

Agenda Item 10

Monthly Planning Appeals Performance Update – December 2011

Contact: Head of Service City Development: Michael Crofton-Briggs.
Tel 01865 252360.

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 31 December 2011, while Table B does the same for the current business plan year, ie. 1 April 2011 to 31 December 2011.

Table A. BV204 Rolling annual performance (to 31 December 2011)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(32%)	5 (50%)	6 (25%)
Dismissed	23	68%	5 (50%)	18 (75%)
<i>Total BV204 appeals</i>	34		10	24

Table B. BV204: Current Business plan year performance (1 April to 31 December 2011)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	9	(36%)	3 (43%)	6 (33%)
Dismissed	16	64%	4 (57%)	12 (67%)
<i>Total BV204 appeals</i>	25		7	18

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 31 December 2011

	Appeals	Percentage performance
Allowed	12	(31%)
Dismissed	27	69%
All appeals decided	39	
Withdrawn	8	

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 December 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 December 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 1/12/11 And 31/12/11

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
11/00887/FUL	11/00029/REFUSE	DEL	REF	DIS	14/12/2011	NORTH	5 Farndon Road Oxford Oxfordshire OX2 6RS	Two storey extension to side, front and rear extension to basement and rebuild front porch
11/01398/FUL	11/00028/REFUSE	DEL	REF	ALC	20/12/2011	WOLVER	3 Bladon Close Oxford Oxfordshire OX2 8AD	Subdivision of garden. Erection of 2 storey 4-bed detached house. (Re-submission of planning application 10/03424/FUL)

Total Decided: 2

TABLE E Appeals Received Between 1/12/11 And 31/12/11

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
11/00853/FUL	11/00047/REFUSE		REF	W	72 Wolsey Road Oxford Oxfordshire OX2 7TA	SUMMT	Erection of single storey one bedroom dwelling.
11/01486/T56	11/00046/REFUSE	DEL	4PA	W	Land North Of Heritage Gate Sandy Lane West Oxford Oxfordshire	LITTM	Application for prior approval for 12.5m Hutchinson Jupiter Streetworks column and equipment cabinet.

Total Received: 2