

Agenda Item 6

Monthly Planning Appeals Performance Update – October 2013

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1. The purpose of this report is two-fold: a) to provide an update on the Council's planning appeal performance; and b) to list those appeal cases that were decided and also those received during the specified month.
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 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 31 October 2013.

Table A. BV204 Rolling annual performance (to 31 October 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	16	(38%)	6 (67%)	10 (30%)
Dismissed	26	62%	3 (33%)	23 (70%)
<i>Total BV204 appeals</i>	42		9	33

Table B. BV204: Current Business plan year performance (1 April to 31 October 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	6	(30%)	3(60%)	3 (20%)
Dismissed	14	70%	2 (40%)	12 (80%)
<i>Total BV204 appeals</i>	20		5	15

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. All planning appeals (not just BV204 appeals): Rolling year to 31 October 2013

	Appeals	Percentage performance
Allowed	18	(37%)
Dismissed	30	63%
All appeals decided	48	
Withdrawn	2	

4. When an appeal decision is received, the Inspector's decision letter is circulated (normally by email) to all the members of the relevant committee. The case officer also subsequently circulates members with a commentary on the decision if the case is significant. Table D, appended below, shows a breakdown of appeal decisions received during October 2013.
5. When an appeal is received notification letters are sent to interested parties to inform them of the appeal. If the appeal is against a delegated decision the relevant ward members receive a copy of this notification letter. If the appeal is against a committee decision then all members of the committee receive the notification letter. Table E, appended below, is a breakdown of all appeals started during October 2013. Any questions at the Committee meeting on these appeals will be passed back to the case officer for a reply.

Table D

Appeals Decided Between 1/10/13 And 31/10/13

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
13/01386/TPO	13/00057/REFUSE	DEL	REF	ALC	04/10/2013	QUARIS	16A Trinity Road Headington Oxford OX3 8LQ	Prune 3 No. Ash trees (crown reduce all the trees by 4 meters) subject of Oxford City Council Spring Lane (No.1) Tree Preservation Order
13/00127/FUL	13/00024/REFUSE	DEL	REF	DIS	07/10/2013	MARST	33 William Street Marston Oxford OX3 0ES	Erection of 1 x 2 bedroom dwelling (Use Class C3) in rear garden of no.33 William Street. Provision of 1 parking space. (Amended plans)
12/01970/FUL	13/00018/REFUSE	COMM	REF	ALC	10/10/2013	CARFAX	44 St Thomas Street Oxford Oxfordshire OX1 1JP	Alterations and conversion of existing building to provide 6 x 1 bedroom dwellings (Amended plans)

TABLE E Appeals Received Between 1/10/13 And 31/10/13

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
12/03121/EXT	13/00066/REFUSE	COMM	PER	W	190 Iffley Road Oxford Oxfordshire OX4 1SD	IFFLDS	Application to extend time limit for implementation of planning permission 09/01036/FUL (Rehabilitation of 190 Iffley Road and erection of 3 storey side and rear extensions. Conversion of extended building to form student hall of residence with 27 study bedrooms, re-landscaping of forecourt. Cycle parking and refuse storage to rear).
13/00640/FUL	13/00059/REFUSE	DEL	SPL	H	38 St Bernard's Road Oxford Oxfordshire OX2 6EH	NORTH	Rear dormer window
13/01096/FUL	13/00062/REFUSE	COMM	REF	P	Sports Field William Morris Close Oxford Oxfordshire OX4 2SF	COWLYM	Construction of two all-weather pitches, plus new residential development consisting of 6 x 1 bed, 15 x 2 bed, 15 x 3 bed and 4 x 4 bed residential units, 71 car parking spaces, access road and landscaping accessed off Barracks Lane (Amended plans)(Amended Description)
13/01208/FUL	13/00064/REFUSE	DEL	SPL	H	5 Iffley Turn Oxford OX4 4DU	RHIF	Erection of single and two storey rear and side extension. Alterations to roof including insertion of dormer window and rooflight to rear to provide Erection of single and two storey rear and side extension. Alterations to roof including insertion of dormer window and rooflight to rear to provide additional loft room floorspace.
13/01544/FUL	13/00058/REFUSE	DEL	REF	H	103 Fern Hill Road Oxford Oxfordshire OX4 2JR	LYEVAL	Installation of dormer window to the side elevation.
13/01928/FUL	13/00055/REFUSE	DEL	REF	W	68 Hollow Way Oxford Oxfordshire OX4 2NH	LYEVAL	Change of use from Sui Generis Use Class (tattoo parlour) to Use Class A5 with a provision for the consumption of food and drink on the premises (retrospective).
13/01948/FUL	13/00061/REFUSE	DEL	REF	W	14 Blandford Avenue Oxford OX2	WOLVE	Demolition of existing dwelling. Erection of 2 x 4-bed

13/02084/FUL	13/00065/REFUSE	DELCOM	REF	H	8DY 81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	dwelling (use class C3). Erection of a single storey side and rear extension.
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Enforcement Appeals Received Between 1/10/13 And 31/10/13

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

EN CASE	AP CASE NO.	TYPE	ADDRESS	WARD:	DESCRIPTION
13/00253/ENF	13/00063/ENFORC	W	22 Wilkins Road Oxford Oxfordshire OX4 2HX	LYEVAL	Alleged erection of an outbuilding without planning permission
13/00461/ENF	13/00056/ENFORC	W	68 Hollow Way Oxford Oxfordshire OX4 2NH	LYEVAL	Alleged unauthorised change of use from tattoo parlour (sui generis) to hot food take away (A5)

Total Received: 3

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