

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

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	13	42.0%	4	9
Dismissed	18	58.0%	4	14
Total BV204 appeals	31	100%	8	23

**Table A. BV204 Rolling annual performance
(1 January 2015 to 31 December 2015)**

Table B	Council performance		Appeals arising from Committee against officer recommendation	Appeals arising from Committee with officer recommendation	Appeals arising from delegated refusal
	No	%	No.		No.
Allowed	10	50%	2 (100%)	1 (33.3%)	7 (50%)
Dismissed	10	50%	0 (0%)	3 (66.7%)	7 (50%)
Total BV204 appeals	20	100%	2	4	14

**Table B. BV204: Current business plan year performance
(1 April 2015 to 31 December 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	24	48.0%
Dismissed	26	52.0%
All appeals decided	50	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 January 2015 to 31 December 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 December 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 December 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 1/12/15 And 31/12/15**

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
15/01059/FUL	15/00036/REFUSE	DEL	REF	ALC	04/12/2015	LYEVAL	12 Benson Road 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
15/00360/B56	15/00035/PRIOR	DEL	7PA	ALW	08/12/2015	COWLYM	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
15/00597/OUT	15/00033/REFUSE	COMM	REF	DIS	08/12/2015	COWLYM	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.
14/03204/OUT	15/00034/REFUSE	COMM	REF	DIS	08/12/2015	COWLYM	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)
14/01495/FUL	15/00026/REFUSE	DELCOM	PER	ALW	15/12/2015	MARST	33 William Street Marston Oxford OX3 0ES	Erection of 2 storey side and single storey rear) extension. (amended plans
15/01144/FUL	15/00032/REFUSE	DEL	REF	ALC	15/12/2015	WOLVER	19 Linkside Avenue, Oxford, Oxfordshire OX2 8HZ	Demolition of existing buildings. Erection of 1 x 3-bed and 1 x 4-bed two storey detached dwellinghouse (Use Class C3) with provision of private amenity space. Formation of boundary wall and new vehicle and pedestrian access from Linkside Avenue.
Total Decided:								6

Enforcement Appeals Decided Between 1/12/2015 And 31/12/2015

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 1/12/15 And 31/12/15

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

169

DC CASE	AP CASE NO.	DEC TYPE	RECM	TYPE	ADDRESS	WARD:	DESCRIPTION
15/00759/FUL	15/00060/REFUSE	DEL	SPL	W	11 Winchester Road Oxford Oxfordshire OX2 6NA	NORTH	Change of use from large House in Multiple Occupation to Student Accommodation. Replacement and alterations to windows and doors, construction of side door porch and formation of ramped access. (Amended description)(Amended plans)
15/00978/FUL	15/00061/REFUSE	DEL	REF	W	90 Wilkins Road Oxford Oxfordshire OX4 2JB	LYEVAL	New 1 Bedroom Dwelling With Disabled Access
15/00991/FUL	15/00064/REFUSE	DEL	REF	I	20 Blenheim Drive, Oxford Oxfordshire OX2 8DG	WOLVER	Erection of 2 x 6 bed dwellinghouses (Use Class C3). Erection of a garage. Provision of private amenity space, bin and cycle stores.
15/01449/FUL	15/00065/REFUSE	DEL	REF	W	Land at Rear of 8 Cranmer Road, Oxford Oxfordshire	LYEVAL	Erection of 1 x 1 bed two storey dwellinghouse (Use Class C3). Provision of private amenity space, bin and cycle stores and additional access and carparking off Cranmer Road.
15/02256/FUL	15/00062/REFUSE	DEL	REF	H	23 Stockmore Street Oxford Oxfordshire OX4 1JT	STMARY	Erection of first floor infill extension
15/02343/FUL	15/00066/REFUSE	DEL	REF	H	23 Blackbird Leys Road Oxford Oxfordshire OX4 6HH	BBLEYS	Erection of two storey side extension.
15/02668/FUL	15/00063/REFUSE	DEL	REF	H	13 East Street Oxford Oxfordshire OX2 0AU	JEROSN	Demolition of existing rear extension. Erection of part single, part two storey rear extension and roof extension in association with loft conversion. Erection of outbuilding

Total Received: 7

This page is intentionally left blank