

Agenda Item 7

Monthly Planning Appeals Performance Update – March 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 annual performance for the current business plan year, ie. 1 April 2012 to 31 March 2013.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	16	(38%)	4(50%)	12 (37%)
Dismissed	26	62%	4 (50%)	22 (63%)
<i>Total BV204 appeals</i>	42		8	34

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 B.

Table B. All planning appeals (not just BV204 appeals): Rolling year to 31 March 2013

	Appeals	Percentage performance
Allowed	19	(39%)
Dismissed	30	61%
All appeals decided	49	
Withdrawn	0	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 C, appended below, shows a breakdown of appeal decisions received during March 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 D, appended below, is a breakdown of all appeals started during March 2013. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table C

Appeals Decided between 1/3/13 and 31/3/13

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 NO.	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/00914/FUL	12/00036/REFUSE	DEL	REF	DIS	15/03/2013	COWLEY	1 Clive Road Oxford Oxfordshire OX4 3EJ	Two-storey, side extension and other alterations to create 2x1 bed flats with associated car parking, amenity space and refuse/cycle storage facilities (variation of scheme approved by application 11/02631/FUL)
12/01780/FUL	12/00046/REFUSE	DEL	REF	DIS	19/03/2013	STMARY	9 Green Street Oxford OX4 1YB	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.

Total Decided: 2

Table D

Appeals Received between 1/3/13 and 31/3/13

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 NO.	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
12/02376/FUL	13/00008/REFUSE	DEL	REF	W	Cedar House 2B Bladon Close Oxford Oxfordshire OX2 8AD	WOLVER	Erection of 2 storey 4-bed detached dwellinghouse (use class C3) (retrospective) (amendment to planning permission 11/01398/FUL) and garden outbuilding.
12/02904/FUL	13/00009/REFUSE	DEL	REF	H	34 Tarragon Drive Oxford Oxfordshire OX4 7XT	NORBRK	Erection of front porch and conversion of existing garage to form gym room.
12/02964/FUL	13/00010/REFUSE	DEL	REF	H	30 Weirs Lane Oxford Oxfordshire OX1 4US	HINKPK	Provision of dropped kerb for vehicle access from highway.
12/03016/FUL	13/00007/NONDET	DELCOM	REF	W	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Erection of single storey side extension and single storey rear extension.
13/00023/FUL	13/00011/REFUSE	DEL	REF	W	106 London Road Headington Oxford Oxfordshire OX3 9AJ	HEAD	Change of use from retail unit (Use Class A1) to licensed betting office (Use Class A2). Alterations to side elevation and shopfront.
13/00036/FUL	13/00012/REFUSE	DEL	REF	W	Land Rear Of 2-14 Jack Straws Lane Headington Oxford OX3 0DL	HHLNOR	Erection of three detached two-storey dwellings with parking, access and amenity space. (Amended plans)

Total

6

Table E

Enforcement Appeals Received between 1/3/13 and 31/3/13

TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00635/ENF	13/00006/ENFORC	W	73 Dene Road Oxford Oxfordshire OX3 7EQ	LYEVAL	Alleged erection of single storey outbuilding without planning permission.

Total **1**

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