

Cherwell District Council

Planning Committee

15 May 2014

Appeals Progress Report

Report of Head of Development Management

This report is public

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.

1.0 Recommendations

The meeting is recommended:

- 1.1 To accept the position statement.

2.0 Report Details

New Appeals

- 2.1 **13/01412/F – 19 Broad Close, Kidlington**, appeal by Dr Senel Symons against the refusal of planning permission for retrospective use of the garage conversion as a self - contained dwelling- Written Reps

Forthcoming Public Inquiries and Hearings between 15 May 2014 and 19 June 2014

- 2.2 None

Results

Inspectors appointed by the Secretary of State have:

- 2.3 **Dismissed the appeal by Bovis Homes Ltd against the refusal of application 13/01315/F for a temporary access road from Oxford Road to the Bovis Sales Centre at Land North East of Oxford Road, Bodicote, Banbury (Delegated) –** The Inspector concluded that the proposed access would materially harm the

character and appearance of the area. Whilst the harm would be short term, there are no material considerations sufficient to outweigh it and justify the proposed access

Allowed the appeal by ROC Energy Ltd against the refusal of application 13/01027/F for the construction of a solar farm with onsite equipment rooms and plant, security fencing, landscaping, and associated works at Land at Rowles Farm, Bletchington (Committee)- In the Inspector's judgment, the considerable benefits of the proposal clearly outweigh the harm by reason of inappropriateness. Very special circumstances have been shown and the impacts of the proposal are (or can be made) acceptable. The degree of harm the proposal would cause in landscape harm would be very limited.

3.0 Consultation

None

4.0 Alternative Options and Reasons for Rejection

4.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To accept the position statement.

Option 2: Not to accept the position statement. This is not recommended as the report is submitted for Members' information only.

5.0 Implications

Financial and Resource Implications

5.1 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:

Nicola Jackson, Corporate Finance Manager, 01295 221731

nicola.jackson@cherwelladnsouthnorthants.gov.uk

Legal Implications

5.2 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,

nigel.bell@cherwell-dc.gov.uk

Risk Management

- 5.3 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,

nigel.bell@cherwell-dc.gov.uk

6.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

A district of opportunity

Lead Councillor

None

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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