

## **Land south of Green Lane, Chesterton**

### Appellant's justification for a Public Inquiry in accordance with Annexe K of the PINS Guidance

The Guidance sets out that an Inquiry would be appropriate if one or several of the following criteria are met:

- there is a clearly explained need for the evidence to be tested through formal questioning by an advocate (this does not preclude an appellant representing themselves as an advocate); or
- the issues are complex (for example, where large amounts of highly technical data are likely to be provided in evidence); or
- the appeal has generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing (where the proposal has generated significant local interest a hearing or inquiry may need to be considered. In such circumstances the local planning authority should indicate which procedure it considers would be most appropriate taking account of the number of people likely to attend and participate at the event. We will take that advice into account in reaching the decision as to the appropriate procedure.);

We address each of these below. In summary, we consider that this case meets all three of the above criteria and therefore it is inevitable that the Planning Inspectorate will come to a view that this appeal must be heard via an Inquiry.

### Testing of evidence

The Appeal is submitted against the refusal of the Council to grant planning permission for the development.

In this case, there are several key issues that, in the Council's opinion stand between the Appellant and the grant of consent and these require significant testing of the evidence, especially as the Council's position at the decision stage does not conform with that of its own officers, nor with the Council's position seeking to allocate the site.

In particular, the notion that the site is not located in a sustainable location will need to be tested in light of recent consents (including two at appeal – Bicester Sport Association [APP/C3105/W/20/3265278](#) and Great Wolf [APP/C3105/W/20/3259189](#)).

Furthermore, an appeal at a similar category village is being determined via an inquiry - [APP/C3105/W/23/3327213](#).

In terms of effects of landscape and settlement character, there is likely to be significant methodological differences between the Appellant and the Council, which could only be resolved through testing of the evidence. This is especially the case, since the Council's own evidence supports even greater development in this area.

As such, it is plainly clear that evidence in relation to this appeal must be tested.

### Issues are complex

The issues relating to the need for the development are relatively complex and will require the provision of technical data in relation to highway matters – noting that neither National Highways nor Oxfordshire County Council has objected to the grant of consent. However, the matter of

sustainability will require detailed consideration of the effects of the development and its ability to enhance the sustainable credentials.

#### Substantial public interest

The Appellant considers that, having regard to the size of the settlement and the size of the development that circa 100 objectors to the scheme as well as the Parish Council, constitutes substantial public interest.

#### Conclusions

The Appellant has considered the approach to the determination of this Appeal. The Appellant is cognisant of the resource implications that this may have upon the Local Planning Authority's resources. However, this is not a criterion for the determination of an appeal procedure. Having regard to the PINS guidance it is absolutely clear that this Appeal should be determined via the inquiry route.

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