

This report is Public.	
Appeals Progress Report	
Committee	Planning Committee
Date of Committee	24 September 2026
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Chris Aramini-Brant.
Date Portfolio Holder agreed report.	16 September 2026
Report of	Assistant Director Planning, 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	There are no direct financial implications arising from this report. The council is aware that there are appeals in the system where the costs are unclear during this moment of time however, the council has taken action to minimise the cost of appeals where it can, but it's not clear what the costs associated with these appeals will be yet. It should be noted that if future appeal costs were to exceed core budget and if the service is unable to absorb these costs, then a

	request for use of reserves will be necessary, the position will be closely monitored by the council.			Kimberley Digweed, Finance Business Partner: 16 September 2026
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 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

Written Representations

4.1 New Appeals

Written Representations	Informal Hearing	Public Inquiry
9	0	0

4.1.1 The new Written Representation appeals are:

- **2 appeals relating to Permission in Principle**
 - Land East of the Willows, Adjacent to Blacklocks Hill, Nethercote, OX17 2BN - Application for Permission in Principle for the proposed development of between 5-9 self- or custom-made dwellings

- Land East of Moorlands Farm, Fencott Road, Murcott, OX5 2RE – Permission in Principle for 2 or 3 dwellings
- **1 appeal relating to change of use of amenity land**
 - 6 Dryden Avenue, Bicester, Oxfordshire, OX26 2NJ – Change of use of amenity land to domestic use and the erection of a fence
- **1 appeal relating to self-build**
 - Land adjacent to 71 Wear Road, Bicester, OX26 2FF - Proposed dwelling and access including dropped kerb (self-build)
 - Brook Court, Fencott, Kidlington, OX5 2RD – Single storey extension x2
- **1 appeal relating to a TPO**
 - Tinkle Cottage, The Green, Adderbury, OX17 3NG - T1, T2, T3, T4 - Yew Trees - To fell all four trees and replace with Laburnum, Silver Birch and Dogwood/Rowan trees - subject to TPO 7/1995
- **1 appeal relating to change of use**
 - 81 North Street, Fritwell, OX27 7QR – Change of use of redundant agricultural land to the northeast to residential garden and a new farm access
- **1 appeal relating to removal of boundary wall**
 - Treetops, 28 Dashwood Road, Banbury, Oxfordshire, OX16 5HD – Removal of part of front boundary wall and extension of existing dropped kerb

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

In Progress/Awaiting Decision

Written Representations	Informal Hearing	Public Inquiry
6	0	4 (3 as 1 event)

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

Enforcement Appeals

4.2 New Appeals

4.2.1 There are 2 new enforcement appeals:

- OS Parcel 5987 Adjacent River Cherwell and part of A34, By Hampton Gay and Poyle, Hampton Gay and Poyle, Oxfordshire, OX15 8AS - Without planning permission, the importation and storage of waste, formation of hard surfaces and raising ground levels beyond the natural level, and the use of The Land for the storage/processing of motor vehicles. ("Kidlington Bicester Road Waste Site") SOUTH SITE
- Cropredy Lawn, Cropredy Lawn Road, Cropredy, Banbury, OX17 1DR – Unauthorised change of use of agricultural land (Us Class sui generis) to camping site and the installation of 2 NO. glamping pods

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

4.3.1 There are 0 new Public Inquiries:

4.3.2 There are 4 Public Inquiries waiting to be heard

4.4 Award of costs

4.4.1 There are no award of costs

4.4.2 There is 1 new Appellant's Award of Costs Application:

- The Bell Inn Public House, Manor Road, Great Bourton, OX17 1QP - Change of use from public house (sui generis) to a Class C3 dwellinghouse without planning permission.

