

## The Planning Inspectorate

### PLANNING APPEAL FORM (Online Version)

**WARNING:** The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

**Appeal Reference: APP/C3105/W/22/3311992**

#### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Company/Group Name

Address

Preferred contact method

Email  Post

#### B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes  No

Name

Company/Group Name

Address

Phone number

Email

Your reference

Preferred contact method

Email  Post

#### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

LPA reference number

Date of the application

17/05/2022

Did the LPA validate and register your application?

Yes  No

Did the LPA issue a decision?

Yes  No

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes  No

Does the appeal relate to an existing property?

Yes  No

Address

Land East of Junction 11 of the M40 (OS parcel 5616)  
South West of Huscote Farm And East of Daventry Road  
Banbury  
Oxfordshire  
OX17 2BH  
Grid Ref Easting: 447539  
Grid Ref Northing: 242125

Is the appeal site within a Green Belt?

Yes  No

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes  No

#### E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes  No

Please enter details of the proposed development. This should normally be taken from the planning application form.

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. All matters of detail reserved.

Area (in hectares) of the whole appeal site [e.g. 1234.56]

66.15 hectare(s)

Area of floor space of proposed development (in square metres)

140000 sq metre(s)

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes  No

#### F. REASON FOR THE APPEAL

**The reason for the appeal is that the LPA has:**

1. Refused planning permission for the development.
2. Refused permission to vary or remove a condition(s).
3. Refused prior approval of permitted development rights.
4. Granted planning permission for the development subject to conditions to which you object.
5. Refused approval of the matters reserved under an outline planning permission.

- 6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
- 7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
- 8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.
- 9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

### G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

- 1. Written Representations
- 2. Hearing
- 3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

the box below

See Statement of Case Section 7

(a) How many witnesses do you intend to call?

(b) How long do they need to give their evidence?

(c) How long do you estimate the inquiry will last?

(d) Is there any further information relevant to the inquiry which you need to tell us about?

### H. FULL STATEMENT OF CASE

see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes  No

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes  No

(b) Have you made a costs application with this appeal? Yes  No

### I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

## CERTIFICATE B

**I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:**



**Owner's Name:**

Mr Mark William Stroud

**Address at which notice was served:**

, Marsh Farm House, Wardington Road, Chacombe, BANBURY, OX17 2JU

**Date the notice was served:**

25/11/2022

## CERTIFICATE C and D

**If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.**



## I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.



## J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.



02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).



03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.



04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.



05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.



05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.



05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.



06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.



06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.



07. A copy of the design and access statement sent to the LPA (if required).



08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.



09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.



09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application;
- (b) all plans sent at outline application stage;
- (c) the original outline planning permission.
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

#### K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes  No

#### L. CHECK SIGN AND DATE

**(All supporting documents must be received by us within the time limit)**

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

**Signature**

**Date**

**Name**

**On behalf of**

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

#### M. NOW SEND

##### Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this

form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:  
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

**You may wish to keep a copy of the completed form for your records.**

## N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

**You will not be sent any further reminders.**

### The documents listed below were uploaded with this form:

<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A copy of the full statement of case.
<b>File name:</b>	Statement of Case 24-11-22 final (002).pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. A copy of the original application sent to the LPA.
<b>File name:</b>	ApplicationForm.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).
<b>File name:</b>	Mark Stroud Notice signed.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
<b>File name:</b>	Location Plan (P2)).pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
<b>File name:</b>	Parameter Plan (P10).pdf
<b>File name:</b>	Illustrative Site Layout 5166 CA 00 00 DR A 00050 P8.pdf
<b>File name:</b>	Illustrative Landscape Strategy 21340.111 Rev B.pdf
<b>File name:</b>	Access Drawing 1 23459-01-GA Rev B.pdf
<b>File name:</b>	Access Drawing 2 23459-05-GA Rev B.pdf
<b>File name:</b>	Planning Statement.pdf
<b>File name:</b>	Statement of Community Involvement.pdf
<b>File name:</b>	Energy Statement Final.pdf
<b>File name:</b>	Economic Benefits of Providing New Warehouse Space Report (R001v4).pdf
<b>File name:</b>	Preliminary Geo-Environmental Banbury Part5.pdf
<b>File name:</b>	Preliminary Geo-Environmental Banbury Part2.pdf
<b>File name:</b>	Preliminary Geo-Environmental Banbury Part4.pdf
<b>File name:</b>	Preliminary Geo-Environmental Banbury Part3.pdf
<b>File name:</b>	Preliminary Geo-Environmental Banbury Part1.pdf
<b>File name:</b>	Preliminary Geo-Environmental Banbury Part6.pdf
<b>File name:</b>	Arboricultural Impact Assessment - Banbury Logistics Park.pdf
<b>File name:</b>	CIL Form.pdf
<b>File name:</b>	Covering Letter.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS

