

**BCP WESTERN PLANNING COMMITTEE 17<sup>th</sup>  
July 2025/ BCP EASTERN PLANNING  
COMMITTEE 31<sup>st</sup> July 2025.**



Report subject	<b>Appeals report</b>
Meeting date	17 July 2025
Status	Public Report
Executive summary	This report updates members of the planning committee on the Local Planning Authorities Appeal performance over the stated period.
<b>Recommendations</b>	<b>It is RECOMMENDED that:</b>  <b>The planning committee notes the contents of this report.</b>
Reason for recommendations	The content of this report is for information only.

Portfolio Holder(s):	Councillor Millie Earl, Leader of the Council and Chair of Cabinet.
Corporate Director	Glynn Barton, Chief Operations Officer
Report Authors	Katie Herrington and Simon Gould, Development Management Managers
Wards	Not applicable
Classification	For Information

## Background

1. The purpose of this report is to feedback to members on planning appeal decisions determined by the Planning Inspectorate for the last 2 years. This includes a reflection and highlight of any key decisions or learnings arising from such decisions.
2. The fundamental purpose of this report is to provide transparency in the appeal performance of the planning service and to improve the quality of decision making where necessary.

## Appeals performance

3. National Government monitors the 'quality' of decision making in planning through appeal performance. It is measured by the percentage of planning decisions overturned at appeal, with a lower percentage indicative of better-quality decision-making as less appeals are allowed.
4. Government targets are currently a maximum of 10% of the authorities total number of decisions on applications being made during the assessment period being overturned at appeal. This is set over an assessment period of 2 years, comprising April 2022 to March 2024, and April 2023 to March 2025<sup>1</sup>. This includes non-majors and majors'.
5. As demonstrated by Figure 1 for major applications and Figure 2 for non-major applications, the Local Planning Authority (LPA) is performing within target for the Quality of Planning decisions.

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<sup>1</sup> [Improving planning performance: criteria for designation \(updated 2024\) - GOV.UK](#)

<b>Proxy Assessment period July 2022 – June 2024<sup>2</sup></b>	<b>Total number of major application decisions<sup>3</sup></b>	<b>Major decisions overturned at appeal</b>	<b>Quality of decisions (% overturned at appeal)</b>	<b>England Average (% overturn at appeal)</b>
Total District Matters <sup>4</sup> (PS2)	210	4	1.9	2.8
Total County Matters <sup>5</sup> (CPS2)	0	0	0	0.4

Figure 1 Quality of major application decisions - taken from National Statistics Table P152 ([Live tables on planning application statistics - GOV.UK](#)).

<b>Assessment period July 2022 – June 2024<sup>6</sup>.</b>	<b>Total number of non-major application decisions</b>	<b>Total number of decisions overturned at appeal</b>	<b>Quality of decisions (% overturned at appeal).</b>	<b>England Average (% overturn at appeal)</b>
Total District Matters (PS2)	4,933	87	1.8	1.1

Figure 2 Quality of non-major application decisions - taken from National Statistics Table P154 ([Live tables on planning application statistics - GOV.UK](#)).

6. Figure 3 provides a breakdown of appeal performance measured against appeals dismissed or allowed. It demonstrates that on average 36% appeals are allowed.

<b>Year: 2025 (Jan to June)</b>	<b>Dismissed</b>	<b>Allowed</b>	<b>Total</b>	<b>% overturned</b>	<b>NFA/ Withdrawn</b>
<b>January</b>	19	9	28	32%	0
<b>February</b>	13	7	20	35%	0
<b>March</b>	18	7	25	28%	0
<b>April</b>	8	10	18	55%	0
<b>May</b>	12	7	19	37%	0
<b>June</b>	7	5	12	42%	0

<sup>2</sup> This period is proxy as it falls outside of the 'assessment period' as per the 'criteria for designation', the data in the table is updated on a quarterly basis, with the period to June 24 being published in June 25.

<sup>3</sup> This dataset excludes Appeals relating to planning conditions.

<sup>4</sup> 'District Matters' comprise most applications, explicitly excluding 'County Matters'.

<sup>5</sup> 'County Matters' applications refer to planning applications related to minerals, waste and associated development.

<sup>6</sup> See footnote 2.

<b>Total</b>	<b>70</b>	<b>40</b>	<b>110</b>	<b>36%</b>	<b>0</b>
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Figure 3 number of appeals dismissed or allowed in 2025

7. Whilst the LPA is performing within target for the national measure for the 'quality of decision making', it is still necessary to review and reflect on appeal decisions in order to provide high quality decisions, and to avoid the potential for successful cost claims. Figure 4 below sets out a short summary of why the appeals in the month of June were allowed.

