

Agenda Item 9

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

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

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	14	(33%)	4 (50%)	10 (29%)
Dismissed	29	67%	4 (50%)	25 (71%)
<i>Total BV204 appeals</i>	43		8	35

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

	Appeals	Percentage performance
Allowed	16	(32%)
Dismissed	34	68%
All appeals decided	50	
Withdrawn	2	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 August 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 August 2013. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D

No planning appeals decided.

Enforcement Appeals Decided Between 1/8/13 And 31/8/13

APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS - Dismissed

EN CASE	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD:	DESCRIPTION
12//0063/5/ENF	13/00006/ENFORC	DIS	23/08/2013	73 Dene Road Oxford Oxfordshire	LYEVAL	.Alleged erection of single storey outbuilding without planning permission

Total Decided: 1

TABLE E Planning Appeals Received Between 1/8/13 and 31/8/13

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
12/02083/FUL	13/00043/REFUSE	DEL	REF	W	339 Banbury Road Oxford OX2 7PL	SUMMT	Erection of one apartment block comprising 2 x 1-bed and 1 x 2-bed apartments, cycle store and waste recycling point. (Additional information) (Additional plans) (Amended plans)
12/03053/OUT	13/00039/REFUSE	DEL	REF	W	Garages To The Rear Of 1 3 5 7 And 9 Coppock Close Oxford Oxfordshire	QUARIS	Demolition of eleven garages. Erection of 2 x single storey, one bedroom detached dwellings with provision of private amenity space, 2 parking spaces and cycle and bin
13/00386/FUL	13/00041/REFUSE	COMM	REF	W	166 Sandy Lane Oxford Oxfordshire OX4 6LQ	BBLEYS	Erection of a two storey side extension and alterations to existing 4 bedroom dwelling to create 1x1 bedroom dwelling and 1x2 bedroom dwelling
13/00404/FUL	13/00048/REFUSE	DEL	REF	W	102, 102A And 102B Bridge Street Oxford OX2 0BD	JEROSN	Installation of replacement windows to front elevation.
13/01015/VAR	13/00042/COND	DEL	SPL	W	387 Cowley Road Oxford Oxfordshire OX4 2BS	COWLYM	Variation of conditions 1, 2 and 3 of planning permission 12/01835/FUL to allow installation of plywood roof and timber screening on pergolas, change of premises operating hours and change of extraction equipment operating hours, post commencement of development.
13/01131/FUL	13/00040/REFUSE	DEL	REF	W	110 Oliver Road Oxford Oxfordshire OX4 2JG	LYEVAL	Erection of 2 x 2 bedroom dwellings (Class C3) to the rear of the existing property with associated parking for the existing and proposed dwellings.

Enforcement Appeals Received Between 1/8/13 And 31/8/13

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

EN CASE	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
13/00170/ENF	13/00044/ENFORC	W	32 Old Marston Road Oxford Oxfordshire OX3 0JP	MARST	Erection of single storey outbuilding without planning permission
13/00317/ENF	13/00047/ENFORC	W	1 Valentia Road Oxford Oxfordshire OX3 7PN	CHURCH	Unauthorised outbuilding