

<b>This report is Public.</b>	
<b>Appeals Progress Report</b>	
<b>Committee</b>	Planning Committee
<b>Date of Committee</b>	4 September 2025
<b>Portfolio Holder</b>	Portfolio Holder for Planning and Development, Councillor Jean Conway.
<b>Date Portfolio Holder agreed report.</b>	27 August 2025
<b>Corporate Director</b>	Corporate Director of Communities, Ian Boll.
<b>Date Corporate Director agreed report.</b>	27 August 2025
<b>Report of</b>	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 & Impact Assessments

<b>Implications</b>	<b>Commentary</b>
<b>Finance</b>	The current cost of appeals has exceeded core budget as at the end of July. Therefore, a request for use of reserves will be necessary. This position will be closely monitored throughout the year but further reserve requests may be necessary.

	Kelly Wheeler, Finance Business Partner, 21 August 2025			
<b>Legal</b>	As this report is purely for information there are no legal implications arising. Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer Legal Services: 27 August 2025			
<b>Risk Management</b>	This is an information report where no recommended action is proposed. As such there are no risks arising from accepting the recommendation. Any arising risk will be managed through the service operational risk and escalated to the Leadership Risk Register as and when necessary. Celia Prado-Teeling, Performance Team Leader , 22 August 2025			
<b>Impact Assessments</b>	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		Not applicable. This is an information report where no recommended action is proposed. As such there are no equality implications arising from accepting the recommendation. Celia Prado-Teeling, Performance Team Leader.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not applicable
<b>Climate &amp; Environmental Impact</b>				Not applicable
<b>ICT &amp; Digital Impact</b>				Not applicable
<b>Data Impact</b>				Not applicable
<b>Procurement &amp; subsidy</b>				Not applicable
<b>Council Priorities</b>	Not applicable			
<b>Human Resources</b>	Not applicable			
<b>Property</b>	Not applicable			
<b>Consultation &amp; Engagement</b>	Not applicable in respect of this report			

## 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 defensible decisions are being made under delegated powers and by Planning Committee.

### 4. Details

#### 4.1. Planning Appeals

##### New Appeals

Written Representations	Informal Hearing	Public Inquiry
4	0	0

##### 4.1.1 The 4 new **Written Representations** appeals are :

- Four retrospective glamping pods at Cropredy Lawn (delegated refusal)
- A planning and listed building refusal of retrospective changes to a roof on a previous approval at Colony Rd Sibford Gower (delegated refusal)
- Demolition of existing gage and erection of a two-storey dwelling at Oxford Rd Banbury (delegated refusal)

4.1.2 Details of the new appeals can be found at appendix 1

#### **In Progress/Awaiting Decision**

<b>Written Representations</b>	<b>Informal Hearing</b>	<b>Public Inquiry</b>
<b>13</b>	<b>1</b>	<b>3</b>

4.1.3 Details of all the planning appeals can be found at Appendix 1

#### **4.2. Enforcement Appeals**

##### **New Appeals**

4.2.1 There are no new enforcement appeals

##### **In Progress/Awaiting Decision**

4.2.2 There are 3 enforcement appeals awaiting decisions

4.2.3 Details of all the enforcement appeals can be found at Appendix 2

#### **4.3. Appeals Results**

##### **4.3.1 23/03428/OUT - Land east of Junction 11 of the M40 and southwest of Huscote Farm, Daventry Road, Banbury, Oxfordshire OX17 2BH.**

##### **Appeal Dismissed**

The development proposed is construction of up to 140,000 sqm of 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.

Appeal Dismissed

The Inspector dismissed the appeal by Greystoke CB Ltd for a large-scale logistics development near Junction 11 of the M40, Banbury, concluding that although the proposal would deliver substantial economic benefits and meet a short-term local need for smaller logistics units, it would cause significant harm due to unresolved congestion impacts on the local highway network—particularly on Hennef Way and Southam Road—without adequate mitigation. Additional concerns included conflict with local planning policy on site location, moderate landscape and visual harm, and limited heritage impact. These harms were found to outweigh the benefits, and the proposal was deemed contrary to the development plan.

##### **4.3.2 24/01295/F - Duns Tew Manor, Main Street, Duns Tew OX25 6JP**

### **Appeal Allowed**

The development proposed the erection of a garden room and associated landscaping.

