



WORTHING BOROUGH
C O U N C I L

Worthing Planning Committee
24th March 2021
Agenda Item no. 7

Appeal Performance

Report by the Director for the Economy

1.0 Summary

- 1.1 This report updates the Planning Committee on recent appeal decisions and appeal performance.

2.0 Background

- 2.1 A number of national targets are set by the Government to ensure an effective development management service is delivered by all Local Authorities. National league tables are produced in relation to determination times for planning applications and appeal performance.
- 2.2 For appeals Adur and Worthing has a very good appeal performance and this highlights good effective decision making by Officers under delegated powers and by Planning Committees. National Planning Guidance seeks to ensure that planning applications are dealt with having regard to the Development Plan and all relevant material considerations and that planning applications should only be refused where harm can be substantiated.
- 2.3 Where local planning authorities cannot reasonably defend a decision to refuse planning permission there is a risk of costs being awarded against the authority.

3.0 Appeal Performance

- 3.1 The Planning Inspectorate (PINs) publishes annual performance for all s78 appeals, householder and enforcement appeals. The performance of the Council for 2019/2020 is set out below:

<i>England</i>		<i>April 2019 to March 2020^P</i>							
		s78 planning appeals				Householder appeals			
Local planning authority		number decided	number allowed	split decision	% allowed	number decided	number allowed	split decision	% allowed
Worthing		18	3	0	17%	7	1	0	14%

3.2 The above table highlights that the Council upholds 87% of its s78 appeals and 86% of householder appeals. As a result the Council is in the top quartile for local authority appeal performance in the Country. Worthing had the best performance overall in the County with Arun having a 50% success rate on appeals for 2019/2020.

3.3 Performance figures for the current financial year for appeals (and the determination of planning applications) will be released in May and a further report on overall performance will be submitted to the Committee in June.

3.4 To assist the Planning Committee in reviewing appeal decisions your Officers feel that it would be beneficial to add any decisions received to future agendas as a standing item. Since the New Year unfortunately we have received 5 appeal decisions and 4 have been allowed which will affect this year's figures. These are appended to this report.

3.5 Unfortunately, your Officers were unable to defend the decisions at the Wheatsheaf and High Salvington. The Worthing Society has been particularly concerned at the decision to grant the redevelopment of the Wheatsheaf, although this was more to do with the loss of the existing building which did not form part of the Council's refusal reason.

3.6 The award of costs in relation to the appeal at High Salvington is disappointing and is the first award against the Council for many years.

4.0 Recommendation

4.1 To note the report and the attached appeal decisions.

Local Government Act 1972

Background Papers:

Appeal Performance Tables:

www.gov.uk/government/publications/planning-inspectorate-statistics

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