

Monthly Planning Appeals Performance Update – March 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 31st March 2015, while Table B does the same for the current business plan year, ie. 1 April 2014 to 31 March 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	33%	7	9
Dismissed	33	67%	9	24
Total BV204 appeals	49		16	33

**Table A. BV204 Rolling annual performance
(1 April 2014 to 31 March 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	16	33%	7	9
Dismissed	33	67%	9	24
Total BV204 appeals	49		16	33

**Table B. BV204: Current business plan year performance
(1 April 2014 to 31 March 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	21	35.6%
Dismissed	38	64.4%
All appeals decided	59	
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 April 2014 to 31 March 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 23/02/15 And 31/03/15

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
14/02287/H42	14/00062/PRIOR	DEL	7PA	ALW	23/02/2015	STMARY	30 Regent Street Oxford Oxfordshire OX4 1QX	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.
14/02701/FUL	15/00001/REFUSE	DEL	REF	DIS	03/03/2015	IFFLDS	195 Howard Street Oxford Oxfordshire OX4 3BB	Erection of single storey side and rear extension
14/02257/FUL	15/00002/REFUSE	DEL	REF	DIS	03/03/2015	HINKPK	220 Abingdon Road Oxford OX1 4SP	Erection of rear first floor extension and insertion of 3 no. rooflights.
14/00429/FUL	14/00053/REFUSE	COMM	REF	DIS	04/03/2015	WOLVER	3-9 Elsfield Way And Land Rear Of 478 And 480 Banbury Road Oxford OX2 8EW	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
14/01484/FUL	14/00066/REFUSE	DEL	REF	ALW	09/03/2015	MARST	19 Salford Road Oxford Oxfordshire OX3 0RX	Retrospective roof alterations and loft conversion, including formation of rear and front dormer windows (Amended plans received 06/08/2014) (Amended description)
14/01237/FUL	14/00067/REFUSE	DEL	REF	DIS	24/03/2015	LYEVAL	315 Hollow Way Headington Oxford OX3 7JE	Erection of two storey rear extension.

Total Decided: 6

Enforcement Appeals Decided Between 23/02/15 And 31/03/15

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
14/00154/ENF	14/00049/ENFORC	DISMIS	18/03/2015	40 Coniston Avenue, Oxford, OX3 0AN	HHLNOR	Unauthorised subdivision (creation of separate flat at rear)
12/00345/ENF outbuilding as dwelling	14/00024/ENFORC	ALW	26/03/2015	11 Home Close, Oxford, OX2 8PS	WOLVER	Appeal against enforcement notice for unauthorised use of
12/00346/ENF of outbuilding as dwelling	14/00025/ENFORC	ALW	26/03/2015	13 Home Close, Oxford, OX2 8PS	WOLVER	Appeal against enforcement notice for unauthorised use

Total Decided: 3

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