

Monthly Planning Appeals Performance Update – October 2015

Contact: Head of Service City Development: Cathy Gallagher

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 31 October 2015, while Table B does the same for the current business plan year, ie. 1 April 2015 to 31 October 2015.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	10	38.5%	3	7
Dismissed	16	61.5%	2	14
Total BV204 appeals	26	100%	5	21

**Table A. BV204 Rolling annual performance
(1 November 2014 to 31 October 2015)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	7	58.3%	3	4
Dismissed	5	41.7%	1	4
Total BV204 appeals	12	100%	4	8

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 October 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	44.7%
Dismissed	26	55.3%
All appeals decided	47	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 November 2014 to 31 October 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 **October 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 **October 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 1/10/15 And 31/10/15

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
13/02434/FUL	15/00031/REFUSE	DEL	REF	DIS	16/10/2015	JEROSN	101 Botley Road Oxford Oxfordshire OX2 0HB	Demolition of existing garage and erection of detached 3-storey building to provide student accommodation (Sui Generis) consisting of 5 bedrooms. Provision of bin and cycle stores.
14/03532/FUL	15/00029/REFUSE	DEL	REF	DIS	19/10/2015	SUMMTN	Grove House 3 St James Row Grove Street Oxford Oxfordshire OX2 7JT	Erection of 1 x 4 bed dwelling house (Use Class C3). Erection of boundary wall and provision of associated vehicle parking and landscaping.
14/03512/VAR	15/00030/REFUSE	DEL	REF	ALW	27/10/2015	STMARG	16 Bardwell Road Oxford Oxfordshire OX2 6SW	Variation of condition 2 (Approved plans) of planning permission 14/00818/FUL to enable the insertion of a timber framed sash window to the rear elevation.

Total Decided: 3

Enforcement Appeals Decided Between **1/10/2015 And 31/10/2015**

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//0024/8/ENF	15/00024/ENFORC	ALLOW	06/10/2015	18 Cavendish Drive Oxford MARST Oxfordshire OX3 0SB		Appeal against without planning permission, change of use of the land from use as single dwellinghouse to use as two dwellings.
14//0018/2/ENF	15/00015/ENFORC	ALWCST	27/10/2015	9 White House Road Oxford Oxfordshire OX1 4PA	HINKPK	Appeal against enforcement notice on alleged unauthorised construction of garden building.
14//0029/5/ENF	15/00027/ENFORC	DISMIS	27/10/2015	228 London Road Headington Oxford Oxfordshire OX3 9EG	QUARIS	Appeal against unauthorised residential building

Total Decided: 3

Table E

Appeals Received Between 1/10/15 And 31/10/15

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
14/02663/FUL	15/00047/REFUSE	COMM	REF	W	96-97 Gloucester Green Oxford Oxfordshire OX1 2DF	CARFAX	Change of use from Use Class A1 (Retail) to Use Class A3 (Restaurant)
14/03246/FUL	15/00051/REFUSE	DEL	REF	W	45 Magdalen Road Oxford Oxfordshire OX4 1RB	STMARY	Alterations to existing front elevation, erection of single storey rear extension and front and rear dormer window to existing dwelling. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3) with associated parking and amenity space provision.
15/00179/FUL	15/00045/REFUSE	DEL	REF	W	23 Nowell Road Oxford Oxfordshire OX4 4TA	RHIFF	Erection of single storey side extension to form 1 x 1-bed dwelling (Use Class C3). Provision of private amenity space and car parking.
15/01008/FUL	15/00050/REFUSE	DEL	REF	W	15 Hollow Way Oxford Oxfordshire OX4 2NA	COWLYM	Erection of 1 x 1- bed single storey dwellinghouse (Use Class C3). Provision of private amenity space, car parking and refuse store.
15/01565/FUL	15/00046/REFUSE	DEL	REF	H	2 Garford Road Oxford Oxfordshire OX2 6UY	STMARG	Demolition of existing shed/store. Erection of a garage.
15/02263/FUL	15/00048/REFUSE	DEL	REF	H	7 Barton Road Oxford Oxfordshire OX3 9JB	BARTSD	Formation of roof extension to side roofslope at first floor and insertion of 1No. side rooflight.
15/02273/TPO	15/00049/REFUSE	DEL	REF	H	69 Sandfield Road Oxford Oxfordshire OX3 7RW	HEAD	Fell 1No Lawsons Cypress Tree as identified in the Oxford City Council - Sandfield Road (No. 1) Tree Preservation Order 2007.

Total Received: 7

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