

Agenda Item 3

Monthly Planning Appeals Performance Update – August 2012

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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 August 2012, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 August 2012.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	(40%)	4 (57%)	10 (36%)
Dismissed	21	60%	3 (43%)	18 (64%)
<i>Total BV204 appeals</i>	35		7	28

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	5	(42%)	1 (33%)	4 (44%)
Dismissed	7	58%	2 (67%)	5 (56%)
<i>Total BV204 appeals</i>	12		3	9

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 August 2012

	Appeals	Percentage performance
Allowed	17	(41 %)
Dismissed	24	59 %
All appeals decided	41	
Withdrawn	3	

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 August 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 August 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 1/8/12 And 31/8/12

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, ALWCST - Allowed with costs, AWD - Appeal withdrawn, DIS - Dismissed

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/00559/FUL	12/00021/REFUSE	DEL	REF	DIS	03/08/2012	HINKPK	28 Edith Road Oxford Oxfordshire OX1 4QA	Erection of single storey rear extension.
12/00580/FUL	12/00022/REFUSE	DEL	REF	ALW	21/08/2012	RHIFF	2 John Parker Close Oxford Oxfordshire OX4 4FG	Erection of single storey rear extension.

Total Decided: 2

3

Enforcement Appeals Decided Between 1/8/12 And 31/8/12

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS - Dismissed

EN CASE NO.	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
12//0005/0/ENF	12/00009/ENFORC	DIS	15/08/2012	4 Netherwoods Road Oxford	QUARIS	Appeal against enforcement against alleged unauthorized use of part of extension (approved by planning permission 06/01148/FUL) as self contained dwelling

Total Decided: 1

TABLE E Appeals Received Between 1/8/12 And 31/8/12

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 NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
11/03268/FUL	12/00028/REFUSE	DEL	REF	W	24 Milton Road Oxford Oxfordshire OX4 3EF	COWLYM	Erection of 2 bedroom house.
12/00435/FUL	12/00029/REFUSE	DEL	REF	W	7 Wentworth Road Oxford Oxfordshire OX2 7TG	SUMMTN	Erection of two storey building, providing garage on ground floor and self-contained flat on the first floor, to be used as accommodation ancillary to main dwelling
12/00821/FUL	12/00031/REFUSE	DEL	REF	W	54 William Street Oxford Oxfordshire OX3 0ER	MARST	Demolition of existing building. Erection of 1x4 bed dwelling
12/00876/FUL	12/00037/REFUSE	DELCOM	PER	W	241 Banbury Road Oxford Oxfordshire OX2 7HN	SUMMTN	New first floor rear 2 bedroom apartment with separate ground floor entrance
12/00914/FUL	12/00036/REFUSE	DEL	REF	W	1 Clive Road Oxford Oxfordshire OX4 3EJ	COWLEY	Two-storey, side extension and other alterations to create 2x1 bed flats with associated car parking, amenity space and refuse/cycle storage facilities (variation of scheme approved by application 11/02631/FUL)
12/00994/FUL	12/00032/REFUSE	DEL	REF	W	Store Adjacent 79 St Leonard's Road Oxford	HEAD	Demolition of garage/store building and erection of two storey house (3 bedroom).
12/01325/FUL	12/00030/REFUSE	DEL	REF	W	32 Cherwell Street Oxford Oxfordshire OX4 1BG	STCLEM	Change of use from C3 dwellinghouse to C4 house of multiple occupation
12/01437/FUL	12/00033/REFUSE	DEL	REF	H	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Erection of single storey side extension and single storey rear extension.

Enforcement Appeals Received Between 1/8/12 And 31/8/12

TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00193/ENF	12/00034/ENFORC	W	14 East Street Oxford Oxfordshire OX2 0AU	JEROSN	Alleged replacement of windows in Osney Article 4 area
12/00355/ENF	12/00035/ENFORC	W	8 Jersey Road Oxford Oxfordshire OX4 4RT	RHIF	Alleged erection of single storey garden building without planning permission

Total Received: 2

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