

East Area Planning Sub Committee 12th April 2012

West and City Centre Area Planning Sub Committee 19th April 2012

Planning Committee 26th April 2012

Appeals Performance and Decision Summaries

Summary

- 1 This report (presented to both Sub Committees and Main Planning Committee) informs Members of the Council's performance in relation to appeals determined by the Planning Inspectorate from 1st January to 28th March 2012, and provides a summary of the salient points from appeals determined in that period. A list of outstanding appeals to that date is also included.

Background

- 2 Appeal statistics are collated by the Planning Inspectorate on a quarterly basis. Whilst the percentage of appeals allowed against the Council's decision is no longer a National Performance Indicator, it has in the past been used to abate the amount of Housing and Planning Delivery Grant (HPDG) received by an Authority performing badly against the average appeals performance. Appeals performance in York has been close to the national average for a number of years.
- 3 Whilst the Inspectorate breaks down the appeals by type in reporting performance, the table below includes all types of appeals such as those against refusal of planning permission, against conditions of approval, enforcement notices, listed building applications and lawful development certificates. Figure 1 shows performance on appeals decided by the Inspectorate, in each CYC Sub Committee area and in total, from periods from 1st April 2011 and 1st January 2012, to 28th March 2012.

**Fig 1: Appeals Decided by the Planning Inspectorate
To 28th March 2012**

	1/1/12 to 28/3/12			1/4/11 to 28/3/12		
	East	West/ Centre	Total	East	West/ Centre	Total
Allowed	2	2	4	6	7	13
Part Allowed	0	0	0	0	0	0
Dismissed	6	6	12	17	18	35
Total Decided	8	8	16	23	25	48
% Allowed	25.0	25.0	25.0	26.09	28.00	27.08
% Part Allowed	0	0	0	0	0	0
Withdrawn	0	0	0	3	2	5

Analysis

- 4 The table shows that between 1st January and 28th March, a total of 16 appeals relating to CYC decisions were determined by the Inspectorate. Of those, 4 were allowed. At 25.0%, this rate of appeals allowed is significantly lower than the 33% national average.
- 5 Between 1st April 2011 and 28th March 2012, CYC performance was 27.08% allowed, slightly higher than the previously reported 12 month period of 26.67% but still below the national average.
- 6 The summaries of appeals determined since 1st January are included at Annex A. Details as to whether the application was dealt with under delegated powers or Committee (and in those cases, the original officer recommendation) are included with each summary. Figure 2 below shows that in the period covered, 4 of the appeals determined related to applications refused by Committee.

Figure 2: Appeals Decided against Refusals by Committee 1st January to 28th March 2012

Reference	Site	Proposal	Outcome	Officer Rec.
11/00860/OUTM	Grain Stores Clifton	Mixed Use Development	Dismissed	Refuse
11/01831/OUTM	Bonneycroft Strensall	Residential Development	Dismissed	Approve
11/01937/FUL	111 Newland Park Drive	Extensions	Dismissed	Approve
11/02745/FUL	111 Newland Park Drive	Extensions	Allowed	Approve

- 7 The list of current appeals is attached at Annex B. There are 20 appeals lodged with the Planning Inspectorate, 8 in the West and City Centre Sub Committee area and 12 in the East Sub Committee area. 11 are proposed to be dealt with by the Written Representation process (W), 2 by Informal Hearing (I), 5 by the Householder procedure (H) and 2 by Public Inquiry (P).

Consultation

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

Council Plan

- 9 The report is relevant to the furthering of the Council's objectives of making York a sustainable City, maintaining its special qualities, making it a safer city, and providing an effective organisation with high standards.

Implications

- 10 Financial – There are no financial implications directly arising from the report.
- 11 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.

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

Risk Management

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

Recommendation

- 15 That Members note the content of this report.

Contact Details

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**Report
Approved**



Date 28th March
2012

Specialist Implications Officer(s) None.

Wards Affected:

All Y

For further information please contact the author of the report

Annexes

**Annex A – Summaries of Appeals Determined between 1st January
and 28th March 2012**

Annex B – Outstanding Appeals to 28th March 2012