
Appeal Decision

Site visit made on 5 January 2026

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026.

Appeal Ref: APP/C3105/W/25/3375016

Bishops End, Burdrop, Banbury OX15 5RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for Permission in Principle.
 - The appeal is made by Mr Geoffrey Noquet against the decision of Cherwell District Council.
 - The application Ref is 25/02149/PIP.
 - The development proposed is Permission in Principle to provide 3 to 4 dwellings within the area outlined in red.
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Decision

1. The appeal is allowed and Permission in Principle is granted for three to four dwellings within the area outlined in red at Bishops End, Burdrop, Banbury OX15 5RQ in accordance with the terms of the application, Ref 25/02149/PIP.

Preliminary Matters

2. The proposal is for Permission in Principle. As such, the scope of the considerations at this stage is limited to location, land use and the amount of the proposed development. All other matters would be considered as part of any subsequent application for Technical Details Consent (TDC). In this case, permission is sought for three or four dwellings, and I have determined the appeal on this basis.
3. The appeal results from the failure of the Council to determine the application within the prescribed period and so there is no formal Decision Notice. However, the Council's Statement of Case sets out the reasons why permission would have been refused had it been empowered to do so.

Main Issues

4. The main issues are whether the proposal and its location, land use and amount would (a) have an acceptable effect on the character and appearance of the area, including the Sibford Ferris, Sibford Gower and Burdrop Conservation Area (CA) and adjacent listed buildings, and (b) accord with the strategy of the Development Plan including with regard to access to services and facilities.

Reasons

Character and Appearance

5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that I have special regard to the desirability of preserving the listed buildings and their settings, or any features of special architectural or historic

interest. Section 72 of the Act requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

6. The site consists of a now-closed public house, Blaze-Inn Saddles¹, its car park and an associated property, Holly Cottage. The CA incorporates parts of the three settlements, which are close to each other. Burdrop has a rural, tranquil character, with many buildings having agricultural origins. It has notable views across the valley to Sibford Ferris, known as the Sibford Gap. For the purposes of the appeal, the significance of the CA is its attractive rural buildings, spaces and street scenes.
7. Barn Close is a Grade II listed building adjacent to the site, whilst Bentons, also Grade II listed, is opposite. They are 17th century stone properties with subsequent additions. Relevant to the appeal, the significance of the buildings is their age and traditional, historic form and appearance, and their contribution to settlement character. The former public house building is identified² as having a typical vernacular construction of its period, thus constituting a non-designated heritage asset. As such, it makes a positive contribution to the significance of the CA and to the setting of the listed buildings.
8. The appeal site encompasses the public house building itself, Holly Cottage, and the car park. The Council and others have expressed concern about the adverse effect of new development within the car park, and its enclosing and urbanising impacts, including on the Sibford Gap. Similar concerns were raised in a recent appeal³ (the July 2025 appeal), which also sought Permission in Principle for housing.
9. However, planning permission⁴ has already been granted for an additional holiday unit within part of the car park area, albeit as ancillary accommodation to the public house, and without its own private amenity space. The appellant states that there are no plans to construct any additional unapproved houses in the car park.
10. It is conceivable that the number of units now sought could come from the conversion of the existing public house building, and the erection of a new building similar to that already approved, possibly as well as Holly Cottage. Amenity space may well need to be provided to serve each new property. Even so, the creation of three or four dwellings could require little or no additional built form beyond that which already exists or has approval.
11. Accordingly, the proposal before me differs from that considered in the July 2025 appeal, which sought up to seven dwellings, and included additional infilling and minor development. It would also be different from an October 2022 appeal⁵, that related to the erection of a new building closer to Barn Close, and which would have closed the gap between that property and the existing building.
12. Consequently, the proposal would not necessarily reduce the spaciousness of the Sibford Gap, the rural character of the area, or the significance or setting of the listed buildings or the CA. TDC stage can be used to ensure that the specific details of the proposal are acceptable and would not adversely affect heritage assets, including the existing building, and to secure any potential enhancements.

