

Monthly Planning Appeals Performance Update – April 2014

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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 April 2014, while Table B does the same for the current business plan year, ie. 1 April 2014 to 30 April 2014.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	15	27.8	4 (44.4%)	11 (24.4%)
Dismissed	39	72.2	5 (55.6%)	34 (75.6%)
Total BV204 appeals	54	100.0	9 (100%)	45 (100%)

**Table A. BV204 Rolling annual performance
(1 May 2013 to 30 April 2014)**

Table B	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No	%	No.	No.
Allowed	1	33.3	0 (0.0%)	1 (50.0%)
Dismissed	2	66.6	1 (100%)	1 (50.0%)
Total BV204 appeals	3	100	1 (100%)	2 (100%)

**Table B. BV204: Current business plan year performance
(1 April 2014 to 30 April 2014)**

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	19	28.4%
Dismissed	48	71.6%
All appeals decided	67	100%
Withdrawn	4	

**Table C. All planning appeals (not just BV204 appeals)
Rolling year 1 May 2013 to 30 April 2014**

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 April 2014.
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 April 2014. 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 1/04/2014 And 30/04/2014

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
13/03096/VAR	14/00008/NONDET			AWD	03/04/2014	RHIFF	57 Dashwood Road Oxford Oxfordshire OX4 4SH	Variation of condition 2 (Develop in accordance with approved plans) of planning permission 03/02433/FUL (Alterations and extensions to existing dwellinghouse and conversion to two dwellinghouses. Erection of a pair of semi-detached houses on land adjacent to 57 Dashwood Road and erection of two storey building at rear to be used as 2 flats with cycle- and bin storage) to allow minor changes to the position of the rear extension and to newpost commencement of development.
13/01205/FUL	13/00067/REFUSE	DEL	REF	DIS	11/04/2014	BARTSD	23 Bernwood Road Oxford Oxfordshire OX3 9LG	Erection of 2 x 2 bed dwelling houses (class C3). Provision of cycle parking, bin storage and amenity space.
13/00881/CAC	13/00053/REFUSE	DELCOM	REF	DIS	16/04/2014	HEAD	29 Old High Street Oxford Oxfordshire OX3 9HP	Partial demolition of existing house, boundary wall and complete demolition of existing garages and outbuildings.
13/00880/FUL	13/00052/REFUSE	DELCOM	REF	DIS	16/04/2014	HEAD	29 Old High Street Oxford Oxfordshire OX3 9HP	Partial demolition of existing house and demolition of existing garages and outbuildings. Erection of two storey side and rear extension. Provision of new access, car parking and turning area. Rebuilding of stone boundary wall fronting Old High Street.
13/00317/CPU	13/00034/REFUSE	DEL	REF	DIS	16/04/2014	HEAD	29 Old High Street Oxford Oxfordshire OX3 9HP	Application to certify that proposed conversion and extension of existing house to form 2x2 bed flats (Class C3) and erection of 3 new buildings to form 2x2 bed and 1x1 bed dwellings (Class C3) is lawful development.

13/02591/FUL	14/00011/REFUSE	DEL	REF	ALC	16/04/2014	LYEVAL	315 Hollow Way Oxford Oxfordshire OX3 7JE	Erection of two storey rear extension. (Amended Plans)
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Total decided: 6

Enforcement Appeals Decided Between 1/04/2014 And 30/04/2014

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
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Total Decided: 0

Table E

Appeals Received Between 1/04/2014 And 30/04/2014

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
13/02745/FUL	14/00023/REFUSE	DELCOM	PER	W	7 Middle Way Oxford Oxfordshire OX2 7LH	SUMMT	Demolition of lock up garage and erection of 2 storeys, 2-bed dwellinghouse (Use Class C3). Erection of garden office to rear and provision of private amenity space and bins store. (amended plans)
13/03211/FUL	14/00019/REFUSE	DEL	REF	W	1 Dodgson Road Oxford Oxfordshire OX4 3QS	COWLE	Erection of a single storey side extension.
13/03212/FUL	14/00020/REFUSE	DEL	REF	W	Store Adjacent 79 St Leonard's Road Oxford Oxfordshire	HEAD	Demolition of garage/store building. Erection of 1 x 3-bed dwellinghouse (Use Class C3).
14/00147/FUL	14/00022/REFUSE	DEL	REF	W	35 Sunderland Avenue Oxford Oxfordshire OX2 8DT	WOLVE	Demolition of existing detached dwelling and garage. Erection of 1 x 3 bedroom house (Use Class C3) and 2 x 2-bedroom flats (Use Class C3). Provision of private amenity space, bin and cycle stores.

Total Received: 4