

## Monthly Planning Appeals Performance Update – April 2016

Contact: Head of Service City Development: Patsy Dell

Tel 01865 252356

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 2016, while Table B does the same for the current business plan year, ie. 1 April 2016 to 30 April 2016.

Table A	Council performance		Appeals arising from Committee refusal	Appeals arising from delegated refusal
	No.	%	No.	No.
Allowed	17	37.78%	4	13
Dismissed	28	62.22%	6	22
Total BV204 appeals	45	100%	10	35

**Table A. BV204 Rolling annual performance  
(1 May 2015 to 30 April 2016)**

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	2	28.57	0	0	2 (28.57%)
Dismissed	5	71.43	0	0	5 (71.43%)
Total BV204 appeals	7	100	0	0	7

**Table B. BV204: Current business plan year performance  
(1 April 2016 to 30 April 2016)**

## 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.

<b>Table C</b>	<b>Appeals</b>	<b>Performance</b>
Allowed	30	41.67%
Dismissed	42	58.33%
All appeals decided	72	100%
Withdrawn	3	

**Table C. All planning appeals (not just BV204 appeals)  
Rolling year 1 May 2015 to 30 April 2016**

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 2016.
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 2016. 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 01/04/2016 And 30/04/2016

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
15/00759/FUL	15/00060/REFUSE	DEL	SPL	ALC	06/04/2016	NORTH	11 Winchester Road Oxford Oxfordshire OX2 6NA	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).
15/02343/FUL	15/00066/REFUSE	DEL	REF	ALC	08/04/2016	BBLEYS	23 Blackbird Leys Road Oxford Oxfordshire OX4 6HH	Erection of two storey side extension.
15/01896/FUL	16/00010/REFUSE	DEL	REF	DIS	11/04/2016	LITTM	12 Kelburne Road Oxford Oxfordshire OX4 3SJ	Conversion of garage into 1 x 2-bed dwelling (Use Class C3).
15/02381/FUL	16/00009/REFUSE	DEL	REF	DIS	11/04/2016	LYEVAL	87 Oliver Road Oxford Oxfordshire OX4 2JH	Erection of outbuilding. (Retrospective)
15/02579/FUL	16/00011/REFUSE	DEL	REF	DIS	19/04/2016	RHIFF	57 Church Hill Road Oxford Oxfordshire OX4 3SG	Demolition of existing conservatory and garage. Erection of two storey side extension to create 1 x 3 bed dwellinghouse (Use Class C3). Erection of part single, part two storey rear extension. Formation of new vehicular access off Wykeham Crescent with provision of parking, bin and cycle store.
15/02485/FUL	16/00012/REFUSE	DEL	REF	DIS	26/04/2016	NORBRK	32 Kestrel Crescent Oxford OX4 6DY	Erection of 1 x 1-bed dwelling (Use Class C3). Provision of car parking and bin/cycle storage.
15/03201/FUL	16/00014/REFUSE	DEL	REF	DIS	28/04/2016	COWLEY	52A Rymers Lane Oxford Oxfordshire OX4 3LB	Erection of first floor rear extension and alterations to create mono pitched roof at existing ground floor.

**Total Decided: 7**

## **Table E**

### **Enforcement Appeals Decided Between 01/04/2016 And 30/04/2016**

**APP DEC KEY: ALC - Allowed with conditions, ALW - Allowed without conditons, AWD - Appeal withdrawn, DIS - Dismissed**

<b>EN CASE</b>	<b>AP CASE NO.</b>	<b>APP DEC</b>	<b>DECIDED</b>	<b>ADDRESS</b>	<b>WARD:</b>	<b>DESCRIPTION</b>
14//0050/7/ENF	15/00042/ENFORC	ALLOW	12/04/2016	81 Wytham Street Oxford Oxfordshire OX1 4TN	HINKPK	Appeal against alleged unauthorised outbuilding
15//0041/4/ENF	16/00001/ENFORC	DISMIS	25/04/2016	6 Radcliffe Road Oxford Oxfordshire OX4 4BX	IFFLDS	Appeal against enforcement notice against development of a boundary fence over two meters high adjacent to highway
15//0008/1/ENF	15/00028/ENFORC	DISMIS	28/04/2016	18 Gaisford Road Oxford Oxfordshire OX4 3LQ	COWLEY	Appeal against unauthorised residential outbuilding

**Total Decided: 3**

## **Table F**

### **Appeals Received Between 01/04/2016 And 30/04/2016**

**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

<b>DC CASE</b>	<b>AP CASE NO.</b>	<b>DEC TYPE</b>	<b>RECM</b>	<b>TYPE</b>	<b>ADDRESS</b>	<b>WARD:</b>	<b>DESCRIPTION</b>
15/02903/FUL	16/00015/REFUSE	DEL	REF	W	67 Sandfield Road Oxford Oxfordshire OX3 7RW	HEAD	Erection of wooden wall in rear garden. (Retrospective)

**Total Received: 1**

This page is intentionally left blank