

Monthly Planning Appeals Performance Update – February 2014

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 2014, while Table B does the same for the current business plan year, ie. 1 April 2013 to 28 February 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	3	27%	0	3 (20%)
Dismissed	8	73%	1 (100%)	7 (70%)
Total BV204 appeals	11	100%	1 (100%)	10 (100%)

**Table A. BV204 Rolling annual performance
(1 January 2014 to 28 February 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	12	24%	3 (38%)	9 (21%)
Dismissed	39	76%	5 (62%)	34 (79%)
Total BV204 appeals	51	100%	8 (100%)	43 (100%)

**Table B. BV204: Current business plan year performance
(1 April 2013 to 28 February 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.

Table C	Appeals	Percentage performance
Allowed	5	38%
Dismissed	8	62%
All appeals decided	13	100%
Withdrawn	0	0

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 January 2014 to 28 February 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 February 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 February 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 1/02/2014 And 28/02/2014

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
12/03282/PA11	13/00015/PRIOR	DELCOM	PER	ALW	04/02/2014	HINKPK	Hinksey Lake Footbridge Lake Street Oxford Oxfordshire	Application seeking prior approval for development comprising demolition of existing and erection of replacement footbridge under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. (Amended plans) (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)
13/01096/FUL	13/00062/REFUSE	COMM	REF	DIS	11/02/2014	COWLYM	Sports Field William Morris Close Oxford Oxfordshire OX4 2SF	Construction of two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description)
13/02303/FUL	13/00074/REFUSE	DEL	REF	DIS	17/02/2014	STMARY	9 Green Street Oxford Oxfordshire OX4 1YB	Demolition of existing buildings and erection of 3 x 4-bedroom dwellings (Use Class C3) with associated car parking, cycle parking and bin storage.
13/02220/FUL	13/00071/REFUSE	DEL	REF	DIS	27/02/2014	COWLYM	154 Oxford Road Cowley Oxford Oxfordshire OX4 2EB	Installation of storage container on roof.

Total Decided: 4

Enforcement Appeals Decided Between 2/02/2014 And 28/02/2014

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
13//0017/0/ENF	13/00044/ENFORC	DIS	17/02/2014	32 Old Marston Road Oxfordshire	MARST	Erection of single storey outbuilding without permission
13//0025/3/ENF	13/00063/ENFORC	ASP	26/02/2014	22 Wilkins Road	LYEVAL	Erection of single storey outbuilding without permission

Total Decided: 2

Table E

Appeals Received Between 1/02/2014 And 28/02/2014

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
13/01376/FUL	14/00012/REFUSE	COMM	REF	I	Avis Rent A Car Ltd 1 Abbey Road Oxford Oxfordshire OX2 0AD	JEROSN	Demolition of existing buildings. Erection of 9 x 3 storey, 4 bed dwelling houses (Use class C3)
13/02578/FUL	14/00010/REFUSE	DEL	REF	H	53 Church Cowley Road Oxford Oxfordshire OX4 3JR	COWLE	Extension of existing drop kerb. Conversion of front garden into parking area. (Additional Information)
13/02591/FUL	14/00011/REFUSE	DEL	REF	H	315 Hollow Way Oxford Oxfordshire OX3 7JE	LYEVAL	Erection of two storey rear extension. (Amended Plans)
13/03090/TPO	14/00009/REFUSE		REF		Grove House Club Grove Street Oxford Oxfordshire	SUMMT	2No. yew trees located at the extreme western end of the site, adjacent to a brick wall, excavate roots using "tree friendly" methods including air spade and hand digging under professional arboricultural supervision a trench to a maximum of 0.5 metre depth across the site. The work will also explore the extent of rooting between the trench and the trees themselves as explained in the attached method statement. Identified as T1 and T2 on the OCC - Grove Street (No. 1) Tree Preservation Order 2010.
13/03096/VAR	14/00008/NONDET			W	57 Dashwood Road Oxford Oxfordshire OX4 4SH	RHIF	Variation of condition 2 (Develop in accordance with approved plans) of planning permission 03/02433/FUL (Alterations and extensions to existing dwellinghouse and conversion to two dwellinghouses. Erection of a pair of semi-detached houses on land adjacent to 57 Dashwood Road and erection of two storey building at rear to be used as 2 flats with cycle-and bin storage) to allow minor changes to the position of the rear extension and to newpost commencement of development.

Total Received: 5

This page is intentionally left blank