

Planning Committee

Appeals Progress Report

15 July 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

The Planning Committee is recommended:

- (1) To accept the position statement.

Details

New Appeals

- 1.1 **10/00603/LB – 8 Calthorpe Road, Banbury-** appeal by Mr T W Beckett against the refusal of listed building consent for the conversion and extension to provide 4 no. one bedroom flats, rebuilding of garages- Written Reps
- 1.2 **09/01784/F – 1 South Green, Kirtlington –** appeal by Dan Hessler against the refusal of planning permission for the formation of additional hard standing (retrospective) – Written Reps

- 1.3 **09/01363/F – 14 Main Street, Mixbury** – appeal by Mr R Russell against the refusal of planning permission for the removal of porch and rear single storey extension. Construction of two storey side extension with internal alterations, formation of new vehicular access – Householder appeal
- 1.4 **10/00165/F – 22 Milton Street, Banbury** – appeal by Mr Andrew Thorburn against the refusal of planning permission for a rear extension – Written Reps

Forthcoming Public Inquiries and Hearings between 15 July 2010 and 12 August 2010

- 2.1 Inquiry starting at 10.00 on Thursday 5 August 2010 in the Ray Room, ground floor, Bodicote House, Bodicote to consider the appeal by Nicholas Rourke and Caroline Watsham against the service of an enforcement notice alleging a breach of planning control – without planning permission, the excavation of part of the land to create a sunken vehicle storage area, the use of the land for vehicle storage, repairs and maintenance. The introduction of domestic paraphernalia on the land resulting in an unauthorised change of use at land to the east of Claydon Road, Cropredy.

Results

Inspectors appointed by the Secretary of State have:

- 3.1 **Allowed the appeal by Mr John Gardner against the refusal of application 09/00371/F for a three car garage with office in roof space at Old Bartons, High Street, Shutford (Committee)** – The Inspector considered that the appeal proposal would not unduly affect the privacy of occupants of Monastery Lodge. The other property potentially affected, Pemberley, lies too far to the east for the building to have any material impact. The Inspector went on to conclude that the appeal proposal would not unduly affect living conditions in neighbouring property in terms of noise, disturbance, outlook or privacy and that it would comply with saved policy C31 of the 1996 Cherwell Local Plan.

An application for costs was made by Mr Gardner against the Council, the costs application was dismissed by the Inspector.

Implications

- Financial:** 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
- Legal:** 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
- Risk Management:** 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

All

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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