



Appeal Decision

Site visit made on 07 July 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st July 2025

Appeal Ref: APP/D3125/W/25/3364697

Land east of Dry Lane, Crawley, Witney OX29 9TJ

- 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 T Freshwater against the decision of West Oxfordshire District Council.
 - The application Ref is 24/03039/FUL.
 - The development proposed is laying of hardcore at site access to provide temporary parking and vehicle manoeuvring area- retrospective.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is referred to as being retrospective and it was clear at my site inspection that the hardcore is already in place. I have determined the appeal accordingly.

Main Issues

3. The main issue is the effect of the proposal on the setting and significance of the listed building Crawley bridge and the character and appearance of the area.

Reasons

4. The appeal site comprises part of a field which lies adjacent to Dry Lane to the south of the river Windrush. Crawley Bridge is a grade II listed 18th century stone ashlar 3-arch bridge over the river which lies to the north of the site. The low height allows for views of the riverbanks including the appeal site. The significance of the bridge appears to lie in its age, materials and architectural interest as well as its functional importance in association with the river. The bridge's rural setting also contributes an important visual element to the bridge's historic significance. The site forms part of the rural riparian setting of the bridge.
5. The West Oxfordshire Landscape Assessment (WOLA) (1998) sets out that the site is located within the 'Upper Windrush Valley' landscape character area, a deep valley with a distinctively intimate and pastoral character. The WOLA states the highly attractive and remarkably unspoilt landform of the valley defines its overall character. The site is located within the 'valley floor farmland' landscape type which is characterised by its distinctive flat valley floor, and its semi-enclosed and pastoral character. The wider vegetated field in which the site is located contributes positively to the surrounding verdant landscape character.

6. Retrospective planning permission is sought for the laying of loose-stone hardstanding at the site access to provide a temporary parking and vehicle manoeuvring area in association with the agricultural use of land to the east. The hardcore covers an area of approximately 690m² and comprises brick and concrete rubble. The appellant suggests that, prior to the laying of the hardcore, the site was an untidy area. The proposal does not result in the loss of open space. At my site inspection I observed that there are limited views of the proposal from the public bridleway to the south of the site and consequently the proposal does not have a harmful effect on the users of this right of way. It is noted that no vehicles or piles of rubble are proposed to be stored at the site.
7. Nonetheless, in views from Dry Lane and the surrounding area, including in elevated views from the bridge, the hardcore appears as an untidy and incongruous feature and there is no compelling evidence before me that this is characteristic of agricultural and equine sites in the district. The hardcore appears as an uncharacteristic urban feature within the bridge's otherwise highly vegetated immediate surroundings. There is no suggestion that the historic association of the bridge with transportation, including by horses, necessitated the laying of hardcore within the setting of the bridge. Consequently, the proposal fails to preserve the listed building's special architectural and historic interest and hence significance and is harmful to the character and appearance of the area.
8. The appellant has undertaken hedge and wildflower planting to the site's boundaries and suggests that further landscaping could be secured by condition. However, this landscaping would take some time to fully mature and, in any case, would fail to fully screen the hardcore, in particular in elevated views from the bridge. It would therefore fail to fully address the visual effects of the development.
9. The appellant has drawn my attention to other features in the area including the food van, the Industrial Estate and signage, which, it is stated, also result in harm to the setting of the bridge. There is little information before me regarding the planning status of these developments. Even if I were to agree that they were unsympathetic, they have not substantially altered the setting of the bridge such that its significance has been compromised and nor do they provide a justification for further harmful development elsewhere.
10. It is suggested that a similar area could be created elsewhere without the benefit of planning permission. However, a hardstanding area which complies with permitted development rights would introduce greater separation from the bridge and would not result in the same degree of harm to its setting. I therefore afford this fallback limited weight.
11. I have a statutory duty¹ to have special regard to the desirability of preserving the setting of the listed bridge. I have found that the proposal would be harmful to the setting of this listed building. In the words of the National Planning Policy Framework (the Framework) the proposal would lead to less than substantial harm. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal.
12. It is stated that the hardstanding provides a stable area for the movement of vehicles used to transport horses and machinery used to harvest hay and haylage and thus supports the use of the appellant's land for agricultural purposes.

¹ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Nevertheless, it has not been evidenced that these benefits could not be achieved through a less intrusive form of development. It is stated that there has been local support for the clearing of the frontage drainage ditches and the laying of new pipes and that the appellant has maintained the public right of way to the south of the site which had become overgrown. However, there is no evidence that these benefits are dependent on the proposal. I therefore afford these benefits limited weight.

13. Heritage assets are an irreplaceable resource. Although the harm to the significance of the designated heritage asset is of a modest nature, as this harm carries considerable importance and weight, the limited public benefits of the development have not been shown to outweigh this harm. Conflict therefore arises with the historic environment protection policies in the Framework.
14. I have found that the proposal would cause harm to the character and appearance of the area and would fail to preserve the setting of the grade II listed building known as Crawley bridge. Accordingly, the proposal would be contrary to those aims of policies OS2, OS4, EH2, EH4, EH9, EH11 and EH13 of the West Oxfordshire Local Plan (2018) which seek to ensure that development demonstrates high quality design, conserves and enhances the natural, historic and built environment and the historic landscape character and gives great weight to conserving and/or enhancing the significance of designated heritage assets.

Conclusion

15. The proposal does not accord with the development plan and there are no other material considerations that indicate the proposal should be determined other than in accordance with it. Therefore, for the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

N Robinson

INSPECTOR