¹ Previously known as Pheasant Pluckers; Bishop Blaize

² In the Sibford Ferris, Sibford Gower and Burdrop Conservation Area Appraisal, April 2012

³ PINS reference APP/C3105/W/25/3360446

⁴ LPA reference 24/00613/F

⁵ PINS reference APP/C3105/W/22/3295704

13. For the reasons given above, the proposal and its location, land use and amount would have an acceptable effect on the character and appearance of the area, including the CA and adjacent listed buildings. It would therefore accord with policies ESD13 and ESD15 of the Cherwell Local Plan Part 1 (CLPP1), adopted July 2015, and saved policy C33 of the Cherwell Local Plan (CLP), adopted November 1996. These require new development to conserve, respect and enhance local landscape character and heritage assets, and to retain important undeveloped gaps. It would similarly accord with the requirements of the Act.

Strategy, Services and Facilities

14. CLPP1 policy Villages 1 (V1) categorises settlements in order to guide new housing to the built-up limits of the most suitable locations. Sibford Ferris and Sibford Gower are identified as being Category A villages. These are where minor development, infilling and conversions are generally permissible. CLPP1 policy ESD1 seeks to distribute growth to the most sustainable locations, to reduce the need to travel and to encourage sustainable travel options.
15. There is no dispute that the appeal site is within the confines of Burdrop, which forms part of a cluster of villages with Sibford Gower and Sibford Ferris, and that as a result it forms part of the Category A village designation. In the context of the Development Plan, such locations are the most sustainable rural settlements in the District.
16. Burdrop, Sibford Ferris and Sibford Gower together have a range of facilities including a primary school, church, village hall, doctor's surgery, shop and another public house. There is a limited bus service, with stops nearby. Access to these facilities would require the use of unlit roads, but using routes that have pavements, with the exception of a few short sections.
17. Even if the proposal would result in additional car journeys, the National Planning Policy Framework recognises that opportunities for sustainable transport use should take into account their location and will vary between urban and rural areas. The length of car journeys to nearby settlements with other facilities, such as Hook Norton, would be relatively short. Consequently, in the context of its rural location, the site is reasonably sustainable.
18. Examples have been given of appeal decisions for schemes within Category A villages that were found to have poor access to services, facilities and sustainable transport modes. Even so, in some cases, these relate to villages where service levels have declined, or which lack some of the facilities here, such as a school, surgery or shop. A site at Sibford Gower⁶ was found to have poor access to services. That said, the site was outside of the built-up limits of the village and required walking along lengthy unmade routes without pavements in order to access facilities. As such, these examples are not directly comparable to the proposal here.
19. For the reasons set out above, the proposal and its location, land use and amount would comply with the strategy of the Development Plan including with regard to access to services and facilities. It would therefore accord with CLPP1 policies V1 and ESD1. The Council has referred to conflict with CLP policy H18. However, this

⁶ PINS reference APP/C3105/W/24/3350881

relates to new dwellings beyond the built-up limits of settlements. There is no dispute that the site is within Burdrop and so I find no conflict with this policy.

Other Matters

20. The viability of the public house was an issue during previous applications and appeals, and is a matter raised by third parties in respect of this proposal. The public house undoubtedly provided an important community asset to the village. However, in this case a viability appraisal has been submitted which makes clear that it would no longer be viable to re-open the public house. The Council agrees with this finding, and I see little reason to take a different view. As the public house use appears to have been lost in any event, this does not provide a reason to resist the proposal.
21. The Highway Authority and others objected to the application because of insufficient information and concerns regarding access, parking and the site layout. Nonetheless, there is little reason to doubt that the existing and approved parking and access arrangements would not be suitable for the proposal. Details of these matters including layout can be considered at TDC stage.

Conclusion

22. For the reasons given above, I conclude that the appeal should be allowed and Permission in Principle granted.

O Marigold

INSPECTOR