

This report is Public.	
Appeals Progress Report	
Committee	Planning Committee
Date of Committee	31 July 2025
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Jean Conway.
Date Portfolio Holder agreed report.	22 nd July 2025
Corporate Director	Corporate Director of Communities, Ian Boll.
Date Corporate Director agreed report.	23 rd July 2025
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 & Impact Assessments

Implications	Commentary
Finance	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 July 2025			
Legal	As this report is purely for information there are no legal implications arising. Denzil Turbervill Law & Governance Legal Services			
Risk Management	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			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				
A 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 Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not applicable
Climate & Environmental Impact				Not applicable
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				Not applicable
Council Priorities	Not applicable			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	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
3	0	1

4.1.1 The 3 new **Written Representations** appeals are :

- Construction of a dwelling on Hambleside Bicester (delegated refusal)
- 2-3 dwellings at Main Street Wendlebury (delegated refusal)
- Alterations and extensions to 63 Sandford Green to create 1-bed flats (delegated refusal)

4.1.2 The **Public Inquiry** appeal received is:

- A Certificate of Lawfulness for a the use of a barn as a dwelling at Point to Point Farm Mollington (appeal against non-determination)

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

In Progress/Awaiting Decision

Written Representations	Informal Hearing	Public Inquiry
15	1	4

4.1.4 The 15 Written Representation appeals includes the proposed Solar Farm at Noke which has been switched to a written representation appeal from an informal hearing.

4.1.5 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 5 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 24/02664/PIP – The Pheasant Pluckers Inn, Burdrop, OX15 5RQ.

Planning Permission in Principle sought for the provision of 3-7 dwellings

Appeal Dismissed

The Planning Inspector concluded that while the appeal site at The Pheasant Pluckers Inn is in a generally sustainable location within a Category A Service Village and could offer some public benefits through the provision of housing, the proposal would result in the unjustified loss of a valued community facility and cause significant harm to the character and appearance of the conservation area and the setting of nearby listed buildings. The absence of clear evidence on the viability of the public house and the lack of an indicative layout for the proposed 3–7 dwellings contributed to concerns about overdevelopment and heritage impact. Consequently, the appeal was dismissed as the harm identified outweighed the benefits, and the proposal conflicted with both local and national planning policies.

4.3.2 **24/01378/CLUP – Manor House, Islip Road, Bletchingdon, 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.

Appeal Allowed

The Planning Inspector, D. Wilson, allowed the appeal by Mr. Stephen Dunne regarding proposed design alterations to a previously approved replacement dwelling and garage at Manor House, Bletchingdon. The appeal followed Cherwell District Council's failure to determine the application due to the absence of a planning obligation. However, the Inspector concluded that the Council's concerns—particularly about ensuring demolition of the existing dwelling and preventing overdevelopment—could be effectively addressed through planning conditions rather than a legal agreement. Finding the proposed changes acceptable and enforceable via conditions, the Inspector granted planning permission subject to a detailed schedule of conditions.

4.3.3 **24/00899/OUT – Land Adjoining The Cottage, The Green, Fringford, OX27 8DY.**

OUTLINE application for construction of 9 detached dwellings, formation of new vehicular and pedestrian access, associated landscaping, drainage and associated works with All Matters Reserved except for Access

Appeal Dismissed

The Inspector dismissed the appeal for the proposed development of nine dwellings on land adjoining The Cottage, Fringford, primarily due to the unacceptable harm it would cause to the living conditions and health of the current occupant of The Cottage, a disabled person with specific care needs. While the site was deemed suitable in terms of location, character, and planning policy, the proposed mitigation measures for noise—such as an acoustic barrier—would negatively impact the occupant's mental health and quality of life. The Inspector found that less harmful alternatives were not adequately explored or secured, and that the development would conflict with the Public Sector Equality Duty and the UN Convention on the Rights of Persons with Disabilities. As such, the harm significantly outweighed the benefits of the development, leading to the appeal's dismissal.

