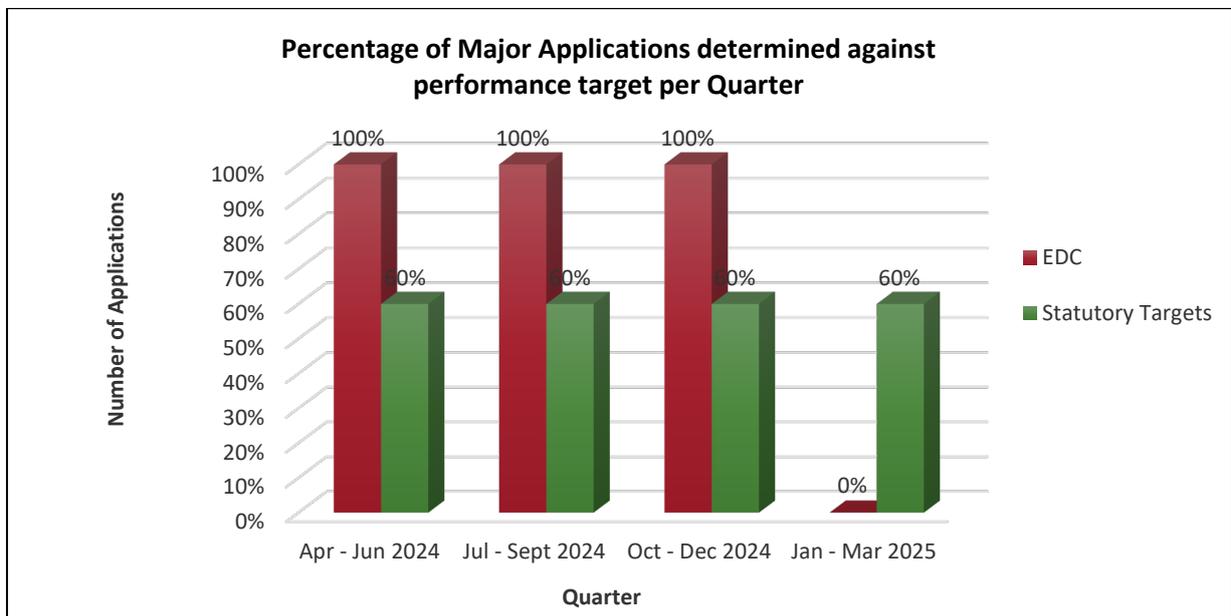
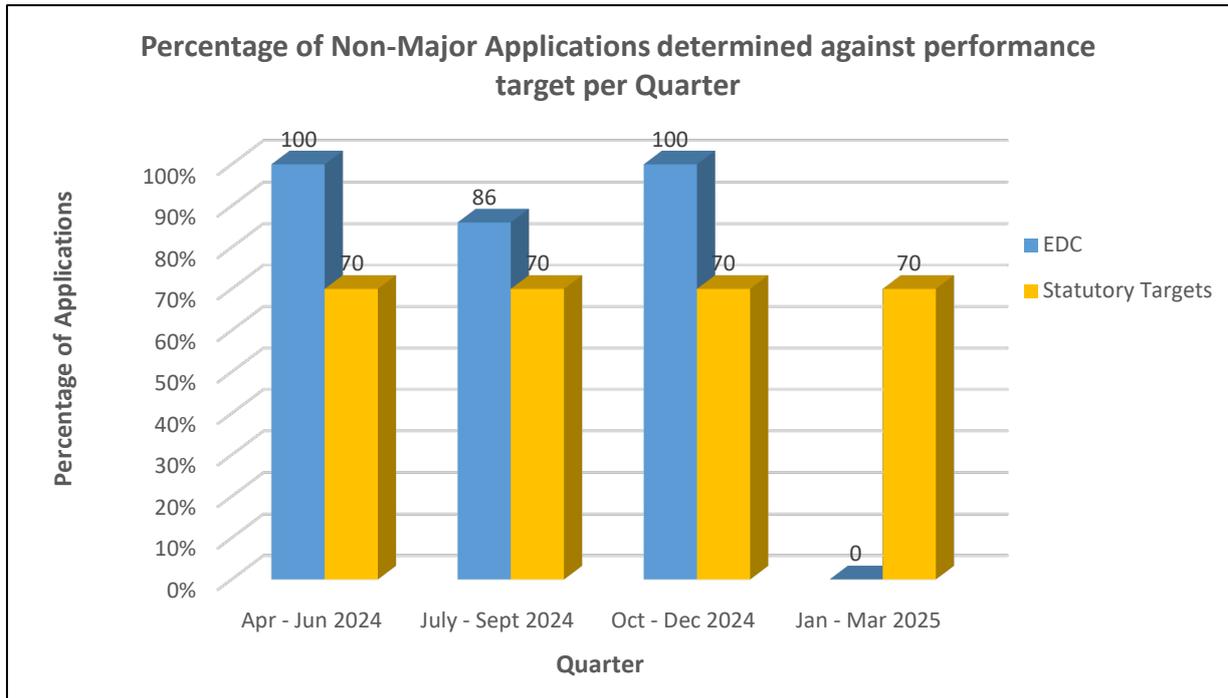
