

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Planning Committee

2 December 2010

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Agenda Item 15

CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

2ND December 2010

WRITTEN UPDATES

Agenda Item 6 **Revocation of RSS**

Following the High Court judgement on 10 November 2010 that the Secretary of State for Communities & Local Government's revocation of Regional Strategies was unlawful, DCLG's Chief Planner Steve Quartermain sent a letter to all local planning authorities in England advising them that they should still have regard to the Government's intention to revoke Regional Strategies as a material consideration in planning decisions. This advice was also contained in a statement issued by the Secretary of State.

CALA Homes issued a second claim in the High Court seeking a declaration that the Government's stated intention to revoke Regional Strategies is not a material consideration for the purposes of making planning decisions. On 26 November 2010 the High Court ordered that the effect of the Secretary of State's statement and the Chief Planner's letter be suspended pending a full hearing into the matter. The full hearing is likely to take place before Christmas.

This means that until the outcome of the full hearing into CALA Homes' second claim is announced, full regard should be had to the Regional Strategy as part of the statutory development plan.

Agenda Item 8 **10/01381/OUT SW Bicester**

- Both this Council and Oxfordshire County Council have received extensive correspondence from the applicant's agent concerning the Section 106 agreement which will require discussion between the Council's and further negotiations with the applicants. This covers issues such as informal open space, size of LAP payment, sports provision, public art payment, and in particular seeking to challenge the highway contributions sought. Further comments have been given to the County Council about requested payments for library, day care centre, household waste, museum, adult learning and youth centre contributions
- As a consequence the County Council urge the deferral of consideration of this application to enable these negotiations to be completed

It is therefore recommended that the application be DEFFERED

Agenda Item 9 **10/01470/F 4 Church Lane, Hornton**

- Letter of concern has been received from the residents of the neighbouring property to the rear. They have expressed concern over access to the shed, and their own garage for maintenance and repair, and have also expressed concerns over possible drainage implications. Assurance has been sought that the shed will be of a design and size appropriate to the listed building and the relationship between the properties.

- In your officers opinion It is not considered that this objection affects the acceptability of the proposal; the shed is still of a size and scale which is appropriate and will not affect the neighbouring properties' amenity; a building control application may be required due to the size and material of the shed, and the other matters raised are separate third-party legal issues.