

SECTION B – MATTERS FOR INFORMATION

PLANNING AND ENFORCEMENT APPEALS ANNUAL REPORT (2017/18)

INTRODUCTION

The following report comprises an 'Annual Report' in respect of Planning and Enforcement Appeals. It reports below the outcome of all planning and enforcement appeals determined between 1st April 2017 and 31st March 2018, includes links (where available) to the appeal decisions, and concludes with a summary of the overall performance for the year.

The appeal decisions are colour-coded (**green** for dismissed, **red** for allowed).

SUMMARY OF APPEAL DECISIONS RECEIVED BY APPEAL METHOD

Public Inquiries

The following two appeals were determined following a Public Inquiry, these being joint appeals against two Enforcement Notices at the same site.

Reference	Site Address	Appellant	Case Type	Outcome
E2016/0022	Aberdrychwallt Farm Pontrhydyfen	Brian Price	Enforcement	DISMISSED – Enforcement Notice Upheld Appeal Decision
E2016/0022	Aberdrychwallt Farm Pontrhydyfen	Douglas Price	Enforcement	ALLOWED - Planning Permission granted & Notice quashed Appeal Decision

Hearings

Three appeals were heard by Hearing (at 2 Hearings), as follows: -

Reference	Site Address	Appellant	Case Type	Outcome
P2016/0117	Land at Glynneath Business Park Glynneath, Neath Neath Port Talbot	Waterstone Estates Ltd	Planning	Both appeals DISMISSED Appeal decision Costs decision
P2016/0254				
P2008/0798	Forge Washery Lower Brynamman Ammanford SA18 1SN	Tolkein Property Limited	Planning	ALLOWED Appeal Decision

Written Representations

Reference	Site Address	Appellant	Case Type	Outcome
P2017/0956	51 Castle Drive Neath	James Thomas	Planning	ALLOWED Appeal Decision
P2017/0512	Neath Vale Supplier Park, Resolven	Mr I Ace (Trustee)	Planning	ALLOWED Appeal Decision
P2017/0771	Brynheulog Neath	Mr & Mrs Willam John & Rachel Davies	Householder (HAS)	DISMISSED Appeal Decision
P2016/1091	Land adjacent to 24 Curwen Close Pontrhydyfen	Alexander Morris	Planning	DISMISSED Appeal Decision
E2016/0224	Britannia Inn Neath	Ann Barnet	Enforcement	DISMISSED Appeal Decision
P2017/0319	Autocare SA11 2AX	Autocare	Planning	DISMISSED Appeal Decision
P2016/0881	Land to the north of Heol Llwyn Celyn Neath	NPT Homes	Planning	ALLOWED Appeal Decision

P2016/0271	1 Cambrian Place & 45 Abbey Road Port Talbot	A Holden	Planning	ALLOWED Appeal Decision
P2016/1051	26 Rowan Tree Close, Neath	A Rees	Planning	DISMISSED Appeal Decision
P2016/0522	9 New Road Swansea	First Financial Solutions	Planning	DISMISSED Appeal Decision
P2016/0614	Land Rear of 1 Rockchwyth Rd, Alltwen	Paul Griffiths	Planning	DISMISSED Appeal Decision

Non-Validation Appeals

Only one non-validation appeal was heard during 2017/18, this being an appeal against the decision of the Council to invalidate an application on technical/ procedural grounds. The appeal was dismissed and the invalid notice upheld.

Reference	Site Address	Appellant	Case Type	Outcome
P2017/0970	Unit 9 Former Gasworks Site Sandfields Port Talbot SA12 6AB	Kathleen White	Non- Validation Appeal	Allowed in part but overall DISMISSED (Appeal Decision not available on PINS website)

Applications for an Award of Costs

Only one application was made for an award of costs against the council, relating to the appeals at Glynneath Business Park. That application was dismissed, with no costs awarded.

Reference	Site Address	Appellant	Case Type	Outcome
P2016/0117	Land at Glynneath Business Park Glynneath, Neath Neath Port Talbot	Waterstone Estates Ltd	Planning (A)	DISMISSED Costs decision
P2016/0254				

The council made no applications for an award of costs against appellants during 2017/18

APPEAL SUMMARY

The following table comprises the overall summary of planning and enforcement appeal decisions (excluding invalidity appeals) received in 2017/18.

		Written Reps	Hearing	Inquiry	Total
Planning	Dismissed	7	2	-	9
	Allowed	4	1	-	5
Percentage Dismissed		64%	67%	-	64%
Enforcement	Dismissed	-	-	1	1
	Allowed	-	-	1	1
Percentage Dismissed		-	-	50%	50%
Total	Dismissed	7	2	1	10
	Allowed	4	1	1	6
Total Percentage Dismissed		64%	67%	50%	62.5%

It is noted that, given the relatively small number of appeals determined, the overall performance can be affected (positively or negatively by approx. 6%) by every single decision. The overall performance of 62.5% appeals dismissed, however, comprises a reasonable performance in line with the National Wales average.