

 <p>Reigate & Banstead BOROUGH COUNCIL Banstead Horley Redhill Reigate</p>	TO:	PLANNING COMMITTEE
	DATE:	12 April 2017
	REPORT OF:	Development Manager
	AUTHORS:	Andrew Benson
	TELEPHONE:	01737 276175
	EMAIL:	Andrew.benson@reigate-banstead.gov.uk
AGENDA ITEM:	8	WARD: All

SUBJECT:	SUMMARY OF APPEAL PERFORMANCE AND DECISIONS
PURPOSE OF REPORT:	To inform members of recent performance and decision outcomes in respect of appeals against decisions made by the Local Planning Authority.
RECOMMENDATION:	To note the performance and decision outcomes and the analysis of resource implications

Planning Committee has authority to note the above recommendation

BACKGROUND

1. Last year the Council received decisions on 109 appeals, against the refusal of planning or related applications. This was an increase upon previous years (75, 88, 89 and 93 appeal decisions respectively). The increase is largely due to a corresponding overall increase in planning applications over these years and, overall, appeals represent a not insignificant proportion of the Development Management workload.
2. Members receive notification of all appeals lodged within their wards as well as the resulting decision. Copies of appeal decision letters are also filed on the statutory register of applications and are included in the case details published on the Council's website.
3. As previously advised the Planning Inspectorate has had the power to determine the appeal method on behalf of the Secretary of State using published criteria and the expedited appeal process ("fast track") for written householder, certain types of minor applications and tree appeals.
4. More recently the Planning Inspectorate has updated their procedural guidance to state that they will carry out an unaccompanied site visit where the site is visible from public land and in other cases they may make an unaccompanied visit with access only agreed with the agent/appellant. In such cases the Local Planning Authority is not informed of the visit or when it will/has occurred. If Inspectors are required to view an appeal site from neighbouring land/property, such neighbours must explicitly make clear to the Inspectorate.

5. Statistical information about appeal workload and performance based on quarters of the financial year is reported within the quarterly performance reports and will continue . The quarterly analysis is provided at Table 1.
6. If a Member has a query or concern regarding a specific appeal outcome they are able to discuss the case with officers.

APPEAL WORKLOAD AND PERFORMANCE

7. Table 1 below sets out relevant information for the various quarters of 2016/17 including the number of appeal decisions received, decision outcomes and method of appeal determination.
8. A total of 109 appeal decisions were received in the year of which 28 were Householder (fastrack); 2 were Hearings; 1 was Public Inquiry and the remaining 78 were Written Representation.
9. 36 were allowed (34%) and 71 dismissed (65%). This compares with a local performance target of 30% appeals allowed. Two decisions were spilt (i.e. they were part allowed and part dismissed). The Quarter 3 result of 53% appeals allowed was therefore considered to be a one-off rather than a new trend with the overall, annual figure of 35% allowed being broadly consistent with the target.
10. Of this total eight appeal decisions resulted from decisions by the Planning Committee contrary to officer recommendation of which all eight (100%) were allowed. Further details are given in Table 2 below.
11. There were six instances of costs being allowed for the year, one of which is currently being challenged but the majority of which relate to the continued attempts to secure smallscale affordable housing contributions after the Governemnt's change in policy in respect of this.
12. The number and percentage of appeals dealt with by the written and fast track householder methods has generally been steadily increasing, with a corresponding reduction in the number of hearings as a result of the revised appeal procedures, referred to at paragraph 3 above, being implemented by the Planning Inspectorate.

Table 1 Appeal workload and outcomes 2016/17.

	Q1	Q2	Q3	Q4	Total
Decisions	28	26	19	35	109
Allowed	22%	34%	53%	37%	35%

Table 2 Overturn Decisions – Appeal Analysis

Site	Proposal	Appeal Outcome	Ward
15/02508/F/AP Hurstwood Forest Drive Kingswood	To raise ground levels outside of the tree protection fencing area to the rear garden.	Allowed	Kingswood with Burgh Heath
15/01790/HHOLD/AP 1 Shawley Way Epsom Downs Epsom	Two storey side and rear extensions. Single storey rear extensions	Allowed	Tattenhams
15/02651/F/AP 5 Claremount Gardens And Rear Of 1, 3, 7, 7A, 9, 11, 13 & 15 Epsom Downs	Demolition of 5 Claremount Gardens and redevelopment of the rear gardens of numbers 1-15 Claremount Gardens to provide eight chalet style dwellings	Allowed	Nork
15/00081/F/AP Land Rear Of 77 - 87 Monson Road Redhill	Demolition of No.83 and erection of 4 x 4 bedroom dwellings.	Allowed	Redhill West
15/02780/F/AP 88 Epsom Lane North And To The Rear Of 86 & 90 Epsom Lane North Epsom Downs	Erection of 9 residential dwellings, associated landscaping, parking and creation of new access onto Epsom Lane North, following demolition of 88 Epsom Lane North	Allowed	Tattenhams
15/02830/F/AP Brockmere 43 Wray Park Road Reigate	Extension and refurbishment of Brockmere for use as six apartments, demolition of the existing garage and erection of a Coach House dwelling to the rear of the property; provision of a revised access and parking area.	Allowed	Reigate Hill
16/00992/OUT/AP Units 1 & 2 & Land To Rear Of 8-13 Maple Works Maple Road Redhill	Demolition of warehouses and erection of a 2 storey block of 12 flats.	Allowed	Earlswood & Whitebushes
16/01437/F/AP Land At Stanton Lodge And To The Rear Of 1-7 Shelvers Way Tadworth	The demolition of Stanton Lodge and the erection of 5 residential dwellings	Allowed	Tadworth & Walton