



Appeal Decision

Site visit made on 25 April 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2025

Appeal Ref: APP/Q3115/W/25/3358976

Osborne House, Annexe, Access Road to Ascott, Ascott, Oxfordshire OX44 7UJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Day against the decision of South Oxfordshire District Council.
 - The application Ref is P24/S1811/FUL.
 - The development proposed is conversion and alteration of existing annexe for use as a self contained dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for conversion and alteration of existing annexe for use as a self contained dwelling at Osborne House, Annexe, Access Road to Ascott, Ascott, Oxfordshire OX44 7UJ in accordance with the terms of the application, Ref P24/S1811/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of the decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan (J1091/PP100); Existing Site Plan (J1091/PP101); Existing Floor Plan (J1091/PP102); Existing Elevations (J1091/PP103); Proposed Site Plan (J1091/PP110); Proposed Floor Plan (J1091/PP111); and Proposed Elevations (J1091/PP112).
 - 3) Cycle parking facilities shall be provided in accordance with details submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.
 - 4) The parking and turning area hereby approved shall be retained unobstructed at all times, except for the parking of vehicles associated with the development.

Preliminary Matter

2. The appeal site is within the Ascott Park Grade II listed Park and Garden, a designated heritage asset. There is no evidence from the parties that the proposal would affect the significance of this heritage asset and, from my observations on site, I have no reason to form a different view. I have determined the appeal on this basis.

Main Issue

3. The main issue is whether the appeal site is a suitable location for the proposed development, having regard to local and national planning policies.

Reasons

4. The appeal site comprises a single-storey detached annexe building which is set within a partly walled garden to one side of Osborne House, a large detached dwelling. It forms part of a loose knit collection of predominantly residential and agricultural buildings to the south of the B480, accessed from an unmade lane.
5. The occupation of the annexe is currently restricted by condition to purposes ancillary to the residential use of Osborne House and it has not been used since March 2023. The proposal is for the conversion of the annexe to a self-contained two-bedroom dwelling which would include the creation of a small courtyard garden within the existing walled garden of Osborne House and the addition of patio doors. The appearance of the annexe would otherwise remain unchanged.
6. The appeal site is located outside a defined settlement, a distance from the small settlement of Stadhampton which has limited local services but includes a shop (attached to a petrol station) and primary school. From here, there are weekday bus services to nearby larger centres of Oxford, Watlington and Thame and there are bus stops (in either direction) on the B480, at the end of the lane close to the appeal site.
7. There are no footways along the B480 between the appeal site and Stadhampton and whilst it would be possible to walk along the grass verges, the road is unlit and largely subject to a 50mph speed limit. It would not therefore be an appealing walk. However, I walked the public footpath from the appeal site, and this is a pleasant alternative to the road and the village is quite quickly visible. Whilst rural in its character, I did not find the appeal site to be isolated.
8. Nevertheless, it is likely that future occupiers of the annexe would be largely reliant on the private car to access most essential services. Consequently, there is conflict with the objectives of Policy STRAT1 of the South Oxfordshire Local Plan 2011-2035 (2020) (LP) which are to build on the existing settlement hierarchy in South Oxfordshire and actively create a sustainable pattern of development, focusing growth in locations that help reduce the need to travel and protect the countryside. The number of movements arising from a two-bedroom dwelling would, however, be relatively small and the harm arising from the increase in car travel would be limited.
9. LP Policy H1 sets out the way in which new housing will be delivered. On sites that are not allocated in the LP, it specifies certain circumstances where residential development would be permitted, including criterion (vii) which is where it would bring redundant or disused buildings into residential use *and* would enhance its immediate surroundings. This policy is broadly consistent with the National Planning Policy Framework (the Framework), albeit paragraph 84 seeks to avoid the development of 'isolated' homes in the countryside, unless one of a list of circumstances applies, including (c) that the development would re-use redundant or disused buildings and enhance its immediate setting.
10. The Council's case is that the building would not qualify as being redundant or disused. Irrespective of the need of the appellant for an annexe, based on the number of planning applications received, they consider that there is a clear demand for ancillary accommodation associated with a host dwelling. I have no evidence to dispute this.

