	This report is Public.					
Appeals Progress Report						
Committee	Planning Committee					
Date of Committee	20 February 2025					
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Jean Conway.					
Date Portfolio Holder agreed report.	10 February 2024					
Corporate Director	Corporate Director of Communities, Ian Boll.					
Date Corporate Director	12 February 2024					
agreed report.						
Report of	Assistant Director Planning and Development, David Peckford					

# Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

# 1. Recommendations

The Planning Committee resolves:

1.1 To note the position on planning appeals as set out in the report.

## 2. Executive Summary

- 2.1 This report provides a monthly update regarding planning appeals, including new appeals, status reports on those in progress, and determined appeals.
- 2.2 The report sets out the main issues of the appeal and, where determined, the decision is summarised.

Implications	Commentary
Finance	Whilst there are no direct implications arising from this report it should be noted that the cost of defending appeals can be costly, with additional risk of significant costs when exceeding the 10% Quality threshold.

## **Implications & Impact Assessments**

	Thia	haa	maar	t it has been necessary to call upon the appeals			
				t it has been necessary to call upon the appeals gate the overspend on spend to date. Any further			
		cost incurred in defending appeals will require alternative sources					
	of funding.						
	Kelly	Kelly Wheeler, Finance Business Partner					
Legal	As t	his re	port i	s purely for information there are no legal			
94			ons ar				
	Den	zil Tu	ırberv	ill Law & Governance Legal Services			
Diek Menegement	Thia	ie en	infor	motion report where no recommended estion is			
Risk Management				mation report where no recommended action is such there are no risks arising from accepting the			
				on. Any arising risk will be managed through the			
	serv	ice o	perati	onal risk and escalated to the Leadership Risk			
	<u> </u>			d when necessary.			
	Cella	a Pra	00-16	eeling, Performance Team Leader Commentary			
Impact	a)		é	Commentary			
Assessments	itive	tra	ativ				
	Positive	Neutral	Negative				
	<u>n</u>	2	2				
Equality Impact							
A Are there any		Х		Not applicable. This is an information report where			
aspects of the proposed decision,				no recommended action is proposed. As such			
including how it is				there are no equality implications arising from accepting the recommendation.			
delivered or				Celia Prado-Teeling, Performance Team Leader.			
accessed, that could				-			
impact on							
inequality?  B Will the proposed		Х		Not applicable			
<b>B</b> Will the proposed decision have an		^		Not applicable			
impact upon the							
lives of people with							
protected							
characteristics, including employees							
and service users?							
Climate &				Not applicable			
Environmental							
Impact				Natappliaphia			
ICT & Digital Impact				Not applicable			
Data Impact				Not applicable			
Procurement &				Not applicable			
subsidy							
Council Priorities	Not	appli	cable				
Human Resources	Not	annli	cable				
Property			cable				
		~~~					

# Supporting Information

## 3. Background

- 3.1. When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.
- 3.2. Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition, then they could have appealed against the condition at the time it was originally imposed.
- 3.3. Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.
- 3.4. Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended, and that appropriate and defendable decisions are being made under delegated powers and by Planning Committee.

## 4. Details

#### Written Representations

#### 4.1. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/01476/F	133 Warwick Road, Banbury, Oxon, OX16 2AR.	RETROSPECTIVE - Single storey rear extension and outbuilding (not built in accordance with 23/01466/F)	Delegated Refusal	02.01.2025.
24/01295/F	Duns Tew Manor Main Street Duns Tew OX25 6JP	Erection of a garden room and associated landscaping.	Delegated Refusal	07.01.2025.

24/02205/F	26 Winchester Close Banbury OX16 4FP	Change of Use of land to residential and erection of a detached double garage ancillary to No. 26 Winchester Close - re-submission of 23/03406/F	Delegated Refusal	10.01.2025.
24/02259/F	28 Buckhurst Close Banbury OX16 1JT	RETROSPECTIVE - Single storey shed to rear garden	Delegated Refusal	29.01.2025.
24/01378/CLUP	Manor House Islip Road Bletchingdon Kidlington OX5 3DP	Certificate of Lawfulness of Proposed Development for the erection of an incidental outbuilding under Class E to Part 1 of the Town and Country Planning (General Permitted Development) Order 2015	Delegated Refusal	29.01.2025.

