

Agenda Item 6

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	11	(33%)	2 (40%)	9 (32%)
Dismissed	22	67%	3 (60%)	19 (68%)
<i>Total BV204 appeals</i>	33		5	28

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	7	(33%)	1 (%)	6 (35%)
Dismissed	14	67%	3 (%)	11 (65%)
<i>Total BV204 appeals</i>	21		4	17

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 November 2012

	Appeals	Percentage performance
Allowed	14	(36%)
Dismissed	25	64%
All appeals decided	39	
Withdrawn	1	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 November 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 November 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 1/11/12 And 30/11/12

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
12/00972/FUL	12/00038/REFUSE	DEL	REF	ALC	06/11/2012	NORTH	22 Norham Road Oxford Oxfordshire OX2 6SF	Erection of single storey side extension.

Total Decided: 1

TABLE E Appeals Received Between 1/11/12 and 30/11/12

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
12/01188/FUL	12/00045/REFUSE	DEL	REF	H	1 Alhambra Lane Oxford Oxfordshire OX4 1FA		STMARY Demolition of existing single storey extension. Erection of two storey side and rear extension.
12/01394/FUL	12/00048/REFUSE	DELCOM	PER	W	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT		SUMMTN Erection of 2x2 bedroom dwellings. Provision of cycle parking, bin stores and private amenity
12/01780/FUL	12/00046/REFUSE	DEL	REF	W	9 Green Street Oxford OX4 1YB	STMARY	Part removal of existing buildings. Erection of 2 x 4 bedroom dwellings and 1 x 2 bedroom dwelling with associated car parking, cycle parking and bin storage.
12/01829/FUL	12/00049/REFUSE	DEL	REF	H	12 Bertie Place Oxford Oxfordshire OX1 4XH		HINKPK Erection of first floor rear extension (Amended plans)
12/02228/FUL	12/00047/REFUSE	DEL	REF	H	36 Morrell Avenue Oxford OX4 1ND	STCLEM	Formation of dormer window to front roofslope.

Total Received: 5