11. However, there appears to be no disagreement between the parties that the annexe is empty, and the building is therefore clearly disused. Both LP Policy H1 and the Framework support the conversion of disused buildings as a matter of principle, and there is nothing to suggest this only applies to existing or former agricultural type buildings.
12. The existing annexe is constructed with a red brick plinth and timber boarding with a hipped slate roof. It has a part walled garden to the front laid to lawn and an area of gravel car parking, accessed from the lane through a wooden gate. I observed that the appeal site is tidy and attractive in its appearance, and limited works are proposed to facilitate the conversion of the annexe, or realistically could be undertaken to enhance the immediate setting of the building.
13. I therefore conclude that the appeal site would not be a suitable location for the proposed development. There would be very limited conflict with LP Policy H1 vii), which arises because of the current condition of the annexe and the difficulties in enhancing its setting. Further, because of the small scale of the development, there would only be very limited conflict with LP Policy STRAT1 in so far as it seeks to deliver new housing in accordance with the spatial strategy.

Planning Balance

14. The proposal would result in the provision of a single new home on a small site which would contribute to the supply of housing and could be delivered quickly. It would further make effective and efficient use of an under-utilised building. Whilst benefits, given the small scale of the development, they provide modest weight in favour of the proposal. No other objections have been raised by the Council in respect of car parking or impact on residential amenity. However, these are neutral matters which do not weigh in favour of the proposal.
15. LP policies STRAT1 and H1 are broadly consistent with the Framework which requires the planning system to actively manage patterns of growth in support of promoting sustainable transport. I have found that the appeal proposal would have very limited conflict with these policies, nevertheless, the scheme would conflict with the development plan as a whole.
16. The Council has confirmed that they can demonstrate a 4.5-year housing land supply, which is less than the minimum level required by footnote 8 of paragraph 11d) of the Framework. Therefore, paragraph 11d)ii. of the Framework is engaged, which states that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, including the key policies cited.
17. The development would align with the Framework where it seeks to increase the supply of housing and acknowledges that small-scale development can make an important contribution to meeting the housing requirements, often built out relatively quickly. The Framework further supports the effective use of land and the development of under-utilised buildings, especially if this would help to meet identified needs for housing, and it confirms that good design is a key aspect of sustainable development and fundamental to what the planning and development process should achieve. Given the small size of the proposal, all these matters attract modest weight in favour of the scheme.

18. The proposal would conflict with the Framework where it seeks to actively plan for, and manage, patterns of housing growth, in support of sustainable transport objectives, although it recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Given a two-bedroom dwelling would generate only a relatively small number of movements by private car, I give this conflict modest weight.
19. I therefore find that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal therefore accords with the presumption in favour of development.
20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise. The presumption in favour of sustainable development is a material consideration, which in this case means the development should be determined otherwise than in accordance with the development plan.

Conditions

21. The Council has provided a list of suggested planning conditions, which I have considered against the Framework and advice contained in the Planning Practice Guidance. In addition to the standard time condition for implementation of the planning permission, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.
22. A condition which requires cycle facilities to be provided prior to occupation is necessary to encourage the use of modes other than the private car. However, I have modified the wording of the Council's suggested condition to avoid a pre-commencement requirement for approval of the details as no clear justification has been given for why this would be necessary.
23. The gravel parking area to the front of the annexe is existing and is not proposed to be altered. It is therefore unnecessary and disproportionate for a single dwelling to impose a condition requiring the parking and turning area to be laid out, surfaced, drained and completed such that it complies with SUDs principles. However, in the interests of highway safety, I have imposed the second part of the Council's suggested condition which requires the area to be retained unobstructed except for parking of vehicles associated with the development.

Conclusion

24. For the reasons set out above, I conclude that the appeal should be allowed.

R Gravett

INSPECTOR