

This report is Public.

Appeals Progress Report

Committee	Planning Committee
Date of Committee	4 June 2026
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Chris Brant.
Date Portfolio Holder agreed report.	27 May 2026
Corporate Director	Corporate Director of Communities, Ian Boll.
Date Corporate Director agreed report.	27 May 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, 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

	<p>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. Kimberley Digweed, Finance Business Partner.</p> <p>Kim Digweed, Finance Business Partner: 27 May 2026</p>			
Legal	<p>As this report is purely for information there are no legal implications arising.</p> <p>Denzil Turbervill Law & Governance Legal Services: 19 May 2026</p>			
Risk Management	<p>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.</p> <p>Celia Prado-Teeling, Performance Team Leader: 19 May 2026</p>			
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
4	0	3 as 1

4.1.1 The 2 new Written Representation appeals are:

- **3 appeals relating to house extensions/alterations**
 - 73 High Street, Kidlington, OX5 2DN – first floor extension over an existing converted garage (part retrospective) (Householder).
 - Manor Court, North Side, Steeple Aston, Oxfordshire, OX25 4SE – two storey extension to replace existing single storey

extension; window replacement; associated internal refurbishment.

- 16 Oak Lane, Ambrosden, Bicester, OX25 2SH - single storey front, first floor side and two storey rear extensions (Householder).

- **1 appeal relating to Outline planning with all matters reserved save for access**

- Land west of Foxden Way, Great Bourton, Banbury, Oxfordshire, OX17 1QY - for up to 5 age-restricted (over 55) self/custom-build single storey bungalows.

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

In Progress/Awaiting Decision

Written Representations	Informal Hearing	Public Inquiry
16	0	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 no new enforcement appeals

4.2.2. There are 4 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

One inquiry for 3 appeals relating to land at Baynards Green: Inquiry start date 22.09.2026 duration 15 days not consecutive end date 23.09.2026 with 27&28/10/2026 as reserve.

- OS Parcel 6124, East of Baynards Green Farm, Street to Horwell Farm, Baynards Green, Oxfordshire, OX27 7RD - Application for outline planning permission (all matters reserved except means of access (not internal roads) from B4100) for the erection of buildings comprising logistics (use class B8) and ancillary offices (use class e(g)(i)) floorspace; energy centre, HGV parking, construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping; the construction of parking and servicing areas; substations and other associated infrastructure.

- OS Parcel 0006, South East of Baynards House, Adjoining A43, Baynards Green, Ardley, Oxfordshire, OX27 7RD - Outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace and associated infrastructure; construction of new site access from the B4100; creation of internal roads and access routes; and hard and soft landscaping
- OS Parcel 2636, NW of Baynards House, Ardley, OX27 7SQ - Outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure

4.4 **Award of costs**

None

4.5 **Appeals Results**

4.5.1 **26/00001/NON – 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.

Appeal Dismissed

The Inspector dismissed the appeal because removing the conditions would allow the flats to be occupied without rerouting the Papa John's extraction flue, creating an unacceptable odour impact on future residents. Odours were evident during the site visit, several windows would be very close to the flue, and no technical assessment showed that fixed shut windows or ventilation would adequately protect living conditions.

Although the scheme would provide some benefits—such as additional town-centre housing and regeneration—the Inspector found these were outweighed by the harm to residential amenity. The conditions were therefore considered necessary and reasonable, and the appeal was refused.

4.5.2 **26/0004/REF – 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.

Appeal Allowed

The Inspector found that, because the Council failed to determine the Class Q prior approval application within the required 56 days, prior approval was automatically deemed to be granted. Although Class Q had been amended in May 2024, the application fell within the transitional arrangements, so the earlier version of the permitted development right still applied.

The decision does not confirm that the scheme is lawful in all respects. The development will only be lawful if it is carried out exactly as proposed and genuinely complies with the limitations and conditions of Class Q; otherwise, it could still face enforcement action.