# 4.2. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
23/00150/CLUE	Unit 22 Beaumont Close, Banbury	Certificate of Lawfulness for the Existing Development: Implementation of planning permission 18/01366/F subsequent to 20/00046/DISC. Erection of 10 small commercial units (B2/B8) with associated car parking and landscaping - (resubmission of 22/00193/CLUE)	Delegated Refusal	15.06.2023.
24/01489/F	17 Read Place Ambrosden Bicester OX25 2BH	Single storey side extension, flat roof, to add a bedroom for disabled person	Delegated Refusal	29.10.2024.
23/03078/CLUP	Manor Cottage, Middleton Park,	Certificate of Lawfulness of Proposed Development: Repositioning of existing "tarmac"	Delegated Refusal	23.04.2024.

	Middleton Stoney	driveway with a gravel driveway.		
24/01541/F	Cherry Tree House, 7 Evenlode, Banbury, Oxon, OX16 1PQ.	Dropped kerb along with tarmacing from road to the access in our rear garden. The current fence height will be lowered to allow safe entry and exit.	Delegated Refusal	04.11.2024.
23/01960/PIP	Barn Farm Plants Garden Centre, Thorpe Road, Wardington	To develop the site for 7-9 dwellings with associated access, parking and amenity space.	Delegated Refusal	06/06/2024.
21/02058/FUL	Shelswell Inn, Buckingham Road, Newton Purcell	Erection of Barns	Delegated Refusal	02.07.2024
23/01616/F	Leys Farm, Hook Norton, Banbury, OX15 5BZ.	Change of use of land from agricultural to residential and construction of swimming pool with associated landscaping.	Delegated Refusal	08.10.2024.
24/00628/Q56	Quarry Farm, Rattlecombe Road, Shenington	Change of Use and associated building operations to convert existing agricultural building to single dwellinghouse.	Delegated Refusal	09/07/2024.
24/00379/TPO	Rectory Farm, Mill Lane, Upper Heyford	T1 Walnut - overall crown reduction of approximately 1m back from branch tips. Lateral branch spread beyond boundary and into Glebe House curtilage shall not exceed 1.8m; T2 - Beech - overall crown reduction of approximately 1m back from branch tips Lateral branch spread beyond boundary and into	Delegated Refusal	06.07.2024.

		Glebe House curtilage shall not exceed 1m subject to TPO 13/2019.		
23/03376/F	5 Mill Lane, Adderbury, Banbury	Natural ironstone rear extension with natural slate roof incorporating 1 No conservation rooflight, internal alterations, removal of timber shed and replacement with timber garden studio (revised scheme of 16/01819/F).	Delegated Refusal	17.07.2024.
23/02071/F	Land to Rear of Wheelright Cottage, Main Street, North Newington	New Build Dwelling.	Delegated Refusal	31.07.2024.
23/02865/F	Slatters Barn, Epwell Road, Shutford	RETROSPECTIVE - Installation of two shepherd's huts for use as holiday lets and construction of a driveway to the shepherd's huts - re- submission of 22/02411/F.	Delegated Refusal	01.08.2024.
24/00342/F	141 Bismore Road, Banbury	Erection of Single Storey Garage	Delegated Refusal	21.08.2024
24/01225/F	14 Bismore Road, Banbury	Erection of a single- storey flat roof garage at end of driveway into rear garden	Delegated Refusal	21.08.2024
24/01405/F	Quarry Farm Rattlecombe Road Shenington Oxfordshire OX15 6LZ	Conversion of barn to form a dwellinghouse - self-build	Delegated Refusal	28 10.2024.

21/02028/F	The Coach House, Hanwell Castle, Hanwell	Free-standing garden room in the grounds, to serve existing household	Delegated Refusal	03.09.2024
24/00779/F	6 Railway Cottages, Shipton on Cherwell	1m extension to existing ground floor with new first floor extension over - re- submission of 23/03177/F.	Delegated Refusal	06.09.2024
24/00912/F	4 The Glades, Launton, Bicester, OXON, OX26 5ED	Erection of a garden building in front of the dwelling with a sliding door and composite decking on the front and a high-level vent window on a right-side elevation. The one- room insulated building will measure 3.8 width, 3 m depth, and 2.5 m at the highest point.	Delegated Refusal	26.11.2024.
