

Agenda Item 7

Monthly Planning Appeals Performance Update – December 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 31 December 2012, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 December 2012.

Table A. BV204 Rolling annual performance (to 31 December 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 31 December 2012)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	8	(35%)	1(25%)	7 (37%)
Dismissed	15	65%	3 (75%)	12 (63%)
<i>Total BV204 appeals</i>	23		4	19

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 31 December 2012

	Appeals	Percentage performance
Allowed	14	(36%)
Dismissed	15	64%
All appeals decided	39	
Withdrawn	0	

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 December 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 December 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 1/12/12 and 31/12/12

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by 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
12/01188/FUL	12/00045/REFUSE	DEL	REF	ALC	04/12/2012	STMARY	1 Alhambra Lane Oxford Oxfordshire OX4 1FA	Demolition of existing single storey extension. Erection of two storey side and rear extension.
12/00435/FUL	12/00029/REFUSE	DEL	REF	DIS	17/12/2012	SUMMTN	7 Wentworth Road Oxford Oxfordshire OX2 7TG	Erection of two storey building, providing garage on ground floor and self-contained flat on the first floor, to be used as accommodation ancillary to main dwelling

Total Decided: 2

TABLE E Appeals Received Between 1/12/12 and 31/12/12

DECTYPE KEY: COMM - Area Committee Decision, DEL - Delegated Decision, DELCOM - Called in by 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
12/01926/FUL	12/00052/REFUSE	DEL	REF	W	7 Stephen Road Headington Oxford OX3 9AY	HEAD	Erection of two storey two bedroom dwelling house (Use Class C3).
12/02089/FUL	12/00051/REFUSE	DEL	REF	W	42 Collinwood Road Oxford Oxfordshire OX3 8HJ	QUARIS	Erection of two storey side extension. Conversion of existing dwelling to provide 2 x1 bed flats and provision of replacement 3 bed dwelling house in extension. Provision of bin and cycle stores and forecourt parking
12/02113/FUL	12/00050/REFUSE	DELCOM	PER	H	37 Meadow Prospect Wolvercote Oxford OX2 8PP	WOLVER	Demolition of existing outbuildings. Erection of part single, part two storey, side and rear extensions and insertion loft rooflights to front and rear roofslopes. (Amended Plans)

Total Received: 3