

Agenda Item 11

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	(33%)	3 (50%)	9 (30%)
Dismissed	24	67%	3 (50%)	21 (70%)
<i>Total BV204 appeals</i>	36		6	30

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	6	(32%)	1 (25%)	5 (33%)
Dismissed	13	68%	3 (75%)	10 (67%)
<i>Total BV204 appeals</i>	19		4	15

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 September 2012

	Appeals	Percentage performance
Allowed	14	(33%)
Dismissed	28	67%
All appeals decided	42	
Withdrawn	2	

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 September 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 September 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 1/9/12 And 30/9/12

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 DISCST- Dismissed with costs against applicant

DC CASE NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
11/03281/FUL	12/00017/REFUSE	DEL	REF	DIS	10/09/2012	LITTM	25 Giles Road Oxford OX4 4NN	Erection of two storey side extension to create 3 bedroom house
12/00521/FUL	12/00019/REFUSE	DEL	REF	ALC	11/09/2012	IFFLDS	71 Ridgefield Road Oxford OX4 3BX	Erection of two storey side extension to form one dwelling. Provision of car and cycle parking, bin stores and private amenity space
12/00236/FUL	12/00024/REFUSE	DEL	REF	DIS	18/09/2012	MARST	5 Boults Lane Oxford OX3 0PW	Erection of two storey side extension following the demolition of existing extension
11/02973/FUL	12/00016/REFUSE	DEL	REF	DIS	19/09/2012	HEAD	101 London Road Oxford Oxford OX3 9AE	Change of use of first floor from t to use class C3) to office (use class B1).residential flat
11/02278/FUL	12/00013/REFUSE	DEL	REF	DIS	20/09/2012	BBLEYS	29 Balfour Road Oxford OX4 6AE	Erection of 3 bedroom end of terrace house. Provision of 2 car parking spaces to frontage.
11/02885/FUL	12/00012/REFUSE	DELCOM	PER	DIS	20/09/2012	LITTM	51 Littlemore Road Oxford OX4 3SS	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.
11/02325/OUT	12/00010/REFUSE	DEL	REF	DISCST	24/09/2012	HEAD	29 Old High Street Oxford OX3 9HP	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	DISCST	24/09/2012	HEAD	29 Old High Street Oxford OX3 9HP	Demolition of existing house, buildings and structures.

TABLE E Appeals Received Between 1/9/12 And 30/9/12

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
11/03005/FUL	12/00039/REFUSE	COMM	REF	I	Innovation House Mill Street Oxford OX2 0XJ	JEROSN	Change of use from office (class B1a) to student accommodation, together with alterations to the building facade, changes to the car parking arrangements, landscaping and the provision of 100 covered cycle stands (Amended plans)
12/00972/FUL	12/00038/REFUSE	DEL	REF	H	22 Norham Road Oxford OX2 6SF	NORTH	Erection of single storey side extension.
12/01238/FUL	12/00040/REFUSE	DEL	REF	W	6 Trevor Place Oxford OX4 3LE	COWLEY	Two storey side extension to form a 1 bed house. Provision of two car parking spaces (amended plans)

Total Received: 3