

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

23 JULY 2009

REPORT OF THE HEAD OF DEVELOPMENT CONTROL AND MAJOR DEVELOPMENTS

APPEALS – PROGRESS REPORT

1 Introduction and Purpose of Report

- 1.1 This is a standard report item, the aim of which is 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 received.
- 1.2 A verbal update on any changes since the preparation of the report will be given.

2 Wards Affected

- 2.1 All wards in the District.

3 Effect on Policy

- 3.1 Nil.

4 Contact Officer(s)

- 4.1 Bob Duxbury (extension 1821)

5 New Appeals

- 5.1 **08/02183/F- Hillside, Ardley Road, Middleton Stoney** appeal by Mr Alastair Grenfell against the refusal of planning permission for a new vehicular access and parking area – Written Reps
- 5.2 **08/02059/F – 15 High Street, Bloxham** appeal by Mr F W Stiling against the refusal of planning permission for 1 No. two storey dwelling – Written Reps
- 5.3 **08/01149/F – Stone Holt, Kenhill Road, Shenington** appeal by Mr & Mrs T Goodwin against the refusal of planning permission and listed building consent for the erection of conservatory (re-submission of 07/02688/F and 07/02689/LB)- Inquiry
- 5.4 **09/00153/F-School House, Roundhill Road, Mollington** appeal by Mr & Mrs Michael Baker against the refusal of planning permission for two storey and single storey side extensions – Written Reps

6 Forthcoming Public Inquiries and Hearings between 23 July 2009 and 13 August 2009

6.1 None

7 Results

7.1 Inspectors appointed by the Secretary of State have:

7.2 **Allowed the appeal by Charles Wells Pub Co Ltd against the refusal of application 08/02200/ADV for an externally illuminated projecting pictorial sign at Moon and Sixpence PH, Main Street, Hanwell (Delegated)** - The Inspector concluded that the presence of the pictorial sign, in addition to the frontage lettering, does not create an impression of clutter on the frontage of the building, Neither, in addition to the other approved signage, does it give rise to clutter on the premises as a whole. Given the proximity of neighbouring dwellings, a condition was imposed limiting the display of the sign with illumination to the opening hours of the premises.

7.3 **Dismissed the appeal by Primesight Ltd against the refusal of application 08/02097/ADV for an internally illuminated free standing double sided display unit at 98 Warwick Road, Banbury (Delegated)** – The Inspector found that the appeal unit would introduce a bold internally illuminated display that would draw particular attention after dark and considered that as a result the proposed unit would be an incongruous and intrusive element on the site and within the surroundings

7.4 **Allowed the appeals by Mrs B Manuell and Mr C Murphy against the refusal of application 08/00368/F for the demolition of 101 the Moors and construction 1 chalet bungalow and 5 houses with ancillary works at 99 and 101 The Moors Kidlington and application 08/01455/F for the construction of 1 house with access road from Mead Way at 103 The Moors Kidlington (Committee)** – The Inspector recognised that the 2 appeal proposals are dependent on one another and considered both could be allowed subject to conditions. The Inspector considered the proposals to be a reasonable approach to a comprehensive solution to the development of the land. It would be in line with Government advice contained within PPS 3: Housing which encourages Council's to make 'efficient and effective use of land' and thereby maximise a site's potential and concluded that in relation to the frontage development to The Moors and Mead Way and the dwellings within the site, the development as a whole would reflect the distinctive character and appearance of the locality and would comply with C28 and C30 of the Adopted Cherwell Local Plan.

7.5 **Dismissed the appeal by Mr Tariq Khuja against the refusal of application 08/01915/F for the redevelopment of a former telephone switching station to office development at land adjoining Hightown Surgery, Oxford Road, Banbury (Delegated)** - The Inspector concluded that the proposal would not have an unacceptably harmful effect on the safety and convenience of users of the highway passing the site. However, the Inspector found that the proposal, having the all visual characteristics of a very modest two-storey dwelling on a constrained site, with a substantial part of the height of its second story in the roof space, would appear incongruous in both style and size and thus would neither accord with qualities of the western frontage nor with the form and setting of existing development on the west side of Oxford Road and therefore the proposal would harm the character and appearance of the area.

8 Risk Assessment, Financial Effects and Contribution to Efficiency Savings

- 8.1 The following details have been approved by Eric Meadows (Ext 1552) (Financial) and Rosemary Watts (Ext 1566) (Risk)
- 8.2 Risk assessment – this is a monitoring report where no additional action is proposed. As such there are no risks from accepting the recommendation.
- 8.3 Financial effects – 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 revenue estimate.
- 8.4 Efficiency savings – there are no efficiency savings arising from this report.

9 Recommendations

- 9.1 It is **RECOMMENDED** that the Committee resolves to accept this position statement.

Background Papers:

All papers attached to the planning application files reported in this report.