

Agenda Item 7

Monthly Planning Appeals Performance Update – June 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 BV204 rolling annual performance for the year ending 30 June 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 June 2013.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	(33%)	4 (50%)	10 (29%)
Dismissed	29	67%	4 (50%)	25 (71%)
<i>Total BV204 appeals</i>	43		8	35

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	2	(22%)	1 (33%)	1 (17%)
Dismissed	7	78%	2 (67%)	5 (83%)
<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 2013

	Appeals	Percentage performance
Allowed	16	(33%)
Dismissed	33	67%
All appeals decided	49	
Withdrawn	1	

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 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 June 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 1/06/13 and 30/06/13

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
12/03104/FUL		DELCOM	REF	AWD	07/06/2013	STCLEM	47 Jeune Street Oxford Oxfordshire OX4 1BN	Change of use from a dwelling house (use class C3) to a House of Multiple Occupation (use class C4).

Total Decided: 1

TABLE E Appeals Received Between 1/6/13 And 30/6/13

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
12/02505/FUL	13/00028/REFUSE	DEL	REF	W	10 and 10A Bartlemas Road Oxford OX4 1XX	STCLEM	Conversion of existing 2 bedroom dwelling at No.10 into 2 x 1-bedroom dwellings (use class C3). Conversion of existing 1-bedroom flat at No.10A into 2 x 1-bedroom dwellings (use class C3) including two storey side extension and removal of workshop in rear garden. (Amended plans) (Amended description)
13/00546/FUL	13/00027/REFUSE	DEL	REF	W	13 Stanley Road Oxford Oxfordshire OX4 1QY	STMARY	Change of use of first floor and part of second floor from residential to day nursery (Class D1).
13/00603/FUL	13/00029/REFUSE	DEL	REF	W	160 Cricket Road Oxford Oxfordshire OX4 3DN	COWLY	Erection of 2 x 2 bed dwelling houses (Class C3) to rear of existing dwelling. Provision of amenity space, vehicle and cycle parking and bin store. Provision of new vehicle access from Cricket Road.
Total							3

Enforcement Appeals Received Between 1/6/13 And 30/6/13

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

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00352/ENF	13/00030/ENFORC	W	11 Old Road Headington Oxford Oxfordshire OX3 7JY	CHURCH	Alleged erection of rear extension and loft conversion without planning permission
Total					1