4.5 Appeals Results

4.5.1 25/03055/F – 73 High Street, Kidlington, OX5 2DN

First floor extension over an existing converted garage (part retrospective).
Appeal Dismissed

The Planning Inspector dismissed the appeal and upheld the Council's refusal of retrospective planning permission. The Inspector accepted that the building forms part of a Non-Designated Heritage Asset (NDHA) and found no evidence to

challenge that designation. He placed significant weight on the planning history, noting that the development carried out did not follow the original 2023 planning permission and that a previous appeal relating to similar works had already been dismissed. The Inspector concluded that what was built was substantially different from the approved scheme, transforming a modest extension into a much larger dwelling.

The Inspector found that the extension's scale, massing, window design and roof treatment harmed the character and significance of the heritage asset. Although the harm was assessed as "less than substantial," no public benefits were identified to outweigh it. The amendments made since the previous appeal were considered minor and insufficient to address earlier concerns. Personal and health circumstances were given little weight because supporting evidence was not submitted to the appeal. As a result, the proposal was found to conflict with local planning policies protecting heritage assets and promoting good design, and the appeal was therefore dismissed.

4.5.2 **26/03055/F – Land west of Foxden Way, Great Bourton, Banbury, Oxfordshire, OX17 1QY**

Outline planning application with All Matters Reserved save for access for up to 5 age-restricted (over 55) self/custom-build single-storey bungalows at land west of Foxden Way, Great Bourton

Appeal Dismissed

The Planning Inspector dismissed the appeal for five self-build bungalows on land at Great Bourton. The Inspector found that the site lies outside the village's built-up area and forms part of the surrounding countryside. Due to its rural setting and separation from the main village, the proposed development would represent an unwelcome encroachment into the countryside, harming the character, appearance and rural setting of Great Bourton. The proposed layout was also considered suburban in nature and out of keeping with the village's more organic pattern of development.

The Inspector also concluded that the site is not a sustainable location for housing. Great Bourton has very limited services and public transport, while essential facilities are located in nearby settlements and are not easily accessible on foot or by bicycle. Future residents would therefore be heavily dependent on private cars, contrary to local planning policies that seek to direct housing to more sustainable locations. In addition, the proposal failed to demonstrate that it could achieve the required Biodiversity Net Gain because the necessary legal agreements and evidence had not been secured.

Although the scheme would have provided five additional homes and some economic benefits during construction, these advantages were not considered sufficient to outweigh the identified harms. The Inspector found that the adverse impacts on the countryside, the unsustainable location of the development and the lack of evidence regarding biodiversity enhancement significantly outweighed the benefits, and the appeal was therefore dismissed.

4.5.3 Land to the Rear of Mole End, Main Street, Great Bourton, Oxfordshire,

OX17 1QU

Permission in principle – development of between 8 no and 9 no residential dwellings

Appeal Dismissed

The Planning Inspector dismissed the appeal for permission in principle for 8 to 9 homes on land behind Mole End in Great Bourton. The main reason was that the proposal would not make efficient use of the site, contrary to Local Plan Policy BSC2, which expects residential development to achieve a density of at least 30 dwellings per hectare unless there are clear planning reasons for a lower density. The Inspector found that the proposal would deliver only around 14 to 16 dwellings per hectare, and the appellant had not demonstrated sufficient justification for such a low-density scheme. The Inspector considered that the site's size, shape and characteristics would allow a more efficient form of development without harming the character of the village or nearby heritage assets.

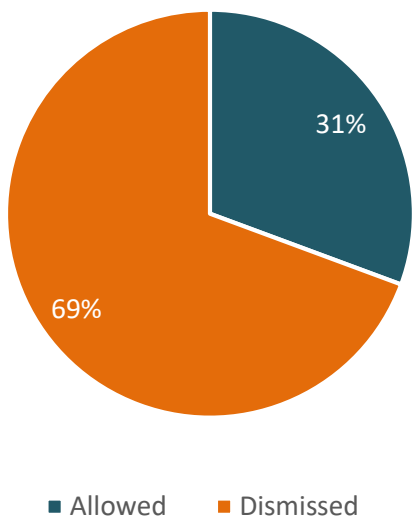
While the Inspector acknowledged that Great Bourton contains a mix of housing styles and densities, there was no evidence that a higher-density scheme would be out of keeping with the local area. The appeal also benefited from being in a district with a significant housing land supply shortfall, meaning that additional homes would help meet local housing needs and provide economic benefits through construction and future resident spending. However, the Inspector noted that an existing permission in principle already exists for 8 or 9 dwellings on a smaller site area, which would make more efficient use of the land.