4.5.3 **26/00011/REF – 7 Bignell View, Chesterton, Bicester, OX26 1UJ**

Proposed double garage to the front of the property

Appeal Dismissed

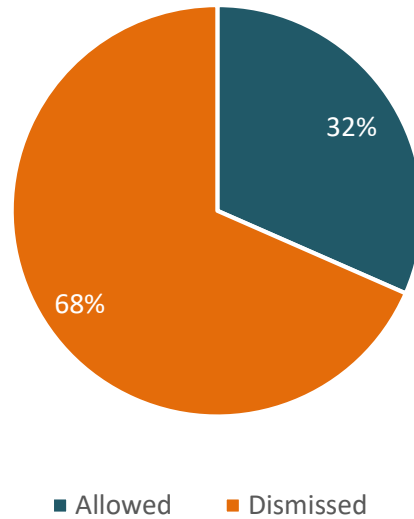
The inspector found that the proposed double garage's location and scale were acceptable in principle. Although it would sit close to the front boundary and be clearly visible, the large front garden and surrounding building pattern meant it would not significantly harm the street scene or dominate the house.

However, the appeal was dismissed because of the garage's design and materials. Its shallow roof pitch, lack of traditional detailing, and use of red brick and concrete tiles failed to reflect the character of the house or the wider village setting, causing harm to the area's appearance and conflicting with local design policies.

4.6 Appeal Decision Data

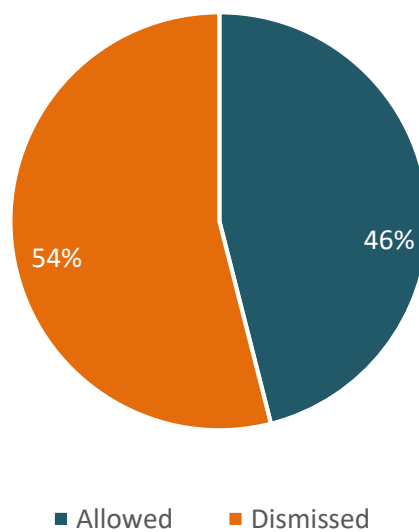
4.6.1 So far in 2026 there have been 19 appeal decisions, 6 allowed and 13 dismissed

Appeal Decisions 2026 (so far)



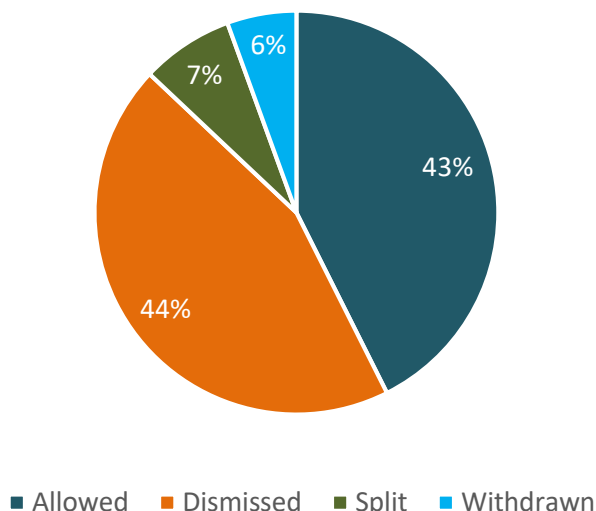
4.6.2 In 2025 there were 63 appeal decisions, 29 allowed and 34 dismissed

Appeal Decisions 2025



4.6.3 In 2024 there were 54 appeal decisions, 23 allowed, 24 dismissed, 4 split decisions 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 18 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 18 delegated decisions, 6 were allowed (32%) and 12 were dismissed (68%). 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%)

Cherwell District Council

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 Details
Appendix 2	Planning Enforcement Appeals Details
Background Papers	None
Reference Papers	All documents in respect of the planning appeal
Report Author	Tracy Bennett, Appeals Administrator Paul Seckington, Head Development Management
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