

Appeals report for West Area Planning Committee - Wednesday 25 May 2016

12. **Planning Appeals** (Pages 3 - 8)

Summary information on planning appeals received and determined during and up to the end of MARCH 2016 (to be circulated separately)

The Committee is asked to note this information.

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Monthly Planning Appeals Performance Update – **March 2016**

Contact: Head of Service City Development: Patsy Dell

Tel 01865 252356

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 **31 March 2016**, while Table B does the same for the current business plan year, ie. **1 April 2015 to 31 March 2016**.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	39.47%	4	11
Dismissed	23	60.53%	6	17
Total BV204 appeals	38	100%	10	28

**Table A. BV204 Rolling annual performance
(1 April 2015 to 31 March 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	15	39.47%	3 (75.0%)	1 (16.67%)	11 (39.29%)
Dismissed	23	60.53%	1 (25.0%)	5 (83.33%)	17 (60.71%)
Total BV204 appeals	38	100%	4	6	28

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 March 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	27	43.55%
Dismissed	35	56.45%
All appeals decided	62	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 April 2015 to 31 March 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 **March 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 **March 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 01/03/2016 And 31/03/2016

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
15/01857/FUL	15/00059/REFUSE	DEL	REF	DIS	21/03/2016	LYEVAL	70 Wilkins Road Oxford Oxfordshire OX4 2JB	Erection of part single, part two storey side and rear extension.
15/02256/FUL	15/00062/REFUSE	DEL	REF	ALW	21/03/2016	STMARY	23 Stockmore Street Oxford OX4 1JT	Erection of first floor infill extension
15/02668/FUL	15/00063/REFUSE	DEL	REF	ASP	22/03/2016	JEROSN	13 East Street Oxford Oxfordshire OX2 0AU	Demolition of existing rear extension. Erection of part single, part two storey rear extension and roof extension in association with loft conversion. Erection of outbuilding.
15/01449/FUL	15/00065/REFUSE	DEL	REF	DIS	24/03/2016	LYEVAL	Land To The Rear Of 8 Cranmer Road Oxford Oxfordshire	Erection of 1 x 1 bed two storey dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle stores and additional access and carparking off Cranmer Road.
15/01655/VAR	15/00041/REFUSE	DEL	REF	ALC	29/03/2016	STMARG	24 Lathbury Road Oxford Oxfordshire OX2 7AU	Variation of condition 2 (Approved plans) and 3 (Samples) to vary the wording of these conditions. Removal of condition 5 (curtailment of permitted development rights) of planning permission 15/00875/FUL.

Total Decided: 5

Table E Enforcement Appeals Decided Between 01/03/2016 And 31/03/2016

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
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Total Decided: 0



Table F

Appeals Received Between 01/03/2016 And 31/03/2016

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
15/02855/FUL	16/00016/REFUSE	DEL	REF	H	84 Fairacres Road Oxford Oxfordshire OX4 1TG	IFFLDS	Erection of single storey rear extension.
15/03027/VAR	16/00017/REFUSE	COMM	PER	H	15 Rosamund Road Oxford Oxfordshire OX2 8NU	WOLVE	Variation of conditions 2 (approved plans) and 3 (materials) of planning permission 14/03042/FUL to allow an increase in overall height for rainwater run off and change in materials of flat roof.
15/03031/FUL	16/00018/REFUSE	DEL	REF	H	82 Donnington Bridge Road Oxford Oxfordshire OX4 4AY	IFFLDS	Provision of dropped kerb. Formation of paved area in front garden and alterations to boundary wall.(Amended

Total Received: 3

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