

Agenda Item 7

Monthly Planning Appeals Performance Update – May 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 May 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 31 May 2013.

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(33%)	4 (40%)	12 (32%)
Dismissed	32	67%	6 (60%)	26 (68%)
<i>Total BV204 appeals</i>	48		10	38

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	2	(22%)	1(33%)	1 (17%)
Dismissed	7	78%	2 (67%)	5 (63%)
<i>Total BV204 appeals</i>	9		3	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 May 2013

	Appeals	Percentage performance
Allowed	19	(34%)
Dismissed	36	66%
All appeals decided	55	
Withdrawn	0	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 May 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 May 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 1/5/13 And 31/5/13

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
12/01394/FUL	12/00048/REFUSE	DELCOM	PER	DIS	08/05/2013	SUMMTN	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	Erection of 2x2 bedroom dwellings. Provision of cycle parking, bin stores and private amenity
12/02459/FUL	13/00003/REFUSE	DELCOM	PER	ALC	08/05/2013	SUMMTN	Grove House Club Grove Street Oxford Oxfordshire OX2 7JT	Erection of 2x2 bedroom semi-detached dwellings (Class C3).
12/02089/FUL	12/00051/REFUSE	DEL	REF	DIS	15/05/2013	QUARIS	42 Collinwood Road Oxford Oxfordshire OX3 8HJ	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
12/02146/FUL	13/00001/REFUSE	DEL	SPL	DIS	15/05/2013	CHURCH	11 Old Road Headington Oxford Oxfordshire OX3 7JY	Erection of a single storey rear extension and rear dormer window (retrospective)
12/01926/FUL house	12/00052/REFUSE	DEL	REF	DIS	22/05/2013	HEAD	7 Stephen Road Headington Oxford OX3 9AY	Erection of two storey two bedroom dwelling (Use Class C3).

Total Decided: 5

Table E Appeals Received Between 1/5/13 And 31/5/13

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
12/01970/FUL	13/00018/REFUSE	COMM	REF	I	44 St Thomas Street Oxford Oxfordshire OX1 1JP	CARFAX	Alterations and conversion of existing building to provide 6 x 1 bedroom dwellings (Amended plans)
12/02914/ADV	13/00021/REFUSE	DEL	REF	W	146 Cowley Road Oxford Oxfordshire OX4 1JJ	STMARY	Installation of 1 x illuminated fascia sign to the front elevation. (Retrospective)
12/03159/FUL	13/00019/REFUSE	DEL	REF	W	78B St Clement's Street Oxford Oxfordshire OX4 1AW	STCLEM	Erection of three storey rear extension and internal alterations to create enlarged 8-bedroom HMO (Sui Generis). Insertion of basement level door to front elevation and 4 x windows to rear elevation.
12/03277/FUL	13/00020/REFUSE	DEL	REF	H	14 Bainton Road Oxford Oxfordshire OX2 7AF	STMAR	Extension to create 3rd storey on existing 2 storey dwelling
13/00127/FUL	13/00024/REFUSE	DEL	REF	W	33 William Street Marston Oxford OX3 0ES	MARST	Erection of 1 x 2 bedroom dwelling (Use Class C3) in rear garden of no.33 William Street. Provision of 1 parking space. (Amended plans)
13/00706/FUL	13/00025/REFUSE	DEL	REF	W	62 Kennett Road Oxford Oxfordshire	HEAD	Erection of single storey side and rear extension to existing subdivided building to create 1 x 1 bed flat (Class C3) with access from Bateman Street. Alterations to vehicle parking, cycle parking, bin storage and amenity space.

(Table E continued overleaf)

Total 6

Enforcement Appeals Received Between 1/5/13 And 31/5/13

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

EN CASE NO.	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
12/00544/ENF	13/00023/ENFORC	I	Cedar House 2B Bladon Close Oxford Oxfordshire OX2 8AD	WOLVER	Alleged new dwelling not built in accordance with approved plans (planning permission reference: 11/01398/FUL)
12/00600/ENF	13/00026/ENFORC	W	29 Harcourt Terrace Oxford Oxfordshire OX3 7QF	CHURCH	Alleged erection of rear dormer without planning permission

Total 2