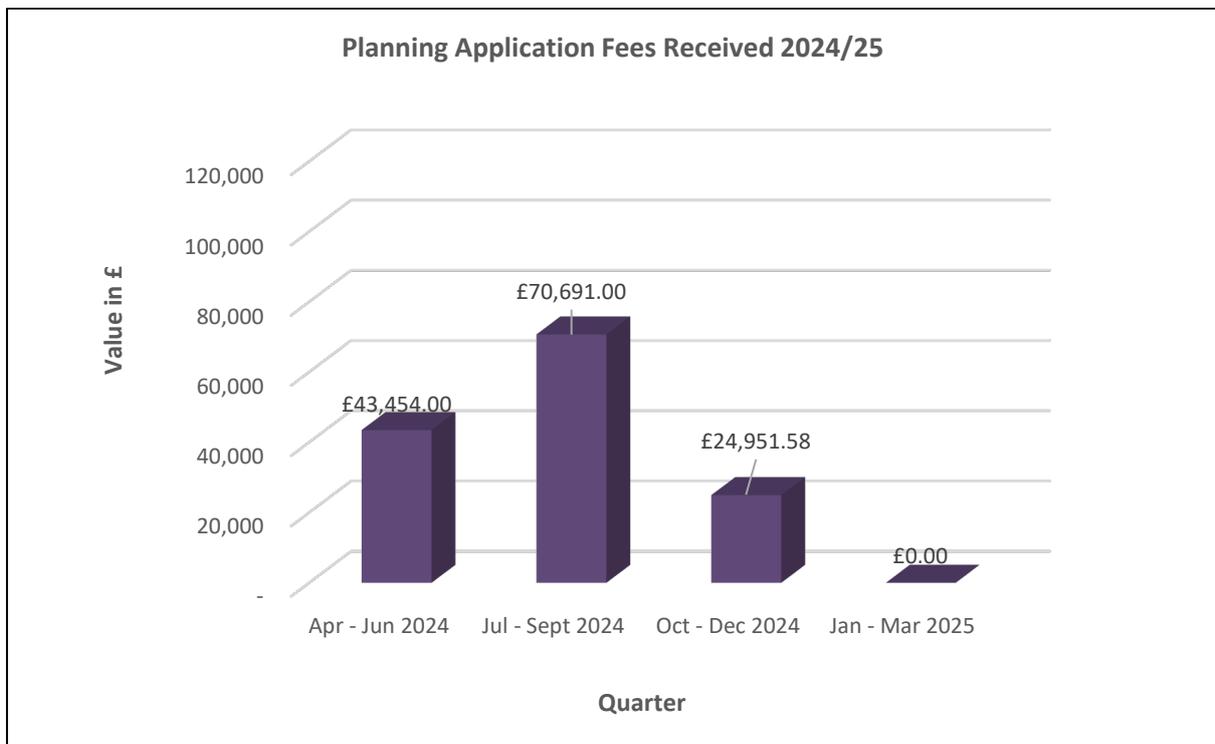


