

Monthly Planning Appeals Performance Update – August 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 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.

Table C	Appeals	Performance
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Withdrawn	2	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 Oxfordshire OX2 7LH	Demolition of lock up garage and erection of 2 storeys, 2-bed dwellinghouse (Use Class C3). 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 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 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 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
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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

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