

Planning Committee

Appeals Progress Report

28 February 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

The meeting is recommended:

- (1) That the position statement be accepted.

Details

New Appeals

- 1.1 **12/01328/F- Ingleby Paddocks, Enslow** – appeal by Mrs K Lucas against the refusal of planning permission for the removal of conditions 11, 12, 13 and 14 of 06/00762/F restricting the occupancy of the units so that they remain as a live /work development – Written Reps
- 1.2 **12/01255/F – Oxford Lodge, Bletchingdon Road, Kirtlington-** appeal by Mr R White against the refusal of planning permission for the construction of additional 4 bedroom, two storey detached dwelling – Written Reps

- 1.3 **12/01411/F – Jalna Lodge, Camp Road, Upper Heyford** – appeal by Mr R White against the refusal of planning permission for the demolition of existing buildings, erection of 2 no. semi-detached dwellings with associated landscaping and car parking- re-submission of 12/00129/F- Written Reps
- 1.4 **12/01285/F – Glebe Court, Fringford, Bicester** – appeal by Mr & Mrs Herring against the refusal of planning permission for the installation of a vehicle wash facility – Written Reps
- 1.5 **12/00643/OUT- Former B-Line Business Centre, Station Road, Enslow** – appeal by Minns Estates against the refusal of planning permission for the erection of B1 office development and 10 dwellings and associated access - Inquiry

Forthcoming Public Inquiries and Hearings between 28 February 2013 and 28 March 2013

- 2.1 **Inquiry continuing at 10.00 am on Tuesday 19 March 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

Results

Inspectors appointed by the Secretary of State have:

- 3.1 **Dismissed the appeal by Mr J Cable on behalf of Everards Brewery Ltd against the refusal of a retrospective application 12/00884/ADV for new signage and lighting to the front elevation of the public house at the Buck and Bell, 50 North Bar, Banbury (Delegated)**-In the Inspector's view, the sign is a strident horizontal feature which does not respect the plane of the front elevation or the vertical proportions of the building. The information boards attached to ground floor front doors at either end of the building are too bold and large. The main sign and the information boards are incongruous features that have harmed the architecture of the building and not preserved the character of the Banbury Conservation Area or the setting of the adjacent listed buildings. Great weight should be attached to conserving designated heritage assets and their settings.
- 3.2 **Dismissed the appeal by Mr A Divall (Threshold Developments Ltd) against the refusal of application 12/00062/OUT for an outline application for the erection of three 3 bedroom bungalows and creation of new vehicle and pedestrian access from Byron Way, Bicester (Delegated)** - The Inspector concluded that the effect of the proposals on the living conditions for the occupiers of no 8 and no 10 Byron Way would be unacceptable by reason of overlooking, noise and disturbance. This would be contrary to local plan policy C30 which seeks to ensure that new

- development provides acceptable standards of amenity and privacy and a new layout that is compatible with the existing dwellings.
- 3.3 **Dismissed the appeal by Mrs K J Brandon against the refusal of application 12/01543/F for a single storey rear extension and the conversion of the existing double garage to form an annex at 27 Fallowfields, Bicester (Delegated)** – the main issue in this appeal is the effect of the proposal on a protected oak tree (TPO 02/2008). The Inspector commented “I find that the proposal would pose a threat to the tree, potentially resulting in either its removal or works to its crown, and this would be to the detriment of the area’s character and appearance and as such conflict with Policy C28 of the Cherwell Local Plan in this regard.”

Implications

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:
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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

All

Document Information

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

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