

# Planning Committee

## Appeals Progress Report

17 June 2010

### Report of Head of Development Control and Major Developments

#### 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.

This report is public

#### Recommendations

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The meeting is recommended:

- (1) That the position statement be accepted.

#### Details

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##### New Appeals

- 1.1 **10/00017/F – Flat 4, 17 Broad Street, Banbury-** appeal by Miss Amy Stevens against the refusal of planning permission for the replacement of timber windows with UPVC windows (Retrospective)- Written Reps
- 1.2 **08/01343/F- The Oxfordshire Inn, Heathfield Village, Heathfield, Bletchington-** appeal by Mr Anthony Lavin against the refusal of planning permission for the erection of new build bedrooms 11-60 inclusive (previously approved under 06/00568/F) - Hearing

- 1.3 **09/01450/F – Land adjacent to DJ Stanton Engineering Ltd, Old Station, Station Road, Hook Norton-** appeal by A C Lloyd against the refusal of planning permission for the change of use of the land, previously used as railway land, for the erection of five residential properties - Hearing

**Forthcoming Public Inquiries and Hearings between 17 June 2010 and 15 July 2010**

- 2.1 **Inquiry starting at 10.00 am on Tuesday 6 July 2010** in the Council Chamber at Bodicote House, Bodicote, to consider the appeal by Viridor Waste Management against the refusal of planning permission by Oxfordshire County Council for an Energy from Waste facility with associated offices, visitor centre, bottom ash recycling facilities, new road and weighbridge facilities; the continuation of non-hazardous landfill operations and landfill gas utilization with consequent amendments to the phasing and final restoration landform of the landfill; surface water attenuation features and improvements to the existing household waste recycling facility at Ardley Landfill Site , Station Road, Ardley.

**Results**

**Inspectors appointed by the Secretary of State have:**

- 3.1 **Dismissed the appeal by Mr M Cooke against the refusal of application 09/01793/F for a single storey conservatory to the rear of the property at 1 North Street Islip (Delegated) –** In the Inspector's view the use of UPVC is not in keeping with the traditional architecture of the historic buildings in the Conservation Area. Apart from its harsh appearance its physical characteristics result in structural members the size and detailing of which are crude and ugly in comparison with those of traditional joinery. As a result the proposed conservatory would harm the character and appearance of the Conservation Area and the setting of the Listed Building.
- 3.2 **Dismissed the appeal by Mr K Manning against the refusal of application 09/01586/F for the erection of a detached dwelling and the creation of an opening in the stone boundary wall for vehicular access from the highway and the erection of a new boundary fence at Holly Close, Main Street, Sibford Gower (Committee) –** The Inspector stated " The site is near the edge of the village and the open countryside beyond and, as is pointed out in the Conservation Officer's comments, this part of the Conservation Area has historically had an open aspect to the south. Development on the site would not preserve this characteristic. It would block views across the site to Glebe Farm and the countryside beyond. Moreover, a 3m stretch of boundary wall and hedge would be removed altogether to provide access to the site and a further 3m

would be repositioned further back to make way for a visibility splay. This would in itself harm the character and appearance of the Conservation Area and the setting of the Listed Buildings. Because the land slopes from north to south development on the appeal site would be likely to have a dominant impact on Glebe Farm, the Listed Building adjoining the south west corner of the site. With the exception of Holly Close itself it would not, in my view, be in keeping with the historic character of the existing houses around the site, which form an important group within the Conservation Area.

- 3.3 **Dismissed the appeal by Mr Ian Brooke against the refusal of application 09/00941/F for a new wing to existing building to form new dwelling at The Court House, Crown Road, Kidlington (Delegated)** – ( Planning permission has been granted for further alterations and extensions to the building, including its conversion into five separate dwellings. That development has not yet been carried out. The proposal would take the form of an extension to the corner of the building.)

In the Inspector's view, the proposed extension would be somewhat incongruously located on this important corner of the building. It would confuse the overall form of the building and would partly hide what is currently the main entrance, on the northern elevation, from viewpoints on Crown Road, which is the more important of the two roads. The Inspector went on to conclude that while the proposed development would not have a material impact on the setting of Exeter House, it would detract from the character and appearance of the Conservation Area and would conflict with saved policies C27 and C28 of the 1996 Cherwell Local Plan.

## Implications

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<b>Financial:</b>	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 Eric Meadows, Service Accountant 01295 221552
<b>Legal:</b>	There are no additional legal implications arising for the Council from accepting this recommendation as this is a monitoring report.
	Comments checked by Pam Wilkinson, Principal Solicitor 01295 221688
<b>Risk Management:</b>	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 Rosemary Watts, Risk and Insurance Manager 01295 221566

### **Wards Affected**

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All

### **Document Information**

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<b>Appendix No</b>	<b>Title</b>
-	None
<b>Background Papers</b>	
All papers attached to the planning applications files referred to in this report	
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