

Planning Committee

Appeals Progress Report

14 April 2011

Report of Strategic Director, Planning Housing and Economy

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 to:

- (1) Accept the position statement.

Details

New Appeals

- 1.1 **10/01851/F – 13 Willow Road, Banbury-** appeal by Mr Robin Phipps against the refusal of planning permission for the removal of existing wall and replace with brick pillars and close board fencing at footpath edge- Householder Written Reps
- 1.2 **10/01454/F and 10/01424/LB – 11 Daisy Hill, Duns Tew-** appeal by Mr R Wilson –Fry against the refusal of planning permission for a rear conservatory – Written Reps

- 1.3 **11/00120/F – Little Chef Northbound, Weston on the Green –** appeal by Jessops Restaurants against the refusal of planning permission for external alterations – Written Reps

Forthcoming Public Inquiries and Hearings between 21 April 2011 and 19 May 2011

- 2.1 **Hearing at 10.00am on Wednesday 11 May 2011, Sor Meeting Room, Bodicote House, Bodicote-** to consider the appeal by Mr C Etherington Smith against the refusal of application 10/00846/F for the conversion of disused barn to provide a self contained residential studio at Hill House, Sibford Ferris.
- 2.2 **Hearing at 10.00am on Thursday 12 May 2011, River Ray Meeting Room, Bodicote House, Bodicote-** to consider the appeal by Mr K O Pelton against the refusal of application 10/00999/F for a revised domestic curtilage including change of use of agricultural land to domestic at Manor Farm, Noke.

Results

Inspectors appointed by the Secretary of State have:

- 3.1 **Dismissed the appeal by JE and AJ Wilcox against the refusal of application 10/00892/F for the conversion and extension of the existing barn building, including the construction of a ‘link’ building to the main house (including the demolition of the ‘crosswing’ building); Revised design of the two new subservient wings using traditional timber materials at College Farm, Pinchgate Lane, Bletchington. (Delegated)** – In the Inspector’s view, the proposed side extensions would be substantial double height extensions which when combined with the additional volume of the proposed link, despite taking into account the loss of volume from the demolition of the crosswing and its replacement with a building of smaller volume, would have a materially greater impact on the openness of the Green Belt. The form, bulk and design of the proposal would, therefore, not be in keeping with the character and appearance of the building or its surroundings.
- 3.2 **Dismissed the appeal by Mr Mudd against the refusal of application 10/00584/OUT for the construction of single storey detached dwelling to accommodate elderly relative; existing outbuilding to be demolished and existing use(stables and paddock for Shetland ponies) to cease at 14 Charlbury Close, Kidlington. (Delegated)** – The Inspector found that the restricted site area offers little scope for any alternative siting which would be an improvement in this respect, without reducing the space to other boundaries. As such, the dwelling would inevitably appear cramped. The dwelling would not be conspicuous in the street scene, but this did not justify a development which would be inappropriate in its

context. The proposal would be harmfully and unacceptably out of keeping with the character and appearance of the area. In addition, any vehicle movements along the access are likely to result in a level of noise and disturbance within the adjacent dwellings and their relatively small back gardens, which occupiers would be likely to find intrusive.

- 3.3 **Dismissed the appeal by Mr Scott Pratley against the refusal of application 10/01420/F for a two storey rear extension creating two bedsits at 28 West Street, Banbury. (Delegated)** – In the Inspector’s judgement, the proposed extension would have a dominating and overbearing impact on the adjacent curtilage of No. 30 (West Street) which would considerably reduce its value as an amenity. The overall bulk, width and length of the extension would be disproportionately and overwhelmingly large in relation to the existing property and in the close-knit context of neighbouring properties. The proposal would be harmful to the character and appearance of the host building and its surroundings. With regard to the effect of the proposal on parking conditions in the vicinity, the Inspector found that the proposal would be unlikely to have a significant impact.

Implications

Financial:	<p>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.</p> <p>Comments checked by Joanne Kaye, Service Accountant 01295 221545</p>
Legal:	<p>There are no additional legal implications arising for the Council from accepting this recommendation as this is a monitoring report.</p> <p>Comments checked by Nigel Bell, Team Leader-Planning & Litigation 01295 221687</p>
Risk Management:	<p>This is a monitoring report where no additional action is proposed. As such there are no risks arising from accepting the recommendation.</p> <p>Comments checked by Rosemary Watts, Risk and Insurance Manager 01295 221566</p>

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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