

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

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	9	29%	3	6
Dismissed	22	71%	2	20
Total BV204 appeals	31			

**Table A. BV204 Rolling annual performance
(1 September 2014 to 31 August 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	4	67%	2	2
Dismissed	2	34%	1	1
Total BV204 appeals	6			

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 August 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	19	38%
Dismissed	31	62%
All appeals decided	50	
Withdrawn	5	

Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 September 2014 to 31 August 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 August 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 August 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 1/08/15 And 31/08/15

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
14/03029/FUL	15/00013/COND	DEL	PER	AWD	13/08/2015	STCLEM	168 Divinity Road Oxford OX4 1LR	Demolition of external stores and canopy. Erection of single storey rear extension and formation of courtyard area. Change of use from 2 x flats to House in Multiple Occupation (Use Class C4) (amended plans)
14/03485/FUL	15/00016/REFUSE	DEL	REF	ALC	26/08/2015	COWLYM	128 & 130 Oxford Road Cowley Oxford OX4 2DU	Change of use of the first floor from Use Class A2 (Financial and Professional Services) to Use Class C1 (Guesthouse) to provide 6no. guest bedrooms. Change of Use of ground floor of 130 Oxford Road to Use Class A1 (Retail). Installation of new shop front and front door to first floor accommodation.

Total Decided: 2

Enforcement Appeals Decided Between 1/08/2015 And 31/08/2015

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
13//0062/5/ENF	15/00003/ENFORC	ALLOW	03/08/2015	9 Cumberland Road Oxford Oxfordshire OX4 2BZ	COWLYM	Alleged unauthorised outbuilding
14//0032/3/ENF	15/00006/ENFORC	DISMIS	11/08/2015	221 Cowley Road Oxford Oxfordshire OX4 1XG	STCLEM	Appeal against alleged unauthorised rear dormer
14//0050/0/ENF	15/00012/ENFORC	DISMIS	12/08/2015	Land To The Rear Of 9A And 11 Chester Street Oxford Oxfordshire	IFFLDS	Appeal against the construction of a single storey garage without planning permission.
14//0036/2/ENF	15/00023/ENFORC	ALLOW	21/08/2015	169 Windmill Road Oxford Oxfordshire OX3 7DW	HEAD	Appeal against Unauthorised creation of s/c flat in loft
14//0055/8/ENF	15/00019/ENFORC	ALLOW	24/08/2015	82 Cricket Road Oxford Oxfordshire OX4 3DH	COWLYM	Appeal against the construction of a single storey outbuilding without planning permission.
14//0054/2/ENF	15/00020/ENFORC	DISMIS	25/08/2015	1 Frederick Road Oxford Oxfordshire OX4 3HL	COWLEY	Appeal against possible unauthorised outbuilding

Total Decided: 6

Table E

Appeals Received Between 1/08/15 and 31/08/15

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

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DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION	
15/00597/OUT	15/00033/REFUSE	04/08/2015	I	Trevor Saunders	Land Adj Canterbury House 393 Cowley Road Reliance Way Oxford Oxfordshire OX4 2FQ		Outline application (seeking approval of access, layout and scale) for the erection of four storey building consisting of 4 x 1 bedroom and 4 x 3 bedroom flats (Use Class C3). Provision of private amenity space, car parking, cycle and waste storage.	Nik Lyzba
14/03204/OUT	15/00034/REFUSE	04/08/2015	I	Trevor Saunders	Rivera House And Adams House Reliance Way Oxford OX4 2FQ		Demolition of existing office accommodation at Rivera House and Adams House. Construction of up to 98 student study rooms with provision for disabled car parking spaces and cycle parking. (Outline application with all matters reserved)	Nik Lyzba
15/00360/B56	15/00035/PRIOR	04/08/2015	I	Trevor Saunders	Canterbury House 393 Cowley Road Oxford Oxfordshire OX4 2BS		Change of use from office (Use Class B1(a)) to residential (Use Class C3) to provide 3 x 1-bed and 1 x 2-bed flats. This application is for determination as to whether prior approval of the Council is required and, if required, whether it should be granted. This application is assessed solely in respect of transport and highway impacts and contamination and flooding risks.	Nik Lyzba
15/01059/FUL	15/00036/REFUSE	06/08/2015	W	Ed Pigott	12 Benson Road Oxford Oxfordshire OX3 7EH		Change of use from dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4). Erection of single storey rear extension.	Mr Eric Bolton

15/00370/FUL	15/00037/COND	06/08/2015	W	Robert Fowler	Store Adjacent 79 St Leonard's Road Oxford Oxfordshire	Demolition of existing store. Erection of 1 x 2-bed dwelling (Use Class C3).	
15/00932/CPU	15/00038/REFUSE	14/08/2015	W	Nadina Ranson	16 Argyle Street Oxford Oxfordshire OX4 1SS	Application to certify that the formation of rear dormer roof extensions and insertion of 2 no. front rooflights in association with loft conversion is lawful development.	Mr Mark Shrive
15/00670/ADV	15/00039/REFUSE	27/08/2015	H	Sarah Orchard	72 London Road Headington Oxford Oxfordshire OX3 7PD	Display of 1No internally illuminated totem sign.	Ian Lessester

Total Received: 7