

Decision Maker: **Development Control Committee**

Date: **17 November 2011**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **PLANNING APPEALS MONITORING REPORT
(APRIL - SEPTEMBER 2011)**

Contact Officer: Tim Bloomfield, Development Control Manager (Planning Appeals and Enforcement)
Tel: 020 8313 4687 Tel No E-mail: tim.bloomfield@bromley.gov.uk

Chief Officer: Chief Planner

Ward: All

1. Reason for report

Following the previous monitoring report to Development Control Committee on 19 April 2011 for the period January – March 2011 this report provides an update for the second and third quarters of 2011.

2. **RECOMMENDATION(S)**

Members note the report

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
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Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The attached table (Appendix 1) provides a summary of appeals activity in the period 1 April to 30 September 2011. 137 new planning appeals were lodged, compared with 111 in the same quarter in 2010. Over the same period 123 appeal decisions were received of which 70 (57%) were dismissed and 53 (33%) allowed. This generally reflects the national average where approximately one-third of appeals are allowed.
- 3.2 In the period January – September 2011 a total of 210 appeals were received. This represents a projected figure of 280 appeals in 2011, compared with 240 in 2010 and 300 in 2009. This is a reflection of the national downturn in economic activity and a reduction in the number of planning applications.
- 3.3 Bromley has consistently receives more appeals than any other LPA in the country, ranging from 311 in 2004 to 228 in 2010. However, this figure relates only to S78 and Householder appeals and excludes enforcement, advertisements, listed buildings and lawful development certificate appeals. Despite the recession the projected number of appeals in 2011 is only marginally lower than the peak in 2004.
- 3.4 With regard to appeal procedure, the written representation method has remained the most popular method accounting for 54% of all appeal decisions received. The number of ‘fast track’ appeals has increased from approx. 30% in the first quarter of 2011 to 40% although the percentage of appeals dismissed by this method has fallen to 45%.
- 3.5 However, the number of informal hearings has significantly reduced to 5% compared to 10% in 2010. Only one appeal decision received during the quarter was determined by local inquiry (??). This follows an overall trend for a reduction in the number of appeals determined by informal hearing or local inquiry since the Planning Inspectorate adopted a more rigorous approach in applying the relevant criteria as to the most appropriate procedure.
- 3.6 The breakdown by appeal procedure for the second and third quarters of 2011 compared with the same period in 2010 is summarised below:

Procedure	April - September 2011	April - September 2010
‘Fast track’	62 (45%)	41 (37%)
Written Representations	65 (47%)	54 (49%)
Informal Hearing	9 (7%)	15 (14%)
Local Inquiry	1 (1%)	1 (1%)
Total	137	111

- 3.6 A separate report on planning appeal costs in 2011 will be submitted to the next DCC on 12 January 2012.

Non-Applicable Sections	Policy, Legal, Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	