



Appeal Decision

Site visit made on 4 September 2025

by **R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL**

an Inspector appointed by the Secretary of State

Decision date: 02 October 2025

Appeal Reference: APP/D3125/W/25/3365499

‘Shuttles Cottage’, Chapel Road, South Leigh, Oxfordshire OX29 6UP

- 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. N. and E. Baish against the decision of West Oxfordshire District Council.
 - The application reference is 24/02415/FUL.
 - The development proposed is described in the application form as follows: *“retrospective application to link garden of Shuttles Cottage for access to paddock and use of drive and field access, with associated landscaping works”*.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The work has already been commenced but, since “retrospective” (as stated in the application form) is not an act of development, I shall treat the application as one made under Section 73A of the Town and Country Planning Act 1990, for development that has already been carried out.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

4. South Leigh is a somewhat dispersed village in the Oxfordshire countryside, with an historic focus on the mediaeval church. ‘Shuttles Cottage’ is an isolated dwelling, sited on the road that leads from the village towards Witney. The house is located on a pronounced bend in the road, in a rural setting that is predominantly open and undeveloped land.
5. ‘Shuttles Cottage’ is an attractive and substantial property that has been renovated and extended and which occupies a large plot, with an extensive garden, below the level of the road at the bend. The land slopes down, away from this part of the road, to a small brook. The road crosses the brook to the north-west of the house, where there is a gate into the garden.
6. A field to the south of the house is in the same ownership, with its own gate. A new driveway has been constructed, from the field gate, across the front part of the field

- to provide access to the house. New hedging has been planted on the field frontage, continuing along the highway boundary in front of the house.
7. The planning application sought permission for the driveway link that has been laid between the field entrance and the boundary of the house. The submissions make it clear, however, that additional landscaping works are included within the proposals for which permission is sought.
 8. Section 15 of the 'National Planning Policy Framework', is aimed at "conserving and enhancing the natural environment" in broad terms and it includes a recognition of "the intrinsic character and beauty of the countryside". Section 12 has the more general aim of "achieving well designed places" in the broadest sense, while making effective use of land and encouraging economic activity.
 9. This approach is reflected in the Development Plan, notably in the 'West Oxfordshire Local Plan 2031' (which was adopted in September 2018) and the 'South Leigh Neighbourhood Plan 2017-2031' (which was made in January 2019). Policies OS2 and OS4 in the 'Local Plan' are particularly relevant, since they identify the need to respect the intrinsic character of the area, including its landscape character (among other things), as does Policy SLE1 in the 'Neighbourhood Plan'.
 10. The Council's 'West Oxfordshire Design Guide 2016' is also material, although it does not have the force of the statutory Development Plan.
 11. The driveway that has been constructed does not impinge unduly on the rural character of the surroundings, being informal in character. Indeed, it has been pointed out that a gateway into the field would be needed in any case, although the configuration of the driveway as whole does not appear to be necessary for the purposes of agriculture.
 12. It is constructed of materials appropriate to the rural setting; The driveway is not unduly visually intrusive and the new chippings can be expected to change in tone within a short period. Similarly, the new hedging that has been planted can be expected to assist in ensuring that the changes will quickly blend into the rural landscape, as well as improving privacy and screening (as the Parish Council have pointed out).
 13. Moreover, the positioning of the gateway, as an entrance to the residential property, is clearly more satisfactory than an access on the bend in the road, in terms of highway safety, although the proposals do not specify that the existing access is to be closed up.
 14. On the other hand, the proposed landscaping scheme as a whole would not accord with the character of the rural landscape. It would be fenced off from the remainder of the field and would include new physical features (a pond and a fence), while the planting scheme would be overly contrived in character. Overall, a clearly domestic and suburbanising character would be created in connection with the residential property, in place of the rural and agricultural quality of the existing field. The newly landscaped areas either side of the new driveway would appear to be an extension of the garden at 'Shuttles Cottage', in practice, even though a formal change of use is not proposed.

15. In reaching these conclusions, I am conscious that 'Shuttles Cottage' can properly be categorised as a non-designated heritage asset but my concerns relate essentially to the impact of the project on the rural character of the wider surroundings, rather than to its effect on the immediate setting of the house itself.
16. I am convinced that the development for which planning permission is sought would, when completed, have a harmful effect on the character and appearance of the surroundings, creating an alien and unsatisfactory intrusion into the rural scene. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
17. In reaching these conclusions I have considered whether the appeal could be allowed but subject to conditions that might overcome the visual concerns that I have identified and create a more sympathetic and less domestic layout that would be in harmony with the rural landscape. In view of all the uncertainties involved, however, I have formed the opinion that it would not be possible to frame precise conditions to deal with the objections that I have identified and that, therefore, the appeal must be dismissed.

Roger C. Shrimplin

INSPECTOR