

Monthly Planning Appeals Performance Update – October 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 27 October 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 27 October 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	23	33.3	8	15
Dismissed	46	66.7	10	36
Total BV204 appeals	69	100.0	18	51

**Table A. BV204 Rolling annual performance
(1 November 2013 to 27 October 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	15	44.1	8	7
Dismissed	19	55.9	7	12
Total BV204 appeals	34	100.0	15	19

**Table B. BV204: Current business plan year performance
(1 April 2014 to 27 October 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	26	32.9
Dismissed	53	67.1
All appeals decided	79	100.0
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 November 2013 to 27 October 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 October 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 October 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 20/09/14 And 24/10/14

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
existing garage. Erection of part-	14/01235/FUL	14/00043/REFUSE	DELCOM	PER	ALWCST	26/09/2014	NORTH OX2 6JE	Demolition of single, part-two storey extension to side elevation and two storey extension to rear elevation. Extension of existing basement. (amended description)
14/00431/FUL	14/00036/REFUSE	DEL	REF	DIS	03/10/2014	STMARY	13 Circus Street Oxford Oxfordshire OX4 1JR	Extension to existing Flat D comprising 2 x dormer windows to front and rear roofslopes and formation of a balcony, to create a 1 x-2 bed flat.
14/00450/FUL	14/00033/NONDET	DELCOM	PER	ALWCST	03/10/2014	NORTH	32 Little Clarendon Street And 126 And 127 Walton Street Oxford Oxfordshire OX1 2HU	Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurants and cafes).
14/01650/H42	14/00046/PRIOR	DEL	7PA	DIS	03/10/2014	CHURCH	26 Pauling Road Oxford Oxfordshire OX3 8PT	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.
13/02510/FUL	14/00037/REFUSE	DEL	REF	DIS	03/10/2014	STMARY	13 Circus Street Oxford Oxfordshire OX4 1JR	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	DIS	07/10/2014	STMARY	227 Iffley Road Oxford Oxfordshire OX4 1SQ	Replacement of all timber windows with white uPVC windows of a similar style.
14/00682/FUL	14/00045/REFUSE	DEL	REF	DIS	16/10/2014	SUMMTN	41 Portland Road Oxford OX2 7EZ	Erection of part single, part two storey rear extension.
14/00725/FUL	14/00039/REFUSE	DEL	REF	DIS	17/10/2014	STMARY	Temple Lounge 21 Temple Street Oxford Oxfordshire OX4 1JS	Raising the height of the roof and insertion of 4No rooflight to rear roofslope and 2No rooflight to front roofslope in association with loft conversion.

Total Decided: 8

Enforcement Appeals Decided Between 20/09/2014 And 24/10/2014

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//0066/9/ENF	14/00047/ENFORC	WITHDR	22/09/2014	34 Bartholomew Road, Oxford Oxfordshire, OX4 3QQ	COWLEY	Alleged unauthorised subdivision
13//0049/9/ENF	14/00048/ENFORC	WITHDR	22/09/2014	34 Bartholomew Road, Oxford	COWLEY	Alleged unauthorised conversion of a garage to form living accommodation

Total Decided: 2

Total Decided: 0

Table E

Appeals Received Between 20/09/14 And 24/09/14

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
14/00396/VAR	14/00054/PRIOR	DEL	REF	W	139 Oxford Road Old Marston Oxford Oxfordshire OX3 0RB	MARST	Removal of condition 11 (removal of PD rights) of planning permission 09/01428/FUL.
14/00429/FUL	14/00053/REFUSE	COMM	REF	I	3-9 Elsfield Way And Land Rear Of 478 And 480 Banbury Road Oxford OX2 8EW	WOLVE	Demolition of existing houses at 3 to 9 Elsfield Way. Erection of 4 x 1-bed and 18 x 2-bed flats to frontage with 6 x 4-bed houses to rear. Provision of 40 car parking spaces, amenity space together with bin and cycle stores. New vehicular access and slip roads from Elsfield Way (A40). (Amended plans) (Amended description)

Total Received: 2