

COMMITTEE **Planning Committee**

DATE **17th April 2012**

SUBJECT **Summary of planning appeals received between
Jan-Mar 2012 (quarter 4)**

REPORT OF **Leigh Palmer Development Manager within
Planning Department**

Ward(s) ALL

Purpose To update Members with the content of the appeal
decisions received for the above survey period.

Contact Leigh Palmer
leigh.palmer@eastbourne.gov.uk
01323 415 215

Recommendation That Members note the content of this report

1 Background

Any planning decision to refuse a planning application is subject to a formal legal appeal process through the Planning Inspectorate.

As members will be aware the majority of the applications received are granted planning permission, however for those that are refused and challenged through to an appeal it is considered important to analyse the appeal decisions in order to determine and evaluate whether lessons need to be learnt, or interpretations need to be given different weight at the decision making stage.

In addition the evaluation of the appeal decisions will also go some way to indicating the robustness and the correct application of the Councils current and emerging policies.

2 Context

Members will note from the attached summary schedule that for the survey period the Council had received 13 appeal decisions.

As reported to an earlier planning committee the most important decision was EB/2010/0759 Land to the Rear of 18 34 Rangemore Drive where the Inspector awarded costs to the appellant as the Council had acted unreasonably.

3. Analysis of the Decisions

For the survey period the Council received 13 appeal decisions from which the following can be drawn:-

Criteria 1

54% (7 cases) were dismissed in accordance with officers' recommendation.

Criteria 2

15% (2 cases) were allowed where the officers recommendation was to grant planning permission.

Criteria 3

30% (6 cases) were allowed where officers' recommendation was to refuse planning permission.

It is the intention to report the appeal decision on a rolling quarterly basis and as such over time greater conclusions would be able to be drawn.

4. Human Resources

There are no financial-resource implications for this monitoring as it can be delivered within the existing staffing establishment.

5 Legal

Save for the costs claim as referred to above there are no other legal issues arising from this report.

Background Papers:

Appeal decision as reported and attached on W2

Leigh Palmer
Development Manager
