

Agenda Item 8

Monthly Planning Appeals Performance Update – November 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 30 November 2013, while Table B does the same for the current business plan year, ie. 1 April 2013 to 30 November 2013.

Table A. BV204 Rolling annual performance (to 30 November 2013)

A.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	(33%)	6 (60%)	9 (25%)
Dismissed	31	67%	4(40%)	27 (75%)
<i>Total BV204 appeals</i>	46		10	36

Table B. BV204: Current Business plan year performance (1 April to 30 November 2013)

B.	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	6	(24%)	3 (50%)	3 (16%)
Dismissed	19	76%	3 (50%)	16 (84%)
<i>Total BV204 appeals</i>	25		6	19

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 30 November 2013

	Appeals	Percentage performance
Allowed	18	(33%)
Dismissed	36	67%
All appeals decided	54	
Withdrawn	3	

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 November 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 November 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 1/11/13 And 30/11/13

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
13/00706/FUL	13/00025/REFUSE	DEL	REF	DIS	13/11/2013	HEAD	62 Kennett Road Oxford Oxfordshire	Erection of single storey side and rear extension to existing subdivided building to create 1 x 1 bed flat (Class C3) with access from Bateman Street. Alterations to vehicle parking, cycle parking, bin storage and amenity space.
12/02376/FUL	13/00008/REFUSE	DEL	REF	ASP	15/11/2013	WOLVER	Cedar House 2B Bladon Close Oxford Oxfordshire OX2 8AD	Erection of 2 storey 4-bed detached dwellinghouse (use class C3) (retrospective) (amendment to planning permission 11/01398/FUL) and garden outbuilding.
12/02967/FUL	13/00037/REFUSE	COMM	REF	AWD	21/11/2013	COWLYM	Parking Area And Part Sports Field William Morris Close Oxford Oxfordshire OX4 2SF	Construction of two all weather playing pitches, plus a new residential development consisting of 6 x 1 bed flats, 15 x 2 bed flats, 6 x 3 bed flats, 13 x 3 bed houses and 3 x 4 bed houses, together with access road, parking, landscaping etc accessed off Barracks Lane. (Amended plans)
13/00953/FUL	13/00035/REFUSE	DEL	REF	DIS	22/11/2013	STMARY	Land Rear Of 187 Iffley Road Oxford Oxfordshire OX4 1ER	Erection of single storey building to form 1 x 1-bed dwelling (use class C3). Provision of private amenity space, bin and bicycle stores.
13/01131/FUL	13/00040/REFUSE	DEL	REF	DIS	27/11/2013	LYEVAL	110 Oliver Road Oxford Oxfordshire OX4 2JG	Erection of 2 x 2 bedroom dwellings (Class C3) to the rear of the existing property with associated parking for the existing and proposed dwellings.
13/00386/FUL	13/00041/REFUSE	COMM	REF	DIS	27/11/2013	BBLEYS	166 Sandy Lane Oxford Oxfordshire OX4 6LQ	Erection of a two storey side extension and alterations to existing 4 bedroom dwelling to create 1x1 bedroom dwelling and 1x2 bedroom dwelling

Total Decided: 6

Enforcement Appeals Decided Between 1/11/13 And 30/11/13

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
12//0054/4/ENF	13/00023/ENFORC	DISMIS	15/11/2013	Cedar House 2B Bladon Close Oxford	WOLVER	Alleged new dwelling not built in accordance with approved plans (planning permission reference: 11/01398/FUL)

Total Decided: 1

TABLE E

Appeals Received Between 1/11/13 And 30/11/13

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
12/03122/EXT	13/00069/REFUSE	COMM	PER	W	190 Iffley Road Oxford Oxfordshire OX4 1SD	IFFLDS	Application to extend time limit for implementation of conservation area consent 09/01035/CAC (Demolition of 190A Iffley Road, service wing attached to 190 Iffley Road and garden building).
12/03279/FUL	13/00072/REFUSE		REF	I	UK Bathroom Warehouse Abingdon Road Oxford Oxfordshire OX1 4XJ	HINKPK	Demolition of existing building on site. Erection of 83 bedroom hotel on 3 floors accessed from Abingdon Road. Provision of 45 car parking spaces and bin and cycle storage (Amended and additional plans)(Amended Plan)
13/01205/FUL	13/00067/REFUSE	DEL	REF	W	23 Bernwood Road Oxford Oxfordshire OX3 9LG	BARTSD	Erection of 2 x 2 bed dwelling houses (class C3). Provision of cycle parking, bin storage and amenity space.
13/01428/FUL	13/00070/REFUSE	DEL	REF	H	8 Mill Lane Iffley Oxford OX4 4EJ	RHIFF	Erection of two storey extension to side and addition of new first floor and room in the roof and changes to the fenestration
13/01660/FUL	13/00068/REFUSE	DEL	REF	H	5 Lockheart Crescent Oxford OX4 3RN	COWLE	Single storey rear extension.
13/02219/FUL	13/00073/REFUSE	DEL	REF	W	279 London Road Headington Oxford Oxfordshire OX3 9EH	BARTSD	Erection single storey building to form 1-bed bungalow (use class C3) with associated car parking, bin and cycle storage and private amenity space.
13/02220/FUL	13/00071/REFUSE	DEL	REF	W	154 Oxford Road Cowley Oxford Oxfordshire OX4 2EB	COWLYM	Installation of storage container on roof.

Total Received: 7

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