

# Planning Committee

## Appeals Progress Report

6 December 2012

### Report of Head of Public Protection and Development Management

#### PURPOSE OF REPORT

This report aims to keep members informed upon applications which have been determined by the Council, where new appeals have been lodged. Public Inquiries/hearings scheduled or appeal results achieved.

This report is public
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#### Recommendations

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The Planning Committee is recommended:

- (1) To accept the position statement.

#### Details

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##### New Appeals

- 1.1 **12/00924/F and 12/00925/LB – Crouch Farm House and Barns, Bloxham Road, Banbury**- appeal by Mr M Horgan against the refusal of planning permission and listed building consent for demolition of part of stone shed, extension to form pool house, alterations to barn to form ancillary accommodation to farm house, erection of cart shed parking building for use in connection with barn conversion, erection of gate piers- Written Reps
- 1.2 **12/00909/F – 8 Foxglove Road, Begbroke** – appeal by Mr & Mrs Rose against the refusal of planning permission for 1 no. dwelling – Written reps
- 1.3 **12/00908/F – Herbley House, Church Road, Ardley** – appeal by Mrs Judith Moyle against the refusal of planning permission for the erection of a close boarded fence – Written reps

- 1.4 **12/00238/EUNDEV – The Old Courthouse, 42 Crown Road, Kidlington** - appeal by Crown House Properties against the service of an enforcement notice alleging a breach of planning control in that the porches on the fronts of units 3 and 5 on the land have not been constructed in accordance with the approved plans- Written Reps
- 1.5 **12/01197/F – Rigden Hall, Stratton Audley** – appeal by Mr Lovett and Mrs Lewis against the refusal of planning permission for the erection of two 3 bedroom dwellings, vehicular access and parking and provision of new access and parking – Written reps

### **Forthcoming Public Inquiries and Hearings between 6 December 2012 and 3 January 2013**

- 2.1 **Inquiry commencing at 10.00am on Tuesday 18 December 2012** at the Council Chamber, White Post Road, Bodicote, Banbury to consider the appeal by Taylor Wimpey UK Ltd against the refusal of planning application 11/01755/OUT for outline planning permission with all matters reserved, for the erection of up to 70 dwellings (ClassC3) public open space including a play area/amenity space and a balancing pond, associated earthworks to facilitate surface water drainage, landscaping, car parking, a pumping station and other ancillary works at Land to the west of Bourne Lane Hook Norton.

### **Results**

#### **Inspectors appointed by the Secretary of State have:**

- 3.1 **Dismissed the appeals by Mr John Adams against the refusal of applications 12/00134/LB and 12/00133/F for the construction of a single storey garden room to the front elevation at Barn End, 5 Field Court, Duns Tew- (Delegated)** – The Inspector commented”Even though the proposal represents a relatively modest addition to the building, its effect would be to significantly disrupt the simple and functional appearance of the front elevation, detracting from its agricultural character. The proposed roof would create a visually awkward junction of different pitches and heights which would serve to heighten the disruptive effects of the proposed extension on the simplicity of the existing building”

As a result the Inspector concluded that the proposal would fail to preserve the special interest of a listed building and would also reduce the contribution that the building makes to the character and appearance of the conservation area.

## Implications

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- Financial:** The cost of defending appeals can normally be met from within existing budgets. Where this is not possible a separate report is made to the Executive to consider the need for a supplementary estimate.  
Comments checked by Kate Drinkwater, Service Accountant, 01327 322188
- Legal:** There are no additional legal implications arising for the Council from accepting this recommendation as this is a monitoring report.  
Comments checked by Nigel Bell, Team Leader-Planning and Litigation 01295 221687
- Risk Management:** This is a monitoring report where no additional action is proposed. As such there are no risks arising from accepting the recommendation.  
Comments checked by Nigel Bell, Team Leader-Planning and Litigation 01295 221687

## Wards Affected

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All

## Document Information

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Appendix No	Title
-	None
<b>Background Papers</b>	
All papers attached to the planning applications files referred to in this report	
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