

## Monthly Planning Appeals Performance Update – July 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 July 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 31 July 2014.

| Table A             | Council performance |       | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
|---------------------|---------------------|-------|--|--|
|                     | No.                 | %     | No.                                    | No.                                    |
| Allowed             | 23                  | 37.1  | 9                                      | 14                                     |
| Dismissed           | 39                  | 62.9  | 8                                      | 31                                     |
| Total BV204 appeals | 62                  | 100.0 | 17                                     | 45                                     |

**Table A. BV204 Rolling annual performance  
(1 August 2013 to 31 July 2014)**

| Table B             | Council performance |       | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
|---------------------|---------------------|-------|--|--|
|                     | No                  | %     | No.                                    | No.                                    |
| Allowed             | 12                  | 57.1  | 7                                      | 5                                      |
| Dismissed           | 9                   | 42.9  | 5                                      | 4                                      |
| Total BV204 appeals | 21                  | 100.0 | 12                                     | 9                                      |

**Table B. BV204: Current business plan year performance  
(1 April 2014 to 31 July 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.

| <b>Table C</b>      | <b>Appeals</b> | <b>Performance</b> |
|---------------------|----------------|--------------------|
| Allowed             | 27             | 36.0%              |
| Dismissed           | 48             | 64.0%              |
| All appeals decided | 75             | 100.0%             |
| Withdrawn           | 2              |                    |

**Table C. All planning appeals (not just BV204 appeals)  
Rolling year 1 August 2013 to 31 July 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 April 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 April 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 1/07/14 And 31/07/14

**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  |
|---------------|-----------------|----------|-------|---------|------------|--------|---|--|
| 13/03090/TPO  | 14/00009/REFUSE | DEL      | REF   | ALC     | 01/07/2014 | SUMMTN | Grove House Club Grove Street Oxford Oxfordshire  | 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. |
| 14/00850/FUL  | 14/00032/REFUSE | DEL      | REF   | ALWCST  | 15/07/2014 | WOLVER | 22 Linkside Avenue Oxford Oxfordshire OX2 8HY   | Erection of two storey rear extension including extension to roof.   |
| 14/00147/FUL  | 14/00022/REFUSE | DEL      | REF   | DIS     | 16/07/2014 | WOLVER | 35 Sunderland Avenue Oxford Oxfordshire OX2 8DT   | Demolition of existing detached dwelling and garage. Erection of 1 x 3 bedroom house (Use Class C3) and 2 x 2-bedroom flats (Use Class C3). Provision of private amenity space, bin and cycle stores.  |
| 13/03320/PA11 | 14/00014/REFUSE | DELCOM   | PER   | ALW     | 16/07/2014 | HINKPK | Footbridge Within South Oxford Adventure Playground White House Road 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. (PLEASE NOTE THIS IS NOT A PLANNING APPLICATION BUT A NOTIFICATION SUBMITTED BY NETWORK RAIL FOR PRIOR APPROVAL BY OXFORD CITY COUNCIL)  |
| 13/03355/FUL  | 14/00028/REFUSE | COMM     | PER   | DIS     | 16/07/2014 | NORTH  | 5 Farndon Road And 19   | Erection of single storey side extension,  |

|              |                 |        |     |     |            |        |   |   |
|--------------|-----------------|--------|-----|-----|------------|--------|---|---|
| 13/02673/B56 | 14/00018/PRIOR  | DEL    | 7PA | ALW | 17/07/2014 | COWLYM | Warnborough Road Oxford<br>Oxfordshire OX2 6RS  | extensions at basement level. (Additional Information)  |
|              |                 |        |     |     |            |        | Site Of Canterbury House<br>393 Cowley Road Rivera<br>House 156 Reliance Way<br>And Adams House 158<br>Reliance Way Oxford<br>Oxfordshire OX4 2FQ | Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 16 dwellings (3 x 1-bed and 13 x 2-bed). This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks. |
| 13/03212/FUL | 14/00020/REFUSE | DEL    | REF | DIS | 21/07/2014 | HEAD   | Store Adjacent 79 St<br>Leonard's Road Oxford<br>Oxfordshire  | Demolition of garage/store building. Erection of 1 x 3-bed dwellinghouse (Use Class C3).  |
| 13/01800/FUL | 14/00016/REFUSE | COMM   | PER | ALC | 28/07/2014 | CARFAX | St Cross College St Giles'<br>Oxford Oxfordshire OX1<br>3LZ   | Demolition and rebuilding of existing boundary walls. Erection of 53 study bedrooms, lecture theatre, library, seminar rooms and ancillary accommodation on 4 floor plus basement.  |
| 13/01801/LBD | 14/00017/REFUSE | DELCOM | PER | ALC | 28/07/2014 | CARFAX | St Cross College St Giles'<br>Oxford Oxfordshire OX1<br>3LZ   | Demolition and rebuilding of existing boundary walls.   |

**Total Decided: 9**

## Enforcement Appeals Decided Between 1/07/2014 And 31/07/2014

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 |
|---------|-------------|---------|---------|---------|-------|-------------|
|---------|-------------|---------|---------|---------|-------|-------------|

Total Decided: 0

## Table E

### Appeals Received Between 1/07/14 And 31/7/14

**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   |
|--------------|-----------------|----------|------|------|---|--------|---|
| 13/02510/FUL | 14/00037/REFUSE | DEL      | REF  | W    | 13 Circus Street Oxford Oxfordshire OX4 1JR   | STMARY | Two storey extension to provide larger living accommodation to flat 13B, creation of an additional 1 x 2 bed flat on ground floor (Flat E) and alterations and extensions to Flats A, C and D to form 2 x 2-bed flats. Provision of private amenity space, street level screened cycle stores and bin stores. Relocation of raised flower bed and Alhambra Lane sign to first floor level (amendments to planning permission 12/03252/FUL). (Amended plans, description and Additional Information) |
| 13/03005/FUL | 14/00035/REFUSE | DEL      | REF  | W    | 227 Iffley Road Oxford Oxfordshire OX4 1SQ  | STMARY | Replacement of all timber windows with white uPVC windows of a similar style.   |
| 14/00431/FUL | 14/00036/REFUSE | DEL      | REF  | W    | 13 Circus Street Oxford Oxfordshire OX4 1JR   | STMARY | Extension to existing Flat D comprising 2 x dormer windows to front and rear roof slopes and formation of a balcony, to create a 1 x-2 bed flat.  |
| 14/00450/FUL | 14/00033/NONDET | DELCOM   | PER  | W    | 32 Little Clarendon Street And 126 And 127 Walton Street Oxford Oxfordshire OX1 2HU | NORTH  | Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurants and cafes).  |
| 14/00725/FUL | 14/00039/REFUSE | DEL      | REF  | W    | Temple Lounge 21 Temple Street Oxford Oxfordshire OX4 1JS                           | STMARY | Raising the height of the roof and insertion of 4No rooflight to rear roof slope and 2No rooflight to front roof slope in association with loft conversion.   |
| 14/01120/FUL | 14/00038/REFUSE | DEL      | REF  | H    | 190 Headley Way Oxford Oxfordshire OX3 7TA  | HEAD   | Erection first floor extension to rear and side elevations  |

**Total Received: 6**