The Inspector concluded that the proposed garden room at Duns Tew Manor would be a well-designed, subservient addition that respects the architectural character of the Grade II listed building and the surrounding Conservation Area. The development would be largely hidden from public view, would not harm the setting of nearby heritage assets, and would preserve the area's historic significance. Subject to detailed conditions on materials, design, landscaping, and archaeology, the appeal was allowed and planning permission granted.

#### **4.3.3 24/00572/F - Fourways, North Street, Islip, Kidlington, OX5 2SQ.**

### **Appeal Allowed**

The Inspector concluded that the proposed development at Fourways, Islip—demolishing a bungalow and constructing two houses—would preserve the character and appearance of the Islip Conservation Area, respect the surrounding architectural context, and not cause harm to the Oxford Green Belt, highway safety, neighbouring amenity, or biodiversity. With no substantive evidence of adverse impacts and compliance with relevant planning policies, the appeal was allowed and planning permission granted, subject to conditions ensuring design quality, environmental protection, and heritage preservation.

#### **4.3.4 25/00556/F - 1 Ingleby Paddocks, Field House, Enslow, Oxon, OX5 3ET**

### **Appeal Dismissed**

Split the curtilage into two and erection of a new house on the east plot (self-build)

The appeal was dismissed as the proposed dwelling at 1 Ingleby Paddocks was found to be in an unsuitable location outside the built-up limits of a settlement, conflicting with both local and national planning policies aimed at controlling development in the countryside. Additionally, the design was considered incongruous and harmful to the character and appearance of the area due to its bulk, dormer windows, and prominence within the cul-de-sac. While the scheme would contribute modestly to housing supply and offer some economic and environmental benefits, these were not sufficient to outweigh the significant harm identified.

#### **4.3.5 24/02787/F - The Woodyard, Bainton, Oxon, OX27 8RL**

### **Appeal Dismissed**

Conversion to a single dwellinghouse (Self-Build)

The appeal was dismissed as the proposed conversion of a modern agricultural building at The Woodyard, Bainton, to a dwelling was found to be in an unsuitable and isolated countryside location, contrary to local and national planning policies. The Inspector concluded that the building did not meet the criteria for conversion without major rebuilding, lacked sufficient evidence of redundancy, and would result in a visually incongruous and overly domesticated form harmful to the rural character of the area. Despite the Council's housing land supply shortfall and personal circumstances of the appellants, these factors did not outweigh the significant policy conflicts and identified harm.

#### **4.3.6 24/03085/F – 1 Station Road, Launton, OX26 5DS**

##### **Appeal Dismissed**

RETROSPECTIVE - Installation of entrance door

The Inspector dismissed the appeal for the installation of an entrance door at 1 Station Road, Launton, concluding that the design—particularly the large glass panels—was incongruous with the traditional character of the building and surrounding streetscape, and caused less than substantial harm to the setting of the adjacent Grade II listed Bull Inn. While acknowledging the public benefit of improved accessibility for disabled individuals, the Inspector found that this did not outweigh the harm to heritage and design policies, and therefore the proposal conflicted with the development plan and national planning guidance.

#### **4.3.7 15/00256/COU - Hebbons Yard, Bicester Road, Kidlington, OX5 2LD.**

##### **Part Allowed/Part Dismissed**

Expansion of Yard onto Agricultural Land

The Inspector concluded that the appeal should succeed in part: planning permission was granted for the storage of showground apparatus, rides, machinery, vehicles, trailers, and equipment on a reduced area of land adjacent to Hebbons Yard, Kidlington, as it was found to be ancillary to the lawful use of the Yard and not inappropriate development in the Green Belt. The enforcement notice was upheld, with corrections and variations, for the remainder of the land where the use was deemed unacceptable. The Inspector also extended the compliance period from 3 to 6 months to allow for proper implementation of conditions and removal of unauthorised items.

#### **4.4. Appellants Award of Costs Application to the Planning Inspectorate.**

##### **4.4.1 24/01295/F - Duns Tew Manor, Main Street, Duns Tew OX25 6JP**

The development proposed is erection of a garden room and associated landscaping.

