

Otmoor Lodge, Horton cum Studley history and status

ANNEX 1

Application number	Date valid	Description	Red line position	Status	comments
04/02395/OUT	03.11.04	Extension to hotel to form 19 bedrooms and construction of four town houses with associated parking	Red line around dev site for houses and hotel extension but not part of hotel to front – other land outlined in blue	WITHDRAWN 17.11.06	Resolution to approve in May 2005 for (contrary to recommendation) subject to departure procedures and the applicants entering into a legal agreement to ensure the provision of the intended shop. The Secretary of State did not call in application. Legal agreement drafted but not completed (overtaken by next application).
06/00537/F	17.03.06	Extension to form 23 bedrooms with 4 detached houses/garages	Red line around dev site for houses and hotel extension but not part of hotel to front – other land outlined in blue	APPROVED 30.06.06 (Committee) Permission expired on 22.12.09	Subject to S106 Legal Agreement re provision of shop was completed. No conditions discharged
06/01927/OUT	27.09.06	Outline for 20 bedroom extension to hotel, shop/PO and 4 dwellings.	Red line around dev site for houses and hotel extension but not part of hotel to front – other land outlined in blue	APPROVED 22.12.06 (Committee) Permission expired on 22.12.09	This revised scheme had the extension and houses in a much tighter grouping near the rear of the existing hotel. Siting and means of access applied for under outline but access included in REM condition. Subject to conditions: <ol style="list-style-type: none"> 1. REM to be submitted – Scale, Appearance, Access and Landscaping 2. REM application submitted not later than 3 yrs (22.12.09) 3. Dev begun not later than 2 yrs of REM approval (22.12.11) 6. Completion of Legal Agreement Legal Agreement never completed. REM relating to scale, appearance and layout of hotel only No REM for landscaping or access rec'd or REM for 4 houses. 25.01.12 Email from Bob Duxbury confirming start on site was incorrect as the above had not been complied with and there was no valid permission to enable start.

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07/02478/F	21.11.07	4 detached houses	Red line around houses only. Other land in blue line	APPROVED 20.05.08 (Delegated) Permission expired on 20.05.11	Originally submitted as REM to 06/01927/OUT but as siting was included in O/L the repositioned houses, as proposed could not be a Reserved Matter. The Application was therefore treated as a FULL. Conditioned: 3 yrs start; materials, landscaping and fence; 11/00111/DISC approved clearing conditions 2, 3 and 4 Condition 7 – hotel ext 06/01927/OUT to be built concurrently and houses not occupied until hotel ext complete and ready for use. <i>The 06/01927/OUT legal agreement (if it had been signed) should have been varied upon issuing the Decision Notice, but never was and no mention on the Decision Notice about completion of that legal agreement being necessary to implement this 07/02478/F consent.</i>
09/00549/F	23.04.09	Proposal for 5 dwellings	Redline around houses and front	WITHDRAWN 12.06.09	
09/00936/F	13.07.09	Single storey shop extension to front of existing building.	Red line around front of site only. Other land in blue line	APPROVED 23.10.09 (Committee) (expires 23.10.12)	3 yrs start (expires 23.10.12)
09/00937/OUT	13.07.09	Extension to form 23 bedrooms	Red line around hotel and car parking area only. Other land in blue line	REFUSED 23.10.09 (Committee) No Appeal lodged	Amended design of hotel extension 3 extra rooms
09/01178/F	27.08.09	Variation of condition 7 of 07/02478/F re phasing of construction of shop, hotel facilities and housing.	Red line around houses only. Other land in blue line	REFUSED 23.10.09 (Committee) No Appeal lodged	"The amended phasing of the provision of the hotel accommodation introduces uncertainty into the construction of the majority of the proposed hotel extension undermining the reasons for the original grant of planning permission for the houses (contrary to normal Green belt policy), which decision was taken to ensure the future long-term viability of the hotel/pub/restaurant business. The houses would therefore represent inappropriate development that is contrary to Policy CO4 of the South East Plan and Policy GB1 of the adopted Cherwell Local Plan; the previously expressed very special circumstances are diminished to the extent that they are considered to no longer outweigh the normal strong presumption against such inappropriate development".

