

<b>This report is Public</b>	
<b>Appeals Progress Report</b>	
<b>Committee</b>	Planning Committee
<b>Date of Committee</b>	16 April 2026
<b>Portfolio Holder</b>	Portfolio Holder for Planning and Development, Councillor Jean Conway.
<b>Date Portfolio Holder agreed report.</b>	08 April 2026
<b>Report of</b>	Head of Development Management, Paul Seckington

## 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
<b>Finance</b>	<p>There are no direct financial implications arising from this report, as the appeals outlined are minor cases that do not present a significant financial risk to the Council and will be met within existing budget for financial year 26/27. However, it should be noted that if future appeal costs were to exceed core budget and if the service is unable to absorb the costs, then a request for use of reserves will be necessary, however the position will be closely monitored.</p> <p>Kimberley Digweed, Finance Business Partner, 08 April 2026</p>

<b>Legal</b>	As this report is purely for information there are no legal implications arising.			Denzil Turbervill, Head of Legal – 07 April 2026
<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 – 07 April 2026
<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 – 07 April 2026
<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 Enforcement Notice served. 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 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
2	0	0

##### 4.1.1 The 2 new **Written Representations** appeals are:

- 7 Bignell View, Chesterton, Bicester, Oxfordshire – Proposed double garage to front of property.
- 71 Ravencroft, Bicester, Oxfordshire – Retrospective Change of Use of amenity land to garden and installation of new fence to site boundary.

##### 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>14</b>	<b>0</b>	<b>0</b>

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. Forthcoming Public Inquiries and Hearings**

None

### **4.4. Award of costs**

None

### **4.5. Appeals Results**

#### **4.5.1 25/00002/REF – 34 George Street, Bicester, OX26 2EQ**

Two-bedroom dwelling (Self-Build) and widening of existing dropped-kerb.

#### **Appeal Dismissed**

The appeal concerned a proposal to build a new dwelling on the side garden of a semi-detached property on a prominent corner plot. The Inspector found that the area is characterised by two-storey semi-detached houses with a consistent building line and a traditional appearance. The proposed detached one-and-a-half storey house, set close to the pavement and boundaries, would appear cramped, overly prominent, and out of keeping with the established street scene. Its positioning, scale and half-hip roof design were considered incongruous and discordant when viewed in context.

Examples of nearby bungalows were given limited weight, as they were located in a different part of the street where such forms are more common and were better integrated into their surroundings. Although the Council accepted that it could not

demonstrate a five-year housing land supply, and the proposal would provide some social and economic benefits, these were regarded as relatively modest. Matters such as parking, flood risk, biodiversity, and neighbour impacts were neutral, and limited weight was attached to the self-build argument due to the lack of a legal agreement.

Overall, the Inspector concluded that the proposal would cause significant harm to the character and appearance of the area, conflicting with local plan policies and national guidance on good design. Even taking into account the housing land shortfall and the presumption in favour of sustainable development, the adverse design impacts were found to significantly and demonstrably outweigh the benefits. As a result, the appeal was dismissed and planning permission refused.

#### 4.5.2 **25/00059/REF – The Old Cottage, Godington, Bicester, OX27 9AF**

Removal of Condition 4 (window) of 23/03303/F - Pre- occupation condition requiring manufactured obscure glazing and non-opening window unit.

##### **Appeal Allowed**

The appeal relates to a two-storey detached house in a rural location that has recently been extended. Concerns were raised about overlooking from a first-floor side-facing window serving a main bedroom, which has views towards the neighbouring property, The Briars. However, the Inspector noted that there is already some mutual visibility between the properties due to existing rear windows. The distance between the side window and the shared boundary is considerably greater than that from other existing windows, and vegetation and fencing along the boundary provide additional screening. As a result, the extent of overlooking from this window is limited.

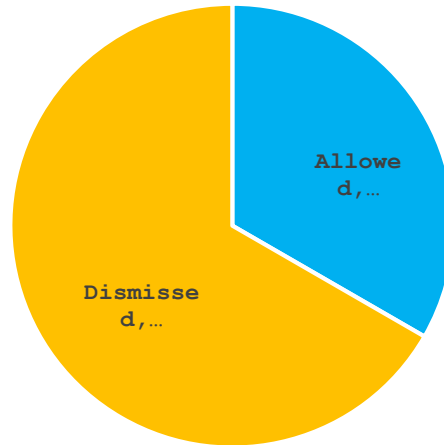
The Inspector also considered the layout and use of the window, concluding, that it is a secondary window. This reduces the likelihood of sustained views toward the Briars. Furthermore, The Briars benefits from a large front garden with hedging, meaning not all areas are visible for the appeal property, and it also has a rear garden that continues to provide private amenity space. Overall, the Inspector found that the proposal would not lead to a significant loss of privacy or harm to living conditions.

