



Appeal Decision

Site visit made on 28 August 2025

By G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2025

Appeal Ref: APP/Q3115/W/25/3364768

Garages at Holloway Farm, Milton Common, Oxfordshire, OX33 1GX

- 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 Sheehans Ltd against the decision of South Oxfordshire District Council.
 - The application Ref is P24/S3699/FUL.
 - The development proposed is the conversion of existing garages outbuilding into a 1-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The site lies within the Green Belt (GB). For the reasons explained in its submissions, and having regard to the exceptions to the normal policies of restraint listed in the *National Planning Policy Framework (the Framework)*, the Council does not consider the proposal to constitute inappropriate development in the GB.
3. The proposed ground floor plan submitted with the application depicts a strip of land immediately north of the existing garages with the annotation '*garden retained*'. As I saw, there was no garden, and this narrow strip of land was dominated by a row of leylandii. The location and block plans show the 'garden' area to be outside the application site and since my visit the appellant has confirmed that the ownership of the land is unknown. I shall therefore proceed on the basis that the land is not included in the application, and no garden area is proposed.

Main Issue

4. Whether in the light of development plan policy this is an appropriate site for the proposal, with specific reference to (a) design and effect on local character and appearance; (b) the living conditions of future residents, and (c) access to services and facilities.

Reasons

Design, Character and appearance

5. The appeal property is comprised of a small battery of garages, with a shallow mono-pitch roof and roller shutter doors. They are set opposite the brick-built

farmhouse, which is no longer used for that purpose, now being a House in Multiple Occupation (HMO). A hard-surfaced area separates the garage from the HMO. Both buildings are contained, along with other uses, within a large, roughly oval shaped tract, bordered by roads, being the M40, the dualled A40 and their respective interchanges/junctions. A large motorway service area (MSA) is situated some distance to the west. The other uses closest to the appeal site include another dwelling and various commercial enterprises of different types.

6. Lying beyond the boundaries of a settlement, the appeal site is within an area designated as open countryside. However, given the nature of local uses, and the influence of the road network, the site and its immediate surroundings display very few, if any, of the usual characteristics of such designated areas.
7. The Council describes the garages as being situated on a prominent and open site. I did not find this to be the case. They are situated at the end of a lengthy, and as I understand it, private access drive, Church Hill, and are reasonably sheltered from view. The leylandii also mask the garages, which are of a relatively modern utilitarian appearance. The garages' sphere of visual influence is restricted.
8. The external physical effects of the conversion would mainly affect the front elevation which faces the HMO. The roller shutter doors would be removed, to be replaced by a series of glazed openings and doors, with fresh facing-materials introduced. In terms of the effect on the appearance of the garages, the changes would, in my view, represent an improvement, having little and certainly no harmful visual effect on the surrounding area. Given that I perceived the character of the area as rather grim, no harm would be caused in this respect.
9. I therefore conclude that the proposed development would not harm the character and appearance of its surroundings, and that no material conflict arises with those provisions of policies DES1 & DES2 of the South Oxfordshire Local Plan (LP), directed to the achievement of good design.

Living conditions

10. The rather unpleasant outlook from the garage, once converted, would be towards the HMO over an open hard-surfaced area used for vehicle manoeuvring and parking. Other users of the open area would be able to see directly into the new dwelling's large, glazed openings at close quarters, materially affecting privacy within the dwelling unless blinds or curtains were drawn. There would be no external amenity area, so residents would be confined to the house. Although the guidance referred to by the Council on external amenity space standards does not equate to policy, it is a material consideration to which I attach substantial weight, and should be read in conjunction with LP policy DES5 relating to the need to provide adequate levels of amenity space for dwellings.
11. I note the appellant's views about traffic noise and air quality, and that these did not seem to be matters of concern to the Council on a previous submission. To my mind, however, the site is heavily influenced by the pervasive sounds of heavy traffic, which, given the function of the adjacent highways, would likely continue at night. Future residents would be likely to suffer unacceptable noise nuisance and disturbance as matters stand. In these circumstances, I find it reasonable that a detailed, specific acoustic assessment would be required to inform likely internal living conditions, and to judge whether mitigating measures would acceptably

address the inevitable problem arising on this account. I take a similar view on air quality. That there are other long established residential buildings nearby does not justify exposing more residents to a probable noise nuisance and possible air pollution.

12. I therefore conclude that the living conditions of future residents with reference to privacy, external amenity area and noise, in what I have already described as rather grim surroundings, would not meet the standards reasonably expected in a modern residential development. A conflict arises with those provisions of LP policies DES6, ENV12 & EP1, directed to the achievement of acceptable living conditions for residents.

Accessibility

13. Access to and from the property would be taken along a lengthy private drive which emerges at the entrance to the MSA. The access is relatively narrow in parts, has no footway, and is unlit. A bus service serves the MSA accessing Oxford, and food and other services are available in the shops within the MSA.
14. Although the length of the driveway would probably deter future residents from walking to the MSA at night and during inclement weather, it provides the opportunity for residents to walk to some, albeit limited, facilities, and to access public transport to other service centres in most circumstances. I note the highway authority's concern about walkers' safety, but during the day, notwithstanding the absence of a footway, visibilities along the drive are excellent, so the likelihood of adverse pedestrian/vehicular conflict is unlikely.
15. The site is not remote in the terms of the *Framework*, and I am conscious of the permissive provisions of Policy H1¹ in respect of conversions of redundant buildings to residential use, seemingly irrespective of location. I therefore find that the site has an acceptable accessibility to services, notwithstanding its location in the open countryside.

Other matters

16. All other matters raised have been considered, including the representations submitted by local residents, and I share the officer assessment, for the same reasons, that the development would have no material impact on neighbouring living conditions.
17. I have also taken into account the other references to the *Framework*. Reference has been made to other LP policies, but I consider those to which I have referred to be the most relevant, having regard to the facts of the case. No other matter is of such strength or significance as to outweigh those considerations that led to my overall conclusions.

Planning balance and overall conclusions

18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The *Framework* places considerable emphasis on sustainable development and highlights the delivery of

¹ Section 3 (vii)

new housing as a national priority. It is an important material consideration in planning decisions.

19. The Council acknowledges a deficit of housing land as required by the *Framework* and accepts that the tilted balance is therefore engaged by Paragraph 11d)ii of the *Framework*. This requires that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the *Framework* as a whole.
20. My conclusions on the main issue should therefore be balanced against other aspects of the scheme, including its advantages. These include a very modest contribution to improving the local housing land supply, limited help in sustaining local businesses and services, and, albeit short term, economic activity and employment opportunities arising from development.
21. The Council found that the development would not be inappropriate development in the GB, so the GB location would not represent a strong ground for not applying the tilted balance in favour of the appellant.
22. In assessing the main issue, I found that no harm would be caused to the character and appearance of the area and that the site has acceptable accessibility. Were these the only factors, I would be tended to apply the tilted balance in favour of the appellant.
23. However, that is not the case, since the living conditions of future residents would be poor and unacceptable. The Framework advises that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Based on the information before me, that objective would certainly not be achieved.
24. Whilst I find in the appellant's favour on certain aspects, this is outweighed by the issue of residential living conditions. Accordingly, I find that this would not be an appropriate site for the proposal.
25. Having regard to all aspects, I conclude that the adverse impacts of the scheme would significantly and demonstrably outweigh its benefits when assessed against the policies in the Framework as a whole.
26. Accordingly, the appeal is dismissed.

G Powys Jones

INSPECTOR