24/01391/F	82 High Street, Banbury	Change of use for the ground floor existing charity shop (Class E1) to a tanning salon (sui generis).	Delegated Refusal	17.09.2024
24/00298/Q56	Malthouse Farm, North Aston Road, Duns Tew	Change of Use of two agricultural buildings to form five dwellinghouses	Delegated Refusal	19.09.2024
24/01766/PIP	Former Paddocks, Land off Backside Lane, Sibford Gower, OX5 5RS.	Permission in Principle - construction of up to 5no. dwellings	Delegated Refusal	04.10.2024
24/00917/LB	Village Farm, Blackbull Lane, Fencott, Kidlington, OX5 2RD.	Single storey front, rear, end extensions and carport with associated internal/external works.	Delegated Refusal	11.10.2024.

23/01736/F	Land at Home Farm Close, Ambrosden, Bicester, OX25 2NP.	Erection of 9 dwellings of 1 x 5 bed detached, 4 x 3 bed terraced and 4 x 2 bed terraced.	Delegated Refusal	20.11.2024.
24/00249/F	Land Adj To 6 Lake View, Cottisford, NN13 5ST	New Detached 3 Bedroom Dwelling.	Delegated Refusal	22.11.2024.
24/01810/F	60 Corncrake Way, Bicester, OX26 6UE.	Two storey rear extension with associated internal and external works.	Delegated Refusal	03.12.2024.
24/01740/DISC	Fir Cottage, Fir Lane, Steeple Aston, Bicester, Oxon, OX25 4SF.	Discharge of Condition 3 (construction details) of 24/00512/LB.	Delegated Refusal	04.12.2024.
24/00658/CLUE	Log Cabin, Bainton Woodyard, Bainton, Bicester, Oxon, OX27 8RL.	Certificate of Lawfulness of Existing Development for a building used as a dwellinghouse.	Delegated Refused	10.12.2024.

# Informal Hearings

# 4.3. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date
22/03802/OUT	Part Of OS Parcel 8752 East Of Combe Cottage And South Of St Johns Way Hempton Road Hempton	Outline planning application for the erection of up to 9 dwellings and creation of associated vehicular and pedestrian access onto Hempton Road, highway improvements, parking, landscaping, drainage features, open space, and associated	Second Hearing Due to the Appellants Successful JR of the Original Appeal Decision.	08.01.2025.

infrastructure, with all matters to be reserved except new vehicular access into the site	
from Hempton Road -	
all matters reserved except for access.	

# 4.4. In Progress/Awaiting Decision

Application	Location	Description	LPA	Start Date
Number		(summary)	Decision:	
22/01293/F	Land at	Change of use of land	Delegated	04.11.2024
	Manor View	for the creation 2	Refusal	
	(West of	Gypsy/Traveller pitches,		
	Manor Park)	comprising the siting of		
	Hampton	1 mobile home, 1		
	Poyle,	touring caravan, and		
	Kidlington,	the erection of 1		
	OX5 2PW.	dayroom per pitch.		
23/02355/F	Waverley	Demolition of existing	Committee	23.08.2024
	House,	building and	Refusal	
	Registrar,	construction of 33 No		
	Queens	apartments together	(Overturn)	
	Street,	with landscaping, car		
	Bicester	parking, bin stores,		
		secure cycle parking		
		and associated		
		infrastructure		

# **Public Inquiries**

#### 4.5. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date

None

# 4.6. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/00245/OUT	South Lodge, Land West of Fringford Road, Caversfield, OX27 8TJ.	Outline application for demolition of existing structures and erection of up to 99 dwellings, access, open space and associated works with all matters	Refusal. Committee.	28.11.2024.

		reserved except for		
		access.		
23/03428/OUT	Land East	Outline planning	Refusal.	
	of J11 of	application for the	Committee.	14.10.2024.
	the M40,	construction of up to		
	(OS Parcel	140,000 sqm of		
	5616 South	employment floorspace		
	West of	(use class B8) with		
	Huscote	ancillary offices and		
	Farm and	facilities and servicing		
	East of	and infrastructure		
	Daventry	including new site		
	Road,	accesses. Internal		
	Banbury,	roads and footpaths,		
	Oxon,	landscaping including		
	OX17 2FJ	earthworks to create		
		development platforms		
		and bunds, drainage		
		features and other		
		associated works		
		including demolition of		
		the existing farmhouse.		

