

Agenda Item 12

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	(30%)	8 (62%)	5 (17%)
Dismissed	30	70%	5 (38%)	25 (83%)
<i>Total BV204 appeals</i>	43		13	30

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	3	(33%)	1 (33%)	2 (33%)
Dismissed	6	67%	2 (67%)	4 (67%)
<i>Total BV204 appeals</i>	9		3	6

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 June 2011

	Appeals	Percentage performance
Allowed	18	(29%)
Dismissed	44	71%
All appeals decided	62	
Withdrawn	8	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 June 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 June 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 1/6/11 And 30/6/11

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
10/02770/FUL	11/00014/REFUSE	DEL	REF	ALC	07/06/2011	COWLEY	39 Campbell Road Oxford Oxfordshire OX4 3PF	Two storey side extension and single storey rear extension.
10/01034/FUL	10/00067/REFUSE	DELCOM	D04	ALC	09/06/2011	MARST	The Friar Public House 2 Old Marston Road Oxford Oxfordshire OX3 0JP	Demolition of existing public house and erection of a two storey building comprising of retail store, provision of nine car parking spaces and pedestrian access. (amended description)
10/02509/FUL	10/00075/REFUSE	DEL	REF	DIS	14/06/2011	RHIFF	119 Rivermead Road Oxford Oxfordshire OX4 4UG	Change of use to 2 x 1 bedroom flats. Provision of communal garden, bin and cycle store.
10/03366/FUL	11/00020/REFUSE	DEL	REF	AWD	14/06/2011	RHIFF	27 Henley Avenue Oxford Oxfordshire OX4 4DJ	Proposed roof extension and provision of living accomodation in resultant roof space, construction of dormer windows.
10/03184/FUL	11/00016/REFUSE	DEL	REF	DIS	21/06/2011	MARST	21 William Street Oxford Oxfordshire OX3 0ES	Single storey rear extension.
10/00791/FUL	11/00006/COND	DEL	PER	DIS	24/06/2011	HINKPK	Ground And Lower Ground Floor Restaurant 1 Folly Bridge Oxford Oxfordshire OX1 4LB	Appeal against condition: This permission shall be for a limited period, expiring on 31st July 2012 when the building and works carried out under this permission shall be removed and the land reinstated to its former condition to the satisfaction of the Local Planning Authority unless prior to that date a renewal of the permission has been approved in writing by the Local Planning Authority.
Reason: The								temporary nature of the building(s) is such that it is considered inappropriate on a permanent basis.
10/03078/FUL	11/00008/NONDET		REF	DIS	24/06/2011	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Double storey side extension and detached double garage.

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
10/03121/LBC	11/00012/REFUSE	DEL	REF	DIS	28/06/2011	WOLVER	Church Farm House First Turn Oxford Oxfordshire OX2 8AH	Erection of entrance gates and piers.
10/03122/FUL	11/00013/REFUSE	DEL	REF	DIS	28/06/2011	WOLVER	Church Farm House First Turn Oxford Oxfordshire OX2 8AH	Erection of entrance gates and piers.
10/02313/CAC	11/00010/REFUSE	COMM	REF	DIS	30/06/2011	QUARIS	Land Rear Of 26 To 28 Quarry High Street Oxford Oxfordshire	Demolition of walls on the site. (Amended Description)
10/02130/FUL	11/00009/REFUSE	COMM	PER	DIS	30/06/2011	QUARIS	Land Rear Of 26 To 28 Quarry High Street Oxford Oxfordshire	Demolition of existing garage and sheds, along with reconstruction of stone wall to create new access. Construction of 6 houses (2 x 3-bed, 2 x 2-bed, 2 x 1-bed). Creation of associated private driveway, parking and new garage for No. 32 Quarry High Street and bin collection point. (Amended description) (Amended plans)

Total Decided: 11

TABLE E Appeals Received Between 1/6/11 And 30/6/11

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
10/03141/FUL	11/00023/REFUSE	DEL	REF	W	Land To The Rear Of 184 Fern Hill Road Oxford Oxfordshire	LYEVAL	Demolition of bungalow. Erection of single storey building comprising 2 x 1 bed apartments. Provision of 2 off street car parking spaces.
10/03323/FLT	11/00022/REFUSE	DELCOM	PER	W	Telecommunications Mast Walton Well Road Oxford Oxfordshire	JEROSN	Removal of existing 15m high monopole. Installation of 17.5m high monopole with 6No. antennas and ancillary equipment cabinet.
11/00088/FUL	11/00025/REFUSE	DEL	REF	H	52 Morrell Avenue Oxford Oxfordshire OX4 1ND	STCLEM	Single storey rear extension.
11/00636/OUT	11/00026/REFUSE	DEL	REF	W	Garages To The Rear Of 1 3 5 7 And 9 Coppock Close Oxford Oxfordshire	QUARIS	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.
11/00923/FUL	11/00024/REFUSE	DELCOM	PER	W	68 Abingdon Road Oxford Oxfordshire OX1 4PL	HINKPK	Loft conversion and alterations to existing roof involving flat roofed rear dormer windows.

Total Received: 5

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