Application number	Date valid	Description	Red line position	Status	comments
09/01697/REM	24.11.09	Reserved matters approval given to design of extension to form 20 bedrooms and ancillary facilities, shop and post office and 4 dwellings.	Red line around hotel extension only. Other land in blue	APPROVED 15.02.10 EXPIRED	REM submitted for appearance, layout and scale approved for hotel extension only. Conditioned: 1. materials for hotel extension. 2. levels for hotel extension THESE CONDITIONS WERE NEVER DISCHARGED No further REM for houses including, scale, appearance, access and landscaping was submitted, even though it is on the Decision Notice Description. <i>Planning note included reminder of landscape and legal agreement to be submitted.</i> As outline was never fully complied with (ie legal agreement not completed and REM matters not submitted in time) the consent lapsed on 22nd December 2009)
10/01021/F	05.07.10	Variation of condition 7 of 07/02478/F to permit project to be completed in two phases	Red line only around 4 houses site, other land in blue	APPROVED (Committee) Not valid and no longer Proceeded with. Application returned 26.10.12 Fee to be returned	subject to S106 Members at the 07.10.10 cttee resolved to approve subject to the completion of a S106 Red line does not correspond with O/L application redline – would only have granted consent for 4 houses. The application related to the 06/01927/OUT that lapsed on 22nd December 2009 and therefore should not have been accepted
10/01318/F	26.08.10	3 detached houses and garages	Red line only around 4 houses site, other land in blue	Not valid and no longer Proceeded with. Application returned 26.10.12 Fee to be returned	Revised design and siting including garages DN not issued, no legal agreement completed The application related to the 06/01927/OUT that lapsed on 22nd December 2009 and therefore should not have been accepted

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11/00111/DISC	26.04.11	Conditions 2, 3 and 4 of 07/02478/F		APPROVED 04.08.11 Fee to be returned	<i>The application related to the 06/01927/OUT that lapsed on 22nd December 2009 and therefore should not have been accepted</i>
11/00402/F	10.03.11	Variation of condition 1 of 07/02478/F to bring time limit in line with 10/01318/F	Red line only around much smaller part of site, other land in blue. (question redline?)	Not valid and no longer proceeded with. Application returned 26.10.12 Fee to be returned	DN not issued, no legal agreement completed <i>The application related to the 06/01927/OUT that lapsed on 22nd December 2009 and therefore should not have been accepted</i>
11/01663/OUT	01.11.11	Extension of time limit of 06/01927/OUT	Red line same as 06/01927/OUT	Not valid and no longer proceeded with. Application returned 26.10.12 Fee to be returned	<i>The application related to the 06/01927/OUT that lapsed on 22nd December 2009 and therefore should not have been accepted</i> <i>An extension of time limit application should have been made before 22.12.09 to keep this permission live</i>
11/01664/F	02.11.11	Remove condition 5 of 06/01927/OUT	Redline around whole site	REFUSED (Committee) 27.01.12 No Appeal lodged	<i>The application related to the 06/01927/OUT that lapsed on 22nd December 2009 and therefore should not have been accepted</i>
11/01720/F	14.11.11	COU bar/restaurant to form shop	Around hotel section only	Undetermined (Delegated matter) To be Determined with recom of Approval.	

Application number	Date valid	Description	Red line position	Status	comments
12/01000/F	12.07.12	Refurb hotel bar and restaurant to form public house, with shop and form 5 no. dwellings and construction of 4 detached dwellings, garages and access	Redline around whole site	<p>Undetermined (Committee matter)</p> <p>To be reported to 11th October 2012 Committee with a recom of refusal unless withdrawn</p>	

Conclusion: On the basis that, not all reserved matters were submitted in time (December 2009) the 06/01927/OUT consent expired and all subsequent applications made should not have been accepted. The 07/02478/F gave consent for a stand alone 4 houses scheme not secured by a Legal Agreement, but referred to the 06/01927/OUT in condition no. 7, but as that consent expired in December 2009, the 07/02478/F consent was worthless as of December 2009.

All applications received after 22nd December 2009 were invalid and should not have been accepted by this Authority