## **Enforcement Appeals**

# 4.7. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date

None

## 4.8. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
21/00333/ENF	Fairway Cottage, Main Road, Swalcliffe	Without planning permission, the construction of a timber outbuilding and associated engineering operations, including the raising of land levels and the construction of a retaining wall, as shown edged in blue on the attached plan titled 'Location Plan'.	Enforcement Notice	10.11.2023 Written Reps

23/00001/ENF	Ashberry Cottage, Duns Tew, Bicester	Without the benefit of planning permission, the unauthorised erection of a single-storey porch, finished with timber cladding, to the principal elevation of a mid-terrace dwelling attached to a curtilage listed grade II building Owl Barn (Historic England reference 1046304)	Enforcement Notice	28.11.2023 Written Reps
20/00295/ENF	16 Almond Avenue, Kidlington	Garage/Garden building converted to residential premises	Enforcement Notice.	13.03.2024 Written Reps

# Forthcoming Public Inquiries and Hearings between 20 February 2025 and 20 March 2025.

4.9

23/03428/OUT	Land East of J11 of the	Outline planning application for the	Officers Recommendati	Start Letter
	M40, (OS Parcel 5616	construction of up to 140,000 sqm of	on.	14.10.2024
	South West of Huscote Farm and East of Daventry Road, Banbury, Oxon, OX17 2FJ	employment floorspace (use class B8) with ancillary offices and facilities and servicing and infrastructure including new site accesses. Internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works including demolition of the existing farmhouse.	Committee.	Public Inquiry 4 -21 Feb 2025.
22/01293/F	Land at Manor View (West of Manor Park)	Change of use of land for the creation 2 Gypsy/Traveller pitches, comprising the siting of	Delegated Refusal	04.11.2024
	Hampton <sup>2</sup> Poyle,	1 mobile home, 1 touring caravan, and		

Kidlington,	the erection of 1	
OX5 2PW.	dayroom per pitch.	

#### 4.10 Appeals Results

#### 24/01732/F – 54 Dashwood Avenue, Yarnton, Oxfordshire, OX5 1NJ

Construction of 3 bed dwelling to the rear of 54 Dashwood Avenue, accessed off Meadow Way.

Appeal Dismissed.

The Inspector considered that the main issues were the effect of the proposed development on the character and appearance of the surrounding area and the living conditions of neighbouring properties with regards to daylight, outlook and privacy.

The Inspector concluded the proposal would not constitute an uncharacteristic development in terms of the sitting of the proposed dwelling within the plot, and its plot size, and raised no concerns regarding the design. However, the proposal would result in only approximately 10 metres between the front elevation of the proposed dwelling and the neighbouring properties in Meadow Way, and therefore a close spatial relationship that would not be characteristic of the existing street scene; the proximity of the front facing elevations would be visually discordant with the more spacious separation between front facing dwellings in the street. As such, the Inspector concluded the proposal would result in a cramped and incongruous form of development that would harm the character and appearance of the surrounding area.

In considering impact on neighbouring properties, the Inspector concluded the proposal would not unduly harm privacy of the occupiers of No. 54 Dashwood Avenue due to the positioning of proposed windows, the obscured nature of first floor windows, the distance between the properties and the intervening fence. Nevertheless, it was noted that due the height of the proposed dwelling and the reduction in garden size, a decreased level of light received would have a markedly harmful effect on the living conditions of the occupiers of that property. With regards to neighbouring properties in Meadow Way, the Inspector concluded that due to the limited distance between properties the proposal would result in harm to privacy due to direct overlooking, result in overshadowing and loss of light, and would unacceptably dominate the outlook from the neighbouring properties.

The Inspector considered the benefit of an additional dwelling contributing to the housing land supply for the area; however, this was only considered to be a modest benefit due to the scale of the scheme and only given moderate weight. The Inspector concluded the proposal would result in harm to character and appearance of the surrounding area and significant harm to the living conditions of neighbouring properties with regards to daylight, outlook and privacy. The adverse impacts of the development were considered matters of significant weight that outweighed the benefits identified, as such, the appeal was dismissed.

