

Monthly Planning Appeals Performance Update – March 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 performance for the current business plan year, ie. 1 April 2011 to 31 March 2012.

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	12	(34%)	4 (50%)	8 (30%)
Dismissed	23	66%	4 (50%)	19 (70%)
<i>Total BV204 appeals</i>	35		8	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 B.

Table B. All planning appeals (not just BV204 appeals): Rolling year to 31 March 2012

	Appeals	Percentage performance
Allowed	13	(32%)
Dismissed	28	68%
All appeals decided	41	
Withdrawn	4	

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 C, appended below, shows a breakdown of appeal decisions received during March 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 D, appended below, is a breakdown of all appeals started during March 2012. 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 1/3/12 And 31/3/12

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
11/01669/FUL	11/00031/REFUSE	DEL	REF	DIS	05/03/2012	COWLYM	Land To The Rear Of 9 Saunders Road Oxford Oxfordshire	Erection of 3 storey building to provide 2x1 bed houses - including integral car parking, bin and cycle storage and forecourt vehicle turntable
11/01095/FUL	11/00037/REFUSE		REF	ALC	23/03/2012	NORTH	1 Park Town Oxford Oxfordshire OX2 6SN	Erection of annexe building, bicycle shelter, extension of wendy house to provide garden store and re-instatement of railings to street frontage

Total Decided: 2

TABLE D Appeals Received Between 1/3/12 And 31/3/12

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
11/02325/OUT	12/00010/REFUSE	DEL	REF	I	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Demolition of existing house, buildings and structures. Erection of 5 x three storey terraced houses with integral garages, parking and bin stores. Alteration to vehicular access.
11/02326/CAC	12/00011/REFUSE	DEL	REF	I	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Demolition of existing house, buildings and structures.
11/02648/FUL	12/00007/REFUSE	DEL	REF	H	19 Merrivale Square Oxford Oxfordshire OX2 6QX	NORTH	Loft conversion with rear dormer and rooflights to front and rear.
11/02662/FUL	12/00008/REFUSE	DEL	REF	H	28 Victor Street Oxford Oxfordshire OX2 6BT	JEROSN	Proposed replacement windows
11/02885/FUL	12/00012/REFUSE	DELCOM	PER	W	51 Littlemore Road Oxford Oxfordshire OX4 3SS	LITTM	Subdivision of existing garden serving 51 Littlemore Road. Demolition of existing garages and erection of detached 2 storey, 4 bedroom dwelling provision of 2 car parking spaces access off Van Diemens Lane. Provision of bin and cycle stores and private amenity space.

Enforcement Appeals Received Between 1/3/12 And 31/3/12

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

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00050/ENF	12/00009/ENFORC	W	4 Netherwoods Road Oxford Oxfordshire OX3 8HE	QUARIS	Appeal against enforcement against alleged unauthorized use of part of extension (approved by planning permission 06/01148/FUL) as self contained dwelling

Total Received: 6