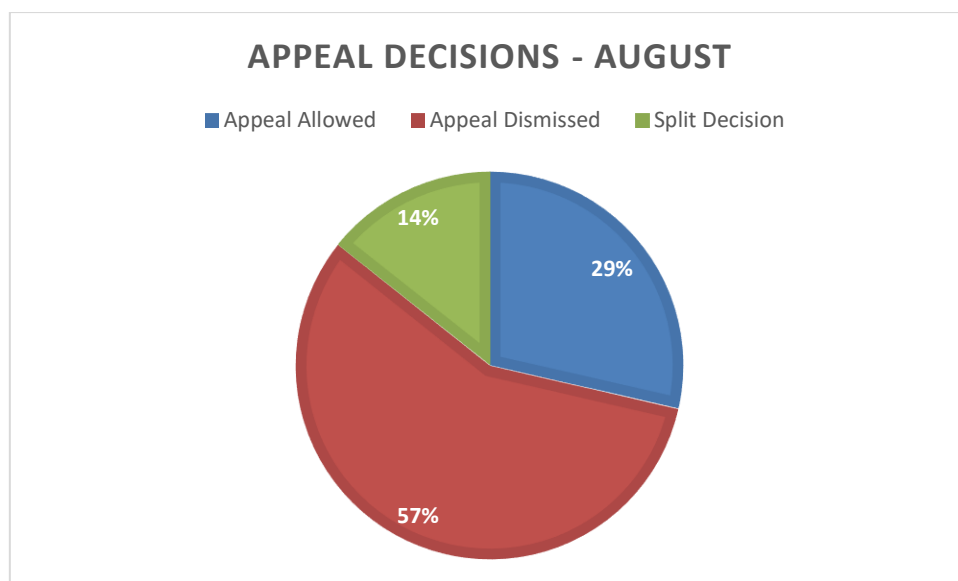
##### **Full Award of Costs**

Cherwell District Council

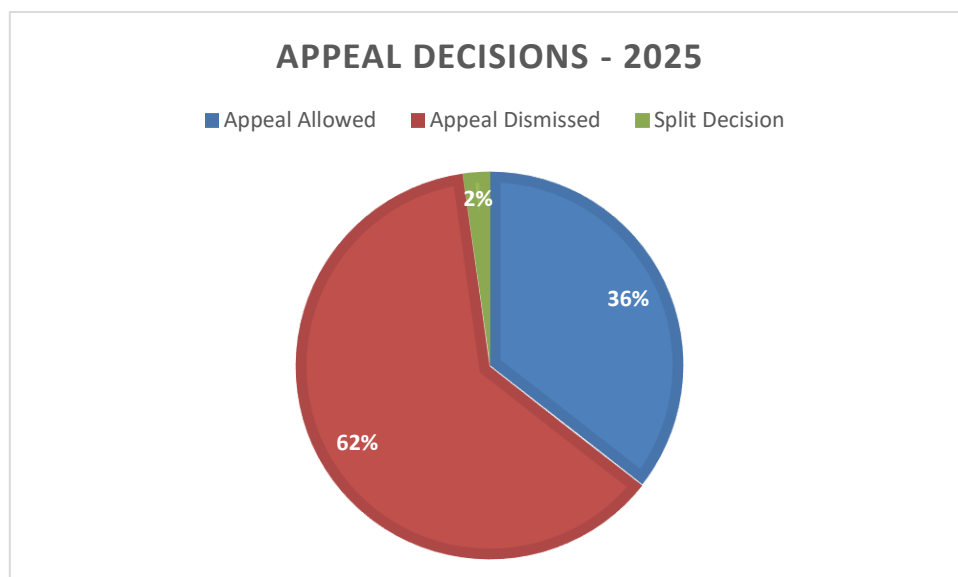
The Inspector found that Cherwell District Council had acted unreasonably in its handling of the planning application for a garden room at Duns Tew Manor, resulting in unnecessary expense for the applicant, G McAlpine. The Council failed to determine the application within the statutory timeframe, allowed a committee call-in that breached its own constitution, and withheld key conservation officer comments until after the appeal was lodged preventing the applicant from addressing concerns earlier. These procedural failures led to the appeal being submitted and justified a full award of costs against the Council.

