

Agenda Item 7

Monthly Planning Appeals Performance Update – September 2011

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1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
2. The Government's Best Value Performance Indicator BV204 relates to appeals arising from the Council's refusal of planning permission and telecommunications prior approval refusals. It measures the Council's appeals performance in the form of the percentage of appeals allowed. It has come to be seen as an indication of the quality of the Council's planning decision making. BV204 does not include appeals against non-determination, enforcement action, advertisement consent refusals and some other types. Table A sets out BV204 rolling annual performance for the year ending 30 September 2011, while Table B does the same for the current business plan year, ie. 1 April 2011 to 30 September 2011.

Table A. BV204 Rolling annual performance (to 30 September 2011)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(27%)	6 (50%)	5 (18%)
Dismissed	29	73%	6 (50%)	23 (82%)
<i>Total BV204 appeals</i>	40		12	28

Table B. BV204: Current Business plan year performance (1 April to 30 September 2011)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	6	(33%)	2 (33%)	4 (33%)
Dismissed	12	67%	4 (67%)	8 (67%)
<i>Total BV204 appeals</i>	18		6	12

3. A fuller picture of the Council's appeal performance is given by considering the outcome of all types of planning appeals, i.e. including non-determination, enforcement, advertisement appeals etc. Performance on all appeals is shown in Table C.

Table C. All planning appeals (not just BV204 appeals): Rolling year to 30 September 2011

	Appeals	Percentage performance
Allowed	16	(30%)
Dismissed	38	70%
All appeals decided	54	
Withdrawn	7	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during September 2011.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during September 2011. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D

Appeals Decided Between 1/9/11 And 30/9/11

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee; RECM KEY: PER - Approve, REF - Refuse, SPL - Split Decision; NDA - Not Determined; APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/00486/FUL	11/00019/REFUSE	DEL	REF	ALC	06/09/2011	IFFLDS	289 Iffley Road Oxford Oxfordshire OX4 4AQ	Single storey rear extension and conversion of rear paper store to 2 self contained 1 bedroom flats. Provision of cycle and bin storage.
10/03323/FLT	11/00022/REFUSE	DELCOM	PER	ALC	13/09/2011	JEROSN	Telecommunications Mast Walton Well Road Oxford Oxfordshire	Removal of existing 15m high monopole. Installation of 17.5m high monopole with 6No. antennas and ancillary equipment cabinet.
11/00923/FUL	11/00024/REFUSE	DELCOM	PER	DIS	13/09/2011	HINKPK	68 Abingdon Road Oxford Oxfordshire OX1 4PL	Loft conversion and alterations to existing roof involving flat roofed rear dormer windows.
10/03141/FUL	11/00023/REFUSE	DEL	REF	DIS	14/09/2011	LYEVAL	Land To The Rear Of 184 Fern Hill Road Oxford Oxfordshire	Demolition of bungalow. Erection of single storey building comprising 2 x 1 bed apartments. Provision of 2 off street car parking spaces.
10/02512/FUL	11/00015/REFUSE	DEL	REF	DIS	28/09/2011	SUMMTN	241 Banbury Road Oxford Oxfordshire OX2 7HN	Erection of 1st floor rear extension to form a 2-bed flat.
10/03324/FUL	11/00011/REFUSE	DEL	REF	ALC	28/09/2011	STMARG	31 Charlbury Road Oxford Oxfordshire OX2 6UU	Demolition of house and outbuildings. Erection of two storey house (with accommodation in roof space) and garden studio building.
10/03330/CAC	11/00018/REFUSE	DEL	REF	ALC	28/09/2011	STMARG	31 Charlbury Road Oxford Oxfordshire OX2 6UU	Demolition of house and outbuildings.

Total Decided: 7

TABLE E Appeals Received Between 1/9/11 And 30/9/11

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by Area Committee, STRACM - Strategic Committee;
 RECMND KEY: PER - Approve, REF - Refuse, SPL - Split Decision, NDA - Not Determined; TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

DC CASE NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
10/02605/FUL	11/00035/REFUSE	COMM	PER	I	Hernes House Residential Home 3 Hernes Crescent Oxford Oxfordshire OX2 7PS	SUMMT	Demolition of Hernes House and erection of 9 dwellings (5 x 4-bedroom and 4 x 5-bedroom). Provision of 18 car parking spaces, private amenity space and landscaping. (Amended plans) (Amended description)
11/00730/FUL	11/00033/REFUSE	DEL	REF	H	1 Arthur Garrard Close Oxford Oxfordshire OX2 6EU	NORTH	Proposed dormer window.
11/00887/FUL	11/00029/REFUSE	DEL	REF	W	5 Farndon Road Oxford Oxfordshire OX2 6RS	NORTH	Two storey extension to side, front and rear extension to basement and rebuild front porch
11/01214/FUL	11/00034/REFUSE	COMM	PER	I	Oxonian Rewley Press Ltd Lamarsh Road Oxford Oxfordshire OX2 0HY	JEROSN	Demolition of former Oxonian Press premises. Erection of 8 flats (2 x 1-bed, 4 x 2-bed and 2 x 3-bed) in a 3 storey block with 10 car parking spaces, cycle and bin storage. (Amended Plans)
11/01669/FUL	11/00031/REFUSE	DEL	REF	W	Land To The Rear Of 9 Saunders Road Oxford Oxfordshire	COWLY	Erection of 3 storey building to provide 2x1 bed houses - including integral car parking, bin and cycle storage and forecourt vehicle turntable
11/01702/FUL	11/00032/REFUSE	DEL	REF	H	326 Woodstock Road Oxford Oxfordshire OX2 7NS	WOLVER	Side and rear two storey extension

Total Received: 6