

# Agenda Item 10

## Monthly Planning Appeals Performance Update – November 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 November 2011, while Table B does the same for the current business plan year, ie. 1 April 2011 to 30 November 2011.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	(29%)	5 (50%)	5 (21%)
Dismissed	24	71%	5 (50%)	19 (79%)
<i>Total BV204 appeals</i>	34		10	24

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	8	(35%)	3 (43%)	5 (31%)
Dismissed	15	65%	4 (57%)	11 (69%)
<i>Total BV204 appeals</i>	23		7	16

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 November 2011

	Appeals	Percentage performance
Allowed	14	(30%)
Dismissed	33	70%
All appeals decided	47	
Withdrawn	7	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 November 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 November 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 1/11/11 and 30/11/11

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
11/00636/OUT	11/00026/REFUSE	DEL	REF	DIS	08/11/2011	QUARIS	Garages To The Rear Of 1 3 5 7 And 9 Coppock Close Oxford Oxfordshire	Outline application with all matters reserved for the demolition of existing block of 11 garages. Erection of two storey building to provide 2 x 1- bedroom flats and 2 x 2-bedroom flats. Provision of car and cycle parking, bin store and amenity space.

Total Decided: 1

## TABLE E Appeals Received Between 1/11/11 and 30/11/11

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
11/00927/FUL	11/00044/REFUSE	COMM	D0204	I	Land To The Rear Of 17 To 41 Mill Street Oxford Oxfordshire OX2 0AJ	JEROSN	Erection of 3 storey building to accomodate 74 student rooms plus warden's accommodation. Provision of cycle and bin storage facilities and landscaping. (Amended Plans)
11/01867/FUL	11/00042/REFUSE	DEL	REF	H	82 Cricket Road Oxford Oxfordshire OX4 3DH	COWLY	Proposed two storey side extension. Part single and part two storey rear extension.
11/02150/FUL	11/00043/REFUSE	DELCOM	PER	W	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Proposed two storey side extension and single storey rear extensions (amended plans)

**Total Received: 3**