

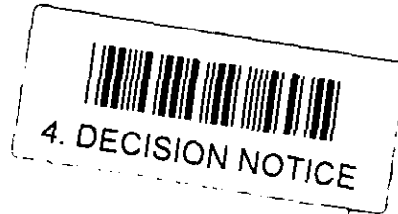
CHERWELL DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977

REFUSAL OF PERMISSION FOR DEVELOPMENT

Mr. and Mrs. D. Dyer,
c/o. Peter Thompson,
"Stonesfield",
Stanton St. John,
Oxford.
OX9 1ET



Brief particulars of application

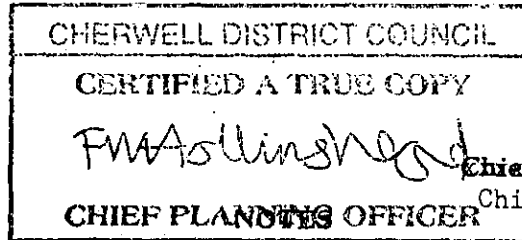
Date 12th January 1991
Location of land to which it relates Hill House, Sibford Ferris

Brief particulars of development Conversion of redundant barn into home for Mr. and Mrs. D. Dyer

The Cherwell District Council as District Planning Authority on the 14th day of March 1991 refused planning permission for the development described in your above-mentioned application and the plans accompanying such application. The reasons for the Council's decision to refuse permission for the development are set out in the attached schedule.

Dated 18 MAR 1991

Bodicote House,
Bodicate,
Banbury,
Oxon OX15 4AA



Chief Executive/Secretary
Chief Planning Officer

- 1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

*The statutory requirements are those set out in Section 36(7) of the Town and Country Planning Act namely, Sections 29(1), 30(1), 67 and 74 of the Act.

REASONS FOR REFUSAL OF PERMISSION FOR DEVELOPMENT

1. In the opinion of the Local Planning Authority the existing barn has little historic or architectural merit and is in a poor state of repair, its proposed residential conversion would therefore be contrary to Policy H9 of the of the Council's Rural Areas Local Plan and Policy EN7 of the Structure Plan for Oxfordshire and furthermore would, if approved, result in the provision of a new dwelling and associated residential curtilage in a very prominent position on the upper slopes of the attractive rural valley between Sibford Ferris and Sibford Gower in a manner which is contrary to Rural Areas Local Plan Policy E18 and would be extremely detrimental to the visual character and appearance of the Sibford Ferris Conservation Area.
2. The access from which it is proposed to serve this development is substandard in vision terms its use for the purpose proposed will therefore result in a detriment to the safety of road users.
3. The proposal does not provide for adequate parking and turning facilities within the curtilage of the site which would result in vehicles manoeuvring on the adjacent highway to the detriment of the safety and convenience of road users.
4. The proposal would if approved set an undesirable precedent for further residential encroachments into the valley between Sibford Ferris and Sibford Gower and other sites in the locality which would cumulatively be extremely detrimental to the character and appearance of the attractive rural landscape.