



Appeal Decision

Site visit made on 13 August 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2025

Appeal Ref: APP/Q3115/W/25/3361766

**Court House, Road Running Through Toot Baldon, Toot Baldon, Oxford,
Oxfordshire OX44 9NG**

- 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 P Arden against the decision of South Oxfordshire District Council.
 - The application Ref is P23/S2544/FUL.
 - The development proposed is conversion of redundant barn to a single dwelling unit with a front projecting extension to create an entrance hall, with also a detached garage and store outbuilding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would preserve or enhance the character or appearance of the Toot Baldon Conservation Area, and preserve the setting of the Grade II listed Court House; and
 - the effect of the proposed development on the living conditions of the occupiers of the neighbouring property having regard to outlook.

Reasons

Designated heritage assets

3. The appeal site is located in Toot Baldon. It occupies an area of the curtilage of the Grade II listed Court House and is separated from the listed building by mature planting. The site includes a barn that is curtilage listed. It is currently used for domestic storage. The site is also located within the Toot Baldon Conservation Area (CA).
4. Toot Baldon is one of four hamlets in the area with medieval origins. The CA encompasses the historic core of the hamlet and contains numerous listed buildings. The significance of the CA is derived, in part, from the well-preserved village character, including the local vernacular and building materials, the retained historic pattern of low density and scattered built form, the large number of historic buildings, and its continued strong connection with the surrounding agricultural landscape.
5. The site is also within the setting of the Grade II listed Court House. The Historic England listing description states that it is a substantial house that dates from the

16th Century and was extended in the 19th Century. The significance of the listed building is derived, in part, from it being a good example of a 16th Century house, the retention of some original features, and its prominence and status in the historic core of Toot Baldon.

6. Planning permission and listed building consent have previously been granted for the conversion of the barn and the erection of a small, detached outbuilding¹. A further listed building consent was subsequently granted for the conversion of the barn², but the associated planning application was refused, which is the subject of the appeal.
7. The proposed outbuilding would accommodate a double garage and separate store. It would be erected near to the curtilage listed barn and would have a steeply pitched roof to reflect the roof shape of the barn. The external materials would match the barn. An existing apple tree and other vegetation would be removed to facilitate the construction of the outbuilding.
8. The ridge and eaves heights of the outbuilding would be similar to the curtilage listed barn and the floor area would not be much smaller than the barn. It would be a wide and deep building with a large roof area. The overall mass and bulk of the building would not be subservient to the barn and would visually compete with it. This would result in the building detracting from the curtilage listed building. Furthermore, the proposal would erode the currently spacious and open setting of the barn within its plot. The building would therefore not successfully integrate into the surrounding built context.
9. The curtilage listed barn makes a positive contribution to the setting of the Grade II listed Court House and the detrimental impact the proposal would have on the barn would, in turn, detrimentally impact on the historical integrity of Court House despite the site being well screened from the listed building. The barn is a reminder of the historical agricultural vernacular of the CA, which is an important characteristic of the heritage asset. The introduction of a building that would visually compete with the primary building on the site and would fail to integrate into its context would compromise the positive contribution the barn makes to the CA and, as a result, harm the character and appearance of the CA.
10. I consider that the degree of harm to the CA and listed building would be less than substantial in this instance. Under such circumstances the Framework indicates that this harm should be given great weight and weighed against the public benefits of the proposal.
11. The proposed outbuilding forms part of the proposal for the conversion of the barn to a dwelling. The provision of the dwelling would contribute towards the Council's housing delivery. There would also be associated social and economic benefits, including during the construction phase and through future residents paying into the local economy. Additionally, the conversion of the curtilage listed barn to a dwelling would secure the optimum viable use of the barn. However, there is an extant planning permission and listed building consent in place for the conversion of the barn to a dwelling with a significantly smaller outbuilding. As such, the weight that can be attributed to the above stated benefits is limited.

¹ Planning and listed building applications references P23/S2542/FUL and P23/S2543/LB

² Listed building application reference P23/2545/LB

12. Even when taken together, the above stated public benefits are insufficient to outweigh the less than substantial harm to the CA and listed building and the considerable and important weight that it carries.
13. For these reasons, the proposed development would fail to preserve or enhance the character or appearance of the Toot Baldon Conservation Area and would fail to preserve the setting of the Grade II listed Court House. Consequently, the proposal would conflict with DES1, DES2, ENV7 and ENV8 of the South Oxfordshire Local Plan 2011 – 2035 (LP), which collectively seek, in part, for development to reflect the positive features of an area, physically and visually enhance and complement its surroundings, be sympathetic to listed building's setting, and conserve and enhance the special interest, character and appearance of CAs.

Living conditions

14. The proposed outbuilding would be constructed adjacent to the boundary with 12 Toot Baldon. It would be situated to the north of the neighbouring property with a single window in the dwelling facing towards the site. The garden of No 12 is on its northern side and wraps around on the eastern side where it extends away from the dwelling.
15. The outbuilding would rise above the boundary fence by a significant amount and form a notable presence. However, openings in the eastern elevation of the dwelling provide an alternative outlook for the occupiers and, as such, the impact of the outlook from the dwelling would be substantially lessened. Moreover, the garden area to the east of the dwelling is larger than the area to the north and the impact on the latter is therefore mitigated by a large proportion of the garden being unaffected by the proposal.
16. For these reasons, the proposed development would not have a materially harmful effect on the living conditions of the occupiers of the neighbouring property having regard to outlook. Consequently, the proposal would comply with Policy DES6 of the LP, insofar as it seeks to prevent significant adverse impacts on the amenity of neighbours, in relation to various factors, including dominance and visual intrusion.

Conclusion

17. For the reasons given above, the proposed development would conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

K Reeves

INSPECTOR