

Cherwell District Council

Planning Committee

7 August 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 **13/01844/F- OS parcel 5960, West of St. James Church, Church Street, Somerton**, appeal by Mrs C Adams and Mr M Wells against the refusal of planning permission for a 4 bedroom dwelling, access drive and parking area. Restoration of stone wall to front of site, landscaping. Re-submission of 13/00923/F- Written reps

Forthcoming Public Inquiries and Hearings between 7 August 2014 and 4 September 2014

- 2.2 **Hearing at 10.00am on Tuesday 12 August 2014** in the temporary Room 164, at Bodicote House, White Post Road, Bodicote to consider the appeal by Mr K Hall against the refusal of application 14/00085/F to replace the existing mobile home with a two storey dwelling at Cowpastures Farm, Piddington.

Results

Inspectors appointed by the Secretary of State have:

- 2.3 **Dismissed the appeal by Mr & Mrs J Smith against the refusal of application 13/00676/F for the erection of a detached dwelling and 3- bay garage at Milcombe Hall, Horton lane, Milcombe (Delegated) -** The Inspector concluded that the proposal would fail to preserve the setting of the Grade II listed gate piers, causing less than substantial harm to their significance as a heritage asset and this harm would not be outweighed by other considerations.

Dismissed the appeal by Mr T Pritchard against the refusal of application 13/00988/F for the removal of existing garage and the construction of a new two-storey building for four apartments with ancillary cycle and bin storage and off street parking, and the formation of a new vehicle access point to the site at 84 Bassett Avenue Bicester (Delegated) – The Inspector commented” While the proposed block of flats would not directly harm the living conditions of the existing and future residents of 84 Bassett Avenue, I conclude that the proposed development is of a poor design in view of its excessive scale, mass and bulk, and would sit unacceptably in its visual context, harming the character and appearance of the locality.”

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

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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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