

APPEAL STATEMENT
FOR
REFUSAL OF PLANNING APPLICATION NO.18/00848/F
BY
CHERWELL DISTRICT COUNCIL

1.0 INTRODUCTION.

1.1 This statement has been prepared to set out the reasons why it is considered that this appeal should be allowed against the refusal of the above Planning Application by Cherwell District Council.

2.0 STATEMENT.

- 2.1 An Application for Planning Consent for a new Dwelling was submitted to Cherwell District Council in 2017. The Application number was 17/00742/F. This Application was subsequently refused because of its cramped position on the site and an objection received from the Environment Agency relating to Flooding concerns on the site. After the refusal was issued an attempt to enter into dialogue with the Planning Officer who dealt with the Application was pursued to try and establish what if anything would be acceptable. This attempt failed as the Planning Officer seemed reluctant to enter into any discussions and it was therefore impossible to enter into any sort of dialogue with him.**
- 2.2 Having taken advice from a Professional Planning Consultant it was decided to submit an amended Application which would overcome all of the issues raised and the reasons for the Refusal of the previous Application. The position of the intended Dwelling was changed on the site and a Flood Risk Assessment Report was obtained from a Professional Consultant together with a Supporting Statement from the Planning Consultant.**
- 2.3 The Application was submitted to Cherwell District Council on 9 May 2018 and registered under Application No.18/00848/F.**
- 2.4 As I had not received any correspondence regarding the Application, on 4 July 2018 I telephoned the Planning Officer and left a voicemail asking for an update on the Application. On 11 July 2018 the Planning Officer sent me an e-mail to say that the Application was going to be refused. One of the reasons that he stated for the refusal was because of overlooking and shadowing to the adjacent property at 9 Rectory Close. When I challenged him on this as it was not possible as the site was to the North of the property in question the reason was dropped and not mentioned on the refusal notice. The delay in responding to my voicemail left us with no time as the date for determination was looming and we had missed the deadline to request that the Application was called to Committee for a decision so in order for the right of appeal to be protected we opted for the refusal rather than withdrawing the application.**
- 2.5 Only two reasons for the refusal were given and the second one can be discounted as the Planning Officer did not take into consideration the contents of the Flood Risk Assessment report and the fact that the Environment Agency did not raise any objections on this occasion. The first reason had been covered in the supporting**

Statement from the Planning Consultant which is shows that the reason stated is not, in our opinion, considered to be valid. The Flood Risk Assessment and Supporting Document from the Planning Consultant are attached to this appeal.

2.6 Except for the objection received from the adjacent neighbour no other objections were received and the Application was supported by both the Parish Council and the Local District Councillor.

3.0 Conclusion and Recommendation.

3.1 Taking all of the factors mentioned above into consideration we would respectfully request that this appeal be allowed.

3.2 If the Inspector is minded to allow this appeal we would request that all costs relating to this case are also allowed.