

Agenda Item 3

Monthly Planning Appeals Performance Update – February 2012

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 29 February 2012, while Table B does the same for the current business plan year, ie. 1 April 2011 to 29 February 2012.

Table A. BV204 Rolling annual performance (to 29 February 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	(33%)	5 (50%)	7 (27%)
Dismissed	24	67%	5 (50%)	19 (73%)
<i>Total BV204 appeals</i>	36			

Table B. BV204: Current Business plan year performance (1 April to 29 February 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(34%)	4 (50%)	7 (29%)
Dismissed	21	66%	4 (50%)	17 (71%)
<i>Total BV204 appeals</i>	32		8	24

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 29 February 2012

	Appeals	Percentage performance
Allowed	14	(31%)
Dismissed	31	69%
All appeals decided	45	
Withdrawn	5	

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 February 2012.
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 February 2012. 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 1/2/12 And 29/2/12**

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
11/01039/FUL	11/00039/REFUSE	DEL	REF	DIS	01/02/2012	JEROSN	63 Botley Road Oxford Oxfordshire OX2 0BS	Erection of two storey side extension to provide external stair to first floor flat and store.
11/01348/FUL	11/00040/REFUSE	DEL	REF	DIS	07/02/2012	JEROSN	Rear Of 48 And 49 Great Clarendon Street Oxford Oxfordshire	Alteration and extension of disused storage building to form 2 dwellings including partial demolition of roof and walls
11/01548/FUL	11/00036/REFUSE	DEL	REF	DIS	15/02/2012	QUARIS	34-36 York Road Oxford Oxfordshire OX3 8NW	Erection of single storey dwelling. Provision of car parking and private amenity space.
11/01905/FUL	11/00041/REFUSE	DEL	REF	ALW	17/02/2012	STMARY	235 To 239 Iffley Road Oxford Oxfordshire OX4 1SQ	Retention of 6no cycle shelters.
11/02154/FUL	12/00002/REFUSE	DEL	REF	DIS	21/02/2012	MARST	5 Boults Lane Oxford Oxfordshire OX3 0PW	Two storey side extension following demolition of existing side extension.
11/02150/FUL	11/00043/REFUSE	DELCOM	PER	DIS	22/02/2012	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Proposed two storey side extension and single storey rear extensions (amended plans)

Total Decided: 6

TABLE E Appeals Received Between 1/2/12 And 29/2/12

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
11/02416/FUL	12/00004/REFUSE	DEL	REF	W	226 London Road Headington Oxford Oxfordshire OX3 9EG	QUARIS	Erection of single storey building for use as annexe to main house
11/02602/FUL	12/00006/REFUSE	DEL	REF	H	38 Linkside Avenue Oxford Oxfordshire OX2 8JB	WOLVER	Proposed first floor rear extension
11/02850/FUL	12/00005/COND	COMM	PER	W	109A Banbury Road Oxford Oxfordshire OX2 6JX	STMARG	Alterations to garden building including the addition of a kitchen to enable it to be used as a self contained annexe ancillary to 109A Banbury Road (amended plan)

Total 3