

Planning Appeal Performance and Decisions

- 1 This report informs Members of planning appeal decisions determined by the Planning Inspectorate between 1 October and 31 December 2022. Appendix A is a list of the appeals decided, a summary of each decision is provided in appendix B and a list of outstanding planning appeals in appendix C.
- 2 Appeal statistics are collated by the Planning Inspectorate on a quarterly and annual basis. The Government use the statistical returns as one of a number of measures to assess the performance of local planning authorities. To assess the quality of decisions, this is based on the total number of decisions made by the Local Planning Authorities that are subsequently overturned at appeal. The threshold whereby a Local Planning Authority is eligible for designation as under-performing is 10% of the Authority’s total number of decisions on major, non-major and “county-matter” (generally minerals and waste proposals) applications made during the assessment period being overturned at appeal.
- 3 Table 1 shows results of planning appeals decided by the Planning Inspectorate for the quarter 1 October to 31 December 2022 for all types of planning appeals such as those against the refusal of planning permission, against conditions of approval, listed building applications and lawful development certificates. In the corresponding quarter the Planning Inspectorate allowed 29% of appeals determined in England.

Table 1: CYC Planning Appeals Last Quarter Performance

	01/10/22 to 31/12/22
Allowed	4
Split decision	0
Dismissed	9
Total Decided	13
% Allowed	31%

- 4 For the 12 months period to 31 December 2022, 31% of CYC appeals decided were allowed. In England, 29% of appeals were allowed over the same period.

- 5 There was one decision during the quarter relating to an application for a “major” development.

Table 2: Major Development Planning Appeals

Address	Development	Decision
Site To The West Of The A1237 And South Of North Lane Huntington	Outline planning application with full details of means of access for residential development of circa 970 dwellings with associated demolition, infrastructure works, open space, primary school, community facilities, convenience and a country park	Appeal allowed

Table 3: CYC Planning Appeals 12-month Performance

	01/01/22 to 31/12/22	01/01/2021 to 31/12/22
Allowed	15	5
Split decision	0	2
Dismissed	32	29
Total Decided	47	36
% Allowed	32%	14%

- 6 The latest available figures from the Department of Levelling Up Housing and Communities (the assessment criteria set out in paragraph 2 above) show that over the 2-year rolling assessment period that 0.5% of the total CYC decisions made in respect of non-major applications and 0% of total decisions made in respect of major applications were overturned at appeal. The comparison figures for England are 1% and 0.9% respectively. There were no appeals in respect of “county-matter” applications during the period. The DLUHC assessment period does not align with the period set out in Tables 1 and 3.
- 7 A list of the planning appeals determined between 1 October and 31 December 2022 are included in Appendix A. Summaries of the decisions are included in Appendix B.
- 8 Three appeals were determined following a decision to refuse permission made by the sub-committee/committee. The appeal relating to the residential scheme at land south of North Lane Huntington (draft Local Plan strategic site ST8) was against the non-determination of the application. The Planning Committee decided to support the proposal at the appeal hearing, contesting certain matters of detail.

Table 4: Appeals Decided 01/10/2022 to 31/12/2022 following Refusal by Committee / Sub-Committee

Site	Proposal	Officer Rec	Comm Decision	Appeal Decision
Land to the North Of 21 Main Street Copmanthorpe	Erection of 1no. dwelling on land adjacent to 21 Main Street	Approve	Refuse	Allowed
The Lord Nelson 9 Main Street Nether Poppleton	Erection of 2no. dwellings on land to the rear of the Lord Nelson public house (resubmission)	Approve	Refuse	Allowed
Site to the West of the A1237 and South of North Lane Huntington	Outline planning application with full details of means of access for residential development of circa 970 dwellings with associated demolition, infrastructure works, open space, primary school, community facilities, convenience and a country park	N/A	N/A	Allowed

- 9 The list of current appeals is attached at Appendix C. There are 22 appeals of all types awaiting determination.

Consultation

- 10 This is an information report for Members and therefore no consultation has taken place regarding its content.

Council Plan

- 11 The report is relevant to the “Well-paid jobs and an inclusive economy,” “Creating homes and World-class Infrastructure,” “A Greener and cleaner city,” “Getting around sustainably” and “Good Health and Wellbeing” city outcomes of the Council Plan.

Implications

- 12 Financial – There are no financial implications directly arising from the report.
- 13 Human Resources – There are no Human Resources implications directly involved within this report and the recommendations within it

other than the need to allocate officer time towards the provision of the information.

- 14 Legal – There are no known legal implications associated with this report or the recommendations within it.
- 15 There are no known Equalities, Property, Crime & Disorder or other implications associated with the recommendations within this report.

Risk Management

- 16 In compliance with the Council’s risk management strategy, there are no known risks associated with the recommendations of this report.

Recommendation

- 17 That Members note the content of this report.

Reason

To inform Members of the current position in relation to planning appeals against the Council’s decisions as determined by the Planning Inspectorate.

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**Report
Approved**



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Specialist Implications Officer(s) None.

Wards Affected:

All Y

For further information please contact the author of the report.

Appendices

- Appendix A Planning Appeals decided between 1 October and 31 December 2022
- Appendix B Summaries of Planning Appeals decided between 1 October and 31 December 2022
- Appendix C Outstanding Planning Appeals as at 20 March 2023