# Monthly Planning Appeals Performance Update – April 2013

Contact: Head of Service City Development: Michael Crofton-Briggs.

Tel 01865 252360.

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 April 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 April 2013.

Table A. BV204 Rolling annual performance (to 30 April 2013)

|  |  |  |  |
| --- | --- | --- | --- |
| A. | Council performance | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
| No. | % | No. | No. |
| Allowed | 16 | (36%) |  4 (44%) | 12 (33%) |
| Dismissed | 29 | 64% | 5 (56%) | 24 (67%) |
| *Total BV204 appeals*  | *45* |  | *9* | *36* |

Table B. BV204: Current Business plan year performance (1 April to 30 April 2013)

|  |  |  |  |
| --- | --- | --- | --- |
| B. | Council performance | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
| No | % | No. | No. |
| Allowed | 1 | (25%) | 0(0%) | 1 (33%) |
| Dismissed | 3 | 75% | 1 (100%) | 2 (67%) |
| *Total BV204 appeals*  | *4* |  | *1* | *3* |

1. 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 April 2013

|  |  |  |
| --- | --- | --- |
|  | Appeals | Percentage performance |
| Allowed | 19 | (36%) |
| Dismissed | 33 | 64% |
| All appeals decided | *52* |  |
| Withdrawn | 0 |  |

1. 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 April 2013.
2. 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 April 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 1/4/13 and 30/4/13**

 **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**

 12/02113/FUL 12/00050/REFUSE DELCOM PER DIS 02/04/2013 WOLVER 37 Meadow Prospect Demolition of existing outbuildings. Erection of

 Wolvercote Oxford OX2 part single, part two storey, side and rear

 8PP extensions and insertion loft rooflights to front and

 rear roofslopes. (Amended Plans)

 12/02084/FUL 13/00002/REFUSE DEL SPL DIS 22/04/2013 STMARY City Arms 288 Cowley Installation of 3 jumbrella's, two external television

 Road Oxford OX4 1UR screens and bamboo fencing to outside seating area.

 (Retrospective).

 12/02964/FUL 13/00010/REFUSE DEL REF DIS 25/04/2013 HINKPK 30 Weirs Lane Oxford Provision of dropped kerb for vehicle access from

 Oxfordshire OX1 4US highway.

 12/02904/FUL 13/00009/REFUSE DEL REF ALC 25/04/2013 NORBRK 34 Tarragon Drive Oxford Erection of front porch and conversion of existing

 Oxfordshire OX4 7XT garage to form gym room.

 **Total Decided:** **4**

**TABLE E**  **Appeals Received between 1/4/13 and 30/4/13**

 **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**

 12/01978/FUL 13/00016/REFUSE DEL REF W 295-301 London Road Headington BARTSD Change of use of existing ground floor office to provide 1x5

 Oxford Oxfordshire OX3 9HL bed house of multiple occupancy (Use Class C4 HMO).

 (Retrospective)

 12/02821/FUL 13/00017/REFUSE DEL REF W 66 Cricket Road Oxford Oxfordshire COWLY Erection of 1-bed detached bungalow (use class C3).

 OX4 3DQ Provision of car parking, bin and cycle stores and private

 amenity space.

 12/02935/FUL 13/00014/REFUSE COMM PER I The Lord Nuffield Club William COWLY Change of use from a Leisure Centre (use class D2) to a

 Morris Close Oxford Oxfordshire Community Free School (use class D1), works to the external

 OX4 2JX appearance of the existing building, boundary treatments,

 provision of play areas including Multi Use Games Area,

 access and parking along with associated landscaping.

 (Amended plans) (Amended description).

 12/03104/FUL 13/00013/REFUSE DELCOM REF W 47 Jeune Street Oxford Oxfordshire STCLEM Change of use from a dwelling house (use class C3) to a

 OX4 1BN House of Multiple Occupation (use class C4)

 12/03282/PA11 13/00015/PRIOR DELCOM PER W Hinksey Lake Footbridge Lake Street HINKPK Application seeking prior approval for development

 Oxford Oxfordshire comprising demolition of existing and erection of replacement

 footbridge under Part 11 Class A Schedule 2 of the Town and

 Country Planning (General Permitted Development) Order

 1995. (Amended plans) (PLEASE NOTE THIS IS NOT A

 PLANNING APPLICATION BUT A NOTIFICATION

 SUBMITTED BY NETWORK RAIL FOR PRIOR

 APPROVAL BY OXFORD CITY COUNCIL)

 **Total**  **5**

 **Total Received:** **3**