

**WESTERN BCP PLANNING  
COMMITTEE**  
**WESTERN PLANNING  
COMMITTEE 15 JANUARY 2025 / EASTERN  
PLANNING COMMITTEE 22 JANUARY 2026**



Report subject	<b>Appeals Report</b>
Meeting dates	15 January 2026
Status	Public Report
Executive summary	This report updates members of the planning committee on the Local Planning authority's 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 October 2022 to September 2024<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. Note that the dataset has now been updated to September.

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<sup>1</sup> [Improving planning performance: criteria for designation \(updated 2024\) - GOV.UK](https://www.gov.uk/government/publications/improving-planning-performance-criteria-for-designation)

Proxy assessment period October 2022 –September 2024 <sup>2</sup>	Total number of major application decisions <sup>3</sup>	Major decisions overturned at appeal	Quality of decisions (% overturned at appeal)	England Average (% overturned at appeal)
Total District Matters <sup>4</sup> (PS2)	202	5	2.5	2.9
Total County Matters <sup>5</sup> (SPS2)	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](#) )

Assessment period October 2022-September 2024	Total number of non-major application decisions	Total number of decisions overturned at appeal	Quality of decisions (% overturned at appeal).	England Average (% overturn at appeal)
Total District Matters (PS2)	4,792	91	1.9	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 35% of appeals are allowed.

Year: 2025 (Jan to July)	Dismissed	Allowed	Total	% overturned	NFA/ Withdrawn
January	19	9	28	32%	0
February	13	7	20	35%	0
March	18	7	25	28%	0
April	8	10	18	55%	0
May	7	5	12	42%	0
June	7	5	12	42%	0
July	10	1	11	9%	0
August	7	0	8	0%	1
September	6	1	0	15%	0
October	15	2	17	11%	0
November	8	5	13	38%	1
December	5	6	11	54%	0
<b>total</b>	<b>123</b>	<b>58</b>	<b>181</b>	<b>32%</b>	<b>0</b>

<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.

- 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. In August no appeals were allowed, with one appeal being declared as 'invalid' by the Inspector. This was because of the absence of the required BNG information.

### General reflection on allowed appeals

- 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.

#### Allowed appeals

<b>address</b>	29 Western Road, Poole
<b>Proposal</b>	Plot severance and the conversion and extension of the dwelling outbuilding/ garage to create a detached dwelling with associated access and parking.
<b>Committee overturn</b>	No
<b>Main issues</b>	Character and appearance of the area, including impact on Conservation Area; setting and significance on non-designated heritage assets; highway safety; European sites
<b>Why allowed</b>	Proposal sited on generous parcel of land, width would not be dissimilar to other plots along Western Road. Footprint and overall scale of the proposed built form, would be of an appropriate size in relation to the site, and separation distances are generous. The absence of a 'quirky orientation', and its contemporary design would complement the varied architecture in the street scene. Tree removal considered modest, and not harmful. No evidence to demonstrate impact on highway safety would be adverse.

<b>address</b>	44 Windsor Road, Christchurch
<b>Proposal</b>	Convert loft to habitable space including a side dormer
<b>Committee overturn</b>	No
<b>Main issues</b>	i) the character and appearance of the area; and ii) the living conditions of neighbouring occupiers at 42 and 46 Windsor Road, with particular regard to privacy.

<b>Why allowed</b>	In a context of varied roofscapes behind a modest frontage, the character and appearance of the building and its contribution to the street scene would not be significantly altered.
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<b>address</b>	29 Dunyeats Road, Broadstone
<b>Proposal</b>	Replacement garage with first floor accommodation over and single storey rear extension
<b>Committee overturn</b>	No
<b>Main issues</b>	Character and appearance of the area and on the setting of heritage assets, namely the adjacent Tudor and Golf Links Road Conservation Area (the Conservation Area).
<b>Why allowed</b>	Would be subservient to the host building, window detailing is consistent with what exists, and materials, finishes and design elements are different, they are typical domestic features and would not appear out of place.

<b>address</b>	3 The Moorings, 2 Willow Way, Christchurch, Dorset
<b>Proposal</b>	Enlargement of existing ground floor balcony
<b>Committee overturn</b>	No
<b>Main issues</b>	Effect of the proposed balcony extension on the living conditions of neighbouring occupiers, with particular regard to overlooking and loss of privacy.
<b>Why allowed</b>	Proposal would not result in a material increase of overlooking to adjacent properties.

