

EAST HERTS COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 7 NOVEMBER 2012

REPORT BY HEAD OF PLANNING AND BUILDING CONTROL

6. PLANNING APPEAL AND DECISION MAKING PERFORMANCE:
MARCH – SEPTEMBER 2012

WARD(S) AFFECTED: All

Purpose/Summary of Report:

- To enable Development Control Committee Members to consider issues in relation to planning appeal performance and decision making timescale performance.

RECOMMENDATION FOR DECISION: That

(A)	Performance in relation to planning appeal decisions and decision making timescales be noted.

1.0 Background

1.1 This report is to provide Members with details of the performance of the Council in relation to planning appeals over the six month period of April to September 2012.

1.2 Members may be aware that the government has made announcements that it is seeking generally to shorten the time periods during which decisions on planning applications are made. It announced the Planning Guarantee in 2011. This is a guarantee that Local Planning Authorities should take no longer than 26 weeks to determine planning applications submitted to them. If an appeal is then lodged, there should be no more than a further 26 weeks taken to determine that. The whole process would be no more than 1 year.

1.3 More recently announcements have been made that the responsibility to make decisions on planning applications may be transferred from Local Planning Authorities to the Planning Inspectorate in some circumstances. The criteria against which such a decision would be based have not been identified yet, but

it is likely that they will relate to decision timescales and appeal performance. It is timely then to consider appeal and decision timescale performance for the previous six months.

2.0 Appeal Performance

2.1 In the six months, 39 appeal decisions relating to planning applications were released. Of these, 12 were allowed. This means that, in 30.8% of cases, the original decision made by the Council has not been upheld at appeal.

2.2 Statistics from the Planning Inspectorate for the last quarter of the 2011/12 year and the first quarter of the current year indicate that the percentage of appeal cases upheld nationally is running at approx 34%. Whilst these two time periods are not co-incident, it indicates that performance locally compares well with that nationally.

3.0 Decision Making Timescales

3.1 Committee members will be aware that decision making statistics are regularly reported to the committee. For the six month period April – September 2012, the details are as follows:

Application Type	National Target	Local Target	April – Sept performance
Major	60% determined in 13 weeks	60% determined in 13 weeks	53%
Minor	65% determined in 8 weeks	70% determined in 8 weeks	78%
Other	80% determined in 8 weeks	90% determined in 8 weeks	90%

3.2 Performance is good in relation to minor and other application types. Both local and national targets were exceeded. Performance in relation to major application decisions is currently below target levels. These applications, of course, are the most complex and significant applications and can often comprise multiple rounds of consultation and, often, the need for a legal agreement to be concluded. These elements of the process often result in the target time being exceeded.

3.3 Officers will continue to ensure that steps are taken, where these are not seen to undermine the ability of those affected to comment on development proposals or to impact detrimentally on the quality of the decision making process, to align decision making with this target. No further action is suggested at this stage in advance of the government specifying the criteria against which transfer of decision making powers would be judged.

4.0 Implications/Consultations

4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Appeal Statistics produced by the Planning Inspectorate

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