### 23/3109/F – Land adj. to 20 Almond Road, Bicester, Oxfordshire, OX26 2HT

Subdivision of land at 20 Almond Road to form site for 2 no. new detached dwellings with associated parking and gardens.

Appeal Allowed.

The application was refused by the planning committee against the officer recommendations because members considered the proposal to have a significant impact on visual amenities of the area.

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area. The Inspector held that the siting, massing, materials, form and height of the dwellings would be broadly consistent with the pattern and form of development in the surrounding area. Each dwelling would be sited within a plot consistent in size with others in the area with adequate private amenity space. The separation between dwellings would be consistent with that in the surrounding area. The Inspector concluded the proposal would not cause harm to the character and appearance of the area.

The Inspector considered the suggested conditions submitted by the Local Planning Authority and comments made by the Appellant; the Inspector concluded all the conditions were necessary and met the tests for conditions. The appeal was allowed subject to conditions.

#### 24/00620/F – 7 Launton Road, Bicester, Oxfordshire, OX26 6PX

Demolition of existing detached garage and erection of new 2-bedroom dwelling. Existing 3-bedroom dwelling to be retained.

Appeal Dismissed.

The Inspector considered that the main issue was the effect of the proposed development upon the character and appearance of the area and the setting of the Bicester Conservation Area.

The inspector concluded the proposal would cause harm to the character and appearance of the area. The inspector raised two areas of concern:

- The addition of a dwelling would fail to respect the context, layout and character of the surrounding area. Given the regular and uniform pattern of the surrounding development and its spacious character, the proposal would not be compatible with the surrounding regular pattern of development and, as a result, it would fail to respond to the local character or reflect the identity of the surroundings.
- The shape of the appeal site and the position of the host property, along with the substantially reduced plot size, would result in a cramped appearance, indicative of overdevelopment. As a result, the proposal would introduce a pattern of development which would be out of keeping and harmful to the character and appearance of the area.

Regarding impact on the Bicester Conservation Area, the Inspector concluded that, whilst the proposed development would harm the character and appearance of its immediate locality, due to the distance and the intervening development, along with

the reasons for its designation, the proposal would not cause harm to the setting of the designated heritage asset.

In weighing the planning balance, the Inspector considered the appeal of the basis that the Council could not demonstrate a 5-year Housing Land Supply and therefore paragraph 11d of the Planning Policy Framework applied. The Inspector acknowledged the benefit of providing an additional new dwelling but concluded the harm caused by the proposed development, significantly and demonstrably outweighed this limited benefit.

## 24-00542/F - 1 St. Peters Crescent Bicester, OX26 4XA

Detached two storey dwelling.

Appeal Allowed.

The main issue in this case was the impact the proposed new dwelling would have on the character and appearance of the area.

Officers had concluded that the proposal would result in a cramped form of development which would be at odds with the spacious character of the area. The Inspector acknowledged that the development would introduce a change which would be significant in the immediate locality... and the proposal would be a single aspect dwelling with modest amenity space. However, the Inspector did not agree with officers in respect of the harm concluding that the dwelling would be well related to the development pattern surrounding.

Based on this assessment the appeal was allowed.

#### 24/00466/F - 15A South Street, Banbury, Oxfordshire OX16 3LB

Alterations and extension to existing house and outbuildings.

Appeal Allowed.

The Inspector considered the main issue to be the effect of the proposed development on the living conditions of occupiers at 16 South Street (No 16) with particular regard to privacy and at 15 South Street (No 15) with particular regard to privacy and outlook.

The Inspector held that, due to the narrowness of the plots to this part of South Street, the tightly packed relationships between properties and the presence of high-level windows and balconies, there is an established degree of mutual overlooking of rear gardens that forms part of the character of this locality. The Inspector noted that these views tend to be focused on the back ends of neighbouring gardens, whereas the proposed first-floor window to the outbuilding would face towards the rear openings on the dwellings and flats at Nos 15 and 16, as well as the rear amenity spaces that sit close to the rear elevations of these neighbouring properties.

The inspector was satisfied that a suitable condition to ensure that the first-floor window is obscure glazed and has restricted opening could be used to mitigate any potential harm to privacy.

