

Agenda Item 10

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	(33%)	4 (50%)	11 (30%)
Dismissed	30	67%	4 (50%)	26 (70%)
<i>Total BV204 appeals</i>	45		8	37

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

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	3	(23%)	1(33%)	2 (20%)
Dismissed	10	77%	2 (67%)	8 (80%)
<i>Total BV204 appeals</i>	13		3	10

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 July 2013

	Appeals	Percentage performance
Allowed	17	(33%)
Dismissed	35	67%
All appeals decided	52	
Withdrawn	2	

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 July 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 July 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 1/7/13 And 31/7/13

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	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/02105/FUL	13/00005/REFUSE	DEL	REF	DIS	01/07/2013	LITTM	3 David Nicholls Close Oxford Oxfordshire OX4 4QX	Change of use of garage to 1-bedroom dwelling (class C3). (Amended plans)
12/03277/FUL	13/00020/REFUSE	DEL	REF	ALC	03/07/2013	STMARG	14 Bainton Road Oxford Oxfordshire OX2 7AF	Extension to create 3rd storey on existing 2 storey dwelling
12/01608/VAR	13/00004/COND	DELCOM	PER	ALWCST	16/07/2013	HEAD	77-77a Sandfield Road Headington Oxford OX3 7RW	Application to remove conditions 7, 11, 15, 18 and 19 from planning permission 12/00077/FUL (for 2 bed dwelling)
13/00023/FUL	13/00011/REFUSE	DEL	REF	DIS	16/07/2013	HEAD	106 London Road Headington Oxford Oxfordshire OX3 9AJ	Change of use from retail unit (Use Class A1) to licensed betting office (Use Class A2). Alterations to side elevation and shopfront.
12/01978/FUL	13/00016/REFUSE	DEL	REF	AWD	25/07/2013	BARTSD	295-301 London Road Headington Oxford Oxfordshire OX3 9HL	Change of use of existing ground floor office to provide 1x5 bed house of multiple occupancy (Use Class C4 HMO). (Retrospective)
13/00036/FUL	13/00012/REFUSE	DEL	REF	DIS	29/07/2013	HHLNOR	Land Rear Of 2-14 Jack Straws Lane Headington Oxford OX3 0DL	Erection of three detached two-storey dwellings with parking, access and amenity space. (Amended plans)
12/03016/FUL	13/00007/NONDET	DELCOM	REF	DIS	29/07/2013	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Erection of single storey side extension and single storey rear extension.

Total Decided: 7

Table E**Appeals Received Between 1/7/13 And 31/7/13**

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
12/02967/FUL	13/00037/REFUSE	COMM	REF	P	Parking Area And Part Sports Field William Morris Close Oxford Oxfordshire OX4 2SF	COWLYM	Construction of two all weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc accessed off Barracks Lane. (Amended plans)
12/03195/FUL	13/00036/REFUSE	DEL	REF	W	Land Adjacent 30A Union Street Oxford Oxfordshire	STCLEM	Erection of a two storey extension to 30A Union Street to create a semi detached dwelling (class C3)
13/00317/CPU	13/00034/REFUSE	DEL	REF	P	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Application to certify that proposed conversion and extension of existing house to form 2x2 bed flats (Class C3) and erection of 3 new buildings to form 2x2 bed and 1x1 bed dwellings (Class C3) is lawful development.
13/00654/FUL	13/00031/REFUSE	DEL	REF	H	11 Cornwallis Road Oxford Oxfordshire OX4 3NP	COWLE	Erection of conservatory to rear.
13/00950/FUL	13/00032/REFUSE	DEL	REF	W	6 Bursill Close Headington Oxford OX3 8EW	BARTSD	Erection of a single storey extension along with internal alterations to create an additional 1 x 1 bedroom dwelling (Use Class C3) (amended plans)
13/00953/FUL	13/00035/REFUSE	DEL	REF	W	Land Rear Of 187 Iffley Road Oxford Oxfordshire OX4 1ER	STMARY	Erection of single storey building to form 1 x 1-bed dwelling (use class C3). Provision of private amenity space, bin and bicycle stores.
13/01001/FUL	13/00033/REFUSE	DEL	REF	W	Land To The Rear Of 1 And 2 Longwall Oxford Oxfordshire OX4 4PG	LITTM	Erection of 2 x single storey storage buildings, fencing and gates and change of use to storage (Class B8). Provision of vehicle parking.
13/01289/FUL	13/00038/REFUSE	DEL	REF	W	24 Milton Road Oxford Oxfordshire OX4 3EF	COWLYM	Erection of part single storey, part two storey, side extension to create 1 x 2-bed dwellinghouse (use class C3). Provision of private amenity space, car parking spaces and bin and cycle store.

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