

Monthly Planning Appeals Performance Update – June 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 30 June 2012, while Table B does the same for the current business plan year, ie. 1 April 2011 to 30 June 2012.

Table A. BV204 Rolling annual performance (to 30 June 2012)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	(38%)	4 (50%)	9 (35%)
Dismissed	21	61.8%	4 (50%)	17 (65%)
<i>Total BV204 appeals</i>	34		8	26

Table B. BV204: Current Business plan year performance (1 April to 30 June 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	4	(50%)	1 (33%)	3 (60%)
Dismissed	4	50%	2 (67%)	2 (40%)
<i>Total BV204 appeals</i>	8		3	5

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 2012

	Appeals	Percentage performance
Allowed	15	(39%)
Dismissed	23	61%
All appeals decided	38	
Withdrawn	3	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 June 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 June 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 1/6/12 And 30/6/12

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
11/01486/T56	11/00046/REFUSE	DEL	4PA	ALC	12/06/2012	LITTM	Land North Of Heritage Gate Sandy Lane West Oxford Oxfordshire	Application for prior approval for 12.5m Streetworks column and equipment cabinet.
11/02147/FUL	11/00045/REFUSE	DEL	REF	ALC	12/06/2012	HEAD	42 Windmill Road Oxford Oxfordshire OX3 7BX	Erection of 1 bedroom bungalow to the rear of 42 Windmill Road
11/02850/FUL	12/00005/COND	COMM	PER	ALW	14/06/2012	STMARG	109A Banbury Road Oxford Oxfordshire OX2 6JX	Alterations to garden building including the addition of a kitchen to enable it to be used as a self contained annexe ancillary to 109A Banbury Road (amended plan)
11/00853/FUL	11/00047/REFUSE	DEL	REF	DIS	19/06/2012	SUMMTN	72 Wolsey Road Oxford Oxfordshire OX2 7TA	Erection of single storey one bedroom dwelling.
11/00927/FUL	11/00044/REFUSE	COMM	D0204	DIS	20/06/2012	JEROSN	Land To The Rear Of 17 To 41 Mill Street Oxford Oxfordshire OX2 0AJ	Erection of 3 storey building to accommodate 74 student rooms plus warden's accommodation.
10/03074/FUL	12/00003/REFUSE	COMM	PER	DIS	22/06/2012	STMARG	184 Woodstock Road Oxford	Demolition of existing house. Erection of 2x3 bed, 2x2 bed and 1x1 bedroom flats

Total Decided: 6

TABLE E Appeals Received Between 1/6/12 And 30/6/12

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
12/00559/FUL	12/00021/REFUSE	DEL	REF	H	28 Edith Road Oxford Oxfordshire OX1 4QA	HINKPK	Erection of single storey rear extension.
12/00580/FUL	12/00022/REFUSE	DEL	REF	H	2 John Parker Close Oxford Oxfordshire OX4 4FG	RHIFF	Erection of single storey rear extension.

Total Received: 2