

Agenda Item 9

Monthly Planning Appeals Performance Update – April 2013

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 30 April 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 April 2013.

Table A. BV204 Rolling annual performance (to 30 April 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(36%)	4 (44%)	12 (33%)
Dismissed	29	64%	5 (56%)	24 (67%)
<i>Total BV204 appeals</i>	45		9	36

Table B. BV204: Current Business plan year performance (1 April to 30 April 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	1	(25%)	0(0%)	1 (33%)
Dismissed	3	75%	1 (100%)	2 (67%)
<i>Total BV204 appeals</i>	4		1	3

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 April 2013

	Appeals	Percentage performance
Allowed	19	(36%)
Dismissed	33	64%
All appeals decided	52	
Withdrawn	0	

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 April 2013.
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 April 2013. 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 1/4/13 and 30/4/13

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
12/02113/FUL	12/00050/REFUSE	DELCOM	PER	DIS	02/04/2013	WOLVER	37 Meadow Prospect Wolvercote Oxford OX2 8PP	Demolition of existing outbuildings. Erection of part single, part two storey, side and rear extensions and insertion loft rooflights to front and rear roofslopes. (Amended Plans)
12/02084/FUL	13/00002/REFUSE	DEL	SPL	DIS	22/04/2013	STMARY	City Arms 288 Cowley Road Oxford OX4 1UR	Installation of 3 jumbrella's, two external television screens and bamboo fencing to outside seating area. (Retrospective).
12/02964/FUL	13/00010/REFUSE	DEL	REF	DIS	25/04/2013	HINKPK	30 Weirs Lane Oxford Oxfordshire OX1 4US	Provision of dropped kerb for vehicle access from highway.
12/02904/FUL	13/00009/REFUSE	DEL	REF	ALC	25/04/2013	NORBRK	34 Tarragon Drive Oxford Oxfordshire OX4 7XT	Erection of front porch and conversion of existing garage to form gym room.

Total Decided: 4

TABLE E Appeals Received between 1/4/13 and 30/4/13

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
12/01978/FUL	13/00016/REFUSE	DEL	REF	W	295-301 London Road Headington Oxford Oxfordshire OX3 9HL	BARTSD	Change of use of existing ground floor office to provide 1x5 bed house of multiple occupancy (Use Class C4 HMO). (Retrospective)
12/02821/FUL	13/00017/REFUSE	DEL	REF	W	66 Cricket Road Oxford Oxfordshire OX4 3DQ	COWLY	Erection of 1-bed detached bungalow (use class C3). Provision of car parking, bin and cycle stores and private amenity space.
12/02935/FUL	13/00014/REFUSE	COMM	PER	I	The Lord Nuffield Club William Morris Close Oxford Oxfordshire OX4 2JX	COWLY	Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping. (Amended plans) (Amended description).
12/03104/FUL	13/00013/REFUSE	DELCOM	REF	W	47 Jeune Street Oxford Oxfordshire OX4 1BN	STCLEM	Change of use from a dwelling house (use class C3) to a House of Multiple Occupation (use class C4)
12/03282/PA11	13/00015/PRIOR	DELCOM	PER	W	Hinksey Lake Footbridge Lake Street Oxford Oxfordshire	HINKPK	Application seeking prior approval for development comprising demolition of existing and erection of replacement footbridge under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (Amended plans) (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)

Total 5

Total Received: 3