

**NOTICE OF DECISION**  
**TOWN AND COUNTRY PLANNING (GENERAL**  
**PERMITTED DEVELOPMENT) (ENGLAND)**  
**ORDER 2015**

**Name and Address of Agent/Applicant:**

Mark Lyne  
1a Station Court  
Station Road  
Guiseley  
Leeds  
LS20 8EY

**Telecommunications “Prior Approval” Determination**

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**Date Registered:** 8th October 2021

**Proposal:** Proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.

**Location:** Street Record, Station Road, Kirtlington

**Parish(es):** Kirtlington

**REFUSAL OF PRIOR APPROVAL**

Cherwell District Council as Local Planning Authority has determined on the basis of the information submitted that **its Prior Approval is required** for the proposed development specified above but that it is hereby **REFUSED** for the reason(s) set out in the attached schedule.

Cherwell District Council  
Bodicote House  
Bodicote  
BANBURY  
OX15 4AA



David Peckford  
Assistant Director – Planning and  
Development

**Date of Decision: 3rd December 2021**

**Checked by: Paul Ihringer**

## REASONS FOR REFUSAL

1. The proposed 5G radio monopole and associated equipment by reason of its design and siting would result in less than substantial harm to the character and appearance of the Kirtlington Conservation Area. The identified public benefits are not considered to overcome the harm identified. The proposal would therefore fail to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance set out in the National Planning Policy Framework.

## STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>.