

PLANNING COMMITTEE – 27 JULY 2017

PLANNING APPEALS

1. There were 13 appeals determined between April and June 2017. Four appeals were against a decision by the Planning Committee and the remainder against delegated decisions.

A breakdown is in point 3 below

2. Members have been issued with the full decisions. This report introduces a table at **Appendix A**, broken down between those that were dismissed or upheld and identifying the main issues that the Inspectorate considered. This is to identify whether there are any patterns in the Inspectorate's decision making and to further inform our own approach.

3. The current annual target is that a maximum of 15% of appeals are upheld. The overall performance is 61% - significantly over target.

Quarter	Committee Appeals	Number Upheld	Number Dismissed	% Upheld
1	4	2	2	50
2				
3				
4				

Quarter	Delegated Appeals	Number Upheld	Number Dismissed	% Upheld
1	9	2	7	78
2				
3				
4				

Year to date	All appeals	Number Upheld	Number Dismissed	% upheld
Q1	13	8	5	61.54
Q2				
Q3				
Q4				

The Government's assessment on appeal performance is not based on number of appeals upheld as a proportion of those submitted, but by the number of appeals allowed as a percentage of the number of applications decided.

The target is 10%.

The next assessment date is October 2017 and looks back over the previous 2 years.

Oct15 2015 - Jun30 2017	Major Applications Decided	Appeals Upheld	% Upheld
	87	1	1.15
	Non-Major Apps Decided		
	1712	28	1.64

On these statistics, the Council is well within the Government's target.

4. Learning Points

The breakdown of the appeal decisions identifies that for this quarter, the issues underlying the allowing of the appeals are not related to key policies covering matters of principle e.g. the use of rural/urban settlement confines to control/direct development. Rather, the cases where we are not being supported by the Inspectorate appear to turn on more site specific/detailed issues relating to our assessment of matters such as the impact of a proposal on the amenities of a neighbour and/or the appearance of a development within the locality.

A recent review of the Planning service undertaken by the Planning Advisory Service (A Govt. funded organisation) reviewed our appeals performance over a longer period. Their recommendation was to "review all applications which are likely to be recommended for refusal at an early stage and stress test them against a likely decision on appeal" This is currently being discussed by the Dept's Management team.

In addition, the review of the Core Strategy will be an opportunity to discuss policy direction to support future decision making.

Dave Robinson

Attachments - Appendix A - Breakdown of all appeal cases 2017/18

Appendix A

Quarter 1

2017

Main Issues

Case	Major(Y/N)	Address	Original Dec Date	Dele Com	Dismissed/Upheld	Against officer Rec	Policy	Impact on Neighbours	Character and appearance of area	Impact on Listed building	Other
16/00057	N	Stoneheap Road	25/04/2016	C	D	N					
15/00864	Y	London Rd	27/10/2016	C	D	Y			Y		
16/00998	N	Dola Avenue	18/08/2016	D	D			Y	Y		
16/001066	N	Victoria Road	29/11/2016	D	D				Y		
16/00915	N	Queensdown Rd	07/12/2016	C	U	N			Y		
16/01461	N	Beach Mews	30/03/2017	C	U	Y		Y	Y		
15/00992	N	Dover Road	25/05/2016	D	U				Y	Y	
15/0245	Enforcement	Coombe Valley	04/07/2016	D	U						
16/01147	N	East Cliff	01/12/2016	D	U			Y			
16/01240	N	Castle St	06/01/2017	D	U					Y	
16/1241	Listed Build	Castle St	06/01/2017	D	U					Y	
16/01281	N	The Street	27/01/2017	D	U			Y	Y		
16/01401	N	Cypress Drive	27/01/2017	D	U						