

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

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	12	27.3%	4	8
Dismissed	32	72.7%	7	25
Total BV204 appeals	44			

**Table A. BV204 Rolling annual performance
(1 June 2014 to 31 May 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	0	0		
Dismissed	2	100	1	1
Total BV204 appeals	2			

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 May 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	18	31.6%
Dismissed	39	68.4%
All appeals decided	57	
Withdrawn	2	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 June 2014 to 31 May 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 **May 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 **May 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 1/05/15 And 31/05/15

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
14/02713/FUL	15/00008/REFUSE	DEL	REF	DIS	01/05/2015	STCLEM	14 Parsons Place Oxford OX4 1NL	Erection of roof and partially enclosed rear porch over existing patio (retrospective)
14/01670/OUT	15/00004/REFUSE	COMM	REF	DIS	20/05/2015	COWLYM	Parking Area William Morris Close Oxford Oxfordshire OX4 2SF	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).

Total Decided: 2

Enforcement Appeals Decided Between 1/05/2015 And 31/05/2015

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//0017/7/ENF	14/00050/ENFORC	ALC	06/05/2015	87 Oliver Road Oxford Oxfordshire OX4 2JH	LYEVAL	Alleged unauthorised outbuilding
14//0016/7/ENF	14/00065/ENFORC	ALLOW	12/05/2015	8 Harefields Oxford Oxfordshire OX2 8NS	WOLVER	Appeal against enforcement notice of unauthorised change of use (from C3 to C4 HMO)
13//0060/6/ENF	14/00041/ENFORC	DISMIS	18/05/2015	396A Woodstock Road Oxford Oxfordshire OX2 8JW	WOLVER	Appeal against enforcement notice for unauthorised use of outbuilding as a dwelling

Table E

Appeals Received Between 1/05/15 And 31/05/15

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
14/02117/FUL	15/00017/REFUSE	DELCOM	REF	W	15 Kestrel Crescent Oxford Oxfordshire OX4 6DY	NORBRK	Erection of two storey side extension to create 1 x 1 bed dwellinghouse (Use Class C3). Provision of car parking, cycle and bin storage.
14/02445/FUL	15/00018/REFUSE	DEL	REF	W	13 Rectory Road Oxford OX4 1BU	STCLEM	Subdivision of existing House of Multiple Occupation (sui generis) to create 3 self-contained units including retention of existing HMO, 1x3 bed house and 1 x 1 bed basement flat (Use Class C3). Erection of two storey side extension (including basement level) and formation of 1 x dormer window in association with loft conversion. Insertion of 2 x rooflights to front roofslope, 1 x rooflight to rear roofslope, Creation of front lightwell for basement flat. Provision of amenity space, refuse and cycle parking (amended plans)
14/02925/FUL	15/00021/REFUSE	COMM	PER	H	30 Harpes Road Oxford Oxfordshire OX2 7QL	SUMMT	Erection of garden outbuilding.

Total Received: 3

Enforcement Appeals Received Between 01/05/2015 And 01/06/2015

TYPE KEY: W - Written representation, I - Informal hearing, P - Public Inquiry, H - Householder

EN CASE	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
14/00542/ENF	15/00020/ENFORC	W	1 Frederick Road Oxford Oxfordshire OX4 3HL	COWLEY	Appeal against possible unauthorised outbuilding
14/00558/ENF	15/00019/ENFORC	W	82 Cricket Road Oxford Oxfordshire OX4 3DH	COWLYM	Appeal against the construction of a single storey outbuilding without planning permission.

Total Received: 2

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