

Agenda Item 9

Monthly Planning Appeals Performance Update – July 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 July 2011, while Table B does the same for the current business plan year, ie. 1 April 2011 to 31 July 2011.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	(29%)	8 (57%)	5 (16%)
Dismissed	32	71%	6 (43%)	26 (84%)
<i>Total BV204 appeals</i>	45		14	31

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	3	(27%)	1(25%)	2 (29%)
Dismissed	8	73%	3 (75%)	5 (71%)
<i>Total BV204 appeals</i>	11		4	7

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 July 2011

	Appeals	Percentage performance
Allowed	16	(28%)
Dismissed	42	72%
All appeals decided	58	
Withdrawn	7	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 July 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 July 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 1/7/11 And 31/7/11

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
10/01412/FUL	11/00017/REFUSE	DELCOM	REF	DIS	07/07/2011	LITTM	3 David Nicholls Close Oxford Oxfordshire OX4 4QX	Two storey front extension (amended description and plans).
10/02882/FUL	10/00077/REFUSE	DEL	REF	DIS	12/07/2011	HINKPK	Fox And Hounds Public House 279 Abingdon Road Oxford Oxfordshire OX1 4TJ	Demolition of existing public house. Erection of building on 3 levels consisting of retail store at ground floor level, 1x3 bedroom, 1x1 bedroom, 2x2 bedroom flats and ancillary retail floor space on upper floors with plant enclosure and landscaping. Provision of service area, 16 parking spaces to serve the retail store and 5 to serve the flats, all accessed off the Abingdon Road. Provision of communal amenity space.

Total Decided: 2

TABLE E

Appeals Received Between 1/7/11 And 31/7/11

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
11/00029/FUL	11/00027/REFUSE	DELCOM	REF	W	1 Upland Park Road Oxford Oxfordshire OX2 7RU	SUMMT	Demolition of existing house. Erection of pair of semi-detached 4 bed houses and 1 x detached 4 bed house. Provision of 4 off street car parking spaces. (Additional Information)

Total Received: 1