# Monthly Planning Appeals Performance Update – March 2013

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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 annual performance for the current business plan year, ie. 1 April 2012 to 31 March 2013.

Table A. BV204: Current Business plan year performance (1 April to 31 March 2013)

|  |  |  |  |
| --- | --- | --- | --- |
| A. | Council performance | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
| No | % | No. | No. |
| Allowed | 16 | (38%) | 4(50%) | 12 (37%) |
| Dismissed | 26 | 62% | 4 (50%) | 22 (63%) |
| *Total BV204 appeals* | *42* |  | *8* | *34* |

|  |  |  |
| --- | --- | --- |
|  | Appeals | Percentage performance |
| Allowed | 19 | (39%) |
| Dismissed | 30 | 61% |
| All appeals decided | *49* |  |
| Withdrawn | 0 |  |

1. 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 B.

Table B. All planning appeals (not just BV204 appeals): Rolling year to 31 March 2013

1. 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 C, appended below, shows a breakdown of appeal decisions received during March 2013.
2. 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 D, appended below, is a breakdown of all appeals started during March 2013. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

**Table C**

**Appeals Decided between 1/3/13 and 31/3/13**

 **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**

 12/00914/FUL 12/00036/REFUSE DEL REF DIS 15/03/2013 COWLEY 1 Clive Road Oxford Two-storey, side extension and other alterations to

 Oxfordshire OX4 3EJ create 2x1 bed flats with associated car parking,

 amenity space and refuse/cycle storage facilities

 (variation of scheme approved by application

 11/02631/FUL)

 12/01780/FUL 12/00046/REFUSE DEL REF DIS 19/03/2013 STMARY 9 Green Street Oxford OX4 Part removal of existing buildings. Erection of 2 x 4

 1YB bedroom dwellings and 1 x 2 bedroom dwelling with

 associated car parking, cycle parking and bin

 storage.

 **Total Decided:** **2**

**Table D**

**Appeals Received between 1/3/13 and 31/3/13**

 **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**

 12/02376/FUL 13/00008/REFUSE DEL REF W Cedar House 2B Bladon Close Oxford WOLVER Erection of 2 storey 4-bed detached dwellinghouse (use class

 Oxfordshire OX2 8AD C3) (retrospective) (amendment to planning permission

 11/01398/FUL) and garden outbuilding.

 12/02904/FUL 13/00009/REFUSE DEL REF H 34 Tarragon Drive Oxford Oxfordshire NORBRK Erection of front porch and conversion of existing garage to

 OX4 7XT form gym room.

 12/02964/FUL 13/00010/REFUSE DEL REF H 30 Weirs Lane Oxford Oxfordshire HINKPK Provision of dropped kerb for vehicle access from highway.

 OX1 4US

 12/03016/FUL 13/00007/NONDET DELCOM REF W 81 Wytham Street Oxford Oxfordshire HINKPK Erection of single storey side extension and single storey rear

 OX1 4TN extension.

 13/00023/FUL 13/00011/REFUSE DEL REF W 106 London Road Headington Oxford HEAD Change of use from retail unit (Use Class A1) to licensed

 Oxfordshire OX3 9AJ betting office (Use Class A2). Alterations to side elevation

 and shopfront.

 13/00036/FUL 13/00012/REFUSE DEL REF W Land Rear Of 2-14 Jack Straws Lane HHLNOR Erection of three detached two-storey dwellings with parking,

 Headington Oxford OX3 0DL access and amenity space. (Amended plans)

 **Total**  **6**

**Table E**

**Enforcement Appeals Received between 1/3/13 and 31/3/13**

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

 **EN CASE NO.** **AP CASE NO.** **TYPE** **ADDRESS** **WARD:** **DESCRIPTION**

 12/00635/ENF 13/00006/ENFORC W 73 Dene Road Oxford Oxfordshire OX3 7EQ LYEVAL Alleged erection of single storey outbuilding without planning

 permission.

 **Total**  **1**