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

4.4.1 **24/01378/CLUP – Manor House, Islip Road, Bletchingdon, OX5 3DP.**

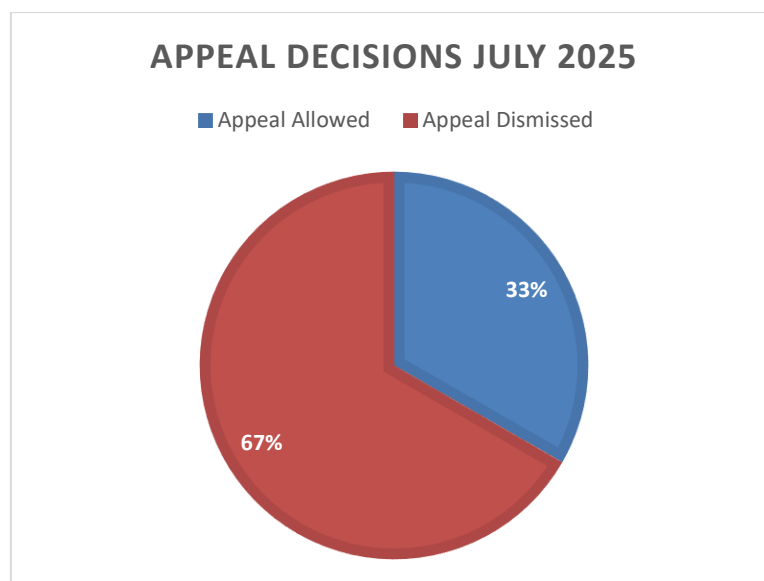
Certificate of Lawfulness of Proposed Development for the erection of an incidental outbuilding under Class E to Part 1 of the Town and Country Planning (General Permitted Development) Order 2015.

Dismissed

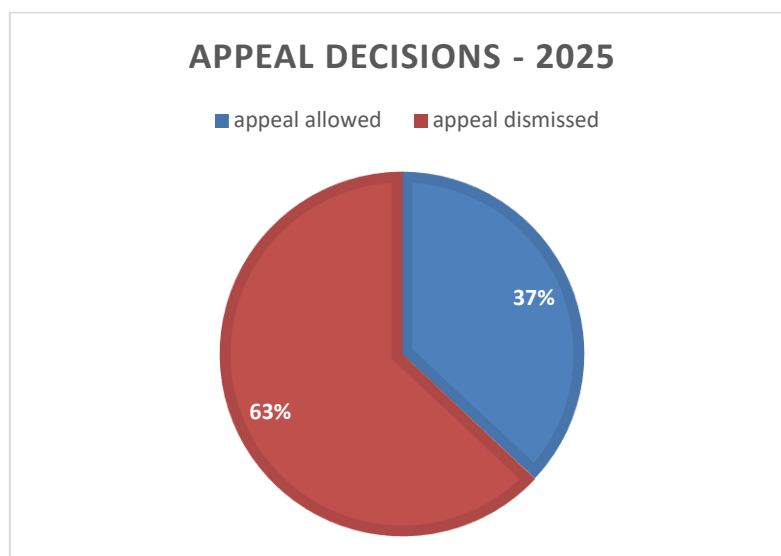
The Planning Inspector, refused the application for an award of costs made, finding that the Council had not acted unreasonably in its handling of the planning application. Although the Inspector ultimately determined that a planning condition could have addressed the Council's concerns—rather than requiring a legal agreement—the Council's approach was considered justified, consistent with previous permissions, and supported by relevant case law and planning policy. The Inspector also found that the conditions imposed and the time taken to consider the application were reasonable, and no unnecessary or wasted expense had been demonstrated to warrant a costs award.