#### 4.5. **Appeal Decision Data**

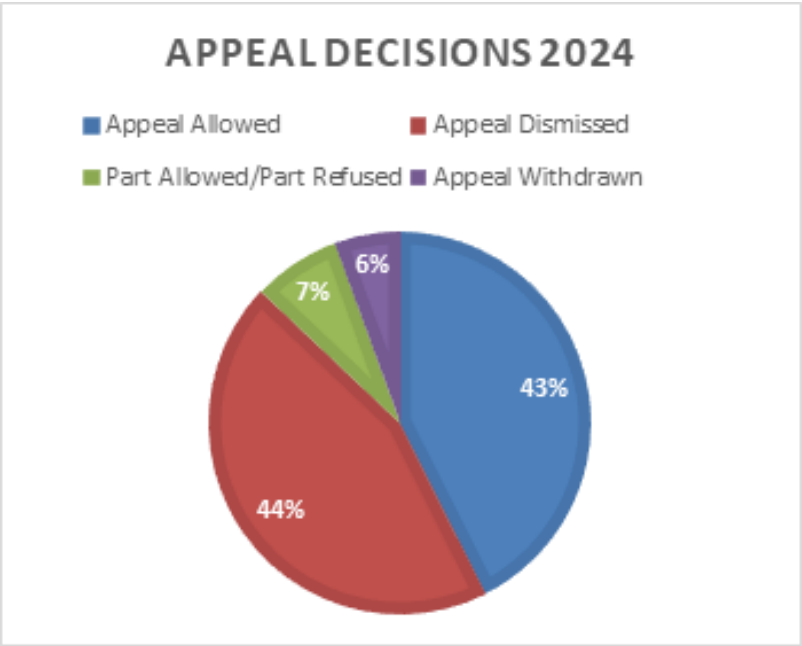
4.5.1 Since last month's appeals report we have received 7 appeal decisions. 4 were dismissed, 2 were allowed and one had a split decision



4.5.2 So far in 2025 there have been 45 appeal decisions, 16 allowed, 28 dismissed and 1 split decision



4.5.3 In 2024 there were 54 appeal decisions, 23 allowed, 24 dismissed, 4 split decisions and 3 withdrawn



4.5.4 The above data shows that the proportion of appeals being allowed is decreasing.

4.6. **Forthcoming Public Inquiries and Hearings between 4<sup>th</sup> September 2025 and 2<sup>nd</sup> October 2025**

4.6.1 None

**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
--------------	----------------



<b>Subject to Call in</b>	Not applicable
<b>If not, why not subject to call in</b>	Not applicable
<b>Ward(s) Affected.</b>	Appeal dependent

## Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	None
<b>Background Papers</b>	None
<b>Reference Papers</b>	All documents in respect of the planning appeal
<b>Report Author</b>	Sarah Gevaux, Appeals Administrator Paul Seckington, Development Manager
<b>Report Author contact details</b>	<a href="mailto:Sarah.gevaux@cherwell-dc.gov.uk">Sarah.gevaux@cherwell-dc.gov.uk</a> <a href="mailto:Paul.seckington@cherwell-dc.gov.uk">Paul.seckington@cherwell-dc.gov.uk</a>

## **Appendix 1 - Planning Appeals**

### **New Written Reps Appeals received**

<b>Application Number</b>	<b>Location</b>	<b>Description (summary)</b>	<b>LPA Decision:</b>	<b>Start Date</b>
22/03163/F	Cropredy Lawn, Cropredy Lawn Road	RETROSPECTIVE: - siting of 4 glamping pods	Refusal Delegated	25.07.2025.
25/00007/LB	Little Brook, The Colony, 7 Colony Road, Sibford Gower, OX15 5RY.	RETROSPECTIVE - Revision of roof slope from consented drawings application 21/00438/LB	Refused Delegated	18.08.2025.
24/03296/F	Little Brook, The Colony, 7 Colony Road, Sibford Gower, OX15 5RY.	RETROSPECTIVE - Revision of roof slope from consented drawings application 21/00438/LB	Refused Delegated	18.08.2025.
25/01186/F	Garage At 2 The Limes Oxford Road Banbury OX16 9AN	Demolition of existing garage and erection of a flat-roofed two-storey dwelling	Delegated Refused	19.08.2025.

