

Planning Committee

Appeals Progress Report

24 February 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 **10/01339/F – Land to the rear of End Cottage, The Stile, Deddington**- appeal by Mr R Hayward against the refusal of planning permission for the erection of 1 no. single storey dwelling – Written Reps
- 1.2 **10/00839/F – OS parcel 2678, adjacent A43/ A34 by Hampton Gay and Poyle** – appeal by Mr David Goddard against the refusal of planning permission for the change of use of land for British Romani gypsy families. 8 mobile homes, 8 touring caravans for nomadic use only and 8 utility day rooms - Inquiry

- 1.3 **10/00208/ECOU- Grange Farm, Little Chesterton, Bicester** – appeal by Mr C Hawes against the service of an enforcement notice alleging a breach of planning control – without planning permission the change of use of the land to provide a site for a mobile home - Hearing
- 1.4 **10/00846/F – Hill House, Sibford Ferris** – Appeal by Mr C Etherington – Smith against the refusal of planning permission for the conversion of disused barn to provide a self contained residential studio- Hearing

Forthcoming Public Inquiries and Hearings between 24 February 2011 and 24 March 2011

- 2.1 **None**

Results

Inspectors appointed by the Secretary of State have:

- 3.1 **Dismissed the appeal by Mr Stephen Trice against the refusal of application 10/00947/F for the erection of a new oak framed double garage and the creation of an additional gravel driveway at Glebe House, Water Stratford Road, Finmere (Delegated)** – In the Inspector's view the proposed double garage would result in a significant erosion of the openness of the side garden. Although its height alone would not cause harm, the width and bulk of the proposed garage would result in the appearance of a cramped form of built development to the side of the host property which, by reason of loss of openness, would materially harm the setting of the listed building. This harm would be accentuated by the proposed oak frame which, although it may be appropriate in some rural locations, would not fully reflect the materials and appearance of the adjacent listed building. Further although clay tiles would be appropriate, the design of the proposed hipped roof form would not reflect the gabled roof form of the host property.
- 3.2 **Allowed the appeal by Mr & Mrs Timms against the refusal of application 10/00551/F for the construction of a replacement dwelling and two new dwellings at The Bungalow, Queen Street, Bloxham (Delegated)** – The Inspector commented "Having regard to the stopping sight distances referred to within Manual for Streets, the speed limit within Cumberford, and actual speeds measured by both the local highway authority and on behalf of the appellant, the achievable level of visibility is adequate to ensure safe manoeuvring and stopping. This together with the absence of any recorded injury accidents within the last five years and the very small increase in likely traffic generation occasioned by the development, leads me to conclude that in relation to Queen Street the proposal would not result in conditions prejudicial to highways or pedestrian

safety.” With regard to the one new dwelling that would be served via the existing access from Kings Road, the Inspector was of the view that with the limited additional traffic that would be likely to result from the erection of a single dwelling, and the absence of personal injury accidents within the last five years, this element of the scheme would also be unlikely to have any significant implications for highway or pedestrian safety.

- 3.3 **Allowed the appeal by Mr Roger Marshall (Worton Farms Ltd) against the refusal of application 09/01505/F for removal of condition no.9 of 97/01944/F – “That the garages and barns hereby permitted shall be used only for the purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any trade, industry, business or other use other than for agricultural purposes” at Manor Farm, Canal Road, Thrupp (Delegated)** – The Inspector concluded that the appeal proposal does not constitute inappropriate development in the Green Belt. Subject to a new condition which restricts the use of the appeal buildings to storage purposes and the garaging of cars, the removal of the disputed condition would not have an unacceptable effect on the character and appearance of the Thrupp Conservation Area, the living conditions of nearby residents or highway safety. In order to minimise traffic movements into Thrupp and along Canal Road and to ensure that the use remains ‘low key’, the Inspector considered it necessary to restrict the usage of the buildings to individuals or businesses that are associated with Thrupp.

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, Team Leader - Planning & Litigation 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
Background Papers	
All papers attached to the planning applications files referred to in this report	
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