

# Planning Committee

## Appeals Progress Report

3 January 2013

### 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

#### Recommendations

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The Planning Committee is recommended to:

- (1) Accept the position statement.

#### Details

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##### New Appeals

- 1.1 **12/01139/OUT – Land South of Milton Road Bloxham** – appeal by Mintondale Developments Ltd against the non- determination of the planning application within the prescribed period of 13 weeks for Residential development comprising up to 85 dwellings with access and associated infrastructure- Inquiry
- 1.2 **12/01274/F- 14 Merton Way Yarnton-** appeal by Mr A Curtis against the refusal of planning permission for a 2 storey side extension – Householder Written Reps

## **Forthcoming Public Inquiries and Hearings between 3 January 2013 and 31 January 2013**

- 2.1 **Inquiry continuing at 10.00 am on Tuesday 8 January 2013** at the Council Chamber, Bodicote House, White Post Road, Bodicote – the continuation of the consideration of the appeal made by Mr M Horgan and Barwood Strategic Land II LLP for residential development at land at OS Parcel 5700, South of Salt Way at Crouch Farm, Bloxham Road, Banbury application reference 12/00080/OUT
- 2.2 **Hearing commencing at 10.00am on Tuesday 22 January 2013 at the Cherwell Meeting Room, Bodicote House, Bodicote Banbury** – to consider the appeal by Hill Residential against the refusal of application 12/00305/OUT, for the erection of 44 dwellings, village hall/sports pavilion and associated car parking, enlarged playing pitches, new children's play area, access and landscaping at land to the west and south of nos 7 to 26 The Green Chesterton.

### **Results**

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

- 3.1 **Dismissed the appeal by Mr & Mrs J Clitheroe against the refusal of application 12/00299/F for a detached dwelling with garage at Hempton Lodge, Hempton(Delegated)** – The Inspector concluded that despite its modest size, traditional design and materials, the proposed development would unacceptably diminish the existing and relatively spacious character of this edge of village location and that it would detract from rather than integrate well with the character of its surroundings, thereby conflicting with relevant development plan and national policy.
- 3.2 **Dismissed the appeal by Ms Ingrid Williams against the refusal of application 12/00726/F for a free standing natural wood frame consisting of timber posts with wire line attached to support plant growth at Sor Well 1 Dog Close Adderbury (Delegated)** – In the Inspector's view, a 1.5m high post and wire fence erected on this raised garden in the position proposed would appear prominent and out of keeping with the appearance of this part of the village and as a result would fail to maintain or enhance the character or 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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| <b>Appendix No</b>  | <b>Title</b>                                   |
|---|--|
| -   | None   |
| <b>Background Papers</b>  |  |
| All papers attached to the planning applications files referred to in this report |  |
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