On this basis, the appeal was allowed and planning permission granted, removing the requirement for obscure glazing to the side-facing window. While the standard commencement condition was omitted due to the development already being built, other relevant conditions, including those relating to approved plans and external materials, were re-imposed. The development was found to comply with local plan policies relating to residential amenity and privacy.

4.6. **Appeal Decision Data**

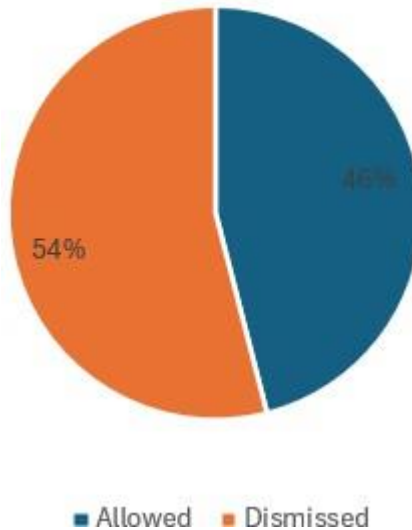
4.6.1 So far in 2026 there have been 15 appeal decisions, 5 allowed and 10 dismissed.

Appeal Decisions 2026  
(so far)

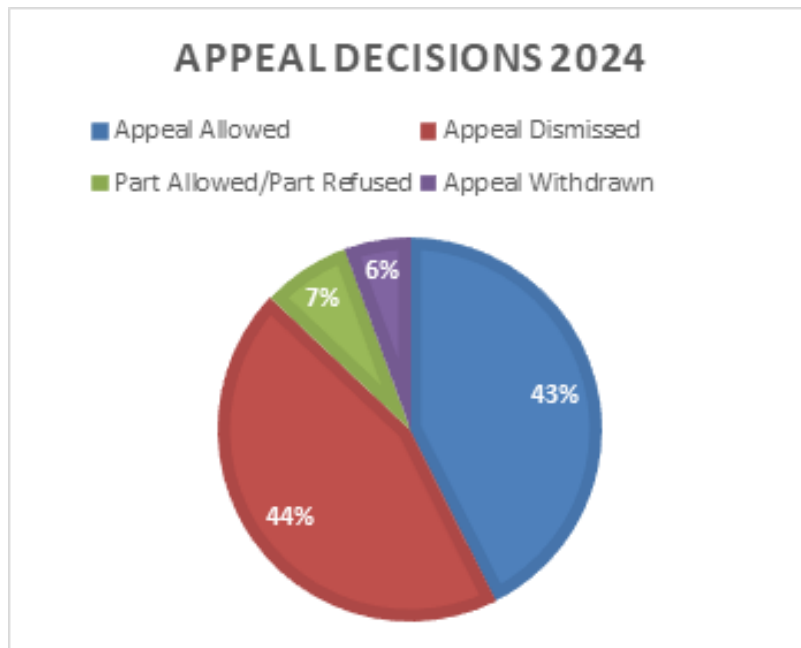


4.6.2 In 2025 there were 63 appeal decisions, 29 allowed, 34 dismissed

Appeal Decisions 2025



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



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

### **Delegated/Committee Decisions**

#### **2026**

4.6.5 So far in 2026, there have been 15 appeal decisions following delegated decisions, and 1 following a committee decision (The Bell Inn Great Bourton, a committee overturn)

4.6.6 Of the 14 delegated decisions, 5 were allowed (35.71%) and 9 were dismissed (64.21%). The 1 committee decision was dismissed (100%)

#### **2025**

4.6.7 In 2025, there were 52 appeal decisions that followed delegated decisions, and 11 appeal decisions that followed Committee decisions. Of the 11 committee decisions, 8 were committee overturns,, and 3 went with recommendation.

4.6.8 Of the 52 delegated decisions at appeal, 32 were dismissed (62%) and 20 allowed (38%).

4.6.9 Of the 8 overturns, 1 was dismissed (12%), and 7 were allowed (88%). Of the 3 committee decisions that went with officer recommendation, 1 dismissed (33%) and 2 were allowed (66%).

## **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

<b>Key Decision</b>	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>	Planning Appeals Details
<b>Background Papers</b>	None
<b>Reference Papers</b>	All documents in respect of the planning appeal
<b>Report Author</b>	Tracy Bennett, Appeals Administrator
	Paul Seckington, Development Manager
<b>Report Author contact details</b>	<a href="mailto:tracy.bennett@cherwell-dc.gov.uk">tracy.bennett@cherwell-dc.gov.uk</a> <a href="mailto:Paul.seckington@cherwell-dc.gov.uk">Paul.seckington@cherwell-dc.gov.uk</a>
<b>Executive Director Approval (unless Executive Director or Statutory Officer report)</b>	David Peckford Assistant Director – Planning on behalf of Executive Director Place and Regeneration, Ian Boll

## **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>
25/02324/F	7 Bignell View, Chesterton, Bicester, Oxfordshire, OX26 1UJ	Proposed double garage to the front of the property	Refused Delegated	12.03.2026
25/01513/F	71 Ravencroft, Bicester, Oxfordshire, OX26 6YE	RETROSPECTIVE - Change of Use of amenity land to garden and installation of new fence to site boundary.	Refused Delegated	20.03.2026

