

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

10 SEPTEMBER 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 **09/00378/F- 3 Buckingham Road, Bicester** appeal by Kevin White against the refusal of planning permission for new access onto highway, install dropped kerb- Written Reps
- 5.2 **09/00728/F – The Gullet, Knightsbridge Farm, Woodstock Road, Yarnton** appeal by John Sheehan against the refusal of planning permission for removal of existing bund and formation of parking area – Written Reps
- 5.3 **09/00491/F- The Cottage, Bell Hill, Hook Norton** appeal by Mr Roger Cooke against the refusal of planning permission for a single storey extension – Written Reps

6 Forthcoming Public Inquiries and Hearings between 10 September 2009 and 1 October 2009

- 6.1 None

7 Results

7.1 Inspectors appointed by the Secretary of State have:

7.2 **Allowed the appeal by Mr Boyd against the imposition of condition no 2 of 08/02559/F requiring the 2m and 3m high panels to be lowered to match other existing panels at Vine Cottage, Bonds End Lane, Sibford Gower-** The Inspector found that the trellis is restrained in appearance, due to its unobtrusive colouring and relative simple structure. As a result, its form is not so ornate that it impinges on the setting, either of the nearby listed building or of the wider Conservation Area.

7.3 **Allowed in part and granted listed building consent but otherwise the appeal by Mr & Mrs Davis fails against the service of a listed building enforcement notice ENF LB 18/08(2) alleging the removal of Stonesfield slates from the southern slope and replacement with terracotta tiles and the removal of the remainder of the roof of Stonesfield slates and their replacement with artificial concrete tiles and the insertion of a rooflight in the northern elevation of the building at Greystones, Middle Street, Islip –** The Inspector found that the character of the northern roof slope of 'Greystones' which is a prominent feature of the building and the surrounding conservation area, has been harmed by the use of artificial stone slates, and should therefore be re-roofed in natural stone. The southern roof slope was less important and therefore the artificial concrete tiles could be permitted where they had replaced the terracotta tiles but that the remainder of the southern slope should be re-roofed in natural stone tiles. The rooflight should be relocated to a position on the southern slope. The period for compliance with the notice was varied to require compliance within 3 years of the Inspector's decision. The application for costs by Mr & Mrs Davis against the Council and the application by the Council for costs against Mr & Mrs Davis were dismissed by the Inspector.

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.