

**IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
(PLANNING COURT)**

**Claim No. CO/4622/2015**

**BEFORE THE HON. MRS JUSTICE PATTERSON DBE**

BETWEEN :



**(1) JJ GALLAGHER LTD  
LONDON AND METROPOLITAN DEVELOPMENTS LTD  
(3) NORMAN TRUSTEES**

**Claimants**

- and -

**(1) CHERWELL DISTRICT COUNCIL  
(2) SECRETARY OF STATE FOR COMMUNITIES AND LOCAL  
GOVERNMENT**

**Defendants**

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**ORDER**

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**UPON HEARING** Counsel for the Claimants and for the First Defendant and for the Second Defendant

**IT IS ORDERED THAT:**

1. Policy Bicester 13 adopted by the First Defendant on 20th July 2015 be treated as not adopted and remitted to the Second Defendant;
2. The Second Defendant appoint a planning inspector who recommends adoption of Policy Bicester 13 subject to a modification that deletes from the policy the words "That part of the site within the Conservation Target Area should be kept free from built development";

3. The First Defendant adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the Second Defendant;
4. There be no order for costs as between the Claimants and the Second Defendant; and
5. The First Defendant to pay the Claimants' costs of £16,158.50 of the claim.

Signed:

**Dated 18 February 2016**

***By the Court***