

## City Development

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**On Behalf of:** Balliol College  
C/o Montgomery Architects Ltd.  
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### APPLICATION FOR LISTED BUILDING CONSENT

Planning (Listed Building and Conservation Areas) Act 1990

DECISION DATE: 10th September 2010

PROPOSAL: Listed Building Consent. Permanent removal of church bells from bell tower.

AT: St Cross Church St Cross Road Oxford

### NOTICE OF REFUSAL OF LISTED BUILDING CONSENT

**10/01644/LBC**

Following consideration of the application in respect of the proposal outlined above, it was resolved to **REFUSE LISTED BUILDING CONSENT** for the following reasons:-

#### REASONS :

1. The bells are considered to have such high historic association and interest as to merit preservation in the church that is their original setting. The removal would result in a reduction in the significance of the church as a heritage asset. The bells have high historic value intrinsically and as a full ring. The permanent removal of the bells is not justified.

*M. Crofton Briggs*

**MICHAEL CROFTON - BRIGGS**  
Head of City Development

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE**

## **GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN REFUSED**

You are reminded that you can submit another similar application for development without needing to pay a fee provided it is submitted by the same applicant on the same site and within 12 months of the date of registration of the original application.

The Council offers pre-application advice that is free for householder applications but a fee is required for all other types of application. You can see further information on pre-application advice and download the necessary form to apply for this at [www.oxford.gov.uk/PageRender/decP/Pre-Application\\_Advice\\_occw.htm](http://www.oxford.gov.uk/PageRender/decP/Pre-Application_Advice_occw.htm)

### **1. PLANNING APPLICATIONS AND APPLICATIONS FOR LISTED BUILDING CONSENT AND CONSERVATION AREA CONSENT.**

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission, he or she may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings in conservation areas), within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)). The Secretary of State has power to allow a longer period for the giving of notice of appeal but 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 that permission for the proposed development could not have been granted by the Local Planning Authority having regard to the statutory requirements, to the provision of the development order, and to any directions given under the order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by her or him.
2. If permission is refused 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 or she may serve on the Oxford City Council a purchase notice requiring the Council to purchase her or his interest in the land under Section 137 of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.
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 her or him. The circumstances in which such compensation is payable are set out in Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990 (or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings).

### **2. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS**

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse consent, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made of a form which obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)).