

Agenda supplement

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East Area Planning Committee

Date: **Wednesday 6 April 2016**

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INVESTORS
IN PEOPLE



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Monthly Planning Appeals Performance Update – February 2016

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1. The purpose of this report is two-fold:
 - i. To provide an update on the Council's planning appeal performance; and
 - ii. To list those appeal cases that were decided and also those received during the specified month.

Best Value Performance Indicator BV204

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 29 February 2016, while Table B does the same for the current business plan year, ie. 1 April 2015 to 29 February 2016.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	34.21%	4	9
Dismissed	25	65.79%	7	18
Total BV204 appeals	38	100%	11	27

**Table A. BV204 Rolling annual performance
(1 March 2015 to 29 February 2016)**

Table B	Council performance		Appeals arising from Committee against officer recommendation	Appeals arising from Committee with officer recommendation	Appeals arising from delegated refusal
	No	%	No.		No.
Allowed	11	34.38%	2 (66.67%)	1 (16.67%)	8 (34.78%)
Dismissed	21	65.62%	1 (33.33%)	5 (83.33%)	15 (65.22%)
Total BV204 appeals	32	100%	3	6	23

**Table B. BV204: Current business plan year performance
(1 April 2015 to 29 February 2016)**

All Appeal Types

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	Appeals	Performance
Allowed	24	42.1%
Dismissed	33	57.9%
All appeals decided	57	100%
Withdrawn	4	

Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 March 2015 to 29 February 2016

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to the committee chairs and ward councillors. If the case is significant, the case officer also subsequently circulates committee members with a commentary on the appeal decision. Table D, appended below, shows a breakdown of appeal decisions received during February 2016.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. The relevant ward members also receive a copy of this notification letter. Table E, appended below, is a breakdown of all appeals started during February 2016. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.
6. All councillors receive a weekly list of planning appeals (via email) informing them of appeals that have started and been decided, as well as notifying them of any forthcoming hearings and inquiries.

Table D**Appeals Decided Between 01/02/2016 And 29/02/2016**

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
	15/00106/VAR	15/00043/REFUSE	DELCOM	PER	DIS	11/02/2016	STMARG	17 Lathbury Road Oxford Oxfordshire OX2 7AT	Variation of condition 4 (hours of use of garden) of planning permission 95/00761/VTH to allow the garden to be used by nursery children for a maximum of 4 hours per day.
	15/01224/VAR	15/00054/REFUSE	DEL	REF	ALW	12/02/2016	COWLEY	16 Liddell Road Oxford Oxfordshire OX4 3QT	Variation of condition 3 (Shed and conservatory - demolish) of planning permission 11/02072/FUL (Single storey side extension, two storey rear extension and new pitched roof over part of existing flat roof.) to retain shed/workshop after commencement of development.
5	14/02663/FUL	15/00047/REFUSE	COMM	REF	DIS	17/02/2016	CARFAX	96-97 Gloucester Green Oxford Oxfordshire OX1 2DF	Change of use from Use Class A1 (Retail) to Use Class A3 (Restaurant)
	15/00932/CPU	15/00038/REFUSE	DEL	REF	DIS	24/02/2016	IFFLDS	16 Argyle Street Oxford Oxfordshire OX4 1SS	Application to certify that the formation of rear dormer roof extensions and insertion of 2 no. front rooflights in association with loft conversion is lawful development.

Total Decided: 4

Table E

Enforcement Appeals Decided Between 1/02/2016 And 29/02/2016

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	
							Total Decided: 0

Table F Appeals Received Between 01/02/2016 And 29/02/2016

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
15/02485/FUL	16/00012/REFUSE	DEL	REF	W	32 Kestrel Crescent Oxford OX4	NORBRK	Erection of 1 x 1-bed dwelling (Use Class C3). Provision of car parking and bin/cycle storage.
15/02579/FUL	16/00011/REFUSE	DEL	REF	W	57 Church Hill Road Oxford Oxfordshire OX4 3SG	RHIF	Demolition of existing conservatory and garage. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3). Erection of part single, part two storey rear extension. Formation of new vehicular access off Wykeham Crescent with provision of parking,
15/02631/FUL	15/00055/REFUSE	DEL	REF	W	6 Templar Road Oxford Oxfordshire OX2 8LT	WOLVE	Erection of part single, part two storey side and rear extension.
15/02752/FUL	15/00068/REFUSE	DEL	REF	W	23 - 25 Spring Lane Littlemore Oxford OX4 6LE	LITTM	Erection of 4 x 3-bed dwellings (Use Class C3). Provision of car parking and private amenity space.
15/02903/FUL	16/00015/REFUSE	DEL	REF	H	67 Sandfield Road Oxford Oxfordshire OX3 7RW	HEAD	Erection of wooden wall in rear garden. (Retrospective)
15/03201/FUL	16/00014/REFUSE	DEL	REF	H	52A Rymers Lane Oxford Oxfordshire OX4 3LB	COWLE	Erection of first floor rear extension and alterations to create mono pitched roof at existing ground floor.
15/03268/FUL	16/00013/REFUSE	DEL	REF	W	207 Cowley Road Oxford Oxfordshire OX4 1XF	STCLEM	Demolition of existing stores. Erection of single storey rear extension to form 1 x 1-bed flat and provision of bin and cycle storage. Erection of single storey rear extension to existing A2 unit.

Total Received: 7

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