

PLANNING COMMITTEE – 20 APRIL 2017

PLANNING APPEALS

1. There were 10 appeals determined between January and March 2017. Two appeals were against a decision by the Planning Committee and the remainder against delegated decisions. Both appeals against the planning Committee's decision were dismissed and two officer appeals were upheld.

2. Members have been issued with the full decisions, but in brief the reasons for the upheld appeals were:

2.1 The Rise, Kingsdown

This had been refused due to the impact of the development on the surrounding area and AONB. The Inspector did not agree that the harm was sufficient to refuse the application.

2.2 Church Farm Cottages

This Inspector had to consider whether the harm caused by this development for a pair of semi-detached dwellings was sufficient to outweigh the lack of a five-year land supply. The Inspector concluded that the affinity of the site with the built up area did not demonstrate sufficient harm to refuse the application.

3. Learning Points

These two appeals do not indicate a diversion from policy. The Inspector, on balance, took a different view on impact.

4. The current annual target is that a maximum of 15% of appeals are upheld. The overall performance is 38% - significantly over target.

Year to date	All appeals	Number Upheld	Number Dismissed	% Upheld
2016	44	17	27	38

At the previous meeting I indicated that 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 statistics for 2016/17 are

2016	Major Applications Decided	Appeals Upheld		% Upheld
	52	1		1.92

2016	Non-Major Apps Decided			
	1015	15		1.48

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

Dave Robinson
Planning Delivery Manager

Attachments - Breakdown of all appeal cases 2016/17

2016/17 Appeal Cases

Quarter 1

2016

Case	Address	Delegated/Committee	Dismissed/Upheld	Against officer Rec
15/01065	Bewsbury Crescent	COM	Dismissed	Yes
13/01106	Engine Shed Field	COM	Dismissed	No
15/00634	Agester lane	DEL	Upheld	
15/00895	Beech Tree Ave	DEL	Dismissed	
15/00971	College Road	DEL	Upheld	
15/00926	105 Mill Hill	DEL	Upheld	
ENF/DOV/12/109	London Rd	Enforcement	Dismissed	

Quarter 2

2016

Case	Address	Delegated/Committee	Allowed/Dismissed	Against officer Rec
15/639	Kingsdown Rd	COM	Allowed	Yes
15/640	Kingsdown Rd	COM	Allowed	Yes
15/336	Denne Court	COM	Part Allowed	Appeal against condition
15/730	Church Path	COM	Allowed	Yes
15/795	The Beach	DEL	Dismissed	
15/981	Oast House	DEL	Dismissed	
15/1152	56 Poets Walk	DEL	Dismissed	
15/936	Outrigger	DEL	Allowed	
15/1196	Cannon Street	DEL	Dismissed	
16/0009	Nursery Lane	DEL	Allowed	
16/69	The Crescent	DEL	Dismissed	
16/196	Bailand	DEL	Dismissed	
16/434	Sandwich Rd	DEL	Dismissed	
15/01210	Farthingloe Cottage	DEL	Allowed	

Quarter 3

2016

Case	Address	Delegated/Committee	Allowed/Dismissed	Against officer Rec
15/293	Canterbury Rd	COM	Allowed	Non-Determination
15/292	Canterbury Rd	COM	Allowed	Non-Determination
15/525	New Dover Rd	COM	Allowed	Yes
13/776	Queen St	DEL	Dismissed	
15/1119	Court Lane	DEL	Dismissed	
15/1281	Brooke Street	DEL	Allowed	
16/48	Barnsole Road	DEL	Allowed	
16/192	Burgess Rd	DEL	Dismissed	
15/742	Archers Court Rd	DEL	Dismissed	
15/1202	Princes St	DEL	Dismissed	
16/25	Molland Lane	DEL	Dismissed	
16/270	Willow Way	DEL	Dismissed	
16/369	Sondes Rd	DEL	Dismissed	

Quarter 4

2016

Case	Address	Delegated/Committee	Allowed/Dismissed	Against Officer rec	Major App
15/1035	West St Deal	COM	Dismissed	Yes	Yes
16/408	New St Ash	COM	Dismissed	No	No
16/92	John's Green	DEL	Dismissed		No
16/282	The Rise	DEL	Allowed		No
16/470	The Row	DEL	Allowed		No
16/701	St Georges	DEL	Dismissed		No
16/567	Vicarage Farm Rd	DEL	Dismissed		No
16/840	Station Rd	DEL	Dismissed		No
16/881	South Avenue	DEL	Dismissed		No
16/909	Bewsbury Crescent	DEL	Dismissed		No