4.5. **Appeal Decision Data**

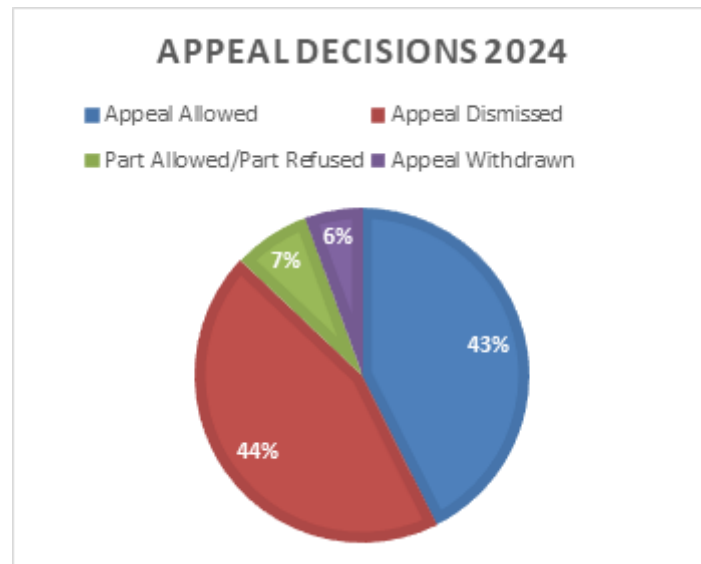
4.5.1 Since last month's appeals report we have received 3 appeal decisions. 2 were dismissed, 1 was allowed.



4.5.2 So far in 2025 there have been 38 appeal decisions, 14 allowed and 24 dismissed



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 31st July 2025 and 4th September 2025.**

4.6.1 The public Inquiries for Quarry Close Bloxham (23/01265/OUT & 24/01908/OUT) begin on the 19th August 2025

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
If not, why not subject to call in	Not applicable

Ward(s) Affected.	Appeal dependent
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Document Information

Appendices	
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 details	Sarah.gevaux@cherwell-dc.gov.uk Paul.seckington@cherwell-dc.gov.uk

Appendix 1 - Planning Appeals

New Written Reps Appeals received

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

New Informal Hearing Appeals Received:

None

New Public Inquiry Appeals Received:

Application Number	Location	Description (summary)	LPA Decision:	Start Date
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	Non Determination	24.06.2025

Written Reps Appeals Outstanding :

Application Number	Location	Description (summary)	LPA Decision:	Start Date
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.
24/01295/F	Duns Tew Manor, Main Street, Duns Tew	Erection of a garden room and associated landscaping.	Delegated Refusal	07.01.2025.
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
24/02787/F	The Woodyard, Bainton	Conversion to a single dwellinghouse (Self-Build)	Delegated Refusal	01.04.2025
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

25/00556/F	1 Ingleby Paddocks, Field House, Enslow,	Split the curtilage into two and erection of a new house on the east plot (self-build)	Delegated Refusal	07.05.2025
24/00572/F	Fourways, North Street, Islip	Demolition of existing bungalow and construction of two houses - re-submission of 23/02203/F	Committee Refusal Against Officers Recommendation	08.05.2025
24/03085/F	1 Station Road, Launton	RETROSPECTIVE - Installation of entrance door	Delegated Refusal	14.05.2025
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

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	Outline planning application for the erection of up to 9 dwellings and creation of associated vehicular and pedestrian access onto Hempton	Second Hearing Due to the Appellants	08.01.2025

	And South Of St Johns Way Hempton Road Hempton	Road, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure, with all matters to be reserved except new vehicular access into the site from Hempton Road - all matters reserved except for access.	Successful JR of the Original Appeal Decision.	
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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
23/03428/OUT	Land East of J11 of the M40, (OS Parcel 5616 South West of Huscote Farm and East of Daventry Road, Banbury, Oxon, OX17 2FJ	Outline planning application for the 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.	Committee Refusal following Officer recommendation	14.10.2024.

Appendix 2 - Enforcement Appeals

New Enforcement Appeals Received:

None

Enforcement Appeals Outstanding:

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
15/00256/COU	Hebbons Yard, Bicester Road, Kidlington, OX5 2LD	Expansion Of Yard onto Agricultural Land	Enforcement Notice. 1 Day Inquiry	24.02.2025
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

