

Cherwell District Council

Planning Committee

19 March 2015

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 **14/01853/LB – 1 Building 29, The Parade, Caversfield, Bicester-** appeal by Mrs Marion Mason-Curtis against the refusal of listed building consent for the installation of a cat flap – Householder Written Reps

14/01548/F – Part of OS parcel 9077 south of Old Wharf adjacent and North of Aynho Road, Adderbury – appeal by Mr Michael Hawkins against the refusal of planning permission for Proposed barn/stables – Written Reps

14/00067/F – Orchard Way, The Paddock, Heyford Road, Somerton – appeal by Mr D Berlouis against the refusal of planning permission for the conversion of existing building into a self-contained dwelling with associated Highway Safety Access improvement works- re-submission of 13/00894/F- Written Reps

14/00016/F – Land to rear of Blenheim Cottage, Millers Lane Hornton - appeal by Mrs Barbara Gadd against the refusal of planning permission for the demolition of existing commercial office and stable block and construction of a detached dwelling with garage – Written Reps

14/01848/F- 4 Axtell Close Kidlington – appeal by Ms Juliana Duka against the refusal of planning permission for a single storey garden room and (retrospective) boundary fence – Householder Written Reps

Forthcoming Public Inquiries and Hearings between 19 March 2015 and 16 April 2015

- 2.2 **Inquiry on Tuesday 31 March 2015 at 10.00am in the River Cherwell Room at Bodicote House, White Post Road, Bodicote** to conclude the consideration of the appeal by Gladman developments Ltd against the refusal of application 14/00844/OUT for Proposed residential development of up to 54 units with landscaping, public open space and associated works at Land at Sibford Road, Hook Norton.

Results

Inspectors appointed by the Secretary of State have:

- 2.3 **Issued a split decision in relation to the appeal by Mr & Mrs Barnes against the refusal of application 14/01247/F - Dismissed the appeal in relation to the erection of a porch and allowed the appeal for the removal of an existing single storey link extension to be replaced with a 1 ½ - storey family kitchen extension. Works to the fenestration on the single storey wing SW facing at South Barn Wigginton Banbury (Delegated)-** In the Inspector's view, the proposed 1 ½ extension and the works to the fenestration of the single storey wing would not cause adverse harm to the character and appearance of the property. The proposed porch as an overly domestic feature would cause harm to the character and appearance of the property.

Dismissed the appeal by Mr Christopher Teuton against the refusal of application 14/00358/OUT for an OUTLINE application for residential development consisting of a 1.5 storey bungalow with integral garage at Land adjacent to the Firs Cottage Upper Campsfield Road Woodstock (Delegated)- The Inspector commented " I consider that although this is an undeveloped site within a line of houses, nevertheless its designation as Green Belt does assist in safeguarding the countryside from encroachment and its current appearance, free from built form, is not significantly incongruous in relation to the neighbouring properties." The Inspector went onto conclude that the proposal would harm the openness of the Green Belt and did not consider that the benefit of providing an additional dwelling outweighs the harm to the Green Belt and the unsustainable nature of the location.

Dismissed the appeal by Mr Peter Chaundy against the refusal of application 14/01525/F for a first floor rear extension at 32 Sycamore Road, Launton (Delegated)- In the Inspector's view, due to its height, siting and rear protrusion the first floor level addition would be an overbearing and very dominant element when viewed from the conservatory of No. 30 and from the nearest ground floor rear-facing room, both of which would be severely enclosed by the proposal. The proposal would result in a significant loss of outlook resulting in an unacceptable effect on the living conditions of the occupiers of No. 30 Sycamore Road.

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, 01295 221687,

nigel.bell@cherwellandsouthnorthants.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, 01295 221687,

nigel.bell@cherwellandsouthnorthants.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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