

Agenda Item 9

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	30%	8 (62%)	6 (18%)
Dismissed	32	70%	5 (38%)	27 (82%)
<i>Total BV204 appeals</i>	46		13	33

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	1	33%	0 (0%)	1 (50%)
Dismissed	2	66%	1 (100%)	1 (50%)
<i>Total BV204 appeals</i>	3		1	2

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 May 2011

	Appeals	Percentage performance
Allowed	19	28%
Dismissed	48	72%
All appeals decided	67	
Withdrawn	8	

4. When an appeal decision is received, the Inspector's decision letter is circulated to all the members of the relevant committee. The case officer may also subsequently circulate members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during May 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 relevant committee and the ward members receive the notification letter. Table E, appended below, is a breakdown of all appeals started during May 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 1/5/11 and 31/5/11

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
10/01785/FUL	10/00070/REFUSE	DEL	REF	DIS	11/05/2011	STMARG	Land To The North Of St Johns College Sports Ground Woodstock Road Oxford Oxfordshire	Erection of detached two-storey house (5 bedrooms). Creation of new access off Bainton Road, with forecourt car parking, bin and cycle storage.

TABLE E Appeals Received Between 1/5/11 And 31/5/11

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
10/01412/FUL	11/00017/REFUSE	DELCOM	REF	H	3 David Nicholls Close Oxford Oxfordshire OX4 4QX	LITTM	Two storey front extension (amended description and
10/03184/FUL	11/00016/REFUSE	DEL	REF	H	21 William Street Oxford Oxfordshire OX3 0ES	MARST	Single storey rear extension.
10/03330/CAC	11/00018/REFUSE	DEL	REF	W	31 Charlbury Road Oxford Oxfordshire OX2 6UU	STMARG	Demolition of house and outbuildings.
10/03366/FUL	11/00020/REFUSE	DEL	REF	H	27 Henley Avenue Oxford Oxfordshire OX4 4DJ	RHIFF	Proposed roof extension and provision of living accommodation in resultant roof space, construction of dormer windows.
11/00486/FUL	11/00019/REFUSE	DEL	REF	W	289 Iffley Road Oxford Oxfordshire OX4 4AQ	IFFLDS	Single storey rear extension and conversion of rear paper store to 2 self contained 1 bedroom flats. Provision of cycle and bin storage.
10/02570/FUL	11/00021/REFUSE	DEL	REF	W	1 Cloverley Road, Oxford	LYEVA	Demolition of garage and porch. Erection of two storey side. Provision of car parking, bin and cycle storage. extension to form new 1 bedroom house

Total Received: 6