

# Planning Committee

## Appeals Progress Report

27 January 2011

### 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 meeting is recommended:

- (1) That the position statement be accepted.

#### Details

---

##### New Appeals

- 1.1 **10/01165/F- 15 Heathcote Avenue Banbury-** appeal by Miss J Wyatt against the refusal of planning permission for the erection of a boundary fence( Retrospective) – Written Reps
- 1.2 **10/01399/F – 21 Lawrence Way Bicester-** appeal by Mr M Hynes against the refusal of planning permission for the erection of a 1.8m wooden fence to boundary (Retrospective) – Written Reps
- 1.3 **10/00747/F- Moorlands Farm, Murcott-** appeal by Brian Franklin against the refusal of planning permission for the change of use of barn with extension to provide indoor equestrian school – Written Reps

- 1.4 **10/01111/F- Lower Farm Cottage, Lower Street, Islip** - appeal by Ms H Mountfield against the refusal of planning permission for the erection of a timber framed summer house – Written Reps
- 1.5 **10/01240/F – Garage block and land adjacent 1 Goodrington Close and 36 Townsend Banbury-** appeal by Mr N Wingfield against the refusal of planning permission for the demolition of 3 no. garages and erection of two storey unit consisting of 2 no. flats – Written Reps
- 1.6 **10/00999/F- Manor Farm Noke-** appeal by Mr K O Pelton against the refusal of planning permission for a revised domestic curtilage including a change of use of agricultural land to domestic- Written Reps

### **Forthcoming Public Inquiries and Hearings between 27 January 2011 and 24 February 2011**

- 2.1 **None**

### **Results**

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

- 3.1 **Dismissed the appeal by Mr A Lavin against the refusal of application 08/01343/F for the erection of new build bedrooms 11-60 inclusive (previously approved under 06/00568/F) at The Oxfordshire Inn, Heathfield (Committee)** – The Inspector stated “there is no dispute between the parties that the proposed development is inappropriate for the purposes of PPG2 ‘Green Belts and policy GB1 of the Cherwell Local Plan. The massing effect of the proposed buildings with the existing development on the site would result in a large prominent cluster of development that would be out of keeping with the character and appearance of the area. In granting permission in 1992 the Secretary of State concluded that the hotel rooms sought would enhance the leisure facilities provided. Although some 18 years on there are still intentions to provide a lake for fishing or sailing, a rare breeds park and a shooting ground, these facilities have not yet been provided. In their absence, and any firm plan demonstrating that they will occur in the future, I attach little weight to the need for the additional hotel rooms to support the existing or proposed facilities.”

The Inspector went on to conclude that the harm by reason of inappropriateness would be substantial. This harm would be added to by a reduction in openness and the adverse effect on the character and appearance of the area. Very special circumstances did not exist to justify granting permission for the development.

## 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 Joanne Kaye, Service Accountant 01295 221545

**Legal:** 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, Principal Solicitor, 01295 221687

**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
<b>Background Papers</b>	
All papers attached to the planning applications files referred to in this report	
<b>Report Author</b>	Bob Duxbury, Development Control Team Leader
<b>Contact Information</b>	01295 221821 bob.duxbury@Cherwell-dc.gov.uk