

Agenda Item 9

Monthly Planning Appeals Performance Update – January 2013

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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 January 2013, while Table B does the same for the current business plan year, ie. 1 April 2012 to 31 January 2013.

Table A. BV204 Rolling annual performance (to 31 January 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	(36%)	2 (40%)	12 (35%)
Dismissed	25	64%	3 (60%)	22 (65%)
<i>Total BV204 appeals</i>	39		5	34

Table B. BV204: Current Business plan year performance (1 April to 31 January 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	(39%)	2 (40%)	10 (38%)
Dismissed	19	651%	3 (60%)	16 (62%)
<i>Total BV204 appeals</i>	31		5	26

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 January 2013

	Appeals	Percentage performance
Allowed	17	(37%)
Dismissed	19	63%
All appeals decided	46	
Withdrawn	0	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 January 2013.
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 January 2013. 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 1/1/13 and 31/1/13

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	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDE	WARD	ADDRESS	DESCRIPTION
12/00764/FUL	12/00023/REFUSE	DEL	REF	DIS	02/01/2013	LYEVAL	120 Bulan Road Oxford Oxfordshire OX3 7HX	Erection of single storey storage building to rear garden
12/02228/FUL	12/00047/REFUSE	DEL	REF	DIS	07/01/2013	STCLEM	36 Morrell Avenue Oxford OX4 1ND	Formation of dormer window to front roofslope.
12/01238/FUL	12/00040/REFUSE	DEL	REF	ALC	15/01/2013	COWLEY	6 Trevor Place Oxford Oxfordshire OX4 3LE	Two storey side extension to form a 1 bed house. Provision of two car parking spaces (amended plans)
12/01829/FUL	12/00049/REFUSE	DEL	REF	ALC	15/01/2013	HINKPK	12 Bertie Place Oxford Oxfordshire OX1 4XH	Erection of first floor rear extension (Amended plans)
11/02994/FUL	12/00027/REFUSE		REF	DIS	21/01/2013	HEAD	Land Rear Of 82, 84 And 86 Windmill Road Oxford Oxfordshire	Erection of two storey building (with accommodation in roof space) comprising of 2 x 2-bed and 2 x 3-bed houses and 1 x 1-bed flat. Provision of bin and cycle storage.
12/00660/FUL	12/00026/REFUSE	DELCOM	PER	ALWCST	21/01/2013	HEAD	Land Rear Of 82, 84 And 86 Windmill Road Oxford Oxfordshire	Erection of 2x3 bed dwellings and 1x2 bed dwelling in terraced block, with associated refuse and cycle storage.
12/01325/FUL	12/00030/REFUSE	DEL	REF	ALC	23/01/2013	STCLEM	32 Cherwell Street Oxford Oxfordshire OX4 1BG	Change of use from C3 dwellinghouse to C4 house of multiple occupation
11/03268/FUL	12/00028/REFUSE	DEL	REF	DIS	24/01/2013	COWLYM	24 Milton Road Oxford Oxfordshire OX4 3EF	Erection of 2 bedroom house.

Enforcement Appeals decided between 1/1/13 and 31/1/13

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditions, AWD - Appeal withdrawn, DIS - Dismissed

EN CASE	AP CASE NO.	APP DEC	DECIDE	ADDRESS	WARD	DESCRIPTION
12//0019/3/ENF	12/00034/ENFORC	DIS	11/01/2013	14 East Street Oxford Oxfordshire OX2 0AU	JEROSN	alleged replacement of windows in Osney Article 4 area

Total Decided: 1

Total Decided: 8

TABLE E Appeals Received between 1/1/13 and 31/1/13

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	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD	DESCRIPTION
12/02084/FUL	13/00002/REFUSE	DEL	SPL	W	City Arms 288 Cowley Road Oxford OX4 1UR	STMAR	Installation of 3 umbrella's, two external television screens and bamboo fencing to outside seating area.
12/02146/FUL	13/00001/REFUSE	DEL	SPL	W	11 Old Road Headington Oxford Oxfordshire OX3 7JY	CHURC	Erection of a single storey rear extension and rear dormer window (retrospective)
12/02459/FUL	13/00003/REFUSE	DELCOM	PER	W	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	SUMMTN	Erection of 2x2 bedroom semi-detached dwellings (Class C3).

Total 3

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