



Development Control Committee	Thursday, 26 May 2022	Matter for Information
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Report Title: **Planning Appeals Summary Update (2021/22)**

Report Author(s): **Jamie Carr (Planning Policy and Development Manager)**

Purpose of Report:	To provide an update on appeal decisions received by the Council as the Local Planning Authority (LPA) during 2021/22.
Report Summary:	Records show that a total of 5 appeal decisions were received, with 5 appeals dismissed (100 per cent). The Council is therefore exceeding government set targets.
Recommendation(s):	That the content of the report be noted.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Adrian Thorpe (Head of Built Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk Jamie Carr (Planning Policy and Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk
Corporate Objectives:	Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2) Providing Excellent Services (CO3)
Vision and Values:	"A Stronger Borough Together" (Vision) Accountability (V1) Respect (V2)
Report Implications:-	
Legal:	There are no implications directly arising from this report. For context only, the Growth and Infrastructure Act 2013 inserted two new provisions into the Town and Country Planning Act (1990) ("the Act"). In particular, section 62A allowed major applications for planning permission, consents and orders to be made directly to the Planning Inspectorate (acting on behalf of the Secretary of State) where a local planning authority has been designated for this purpose. Under section 62B of the Act, the Secretary of State can designate a Local Planning Authority (LPA) where s/he considers it is not adequately performing its function in determining applications. This includes, amongst other things, where an LPA has not met the threshold for its decisions on applications being overturned at appeal.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)

Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications directly arising from this report.
Health and Safety:	There are no implications directly arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	None.

1. Introduction

- 1.1. This report relates to appeal decisions made by the Planning Inspectorate (PIN's) in relation to various planning application related development control decisions that the Council has made.
- 1.2. As Members are aware, the Council as the Local Planning Authority (LPA) is monitored on its performance in the determination of planning submissions on a quarterly-basis with the expectation that the Council exceeds targets set by Central Government.
- 1.3. The same applies to planning appeals where the Council is expected to successfully defend 70% or more of planning appeals against its decisions.
- 1.4. The purpose of this report is to provide an annual summary for the 2021/22 period of those planning application decisions which have been challenged by appeal.

2. Information

- 2.1. It is important that the Council monitors its appeal decisions and is aware of how its appeal figures could influence its future ability to make planning decisions.

3. Planning Appeals in 2021/22

- 3.1. Records indicate that a total of 5 appeals were determined by the Planning Inspectorate during the period. All of the appeal decisions related to householder planning applications where the applicant was aggrieved with the Council's refusal decision. Importantly, all 5 of the appeal decisions issued by the Planning Inspectorate upheld the Council's refusal reason, meaning that the Council's decisions were deemed correct and proper.
- 3.2. Records show that no applications for costs were made against the Council during the appeal process.

- 3.3. With the 100 per cent of the Council's decisions being upheld at appeal, the Council is exceeding the Governments statutory targets.
- 3.4. There remains however, a continual on-going need for careful consideration and decision making at both delegated and Committee levels in the determination of planning and related submissions to ensure that where a submission is refused, it can be successfully defended at appeal. This will also serve to ensure minimal successful cost claims against the Council.