

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

| Table A             | Council performance |       | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
|---------------------|---------------------|-------|--|--|
|                     | No.                 | %     | No.                                    | No.                                    |
| Allowed             | 24                  | 36.4  | 9                                      | 15                                     |
| Dismissed           | 42                  | 63.6  | 10                                     | 32                                     |
| Total BV204 appeals | 66                  | 100.0 | 19                                     | 47                                     |

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

| Table B             | Council performance |       | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
|---------------------|---------------------|-------|--|--|
|                     | No                  | %     | No.                                    | No.                                    |
| Allowed             | 13                  | 52.0  | 7                                      | 6                                      |
| Dismissed           | 12                  | 48.0  | 7                                      | 5                                      |
| Total BV204 appeals | 25                  | 100.0 | 14                                     | 11                                     |

**Table B. BV204: Current business plan year performance  
(1 April 2014 to 31 August 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             | 28             | 35.9%              |
| Dismissed           | 50             | 64.1%              |
| All appeals decided | 78             | 100.0%             |
| Withdrawn           | 2              |                    |

**Table C. All planning appeals (not just BV204 appeals)  
Rolling year 1 September 2013 to 31 August 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 August 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 August 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 1/08/14 And 31/08/14

**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   |
|--------------|-----------------|----------|-------|---------|------------|--------|---|---|
| 13/02745/FUL | 14/00023/REFUSE | DELCOM   | PER   | DIS     | 04/08/2014 | SUMMTN | 7 Middle Way Oxford<br>Oxfordshire OX2 7LH      | Demolition of lock up garage and erection of 2 storeys, 2-bed dwellinghouse (Use Class C3).<br>Erection of garden office to rear and provision of private amenity space and bins store. (amended plans) |
| 13/02419/FUL | 14/00027/REFUSE | DELCOM   | REF   | DIS     | 05/08/2014 | RHIFF  | 28 Abberbury Road Oxford<br>Oxfordshire OX4 4ES | Erection of 1 x 3-bedroom detached dwellinghouse (Use Class C3) to rear of existing house.  |
| 13/02792/CPU | 14/00002/REFUSE | DEL      | REF   | DIS     | 15/08/2014 | LYEVAL | 73 Dene Road Oxford<br>Oxfordshire OX3 7EQ      | Application to certify that proposed erection of gym and study room is lawful. (Amended Plans)  |
| 14/00246/FUL | 14/00029/REFUSE | DEL      | REF   | ALC     | 20/08/2014 | SUMMTN | 47 Lonsdale Road Oxford<br>OX2 7ES              | Side two storey and rear single storey extension. (Amended plan)  |

**Total Decided: 4**

## Enforcement Appeals Decided Between 1/08/2014 And 31/08/2014

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 1/08/14 And 31/08/14

**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   |
|--------------|-----------------|----------|------|------|--|--------|---|
| 14/00682/FUL | 14/00045/REFUSE | DEL      | REF  | H    | 41 Portland Road Oxford OX2 7EZ                        | SUMMT  | Erection of part single, part two storey rear extension.  |
| 14/00777/FUL | 14/00044/REFUSE | DEL      | REF  | H    | 71 Jack Straws Lane Headington Oxford OX3 0DW          | HHLNO  | Erection of a two storey front extension to existing workshop to form garage and storage area (Retrospective).(Amended description)   |
| 14/00873/TPO | 14/00042/REFUSE | DEL      | SPL  | I    | Land To The South Of 5 Folly Bridge Oxford Oxfordshire | HINKPK | Fell 1No Willow Tree as identified in Oxford City Council Oxford City Council - Folly Bridge (No.1) Tree Preservation Order, 2013.  |
| 14/01235/FUL | 14/00043/REFUSE | DELCOM   | PER  | H    | 48 Plantation Road Oxford OX2 6JE                      | NORTH  | Demolition of existing garage. Erection of part-single, part-two storey extension to side elevation and two storey extension to rear elevation. Extension of existing basement. (amended description)   |
| 14/01650/H42 | 14/00046/PRIOR  | DEL      | 7PA  | H    | 26 Pauling Road Oxford Oxfordshire OX3 8PT             | CHURCH | Application for prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.00m, for which the maximum height would be 2.80m, and for which the height of the eaves would be 2.45m. |

**Total Received: 5**

This page is intentionally left blank