The inspector considered that the proposed single storey rear extension to the dwelling at No 15A would be set away from the neighbouring rear openings and in combination with its modest depth and height, the extension would not be highly perceptible beyond the existing situation and so would not significantly alter the quality of outlook when viewed from the rear openings or garden of No 15.

The Inspector concluded that, subject to appropriate conditions in relation to standard time limit, the development to be carried out in accordance with the approved plans, and obscure glazing and restricted opening to the window to the first floor of the outbuilding, the proposal would have an acceptable effect on the living conditions of the occupiers at No 16 with particular regard to privacy and at No 15 with particular regard to privacy and outlook.

## 24/00698/PIP - Land Adjoining And At 81 North Street, Fritwell OX27 7QR

Permission in Principle - proposed 7-9 dwellings.

Appeal Dismissed.

The Inspector considered the main issues to be whether the site is suitable for residential development, its location, the proposed land use and the amount of development with regard to (i) the character and appearance of the area, including the setting of the Fritwell Conservation Area ("the CA"); (ii) whether the development would be in a suitable location having regard to the development strategy; and (iii) whether the development would be in a suitable location having regard to accessibility to services and amenities.

The inspector stated that at the time of the site visit, while overgrown in part, the land beyond that immediately to the rear and side of the existing dwelling, had the general appearance of open agricultural land, occupied in part by a small chicken coup.

The Inspector noted that the Conservation Area Appraisal (January 2008) sets out that the significance of the CA is derived from features of special interest including the large number of well-preserved historic buildings dating back to the 17th and 18th century. It also identifies that key views along North Street include views of open fields which are visible across walls and through field gates, which add to the rural feel of the area.

The Inspector considered that the appeal site, which is beyond the built-up confines of the settlement, is generally free from development and has an open, rural character and appearance, which contributes positively to the setting of the CA. The close relationship between the village and its agricultural setting, including views out of the CA towards the surrounding open countryside, and from the surrounding fields, including the public right of way (PRoW) which crosses the site, towards the village also contribute to the significance of the CA.

The Inspector held that the appeal proposal would extend development out from the current extent of the built form of the settlement into an area of open countryside, and

that it would diminish the rural character of the site and would harm the significance of the CA derived from its open landscape setting.

The inspector found that the proposal would not conflict with the purposes of Policy BSC2 and Policy PD1 of the MCNP given that the figure is only indicative and is not set out as a maximum amount.

The Inspector considered the approvals for the alterations to 81 North Street and the erection of a linked dwelling (3-bed) and new dwelling on land to the north-east of the site within the CA not to be directly comparable to the appeal proposal.

The inspector concluded that the proposal would cause *less than substantial* harm to the character and appearance of the area, including the significance of the CA arising from harm to its setting, and that the public benefits would be insufficient to outweigh this identified harm.

The Inspector noted that even if the Council is unable to demonstrate a sufficient housing land supply, and that the 'tilted balance' under para 11d of the NPPF applied, footnote 7 of the NPPF meant that the harm identified to the setting and significance of the CA provides clear reason for refusing the proposal as set out in the Framework, i.e. paragraph 11 of the NPPF is not applicable in respect of this appeal, irrespective of the housing land supply position.

The Inspector concluded that the proposal would offer benefits in terms of housing delivery and would be in a suitable location having regard to the development strategy set out in the MCNP and accessibility of future occupiers to services and amenities. However, the Inspector found the development would adversely affect the character and appearance of the area, including the setting of the CA as a heritage asset, to which significant weight is attributed, and the proposal would therefore conflict with the development plan taken as a whole.

# 5. Alternative Options and Reasons for Rejection

5.1 None. This report is submitted for information.

## 6 Conclusion and Reasons for Recommendations

6.1 The report provides the current position on planning appeals for information for Members.

## **Decision Information**

Key Decision	Not applicable
Subject to Call in	Not applicable

**Cherwell District Council** 

If not, why not subject	Not applicable
to call in	
Ward(s) Affected.	Appeal dependent

# **Document Information**

Appendices	
A researching d	Nana
Appendix 1	None
Background Papers	None
Reference Papers	All documents in respect of the planning appeal
Report Author	Sarah Gevaux, Appeals Administrator
	Paul Seckington, Development Manager
Report Author contact	Sarah.gevaux@cherwell-dc.gov.uk
details	Paul.seckington@cherwell-dc.gov.uk