Appeal number	location	Main issues	Why allowed
APP/25/3360960	11/11a Arnewood Road, Bournemouth,	character	Inspector considered that it would not result in harm to character.
APP/24/3350226	4 High Park Road, Broadstone	Character, SPA/SAC <sup>7</sup>	Inspector considered that it would not result in harm to character.  Legal Agreement resolved SPA/SAC issues
24/3343163 24/3343166 Appeal allowed, enforcement notice quashed, permission granted.	The land and premises Quayside Poole Car Park, Poole Harbour	Impact on Conservation Area; overprovision of car parking' harm to regeneration of town centre	Car park would put site to use and would preserve character and appearance of conservation area.  Insufficient evidence to demonstrate harm from overprovision of parking.  Temporary use as car park could not harm a plan led regeneration approach .
APP/24/3343045	Chapel Gate Circuit, Christchurch	Green Belt, EV charging	Met the definition of previously developed land. Whilst site did not need GB location, stations would occupy a sustainable location, and would meet para 155 of the NPPF
APP/24/3353096	21 Cleveland Gardens, Bournemouth	Character, highway safety	Inspector considered that scheme would not result in harm to character.  Imposed condition requiring parking and landscaping, and visibility splays/ set back gate.

<sup>7</sup> Special Protection Area/ Special Areas of Conservation.

## **General reflections on allowed appeals**

8. It is not unusual for inspectors to come to a different view with regards to character, as it is a subjective issue. It also raises the importance of seeking to resolve harms through conditions where possible, and the importance of demonstrating harm with evidence where required.
9. It should also be noted that the authority has received a number of dismissed appeals where the Inspector had included an additional reason relating to the New Forest Special Areas of Conservation (SAC). The LPA at the time of writing this report is seeking legal guidance on this matter.

## **List of live appeals.**

Appendix 1 provides a list of current appeals.

## **Options Appraisal**

10. No options to consider.

## **Summary of financial implications**

11. There are no financial implications as a direct result of this report.
12. However, it should be reminded that the Council can be subject to 'costs'<sup>8</sup> if the Council were found to be behaving 'unreasonably'. Such 'unreasonable' behaviour includes procedural (relating to the process) and substantive (relating to the issues arising from the merits of the appeal) matters. Examples of unreasonable behaviour include<sup>9</sup>:
  - a. 'preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations'
  - b. not determining similar cases in a consistent manner
  - c. imposing a condition that is not necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects, and thus does not comply with the guidance in the [National Planning Policy Framework](#) on planning conditions and obligation
  - d. vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.

## **Summary of legal implications**

13. None in directly relation to the content of this report. However, it should be reminded that the Council can be subject to Judicial Review. A Judicial Review is a mechanism for challenging the process of a decision, rather than the decision itself.

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<sup>8</sup> [Claim planning appeal costs: Overview - GOV.UK](#)

<sup>9</sup> [Appeals - GOV.UK](#)

An example of this acting contrary to procedure. Such can come with financial penalties.

### **Summary of human resources implications**

14. There are no direct human resource implications resulting from this report. However, it is reminded that the servicing of appeals can be resource heavy, particularly at a hearing or Public Inquiry.

### **Summary of sustainability impact**

15. There are no sustainability issues arising from this report.

### **Summary of public health implications**

16. There are no public health implications arising from this report.

### **Summary of equality implications**

17. This report is for information only, and contains information collated from the public domain. As a result there are no Equality Impact Assessment (EIA) implications as a result of this report.

### **Summary of risk assessment**

18. Any risks associated with any appeal decisions are discussed in the body of the report. No risks have been identified in this report.

### **Background papers**

Published appeal statistics and appeal decisions.

#### [Criteria Document 2024](https://assets.publishing.service.gov.uk/media/674f2ec08b522bba9d991af9/Criteria_Document_2024.pdf)

[https://assets.publishing.service.gov.uk/media/674f2ec08b522bba9d991af9/Criteria\\_Document\\_2024.pdf](https://assets.publishing.service.gov.uk/media/674f2ec08b522bba9d991af9/Criteria_Document_2024.pdf)

#### [Live tables on planning application statistics - GOV.UK](https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics) -

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### **Appendices**

Appendix 1 – list of outstanding appeals.