

## **8. ANNUAL REPORT ON PLANNING APPEALS 2023/2024 (A.1536//BT/KH)**

### **Purpose of Report**

This report summarises the work carried out on planning appeals from 1 April 2023 to 31 March 2024.

### **Information on Appeals Process**

In this period, 36 new appeals were received, of which 17 were still in hand as of the 1 April. During the year, 31 appeals were decided, which included some appeals that had been carried over from the previous year.

Of the 36 total new appeals received:

- 27 - followed the written representation procedure
- 6 - followed the householder appeals procedure
- 2 - followed the hearing procedure
- 1 - was withdrawn by the applicant

### **Outcome of Appeals**

The chart below shows the outcome of appeals over the last six years. The percentage of appeals dismissed in the year 2023/24, at 65% is higher than the previous year, although the context for this is analysed in more detail below.

	<b>2023/24</b>	<b>2022/23</b>	<b>2021/22</b>	<b>2020/21</b>	<b>2019/20</b>	<b>2018/19</b>
<b>DECISIONS</b>	<b>31</b>	<b>27</b>	<b>49</b>	<b>40</b>	<b>40</b>	<b>24</b>
Allowed	<b>11</b> <b>35%</b>	<b>11</b> <b>41%</b>	<b>12</b> <b>24%</b>	<b>14</b> <b>35%</b>	<b>15</b> <b>37%</b>	<b>9</b> <b>38%</b>
Dismissed	<b>20</b> <b>65%</b>	<b>16</b> <b>59%</b>	<b>37</b> <b>76%</b>	<b>26</b> <b>65%</b>	<b>25</b> <b>63%</b>	<b>15</b> <b>62%</b>

### **Householder Appeals**

In the year to 31 March 2024, 6 new householder appeals were submitted. Of these 2 (33%) were dismissed, 1 (17%) was allowed and 3 (50%) were still ongoing.

The Householder appeal service continues to be the most popular as it allows for a quicker and simpler process and the opportunity for officers to use the delegated report as the essential evidence to defend the appeal. As there is no opportunity to provide additional information in householder appeals, this ensures that the Inspector always has the policy background clearly set out and can easily understand why in the National Park there is a greater need to conserve and enhance the special qualities of the place. The national average for householder appeals allowed (according to the figures from the Planning Inspectorate up to the end of March 2024) for 2023/24 was 36%. To date no problems have occurred with the processing of appeals electronically.

Of the 11 appeals allowed during this period, 9 (82%) were dealt with by written representations and 2 (18%) by the householder procedure.

## **Delegation / Planning Committee**

Total number of planning applications received between 1 April 2023 and 31 March 2024 was 1413.

Of the 31 appeals decided:

- 24 related to applications determined under delegated powers. Of these, 15 (63%) were dismissed and 9 (37%) were allowed
- 6 appeals related to applications that were determined by Planning Committee. Of these, 4 (67%) were dismissed and 2 (33%) were allowed
- 1 appeal was for non-determination which was dismissed.

## **Comment**

The percentage of appeals allowed in 2023/24 was lower than the previous year at 35%

Those appeals, which have been allowed, have been cases where a site-specific judgment by the Inspector has been different from that of the Authority. There have been no appeals allowed which were fundamentally contrary to policy or which raised wider policy issues. This is welcome and shows that the Planning Inspectorate is generally supporting the Authority's decisions and its policies.

Members will be aware of any issues raised by specific appeal decisions (both allowed and dismissed) as the members receive a short analysis of each decision as part of monthly reports to Planning Committee, together with the decision letter itself, when an appeal is determined.

## **Human Rights**

The appeals procedure is consistent with human rights legislation.

## **RECOMMENDATION:**

**That the report be noted.**

**Background Papers** (not previously published) - None

## **Appendices**

Appendix 1 – List of Appeals Allowed 2023/2024

## **Report Author, Job Title and Publication Date**

Brian Taylor, Head of Planning and Karen Harrison, Customer & Democratic Support Team  
Senior Adviser