

Monthly Planning Appeals Performance Update – January 2014

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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 31 December 2014, while Table B does the same for the current business plan year, ie. 1 April 2013 to 31 January 2014.

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	3	38%	0	3 (38%)
Dismissed	5	62%	0	5 (62%)
Total BV204 appeals	8	100%	0	8 (100%)

Table A. BV204 Rolling annual performance to 31 January 2014

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	25%	3 (43%)	9 (22%)
Dismissed	36	75%	4 (57%)	32 (78%)
Total BV204 appeals	48	100%	7 (100%)	41 (100%)

Table B. BV204: Current business plan year performance (1 April 2013 to 31 January 2014)

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	3	38%
Dismissed	5	62%
All appeals decided	8	100%
Withdrawn		

Table C. All planning appeals (not just BV204 appeals): Rolling year to 31 January 2014

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 January 2014.
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 January 2014. 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 1/01/2014 And 31/01/2014

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
13/01428/FUL	13/00070/REFUSE	DEL	REF	ALC	06/01/2014	RHIFF	8 Mill Lane Iffley Oxford OX4 4EJ	Erection of two storey extension to side and addition of new first floor and room in the roof and changes to the fenestration
13/01015/VAR	13/00042/COND	DEL	SPL	ALC	15/01/2014	COWLYM	387 Cowley Road Oxford Oxfordshire OX4 2BS	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.
13/01202/FUL	13/00050/REFUSE	DEL	REF	DIS	15/01/2014	QUARIS	Land To The Rear Of 34 And 36 York Road Headington Oxford OX3 8NW	Erection of 1 x 2 bed single storey dwelling in the rear gardens of 34 and 36 York Road. (Amended information)
13/01928/FUL	13/00055/REFUSE	DEL	REF	ALC	21/01/2014	LYEVAL	68 Hollow Way Oxford Oxfordshire OX4 2NH	Change of use from Sui Generis Use Class (tattoo parlour) to Use Class A5 with a provision for the consumption of food and drink on the premises (retrospective).
13/00906/FUL	13/00049/REFUSE	DEL	REF	DIS	28/01/2014	CHURCH	184 And 186 Headington Road Oxford Oxfordshire OX3 0BS	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.
13/02219/FUL	13/00073/REFUSE	DEL	REF	DIS	28/01/2014	BARTSD	279 London Road Headington Oxford Oxfordshire OX3 9EH	Erection single storey building to form 1-bed bungalow (use class C3) with associated car parking, bin and cycle storage and private amenity space.
13/01948/FUL	13/00061/REFUSE	DEL	REF	DIS	29/01/2014	WOLVER	14 Blandford Avenue Oxford OX2 8DY	Demolition of existing dwelling. Erection of 2 x 4-bed dwellings (use class C3).

DC CASE	AP CASE NO.	DECTYPE:	RECM:	APP DEC	DECIDED	WARD:	ADDRESS	DESCRIPTION
12/03053/OUT	13/00039/REFUSE	DEL	REF	DIS	31/01/2014	QUARIS	Garages To The Rear Of 1 3 5 7 And 9 Coppock Close Oxford Oxfordshire	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 storage.

Total Decided: 8

Enforcement Appeals Decided Between 01/01/2014 And 31/01/2014

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

EN CASE No.	AP CASE NO.	APP DEC	DECIDED	ADDRESS	WARD	DESCRIPTION
13/00461/ENF	13/00056/ENFORC	DIS	21/01/2014	68 Hollow Way Oxford, OX4 2NH	LYEVAL	Alleged unauthorised change of use from tattoo parlour (sui generis) to hot food take away (A5)
13/00031/ENF	13/00047/ENFORC	DIS	31/01/2014	1 Valentia Road Oxford, OX3 7PN	CHURCH	Unauthorised Outbuilding

Total Decided: 2

Table E

Appeals Received Between 01/01/2014 And 31/01/2014

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
13/00302/FUL	14/00007/NONDET	COMM	REF	P	Oxford Stadium Sandy Lane Oxford Oxfordshire OX4 6LJ	BBLEYS	Demolition of existing structures. Erection of 220 x residential units (37 x 1 bed flats, 43 x 2 bed flats, 24 x 2 bed houses, 90 x 3 bed houses, 26 x 4 bed houses) (use class C3 - single family dwellings), new site accesses, parking, landscaping, public open space and ancillary works.
13/00528/CND	14/00006/NONDET			P	Oxford Stadium Sandy Lane Oxford Oxfordshire OX4 6LJ	BBLEYS	Details submitted in compliance with the request for a demolition statement to accompany the prior approval for demolition application 13/00528/DEM
13/01872/FUL	14/00003/REFUSE	DEL	REF	W	Castle Mill House Rooftop Juxon Street Oxford OX2 6DR	JEROSN	Erection of single storey roof top extensions to provide 1 x 2 bed and 2 x 1 bed flats (use class C3) (Amended Description)
13/02078/FUL	14/00005/REFUSE	DEL	SPL	H	127 Rose Hill Oxford OX4 4HT	RHIFF	Erection of ground floor and first floor rear extensions. (Amended plans)
13/02182/FUL	14/00001/REFUSE	DEL	REF	W	Wolvercote Cemetery Lodge 447 Banbury Road Oxford Oxfordshire OX2 8EE	WOLVE	Creation of new vehicular access on to Banbury Road.
13/02792/CPU	14/00002/REFUSE	DEL	REF	W	73 Dene Road Oxford Oxfordshire OX3 7EQ	LYEVAL	Application to certify that proposed erection of gym and study room is lawful. (Amended Plans)
13/02945/VAR	14/00004/REFUSE	DEL	REF	H	23 Walton Street Oxford Oxfordshire OX1 2HQ	JEROSN	Variation of condition 5 (Details excluded submit revised plans) of planning permission 13/01265/FUL (Erection of rear extension, two storey outbuilding and associated alterations) to allow discharge of condition 5 post commencement of development.

Total Received: 7

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