In balancing the benefits against the harm, the Inspector concluded that the proposal conflicted with both local and national policies that promote efficient land use, particularly in areas experiencing housing shortages. Although the development would deliver new homes and other modest benefits, these were outweighed by the failure to optimise the site's development potential. As a result, the appeal was dismissed and permission in principle was refused

4.6 **Appeal Decision Data**

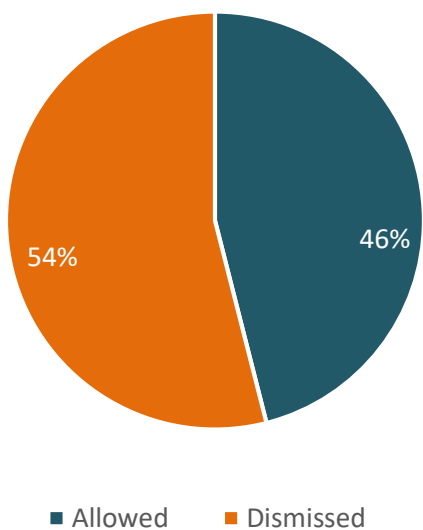
4.6.1 So far in 2026 there have been 31 appeal decisions, 9 allowed, 1 part allowed/part dismissed and 21 dismissed making a total of 9.5 allowed and 21.5 dismissed.

Appeal Decisions 2026 (so far)



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

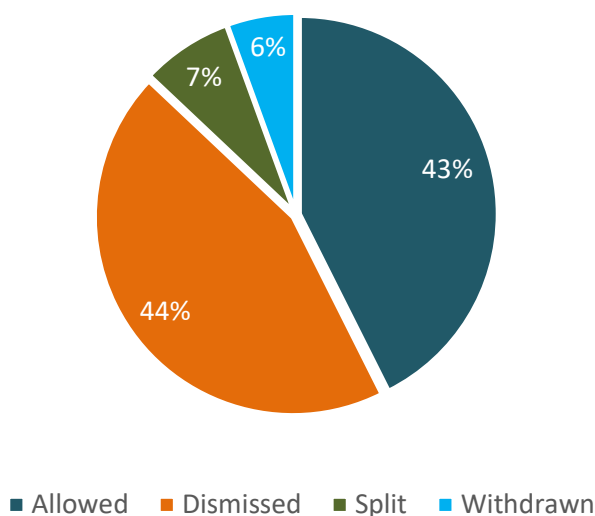
Appeal Decisions 2025



4.6.3 In 2024 there were 54 appeal decisions, 23 allowed, 24 dismissed, 4 split decisions
Cherwell District Council

and 3 withdrawn.

Appeals Decisions 2024



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 30 appeal decisions following delegated decisions, and 1 following a committee decision (The Bell Inn, Great Bourton, a committee overturn) Cherwell District Council.

4.6.6 Of the 30 delegated decisions, 9.5 were allowed (31%) and 20.5 (66%) were dismissed. The 1 committee decision (3%) 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

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

Document Information

Appendices	
Appendix 1	Planning Appeals
Appendix 2	Enforcement Appeal
Background Papers	None
Reference Papers	All documents in respect of the planning appeal
Report Author	Tracy Bennett, Appeals Administrator Paul Seckington, Development Manager
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Executive Director Approval (unless Executive Director or Statutory Officer report)	Executive Director for Place and Regeneration, Ian Boll 16 September 2026