### **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>
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 Glebe House curtilage shall not exceed 1m. - subject to TPO 13/2019.	Refused Delegated	
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.	Refused Delegated	
24/01646/ CLUP	Greenhill Leisure Park, Greenhill Farm, Station Road, Bletchingdon, Kidlington, OX5 3BQ	Certificate of Lawfulness of Proposed Use for Use of static caravans for permanent residential occupation.	Refused Delegated	
25/00762/F	113 Danesmoor, Banbury, OX16 1QE.	RETROSPECTIVE - raising of front garden to level off	Refusal Delegated	
24/02234/F	Field Farm, Stratton Audley Road, Stoke Lyne, Bicester, Oxon, OX27 8FT	Self-Build - Alterations and conversion of 3 no. existing barns to form 3 no. residential dwellinghouses (re-submission of 23/02255/F)	Refused Delegated	

25/00794/TPO	4 Paxman Place, Banbury, Oxon,	Tree T1 - Maritime Pine - Remove to ground, grind stump and replant with 1 No Sweet Gum (pot grown, 3-4m high) in same location - subject to TPO 13/1991	Refused Delegated	
25/02123/F	The Old Cottage, Godington, Bicester, OX27 9AF.	Removal of Condition 4 (window) of 23/03303/F - Pre- occupation condition requiring manufactured obscure glazing and non-opening window unit.	Delegated Refused	
25/01288/F	56-58 Broad Street, Banbury, OX16 5BL.	Variation of Condition 2 (plans) to remove "agreement to re-route pizza outlet extraction" and removal of Condition 12 (flue) of 23/00199/F.	Delegated Not Determined (Appeal on the basis of non-determination)	
25/01304/Q56	Oxhay Farm, Oxhey Hill, Cropredy, Oxfordshire, OX17 1DR	Prior approval application for conversion of agricultural building to form 2 semi-detached dwellings at Oxhay Farm.	Refused Delegated	
25/02506/ADV	Opposite 52 Bridge Street Banbury Oxfordshire OX16 5PN	The proposed installation of 1no BT Street Hub with 2no digital internally illuminated display screens and removal of associated existing BT payphone(s)	Refused Delegated	
25/02505/F	Opposite 52 Bridge Street Banbury Oxfordshire OX16 5PN	The proposed installation of 1no BT Street Hub with 2no digital internally illuminated display screens and removal of associated existing BT payphone(s)	Refused Delegated	

25/01235/F	6-8 Bowmont Square Bicester Oxfordshire OX26 2GJ	RETROSPECTIVE - On-site use and location of commercial shipping container for stock storage purposes only; installation and mounting of external wall mounted condenser fan units for the use of the shop; installed air con and cabinet chillers and construction of permanent access ramp/steps with guardrail, to provide inclusive shop access.	Refused Delegated	
25/02983/F	Land in Between Rose View and Gold Hill Cottage, Main Street, Hethe, Oxfordshire, OX27 8HD	Erection of a new single dwellinghouse and new home office	Delegated Refused	
25/02964/CLUP	8 Sage Street Bicester Oxfordshire OX27 8DE	Certificate of Lawfulness of Proposed Development for the installation of an air source heat pump to the rear wall of the property and installation of a water tank inside the property in the utility cupboard, with removal of the existing Heat Interface Unit, pipework would be installed to the south facing wall of the property to connect the air source heat pump to the water tank	Delegated Refused	

**Informal Hearing Appeals Outstanding:**

None

**Public Inquiry Appeals Outstanding**

None

## Appendix 2 - Enforcement Appeals

### New Enforcement Appeals Received:

None

### Enforcement Appeals Outstanding:

Application Number	Location	Description (summary)	LPA Decision:	Start Date
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
25-10-ENF 25/00012/ENF	Point to Point Farm, Street from Claydon to Southam Road, Mollington Banbury,	Erection of barn and use as an indoor riding arena, pilates studio and chiropractors and associated hard standing.	Enforcement Notice	08.09.2025
25-11-ENF 22/00527/ENF	Point to Point Farm, Street from Claydon to Southam Road, Mollington Banbury,	<p>Without the benefit of planning permission, the erection of a building outlined in green on the attached plan titled 'Location Plan' including the erection of a dwelling house wholly inside that building in the area outlined in blue on the attached plan titled 'Location Plan'.</p> <p>Without the benefit of planning permission, the material change of use of land on which the building outlined in green has been erected to a mixed use comprising use as a dwellinghouse (which, inside the building is taking place in the area identified in blue on the attached plan titled 'Location Plan') and agriculture and domestic storage use (which, inside the building, is taking</p>	Enforcement Notice	08.09.2025

		place in the area identified in yellow on the attached plan titled 'Location Plan') associated with the both unauthorised dwelling and the adjacent farm dwelling.		
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