

Monthly Planning Appeals Performance Update – November 2015

Contact: Head of Planning & Regulatory Services: Patsy Dell

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 30 November 2015, while Table B does the same for the current business plan year, ie. 1 April 2015 to 30 November 2015.

| Table A | Council performance | | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
|---------------------|---------------------|-------|--|--|
| | No. | % | No. | No. |
| Allowed | 10 | 34 | 3 | 7 |
| Dismissed | 19 | 66 | 2 | 17 |
| Total BV204 appeals | 29 | 100.0 | 5 | 24 |

**Table A. BV204 Rolling annual performance
(01 December 2014 to 30 November 2015)**

| Table B | Council performance | | Appeals arising from Committee refusal | Appeals arising from delegated refusal |
|---------------------|---------------------|-------|--|--|
| | No | % | No. | No. |
| Allowed | 7 | 47 | 3 | 4 |
| Dismissed | 8 | 53 | 1 | 7 |
| Total BV204 appeals | 15 | 100.0 | 4 | 11 |

**Table B. BV204: Current business plan year performance
(1 April 2015 to 30 November 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 | 43% |
| Dismissed | 28 | 57% |
| All appeals decided | 49 | 100.0% |
| Withdrawn | 2 | |

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 01 December 2014 to 30 November 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 November 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 November 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 01/11/2015 and 30/11/2015

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 |
|--------------|-----------------|----------|-------|---------|------------|--------|--|---|
| 15/00670/ADV | 15/00039/REFUSE | DEL | REF | DIS | 13/11/2015 | HEAD | 72 London Road, Oxford Oxfordshire OX3 7PD | Display of 1No internally illuminated totem sign. |
| 15/00121/FUL | 15/00040/REFUSE | DEL | REF | DIS | 13/11/2015 | QUARIS | 79 Downside Road, Oxford Oxfordshire, OX3 8JJ | Erection of entrance gate. (Retrospective) |
| 14/03118/FUL | 15/00022/REFUSE | DEL | REF | DIS | 18/11/2015 | RHIF | 50 Ashhurst Way, Oxford Oxfordshire, OX4 4RE | Erection of two storey side extension |

Total Decided: 4

Enforcement Appeals Decided Between 01/11/2015

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 |
|---------|-------------|---------|---------|---------|-------|-------------|
|---------|-------------|---------|---------|---------|-------|-------------|

Total Decided: 0

Table E

Appeals Received Between 01/11/2015 And 30/11/2015

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 |
|--------------|-----------------|----------|------|------|---|--------|--|
| 15/01082/FUL | 15/00053/REFUSE | DELCOM | REF | W | 238 Headington Road Oxford Oxfordshire OX3 7PR | CHURCH | Erection of 1 x 3-bed dwellinghouse (Use Class C3) Provision of private amenity space, bin and cycle store. |
| 15/01224/VAR | 15/00054/REFUSE | DEL | REF | H | 16 Liddell Road, Oxford, Oxfordshire OX4 3QT | COWLEY | Variation of condition 3 (shed and conservatory – demolish) of planning permission 11/02072/FUL (single storey side Extension, two storey rear extension and new pitched roof over part of existing flat roof) to retain shed/workshop after commencement of development |
| 15/01745/FUL | 15/00052/REFUSE | DEL | REF | W | 364 Banbury Road, Oxford Oxfordshire, OX2 7PP | SUMMTN | Demolition of existing building. Erection of new building to provide 2 x 4-bed dwellings (Use Class C3) (Amended plans) |
| 15/01857/FUL | 15/00059/REFUSE | DEL | REF | H | 70 Wilkins Road, Oxford, OX4 2JB | LYEVAL | Erection of part single, part two storey side and rear Extension. |
| 15/02631/FUL | 15/00055/REFUSE | DEL | REF | H | 6 Templar Road Oxford Oxfordshire OX2 8LT | WOLVER | Erection of part single, part two storey side and rear extension. |

Total Received: 5