Figure 3: Percentage of Non-Major Applications determined against the statutory performance target per quarter.



Annex B: Planning Fees

Figure 1: Planning application fees received per quarter



Annex C - Summary of Advertisement Appeals

This note is reported for information to provide a summary of 2no. advertisement appeals that were allowed by the Planning Inspectorate following refusal by EDC in its role as Local Planning Authority.

Each application proposed the installation of 4no. non-illuminated fascia advertising boards on roundabouts located within the western part of the EDC area, between Eastern Quarry and Bluewater Shopping Centre.

- **EDC/24/0017** - roundabout on the south-west corner of Eastern Quarry, at the junction of Watling Street, Bean Lane and B225, Dartford DA9 9SX. Appeal reference APP/J2285/Z/24/3346314.
- **EDC/24/0018** - roundabout to the north-west corner of Eastern Quarry, at the junction of Bluewater Parkway and St Clements Way, Greenhithe, DA9 9XX (otherwise known as Hedge Place Roundabout). Appeal reference: APP/J2285/Z/24/3346317.

The roundabout locations are shown in the image below, demarcated by red stars, along with an image of the proposed adverts (including dimensions) which were proposed to be located on each quadrant of the roundabouts.



Following LPA review, including attaching weight to a planning appeal for similar adverts in 2008 that was dismissed on both amenity and public safety grounds, the applications were refused by notice dated 26th April 2024. The reasons for refusal were as follows:

1. *The proposed advertisements, by reason of their size and location, would result in an adverse impact on amenity, contrary to Policy M1 of The Dartford Plan 2024 and paragraph 141 of the NPPF.*
2. *The proposed adverts, by reason of their size and location, would result in an increased risk to highway safety and would therefore result in conditions prejudicial to Public Safety, contrary to Policy M1 & M16 of The Dartford Plan 2024 and paragraph 141 of the NPPF.*

It is relevant to note that EDC was in close contact with Dartford Borough Council during the process of determining these applications because they had received numerous similar applications for installation of advertisements on various other roundabouts in Dartford at the same time. As far as reasonable, EDC sought to ensure consistency with DBC in the interpretation of the applicable planning policies, noting they were being assessed against the same recently adopted local plan (the Dartford Plan 2024). DBC reached the same conclusions as EDC and refused their applications.

The decisions were subsequently appealed and the appeal was determined through a written representations process.

In relation to amenity, for application EDC/24/0017 the Inspector concluded that, as the roundabout is utilitarian, easy to traverse and reasonably pleasant due to trees and shrubby vegetation, the amenity of this would not be harmed by the proposed advertisement boards. For application EDC/24/0018, the Inspector took the view that the residential areas near the roundabout does not directly relate to the roundabout visually, and that the established landscaping provides a buffer between the housing and the roundabout, noting that by the time it is reached, the character is entirely of an important local highway network, in which the access to the shopping centre is a prominent feature

In relation to highway safety, the Inspector concluded that the proposed advertisement boards do not fall within the NPPG advice about the 'main types of advertisements that may cause danger to road users, so would not be unsafe. He also concluded that regard could be had to findings in TfL's Guidance for Digital Roadside Advertising and Proposed Best Practice that there is no demonstrable proof that advertisements cause traffic collisions. On this basis, and reflecting on his own driving experience, the Inspector concluded that the proposed boards would not be so distracting that they would result in an unacceptable impact on public safety.

In considering the appeals the Planning Inspector had regard to the 2008 appeal decision but took the view that more recent evidence, including national planning practice guidance on advertisements and guidance by Transport for London on digital roadside advertising dated 2013 referred to above, should take precedence.

The Inspector therefore concluded that the appeals should be allowed, and advertisement consents granted, as confirmed in decisions dated 31st October 2024, subject to the five standard advertisement conditions.