<b>address</b>	5 Seafield Road, Bournemouth
<b>Proposal</b>	Outline for redevelopment of house for block of 5 flats
<b>Committee overturn</b>	No
<b>Main issues</b>	Character and appearance of the area and the Dorset Heathlands.
<b>Why</b>	The flat block would be larger than the houses in the immediate vicinity,

<b>allowed</b>	but flat blocks nearby meant that the scale would not appear incongruous. Although not a consideration a drawing was able to show a building using traditional design, materials and fenestration would fit with the area. Splitting the parking into two areas meant that it would not dominate the street scene. A unilateral undertaking would provide mitigation for Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites. Appellant's application for costs was refused.
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<b>address</b>	6 Cotton Close, Poole
<b>Proposal</b>	Erection of detached annex building, modified entrance/driveway with new gate and parking/turning area.
<b>Committee overturn</b>	No
<b>Main issues</b>	Whether the proposal would constitute an annexe to the main dwelling; The effect of the proposal on the character and appearance of the area; and The effect of the proposal on protected species
<b>Why allowed</b>	The site would remain a single planning unit, works unlikely to result in building inappropriately sited. Impact on protected species resulted during the appeal.

<b>address</b>	57 Lansdowne Road, Bournemouth Christchurch Poole, Bournemouth
<b>Proposal</b>	Four terraced houses.
<b>Committee overturn</b>	No
<b>Main issues</b>	Impact on Non designated Heritage Asset and Conservation Area.
<b>Why allowed</b>	Site in the rear garden of a NDHA villa house in a suburban Conservation Area. A rear extension would be removed from the villa revealing the rear façade, and create sufficient separation distance from the new houses. Some garden land and trees would be lost, but this would not be visible from the public realm due to the building and landscaping. That the plot sizes would be smaller than the surrounding area was also shielded from view.

<b>address</b>	Glenlyn , Bramble Lane, Highcliffe, Christchurch
<b>Proposal</b>	The development proposed is the division of existing Garden and construction of new dwelling
<b>Committee overturn</b>	No
<b>Main issues</b>	The main issues are: • The effect of the proposed development on the character and appearance of the area, focussing upon its effect upon the significance of the relevant designated heritage asset; •Habitats (Dorset Heathlands, River Avon SAC, New Forest SPA, SAC and Ramsar.
<b>Why allowed</b>	Sites sense of enclosure would be maintained, and was not considered to have an open character. Dwelling would be similar in setting and relationship to the street. Habitat issues addressed by S106.

<b>address</b>	195 & 195A Barrack Road, Christchurch
<b>Proposal</b>	Demolition of existing buildings and erection of a block consisting of three offices and twenty-five apartments.
<b>Committee overturn</b>	No
<b>Main issues</b>	The effect of the proposed development on the character and appearance of the area, focussing upon its effect upon the significance of the relevant designated heritage asset;
<b>Why allowed</b>	The site had previously been used as a care home. Despite extending to four storeys the proposal preserved the character and appearance of the area. Conditions and a legal agreement also addressed matters of pedestrian or highway safety and noise disturbance.

<b>address</b>	465 Poole Road, Poole
<b>Proposal</b>	Proposed roofing advertisement and bed shop advertisement.
<b>Committee overturn</b>	No
<b>Main issues</b>	Harm to amenity
<b>Why allowed</b>	Street scene includes contemporary industrial uses and large scale signage, and advertising adds to the busy commercial street scene.in that context, proposal would not detract from host building or be out of

	character.
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<b>address</b>	122 Matchams Lane, Christchurch
<b>Proposal</b>	Erection of an ancillary outbuilding alongside a pre-existing boundary wall.
<b>Committee overturn</b>	No
<b>Main issues</b>	<ul style="list-style-type: none"> <li>• Whether building is ancillary as proposed</li> <li>• Council's consideration of development ongoing on site</li> <li>• Impact on the green belt</li> <li>• Impact on character and appearance of the area</li> </ul>
<b>Why allowed</b>	<p>The Council should not have considered matters outside of the description of development (the existing uses on the site) – costs awarded against the council for this reason.</p> <p>Development found to conflict with essential characteristic of the Green Belt; would result in harm to the character of the area.</p>

## List of live appeals

Appendix 1 provides a list of current appeals.

## Options Appraisal

9. No options to consider.

## Summary of financial implications

10. There are no financial implications as a direct result of this report.
11. However, it should be reminded that the Council can be subject to 'costs'<sup>6</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>7</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

<sup>6</sup> [Claim planning appeal costs: Overview - GOV.UK](#)

<sup>7</sup> [Appeals - GOV.UK](#)

- 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**

- 12. None in directly relation to the content of this report.
- 13. 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. An example of this is acting contrary to procedure. However such procedure 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

### **Summary of risk assessment**

- 17. 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)

Live Planning Statistics tables - [Live tables on planning application statistics - GOV.UK](#)

### **Appendices**

Appendix 1 – list of outstanding appeals.