

Monthly Planning Appeals Performance Update – January 2015

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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 26th January 2015, while Table B does the same for the current business plan year, ie. 1 April 2014 to 26 January 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	18	37.5%	9	9
Dismissed	30	62.5%	8	22
Total BV204 appeals	48	100%	17	31

**Table A. BV204 Rolling annual performance
(1 February 2014 to 26 January 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	17	41.5%	9	8
Dismissed	24	58.5%	7	17
Total BV204 appeals	41		16	15

**Table B. BV204: Current business plan year performance
(1 April 2014 to 26 January 2015)**

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	20	42.6%
Dismissed	27	57.4%
All appeals decided	47	
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 February 2014 to 26 January 2015**

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 January 2015
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 January 2015. 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 18/12/14 And 26/01/15

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
14/01322/FUL	14/00052/REFUSE	DEL	REF	DIS	19/12/2014	RHIFF	35 Courtland Road Oxford OX4 4HZ	Demolition of existing garage. Erection of 2 x 1-bed dwellings (Use Class C3). Provision of private amenity space, car parking and bin and cycle storage.
14/00396/VAR	14/00054/PRIOR	DEL	REF	ALW	19/12/2014	MARST	139 Oxford Road Old Marston Oxford Oxfordshire OX3 0RB	Removal of condition 11 (removal of PD rights) of planning permission 09/01428/FUL.
14/01578/FUL	14/00063/REFUSE	DEL	REF	DIS	24/12/2014	SUMMTN	12 Middle Way Oxford OX2 7LH	Erection of a two storey side and rear extension and formation of vehicular access and parking.

Total Decided: 3

Enforcement Appeals Decided Between 18/12/14 And 26/01/15

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
14//0013/7/ENF	14/00061/ENFORC	WITHDR	19/01/2015	43 Magdalen Road	STMARY	Unauthorised change of use of land to form extension of curtilage

Total Decided: 1

Table E

Appeals Received Between 18/12/14 And 26/01/15

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
14/02701/FUL	15/00001/REFUSE	DEL	REF	H	195 Howard Street Oxford Oxfordshire OX4 3BB	IFFLDS	Erection of single storey side and rear extension
14/02942/H42	14/00068/PRIOR	DEL	7PA	H	61 Green Road Oxford Oxfordshire OX3 8LD	QUARIS	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 6.0m, for which the maximum height would be 2.80m, and for which the height of the eaves would be 2.60m.

Total Received: 2

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