

Monthly Planning Appeals Performance Update – November 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 21 November 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 21 November 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	23	34.8%	9	14
Dismissed	43	65.2%	9	34
Total BV204 appeals	66	100.0%	18	48

**Table A. BV204 Rolling annual performance
(1 December 2013 to 21 November 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	16	44.4%	9	7
Dismissed	20	55.6%	7	13
Total BV204 appeals	36	100.0%	16	20

**Table B. BV204: Current business plan year performance
(1 April 2014 to 21 November 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	34.7%
Dismissed	49	65.3%
All appeals decided	75	100.0%
Withdrawn	3	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 December 2013 to 21 November 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 November 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 November 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 24/10/14 And 21/11/14

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
14/00184/FUL	14/00030/NONDET	DEL	REF	DIS	07/11/2014	COWLYM	St Dominic Hall Hollow Way Oxford Oxfordshire	Temporary change of use for two years of existing car parking area to car washing facility, erection of means of enclosure to car wash bays, machinery housing, office and waiting room building.

Total Decided: 1

Enforcement Appeals Decided Between 24/10/2014 And 21/11/2014

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
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Table E

Appeals Received Between 24/10/14 And 21/11/14

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

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DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
14/00942/FUL	14/00055/REFUSE	DEL	REF	H	64 Kelburne Road Oxford OX4 3SH	LITTM	Change of roof from hipped to gable end and formation of 1no dormer to rear roofslope
14/01578/FUL	14/00063/REFUSE	DEL	REF	H	12 Middle Way Oxford OX2 7LH	SUMMT	Erection of a two storey side and rear extension and formation of vehicular access and parking.
14/01802/FUL	14/00064/REFUSE	DEL	REF	W	6 And 8 Mortimer Road Oxford OX4 4UQ	RHIF	Erection of two storey side extension to form 1x1-bed dwelling. Provision of car parking and bin and cycle stores.
14/02287/H42	14/00062/PRIOR	DEL	7PA	H	30 Regent Street Oxford Oxfordshire OX4 1QX	STMARY	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 6m, for which the maximum height would be 3.565m, and for which the height of the eaves would be 2.81m.

Total Received: 4

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