

Agenda Item 6

Monthly Planning Appeals Performance Update – January 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 31 January 2012, while Table B does the same for the current business plan year, ie. 1 April 2011 to 31 January 2012.

Table A. BV204 Rolling annual performance (to 31 January 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(35%)	5 (50%)	6 (29%)
Dismissed	20	64%	5 (50%)	15 (71%)
<i>Total BV204 appeals</i>	31		10	21

Table B. BV204: Current Business plan year performance (1 April 2011 to 31 January 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	(37%)	4 (50%)	6 (32%)
Dismissed	17	63%	4 (50%)	13 (68%)
<i>Total BV204 appeals</i>	27			

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 January 2012

	Appeals	Percentage performance
Allowed	13	(32.5%)
Dismissed	27	67.5%
All appeals decided	40	
Withdrawn	5	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 January 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 January 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 1/1/12 And 31/1/12

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	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/01867/FUL	11/00042/REFUSE	DEL	REF	DIS	10/01/2012	COWLYM	82 Cricket Road Oxford Oxfordshire OX4 3DH	Proposed two storey side extension. Part single and part two storey rear extension.
11/01214/FUL	11/00034/REFUSE	COMM	PER	ALWCST	24/01/2012	JEROSN	Oxonian Rewley Press Ltd Lamarsh Road Oxford Oxfordshire OX2 0HY	Demolition of former Oxonian Press premises. Erection of 8 flats (2 x 1-bed, 4 x 2-bed and 2 x 3-bed) in a 3 storey block with 10 car parking spaces, cycle and bin storage. (Amended Plans)

Total Decided: 2

TABLE E

Appeals Received Between 1/1/12 And 31/1/12

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	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
10/03074/FUL	12/00003/REFUSE	COMM	PER	W	184 Woodstock Road Oxford Oxfordshire OX2 7NQ	STMARG	Demolition of existing house. Erection of 2x3 bed, 2x2 bed and 1x1 bedroom flats. Provision of 2 car parking spaces, cycle and bin store. (Amended description) (Amended plans)
11/00641/VAR	12/00001/COND	DEL	PER	W	Land To The Rear Of 19 Islip Road Oxford Oxfordshire OX2 7SN	SUMMT	Removal of condition no. 18 of planning permission 08/00885/FUL to allow clear glazing to windows at upper level.
11/02154/FUL	12/00002/REFUSE	DEL	REF	H	5 Boults Lane Oxford Oxfordshire OX3 0PW	MARST	Two storey side extension following demolition of existing side extension.

Total Received: 3