

Cherwell District Council

Planning Committee

27 November 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 **13/01802/F – Land to North of Lay By and North West of Hill Cottage, Lower Heyford Road, Caulcott**, appeal by Mr David Smith against the refusal of planning permission for the Change of Use of land to 5 no. Romani gypsy pitches and associated works comprising of 5 no. dayrooms; 5 no. septic tanks and laying out of hardstanding – Inquiry

14/00825/OUT – OS parcel 3900 adjacent Foxhill and West of Southam Road, Hardwick Farm, Southam Road, Banbury, appeal by Pandora Trading Ltd against the refusal of planning permission for OUTLINE: Development of up to 230 residential units (C3), Local retail community facilities (Classes A and D1) with associated infrastructure, parking, open space and landscaping- Hearing

14/00447/LB- Forge Yard, 17 Freehold Street, Lower Heyford, appeal by Mr & Mrs Paul Kyte against the refusal to vary a condition on a previous grant of listed building consent 12/00097/LB requiring the removal of the Lister boundary wall- Written Reps

13/01941/OUT- Land to rear of Orchard View and Valley View, St Thomas Street, Deddington, appeal by Mr Bliss and Mrs Hope against the refusal of planning permission for OUTLINE: the erection of 7 dwellings- Hearing

Forthcoming Public Inquiries and Hearings between 27 November 2014 and 18 December 2014

2.2 None

Results

Inspectors appointed by the Secretary of State have:

2.3 **Dismissed the appeal by Mrs M Cakebread against the refusal of application 14/00393/F for an annex to the rear of The New House , The Green, Horton cum Studley (Delegated)-** The Inspector concluded that the very special circumstances required to justify the development do not exist and taking into account all other matters, the appeal should fail.

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@cherwellandsouthnorthants.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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