

## 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/19/3222428**

#### 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

Fax number

Email

Your reference

Preferred contact method  Email  Post

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

Name of the Local Planning Authority	Cherwell District Council		
LPA reference number	18/00792/OUT		
Date of the application	04/05/2018		
Did the LPA validate and register your application?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
Did the LPA issue a decision?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
Date of LPA's decision	31/10/2018		

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Address	Land at Tappers Farm Oxford Road, Bodicote Banbury Oxfordshire Grid Ref Easting: 446163 Grid Ref Northing: 238286		
Is the appeal site within a Green Belt?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

#### E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
If YES, please state below the revised wording			
Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 46 no dwellings, with associated works and provision of open space			
Please attach a copy of the LPA's agreement to the change.			
<input checked="" type="checkbox"/> see ' <a href="#">Appeal Documents</a> ' section			
Area (in hectares) of the whole appeal site [e.g. 1234.56]	2.19 hectare(s)		
Does the proposal include demolition of non-listed buildings within a conservation area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

#### F. REASON FOR THE APPEAL

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

1. Refused planning permission for the development.	<input checked="" type="checkbox"/>
2. Refused permission to vary or remove a condition(s).	<input type="checkbox"/>
3. Refused prior approval of permitted development rights.	<input type="checkbox"/>
4. Granted planning permission for the development subject to conditions to which you object.	<input type="checkbox"/>

- 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

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

[see 'Appeal Documents' section](#)

3. Inquiry

## 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

[see 'Appeal Documents' section](#)

(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:** Paul Edward Bennett  
**Address at which notice was served:** 21 Campden Road, Ickenham, Middlesex, UB40 8EU  
**Date the notice was served:** 11/02/2019

**Owner's Name:** Edwina Caroline Fassom  
**Address at which notice was served:** Beechcote, The Street, West Clandon, Surrey, GU4 7TD  
**Date the notice was served:** 11/02/2019

**Owner's Name:** Nigel Morris  
**Address at which notice was served:** Deer Fields Farm, Canal Lane, Bodicote, Banbury, OX15 4AD

**Date the notice was served:** 11/02/2019  
**Owner's Name:** Oxfordshire County Council - Highways Department  
**Address at which notice was served:** County Hall, New Road, Oxford, OX1 1ND  
**Date the notice was served:** 11/02/2019

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. Further information about our Data Protection policy can be found on our website under Privacy Statement.

**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>	DESCRIPTION OF DEVELOPMENT
<b>Document Description:</b>	A copy of the LPA's agreement to the change.
<b>File name:</b>	To follow.docx
<b>Relates to Section:</b>	CHOICE OF PROCEDURE
<b>Document Description:</b>	Document containing detailed reasons why a hearing is necessary.
<b>File name:</b>	18-554 - Letter to PINS.pdf
<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>	18-554 - SH Appeal Statement Appendices.pdf
<b>File name:</b>	18-554 - SH appeal Statement Final (without appendices) - Feb 2019.pdf
<b>File name:</b>	LandscapeAppeal Statement - Feb 2019.pdf
<b>File name:</b>	Landscaping appendices - To follow.docx
<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A planning obligation (a section 106 agreement or a unilateral undertaking).
<b>File name:</b>	To follow - s106.docx
<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>	18-088 - AMENDED application form_1.0.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>	18-088 - AMENDED application form_1.0.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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.
<b>File name:</b>	18-088 - Decision 18-00792-OUT (outline 46 dwellings) - refused 31-10-2018.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_1.0.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>	18-088 - AMENDED application form_1.0.pdf
<b>File name:</b>	18-088 - AMENDED Cover letter for outline planning application_1.0.pdf
<b>File name:</b>	Topo_1.0.pdf
<b>File name:</b>	Location Plan_1.0.pdf
<b>File name:</b>	18-088-PDAS - Outline_1_15_1.0.pdf
<b>File name:</b>	Arbori Feb 2018.pdf
<b>File name:</b>	Transport Statement_1.0.pdf
<b>File name:</b>	Ecology Phase 1 - reduced_1.0.pdf
<b>File name:</b>	103869EC2R0 - Bat Survey Report Oxford Road_1.0.pdf
<b>File name:</b>	Utility Statement_1.0.pdf
<b>File name:</b>	1_2719_Bodicote_LVIA_180503 - reduced_1.0.pdf
<b>File name:</b>	UD-GA-001B Illustrative Masterplan (30.04.18) (1)_1.0.pdf
<b>File name:</b>	Desk Study Assessment_1.0.pdf
<b>File name:</b>	FRA - To follow.docx
<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>	18-554 - appeal document list.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>	18-554 - appeal document list.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>	FRA - To follow.docx
<b>File name:</b>	2719_Bodicote_Schedule of Native Trees and Hedgerows_180924.pdf
<b>File name:</b>	2719_LVA Addendum_180924.pdf
<b>File name:</b>	EB Biodiversity Impact Calculator.pdf
<b>File name:</b>	Attenuation Pond Sections - Oxford Road P0310 - Viridian.pdf
<b>File name:</b>	Tree Survey with AIA Bodicote AWA2120_1.0.pdf
<b>File name:</b>	Landscape Strategy - Oxford Road P0310 - Viridian 24Sep2018.pdf
<b>File name:</b>	Tappers Farm UD-GA-001F Illustrative Masterplan.pdf
<b>File name:</b>	DEFRA Metric - Land off Oxford Road, Bodicote - Report.pdf
<b>File name:</b>	AC106181-1r0 -Noise Impact Assessment.pdf
<b>File name:</b>	Parameters Plan Final.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>	18-554 - appeal document list.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>	DRAFT- Tappers Farm Draft Statement of Common Ground - Feb 2019.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.
<b>File name:</b>	Enc 15d - email.pdf
<b>File name:</b>	Enc 15b - email.pdf
<b>File name:</b>	Enc 15c - email.pdf
<b>File name:</b>	Enc 15a - email.pdf

**Completed by**

SIR / MA EMERY PLANNING

**Date**

11/02/2019 16:55:36