

GOV07 What percentage of planning applications recommended by planning officers for refusal were overturned and granted permission following an appeal?

Outturn			Target
2013/14	2014/15	2015/16	2016/17
18.18%	21.3%	30.6%	20.00%

Responsible Officer

**Colleen O'Boyle
Director of Governance**

Improvement Action	Target Dates	Key Measures / Milestones
Review Appeal Decisions at 6 months	17 June 2016 and November 2016	Member training in June, analyse key appeal decisions at Governance Select Cttee, 6 month report to Area Plans - resulting in improved appeal performance by Q4.
Planning officers refusal report state a way forward, if there is one, so as to encourage a resubmission under a new planning application rather than appeal.	Ongoing, review quarterly	Reduction in the number submitted and proportion of those appeal submitted being allowed.

<p>Finely balanced planning applications decisions to be recommended for approval rather than refusal, particularly those decisions taken at officer delegated level.</p>	<p>As and when required.</p>	<p>Reduction in the number submitted and proportion of those appeal submitted being allowed.</p>
<p>Specialist witness used to defend Council decision on complex appeals</p>	<p>As and when required and within set budget</p>	<p>Improved appeal performance by Q4, particularly for gypsy & traveller related appeals.</p>

Please detail any budget or resource implications of the improvement actions you have listed overleaf. Please quantify any additional resources which will be required to implement the improvements and detail how the additional resources will be allocated.

In respect of more complex planning appeal hearings or a public inquiries, there is a Professional Fees annual budget of £24,640, which, when required, pays for specialist advice to help the Council defend appeals. Such examples include gypsy and traveller appeals, agricultural related cases and highway refusals where there is no highway objection from Essex County Council. Each year, there has been a need to use this consultancy resource, including, where necessary, helping Legal Services pay towards barrister fees.

Please describe any contextual factors, internal or external, which may impact upon the ability to deliver the improvements listed.

Full staff resource within the Development Control section is required to produce appeal statements on a strict time limit and attend hearing etc. All senior planning officers in Development Control have had hearing and public inquiry training.

Where external consultants are required to defend the Council’s appeal, consultants who are used who are familiar with Epping Forest District and despite the narrow time parameters set by the Planning Inspectorate, this has proved successful in helping to defend the appeal.

The reliance on internal staff, again in specialist areas across the Council and Essex County Council, is invaluable.

GOV08 What percentage of planning applications refused by Council Members against the planning officer's recommendation were granted permission to appeal?

Outturn			Target
2013/14	2014/15	2015/16	2016/17
62.20%	70.00%	46.9%	50.00%

Responsible Officer

Colleen O'Boyle
Director of Governance

Improvement Action	Target Dates	Key Measures / Milestones
Training for Members and review Appeal Decisions at 6 months	17 June 2016 and November 2016	Member training in June, analyse key appeal decisions at Governance Select Cttee, 6 month report to Area Plans - resulting in improved appeal performance by Q4.
Members continue to state whether there is a way forward after a planning application is refused, if there is one, so as to encourage a resubmission under a new planning application rather than appeal.	Ongoing, review quarterly	Reduction in the number submitted and proportion of those appeal submitted being allowed.
Feedback and analyse appeal decisions as part of Development Control Team meeting.	Monthly meetings	Improve appeal performance

Specialist witness used to defend Council decision on complex appeals	As and when required and within set budget	Improved appeal performance by Q4, particularly for gypsy & traveller related appeals.
Follow the recommendation of the planning officer's committee report and only overturn it to a refusal if presenting officer considers it may succeed on appeal.	Each committee meeting	Reduction in number of appeals and appeals allowed.

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