

Agenda Item 8

Monthly Planning Appeals Performance Update – December 2013

Contact: Head of Service City Development: Michael Crofton-Briggs

Tel 01865 252360

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 December 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 31 December 2013.

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	18	30%	6 (55%)	11 (23%)
Dismissed	43	70%	5 (45%)	37 (77%)
Total BV204 appeals	61	100%	11 (100%)	48 (100%)

Table A. BV204 Rolling annual performance to 31 December 2013

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	9	23%	3 (43%)	5 (16%)
Dismissed	31	77%	4 (57%)	26 (84%)
Total BV204 appeals	40	100%	7 (100%)	31 (100%)

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

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.

	Appeals	Percentage performance
Allowed	21	(30%)
Dismissed	49	70%
All appeals decided	70	
Withdrawn	0	

Table C. All planning appeals (not just BV204 appeals): Rolling year to 31 December 2013

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 December 2013.
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 December 2013. 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 01/12/2013 And 31/12/2013

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
13/01544/FUL	13/00058/REFUSE	DEL	REF	DIS	02/12/2013	LYEVAL	103 Fern Hill Road Oxford Oxfordshire OX4 2JR	Installation of dormer window to the side elevation.
12/03195/FUL	13/00036/REFUSE	DEL	REF	DIS	05/12/2013	STCLEM	Land Adjacent 30A Union Street Oxford Oxfordshire	Erection of a two storey extension to 30A Union Street to create a semi detached dwelling (class C3)
13/00640/FUL	13/00059/REFUSE	DEL	SPL	DIS	05/12/2013	NORTH	38 St Bernard's Road Oxford Oxfordshire OX2 6EH	Rear dormer window
13/01208/FUL	13/00064/REFUSE	DEL	SPL	ALC	05/12/2013	RHIFF	5 Iffley Turn Oxford OX4 4DU	Erection of single and two storey rear and side extension. Alterations to roof including insertion of dormer window and rooflight to rear to provide Erection of single and two storey rear and side extension. Alterations to roof including insertion of dormer window and rooflight to rear to provide additional loft room floorspace.
13/00603/FUL	13/00029/REFUSE	DEL	REF	DIS	06/12/2013	COWLYM	160 Cricket Road Oxford Oxfordshire OX4 3DN	Erection of 2 x 2 bed dwelling houses (Class C3) to rear of existing dwelling. Provision of amenity space, vehicle and cycle parking and bin store. Provision of new vehicle access from Cricket Road.
12/02505/FUL	13/00028/REFUSE	DEL	REF	DIS	09/12/2013	STCLEM	10 and 10A Bartlemas Road Oxford OX4 1XX	Conversion of existing 2 bedroom dwelling at No.10 into 2 x 1-bedroom dwellings (use class C3). Conversion of existing 1-bedroom flat at No.10A into 2 x 1-bedroom dwellings (use class C3) including two storey side extension and removal of workshop in rear garden. (Amended plans) (Amended description)
13/02084/FUL	13/00065/REFUSE	DELCOM	REF	DIS	09/12/2013	HINKPK	81 Wytham Street Oxford Oxfordshire OX1 4TN	Erection of a single storey side and rear extension.

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
13/01660/FUL	13/00068/REFUSE	DEL	REF	ALW	11/12/2013	COWLEY	5 Lockheart Crescent Oxford OX4 3RN	Single storey rear extension.
13/00950/FUL	13/00032/REFUSE	DEL	REF	DIS	12/12/2013	BARTSD	6 Bursill Close Headington Oxford OX3 8EW	Erection of a single storey extension along with internal alterations to create an additional 1 x 1 bedroom dwelling (Use Class C3) (amended)
13/00546/FUL	13/00027/REFUSE	DEL	REF	ALW	13/12/2013	STMARY	13 Stanley Road Oxford Oxfordshire OX4 1QY	Change of use of first floor and part of second floor from residential to day nursery (Class D1).
13/01001/FUL	13/00033/REFUSE	DEL	REF	DIS	16/12/2013	LITTM	Land To The Rear Of 1 And 2 Longwall Oxford Oxfordshire OX4 4PG	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	DIS	17/12/2013	COWLYM	24 Milton Road Oxford Oxfordshire OX4 3EF	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.
12/02083/FUL	13/00043/REFUSE	DEL	REF	DIS	18/12/2013	SUMMTN	339 Banbury Road Oxford OX2 7PL	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)
13/00656/VAR	13/00051/COND	DEL	REF	DIS	18/12/2013	HEAD	10 Stephen Road Oxford Oxfordshire OX3 9AY	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
13/00404/FUL	13/00048/REFUSE	DEL	REF	DIS	31/12/2013	JEROSN	102, 102A And 102B Bridge Street Oxford OX2 0BD	Installation of replacement windows to front elevation.

Total Decided: 15

Enforcement Appeals Decided Between 1/12/2013 And 31/12/2013

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//0035/2/ENF Headington Oxford CHURCH OX3 7JY	13/00030/ENFORC	DIS	18/12/2013	11 Old Road Oxfordshire conversion without planning permission		

Total Decided: 1

Table E Appeals Received Between 01/12/2013 And 31/12/2013

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
06/01796/CND3	13/00075/REFUSE	DELCOM	REF	W	Lady Margaret Hall Norham Gardens Oxford Oxfordshire OX2	NORTH	Details submitted in accordance with condition 10 (landscaping) of planning permission 06/01796/FUL.
13/02303/FUL	13/00074/REFUSE	DEL	REF	W	9 Green Street Oxford Oxfordshire OX4 1YB	STMARY	Demolition of existing buildings and erection of 3 x 4-bedroom dwellings (Use Class C3) with associated car parking, cycle parking and bin storage.

Total Received: 2