<b>Document Description:</b>	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
<b>File name:</b>	The Original Application Documents.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
<b>File name:</b>	Application Documents at point of Appeal.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
<b>File name:</b>	SEI Volume 1 Main Report and Figures- Land east of J11 M40 Banbury (P21-3302 FINAL).pdf
<b>File name:</b>	SEI Volume 2 Appendices- Land east of J11 M40 Banbury (P21-3302 FINAL).pdf
<b>File name:</b>	Copy of Appendix 7.3a - Biodiversity Metric 3.1 - 24-10-2022 Issued.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
<b>File name:</b>	Post submission documents_.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	07. A copy of the design and access statement sent to the LPA.
<b>File name:</b>	Design and Access Statement.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	08. A copy of a draft statement of common ground.
<b>File name:</b>	Planning SoCG - 24-11-22 for submission.doc
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	13. A copy of any Environmental Statement plus certificate and notices relating to publicity (if one was sent with the application, or required by the LPA).
<b>File name:</b>	ES Appendix 5.2- Landscape and Visual Methodology.pdf
<b>File name:</b>	ES Appendix 10.2 - Traffic Data.pdf
<b>File name:</b>	ES Appendix 10.4 - Verification.pdf
<b>File name:</b>	ES Appendix 11.5 - Noise Model Parameters.pdf
<b>File name:</b>	ES Appendix 11.4 - Construction Assessment.pdf
<b>File name:</b>	ES Appendix 11.6 - Operation Assessment.pdf
<b>File name:</b>	ES Chapter 4- Alternatives.pdf
<b>File name:</b>	ES Appendix 10.1 - Definition of Air Quality Terms and Units.pdf
<b>File name:</b>	ES Chapter 5- Landscape and Visual.pdf
<b>File name:</b>	ES Appendix 10.3 - M-EC Receptor Location.pdf
<b>File name:</b>	ES Chapter 11 - Noise.pdf
<b>File name:</b>	ES Chapter 7- Ecology.pdf
<b>File name:</b>	ES Appendix 5.3- LVIA (May 2022 V2)_Part2.pdf
<b>File name:</b>	ES Figure 11.1 - Measurement Positions and Sensitive Receptors.pdf
<b>File name:</b>	ES Appendix 9.2- Envirocheck Report- Datasheet and Maps.pdf
<b>File name:</b>	ES Appendix 11.1 - Glossary of Acoustic Terminology.pdf
<b>File name:</b>	ES Figure 11.3 - Electric Scenario Contours.pdf
<b>File name:</b>	ES Appendix 6.1- Heritage Desk Based Assessment_Part2.pdf
<b>File name:</b>	ES Figure 3.2- Parameters Plan.pdf
<b>File name:</b>	ES Appendix 10.6- Dusk Risk Assessment Procedures.pdf
<b>File name:</b>	ES Chapter 3- Application Site and Proposed Development.pdf
<b>File name:</b>	ES Appendix 10.7- Air Quality Control Measures.pdf
<b>File name:</b>	ES Chapter 12 - Socio-Economics.pdf



**File name:** ES Chapter 9- Flood Risk and Drainage.pdf  
**File name:** ES Chapter 10- Air Quality.pdf  
**File name:** ES Figure 3.4 -Illustrative Landscape Strategy.pdf  
**File name:** ES Chapter 8- Transport and Access.pdf  
**File name:** ES Chapter 0- Contents and Statement of Competence.pdf  
**File name:** ES Chapter 2- Assessment Methodology.pdf  
**File name:** ES Figure 3.3- Illustrative Site Layout.pdf  
**File name:** ES Appendix 1.1 - CDC and WNC Screening Opinion.pdf  
**File name:** ES Figure 11.2 - Ambient Scenario Contours.pdf  
**File name:** ES Appendix 10.5- Modelled Pollutants.pdf  
**File name:** ES Chapter 6 - Cultural Heritage.pdf  
**File name:** ES Appendix 11.3 - Environmental Noise Survey.pdf  
**File name:** ES Appendix 8.2 -Framework Travel Plan.pdf  
**File name:** ES Chapter 14- Glossary and Acronyms.pdf  
**File name:** ES Figure 3.1 - Environmental Designations Plan.pdf  
**File name:** ES Appendix 8.1- Transport Assessment.pdf  
**File name:** ES Appendix 11.2 - Legislation and Guidance.pdf  
**File name:** ES Appendix 11.7 - Development Generated Traffic Noise Assessment.pdf  
**File name:** ES Chapter 13- Summary.pdf  
**File name:** ES Figure 2.2- Cumulative Plan.pdf  
**File name:** ES Appendix 7.1 -Preliminary Ecological Appraisal.pdf  
**File name:** ES Chapter 1 - Introduction.pdf  
**File name:** ES Figure 1.1 - Site Location Plan.pdf  
**File name:** ES Appendix 9.1- Flood Risk Assessment and Drainage Strategy.pdf  
**File name:** Environmental Statement- Non-Technical Summary.pdf  
**File name:** ES Appendix 5.3- LVIA (May 2022 V2)\_Part1.pdf  
**File name:** ES Appendix 5.1- Landscape Figures.pdf  
**File name:** ES Appendix 6.1- Heritage Desk Based Assessment\_Part1.pdf  
**File name:** Appendix 7.2- Confidential Badger Addendum.pdf  
**File name:** Appendix 7.3 - Biodiversity Metric 3.0.pdf  
**File name:** Copy of Appendix 7.3a - Biodiversity Metric 3.1 - 24-10-2022 Issued.pdf  
**File name:** SEI Volume 1 Main Report and Figures- Land east of J11 M40 Banbury (P21-3302 FINAL).pdf  
**File name:** SEI Volume 2 Appendices- Land east of J11 M40 Banbury (P21-3302 FINAL).pdf

**Completed by**

MR PHILIP SMITH

**Date**

25/11/2022 21:11:06