### **New Informal Hearing Appeals Received:**

None

### **New Public Inquiry Appeals Received:**

None

**Written Reps Appeals Outstanding :**

<b>Application Number</b>	<b>Location</b>	<b>Description (summary)</b>	<b>LPA Decision:</b>	<b>Start Date</b>
23/03078/CLUP	Manor Cottage, Middleton Park, Middleton Stoney	Certificate of Lawfulness of Proposed Development: Repositioning of existing "tarmac" driveway with a gravel driveway.	Delegated Refusal	23.04.2024.
24/00379/TPO	Rectory Farm, Mill Lane, Upper Heyford	T1 Walnut and T2 - Beech - crown reduction. - subject to TPO 13/2019.	Delegated Refusal	06.07.2024.
24/01378/CLUP	Manor House Islip Road Bletchingdon	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.
23/03366/OUT	Land Opposite Hanwell Fields Recreation Adj To Dukes Meadow Drive Banbury	Outline planning application for up to 114 dwellings and associated open space with all matters reserved other than access	Committee Refusal Against Officers Recommendation	20.03.2025
24/01646/CLUP	Greenhill Leisure Park Greenhill Farm Station Road Bletchingdon	Certificate of Lawfulness of Proposed Use for Use of static caravans for permanent residential occupation	Delegated Refusal	27.03.2025
25/00748/PIP	8 Heathfield Cottages	Permission in Principle - Proposed conversion of existing building to form 1 no. dwellinghouse. Removal of existing outbuildings.	Appeal Against Non-Determination	30.05.2025.
24/03076/F	Phone Kiosk To The Front Of No 30 Bridge Street Banbury	Installation of 1no. BT Street Hub unit	Delegated Refusal	02.06.2025.

24//03077/ADV	Phone Kiosk To The Front Of No 30 Bridge Street Banbury	Installation of 1no. BT Street Hub unit	Delegated Refusal	02.06.2025
24/03350/F	73 High Street, Kidlington	RETROSPECTIVE - First floor extension over an existing garage with eaves height increment to accommodate new windows	Committee Refusal Against Officers Recommendation	11.06.2025
22/01682/F	Land North of Manor Farm Noke	Development of a ground mounted solar farm incorporating the installation of solar PV panels, associated infrastructure and access, as well as landscape planting and designated ecological enhancement areas.	Committee Refusal Against Officers Recommendation	12.02.2025
24/03431/F	Land Adjacent 53 And 54 Hambleside Bicester	Construction of self-build two storey, two bedroom, three person house	Refused Delegated	25.06.2025
25/00427/PIP	Land rear of Bridge House and 1 and 2 The Villas, Main Street, Wendlebury	Permission in principle - proposed residential development of 2-3 dwellings	Refused Delegated	07.07.2025
24/02692/F	63 Sandford Green Banbury	Part single/double storey rear extension and first floor side extensions to facilitate additional 1 studio flat and reduction of 2 existing 2 bed flats to 1 bed flats	Refused Delegated	09.07.2025

#### Informal Hearing Appeals Outstanding:

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 infrastructure, with all matters	Second Hearing Due to the Appellants Successful JR of the Original Appeal Decision.	08.01.2025

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

### Public Inquiry Appeals Outstanding

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/00245/OUT	South Lodge, Land West of Fringford Road, Caversfield,	Outline application for demolition of existing structures and erection of up to 99 dwellings, access, open space and associated works with all matters reserved except for access.	Committee Refusal following Officer recommendation	28.11.2024.
23/01265/OUT & 24/01908/OUT (Linked Appeal)	OS Parcel 0069 West Of Quarry Close Quarry Close Bloxham	Outline planning application for the erection of up to 60 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point. All Matters Reserved except for means of access - re-submission of 23/01265/OUT	Committee Refusal following Officer recommendation	29.04.2025
24/03162/CLUE	Barn At Point To Point Farm Mollington Banbury OX17 1QE	Certificate of Lawfulness of Existing Use to regularise the existing use of a dwelling house	Appeal Against Non-Determination	24.06.2025

## **Appendix 2 - Enforcement Appeals**

### **New Enforcement Appeals Received:**

None

### **Enforcement Appeals Outstanding:**

<b>Application Number</b>	<b>Location</b>	<b>Description (summary)</b>	<b>LPA Decision:</b>	<b>Start Date</b>
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
23/00525/ENF	Heathfield Yard, Street Through Heathfield Village, Heathfield, Oxon, OX5 3DX	Erection of a large building for scaffolding and portacabins without planning permission	Enforcement Notice	04.06.2025