

Monthly Planning Appeals Performance Update – February 2015

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 23 February 2015, while Table B does the same for the current business plan year, ie. 1 April 2014 to 23 February 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	36%	9	7
Dismissed	29	64%	9	20
Total BV204 appeals	45	100%	18	27

**Table A. BV204 Rolling annual performance
(1 March 2014 to 23 February 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	17	39%	9	8
Dismissed	27	61%	7	20
Total BV204 appeals	44		13	14

**Table B. BV204: Current business plan year performance
(1 April 2014 to 23 February 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	17	35%
Dismissed	32	65%
All appeals decided	49	
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 March 2014 to 23 February 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 February 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 February 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 27/01/15 And 23/02/15

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
14/02942/H42	14/00068/PRIOR	DEL	7PA	DIS	09/02/2015	QUARIS	61 Green Road Oxford Oxfordshire OX3 8LD	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.
14/00873/TPO	14/00042/REFUSE	DEL	SPL	DIS	12/02/2015	HINKPK	Land To The South Of 5 Folly Bridge Oxford Oxfordshire	Fell 1 No Willow Tree as identified in Oxford City Council Oxford City Council - Folly Bridge (No.1) Tree Preservation Order, 2013.
14/01802/FUL	14/00064/REFUSE	DEL	REF	DIS	20/02/2015	RHIFF	6 And 8 Mortimer Road Oxford OX4 4UQ	Erection of two storey side extension to form 1x1-bed dwelling. Provision of car parking and bin and cycle stores.

Total Received: 3

Enforcement Appeals Decided Between 27/01/15 And 23/02/15

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
14/0003/5/ENF	14/00021/ENFORC	DIS	10/02/2015	195 The Slade	CHURCH	Appeal against enforcement notice for unauthorised outbuilding And walkway

Total Decided: 1

Table E

Appeals Received Between 27/01/15 And 23/02/15

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
14/01670/OUT	15/00004/REFUSE	COMM	REF	W	Parking Area William Morris Close Oxford Oxfordshire OX4 2SF	COWLYM	Outline application (seeking approval of access, appearance, layout and scale) for the erection of new buildings consisting of 2 x 2 bed flats (Use Class C3), 1 x 3 bed flat (Use Class C3), 2 x 3 bed house ((Use Class C3) and 2 x 4 bed house (Use Class C3).
14/03061/FUL	15/00005/REFUSE	DEL	REF	W	151 Walton Street Oxford OX1 2HG	CARFAX	Amendments to planning permission 13/02228/FUL (Change of Use from Estate Agent to Residential) to allow alterations to front elevation.

Total Received: 2

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