

# Agenda Item 13

## Monthly Planning Appeals Performance Update – September 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 30 September 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 September 2013.

Table A. BV204 Rolling annual performance (to 30 September 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	(38%)	5 (63%)	10 (31%)
Dismissed	25	62%	3 (38%)	22 (69%)
<i>Total BV204 appeals</i>	40		8	32

Table B. BV204: Current Business plan year performance (1 April to 30 September 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	5	(29%)	2(50%)	3 (23%)
Dismissed	12	71%	2 (50%)	10 (77%)
<i>Total BV204 appeals</i>	17		4	13

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 30 September 2013

	Appeals	Percentage performance
Allowed	18	(38%)
Dismissed	30	62%
All appeals decided	48	
Withdrawn	2	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 September 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 September 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 1/9/13 And 30/9/13**

**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**

<b>DC CASE</b>	<b>AP CASE NO.</b>	<b>DECTYPE:</b>	<b>RECM:</b>	<b>APP DEC</b>	<b>DECIDED</b>	<b>WARD:</b>	<b>ADDRESS</b>	<b>DESCRIPTION</b>
12/02821/FUL	13/00017/REFUSE	DEL	REF	DIS	03/09/2013	COWLYM	66 Cricket Road Oxford Oxfordshire OX4 3DQ	Erection of 1-bed detached bungalow (use class C3). Provision of car parking, bin and cycle stores and private amenity space.
12/02914/ADV	13/00021/REFUSE	DEL	REF	DIS	04/09/2013	STMARY	146 Cowley Road Oxford Oxfordshire OX4 1JJ	Installation of 1 x illuminated fascia sign to the front elevation. (Retrospective)
12/03159/FUL	13/00019/REFUSE	DEL	REF	ALC	04/09/2013	STCLEM	78B St Clement's Street Oxford Oxfordshire OX4 1AW	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
13/00654/FUL	13/00031/REFUSE	DEL	REF	DIS	04/09/2013	COWLEY	11 Cornwallis Road Oxford Oxfordshire OX4 3NP	Erection of conservatory to rear.
12/02935/FUL	13/00014/REFUSE	COMM	PER	ALC	12/09/2013	COWLYM	The Lord Nuffield Club William Morris Close Oxford Oxfordshire OX4 2JX	Change of use from a Leisure Centre (use class D2) to a Community Free School (use class D1), works to the external appearance of the existing building, boundary treatments, provision of play areas including Multi Use Games Area, access and parking along with associated landscaping. (Amended plans) (Amended description).

**Enforcement Appeals Decided Between 1/9/13 And 30/9/13**

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

<b>EN CASE</b>	<b>AP CASE NO.</b>	<b>APP DEC</b>	<b>DECIDED</b>	<b>ADDRESS</b>	<b>WARD:</b>	<b>DESCRIPTION</b>
12/0060/0/ENF OX3 7QF	13/00026/ENFORC	ALC	25/09/2013	29 Harcourt Terrace	CHURCH	Alleged erection of rear dormer without planning permission

**TABLE E****Appeals Received Between 1/9/13 And 30/9/13**

**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
13/00656/VAR	13/00051/COND	DEL	REF	W	10 Stephen Road Oxford Oxfordshire OX3 9AY	HEAD	Variation of condition 10 of planning permission 08/01961/FUL to allow for a single parking permit to be provided to the 2 bed flat identified on the plan
13/00757/FUL	13/00054/NONDET			W	8 Jersey Road Oxford Oxfordshire OX4 4RT	RHIFF	Internal alterations to an existing, lawfully extended, building to provide enlarged flats (2 x 2-bed and 2 x 1-bed). Provision of vehicle parking, bin/cycle storage, communal amenity space and landscaping. (Amended)
13/00880/FUL	13/00052/REFUSE	DELCOM	REF	P	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Partial demolition of existing house and demolition of existing garages and outbuildings. Erection of two storey side and rear extension. Provision of new access, car parking and turning area. Rebuilding of stone boundary wall fronting Old High Street.
13/00881/CAC	13/00053/REFUSE	DELCOM	REF	P	29 Old High Street Oxford Oxfordshire OX3 9HP	HEAD	Partial demolition of existing house, boundary wall and complete demolition of existing garages and outbuildings.
13/00906/FUL	13/00049/REFUSE	DEL	REF	W	184 And 186 Headington Road Oxford Oxfordshire OX3 0BS	CHURCH	Change of use from HMO properties (use class C4) into 2 x 3 bed maisonettes (use class C3) with provision for 1 x parking space each and private amenity space and 2 x 1 bed apartments (use class C3) with provision of cycle storage and a communal garden area.
13/01202/FUL	13/00050/REFUSE	DEL	REF	W	Land To The Rear Of 34 And 36 York Road Headington Oxford OX3 8NW	QUARIS	Erection of 1 x 2 bed single storey dwelling in the rear gardens of 34 and 36 York Road. (Amended information)

**Total Received: 6**