

REPORT FOR DECISION

Agenda Item	
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MEETING: PLANNING CONTROL COMMITTEE

DATE: 20 MAY 2008

SUBJECT: PLANNING APPEALS

REPORT FROM: ASSISTANT DIRECTOR (Planning, Engineering and
Transportation Services)

CONTACT OFFICER: TOM MITCHELL – DEVELOPMENT MANAGER

TYPE OF DECISION: COUNCIL

FREEDOM OF INFORMATION STATUS: This paper is within the public domain

SUMMARY:

The report considers the overall performance on Planning appeals for the year 2007/8. The appendix also provide lists new Planning Application appeals that have been lodged and recent appeal decision (made by the Planning Inspectorate).

OPTIONS AND RECOMMENDED OPTION (with reasons):

The Committee is recommended to note the decisions in the appendix.

IMPLICATIONS -

Corporate Aims/Policy Framework: N/A

Financial Implications and Risk Considerations N/A

Statement by Director of Finance and E-Government: N/A

Equality/Diversity implications: N/A

Considered by Monitoring Officer: N/A

Are there any legal implications? No

Staffing/ICT/Property: N/A

Wards Affected: ALL

Scrutiny Interest: N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

1.0 Introduction

This report provides information on the current performance of the Council in respect of Planning Appeals.

	Appeals lodged	Appeal decisions (incl.Adverts)	No. of appeals allowed	No. W/drawn	% allowed
Committee decision	3	4	2	0	50%
Delegated decision	14	15	7	1	46%
All appeals	17	19	9	1	47%

The context for this information on Planning Appeals in Bury is as follows:-

- BVPI (204) in respect of the percentage of appeals allowed against the refusal of planning applications. A National target has not been set but a Local target of 35% has been included within the Council's Best Value Performance Plan.. It should be noted that for 2008/9 this is no longer to be retained as part of the National Performance Indicators.
- The current National average of appeals allowed is 33% (and is consistently between 33% and 36%).

2.0 Planning Appeal decisions 1st April 2007 to 31st March 2008

The number of appeals lodged is 17 this year which considerably less than last year's figure of 29 and 31 in 2005/6.

The appeals "performance" is worse than last year when only 23.5% of appeals were allowed. There is no identifiable reason for this change in performance except to suggest that the reduced number of appeals has distorted the statistics. Whilst the percentage performance has worsened, the actual number of appeals allowed was reduced from 12 in 2006/7 to 9 last year. The reduced number of appeals lodged

and decided can be viewed as a positive indicator that the original decisions are more robust and less appeal worthy.

There were no awards of cost against the Council on planning appeal decisions.

In respect of the Committee decisions. Only one appeal concerned a proposal which was refused contrary to the officer recommendation, and this was allowed (see 47768 below).

3.0 Committee Decisions subject to appeal.

Allowed:

46033 – Detached garage at Eaves Cottage, Hawkshaw Lane.

47768 – Telecoms mast on Bolton Road.

Dismissed:

46691 – Care Home, Site of Benny's nightclub.

47181 – Worksop/store at 321 Turton Road, Tottington.

4.0 Comment:

The number of appeals lodged and decided has reduced considerably. However the performance in terms of the percentage of appeals allowed has worsened

List of Background Papers:- None

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