

Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	13 May 2014

## PLANNING APPEALS PERFORMANCE REPORT FOR THE PERIOD APRIL 2013 TO MARCH 2014

### PURPOSE OF REPORT

- To inform Committee of the appeals performance for planning and enforcement appeals.

### RECOMMENDATION(S)

- That the report is noted and members be provided with further information and analysis on the Appeals upheld in order to inform and guide members particularly on decisions made by Committee that were subsequently overturned at appeal.

### EXECUTIVE SUMMARY OF REPORT

The performance of the planning service in dealing with appeals against decisions made by the Council can be considered to be excellent with all 11 appeals submitted and determined within this period being dismissed (that the Council won) and of appeals decided within the same period (this includes earlier appeals) the 14 decisions within that period include 11 appeals dismissed and 3 Appeals upheld.

<b>Confidential report</b> Please bold as appropriate	Yes	No X
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### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	X

### BACKGROUND

- Members are informed on a monthly basis as part of the Development Control Committee agenda about appeals that have been made against the refusal of planning permission, the imposition of conditions and in respect of enforcement notices issued. The outcome of the appeal is also reported as part of the Committee papers, however an annual assessment has not recently been provided to members about the whole year performance and the information below will seek to highlight whole year performance.

## Appeal Performance

5. For the period April 2013 – March 2014 the Council has received a total of 18 appeals from the Planning Inspectorate.
6. 11 of those appeals were submitted against refusals of Planning Permission, 2 appeals were submitted against Enforcement Notices issued and 4 appeal submitted against conditions imposed on Planning Permissions granted, there was one appeal submitted against non-determination which was withdrawn by the appellants before a formal start date was set by the Inspectorate.
7. Of the appeals submitted between April 2013 – March 2014, six of these are still in progress with a decision still awaited from the Inspectorate, and 11 of the appeals were dismissed (all of which have been against refusal of Planning Permission) with the Council's original decision being upheld.
8. In terms of the appeal decisions received for the period April 2013 – March 2014 (as opposed to appeals submitted) a total of 16 decisions – the Planning Inspectorate allowed three appeals (2 against Enforcement Notices issued, 1 against a refusal of Planning Permission) the appeals allowed had all involved sites where the officer recommendations to approve were overturned by the members of the Development Control Committee (345 Blackburn Road, Higher Wheelton and 10 Blacksmith Walks, Buckshaw Village). Two appeals were withdrawn before the Inspectorate made a decision and remaining 11 decisions were dismissed.
9. The overall performance on appeal supports and validates the Councils decision making in respect of planning and enforcement appeals and of those decisions to allow an appeal this reflected two sites and covered three appeals with one site being subject of a Committee site visit and the issues raised were balanced and the decision could have gone either way.
10. In terms of the number of appeals that are subject of member overturns a further report will need to be prepared to assess this and to inform members of the numbers of cases and the proportion of these that are subsequently appealed and as a result are there any opportunities to learn from those decisions.

## IMPLICATIONS OF REPORT

11. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	x	Customer Services	
Human Resources		Equality and Diversity	
Legal	x	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

## COMMENTS OF THE STATUTORY FINANCE OFFICER

12. There are no financial implications.

## COMMENTS OF THE MONITORING OFFICER

13. The performance demonstrates that the decision making processes used by the council are robust and fit for purpose.

Lesley-Ann Fenton  
Director of Partnerships, Planning and Policy

There are no background papers to this report.

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Paul Whittingham	5349	8 May 2014	***