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## 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: 09 October 2025

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**Appeal Ref: APP/Q3115/W/25/3362724**

**Land off Uxmore Road, Checkendon**

- 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 & Mrs N & K Miller against the decision of South Oxfordshire District Council.
  - The application Ref is P24/S3106/FUL.
  - The development proposed is erection of 1no. new dwelling and associated landscaping to include proposed new access.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The appellants have indicated that they held discussions with the Council regarding the potential tapering of the rear garden boundary. However, no formal amendment to the scheme was agreed between the main parties. Consequently, this matter is not determinative in the context of the appeal, and I shall assess the proposal based on the plans considered by the Council during its determination of the planning application.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, including the Chilterns National Landscape.

### Reasons

4. The appeal site comprises part of an undeveloped field in the village of Checkendon, within the Chilterns National Landscape (CNL). In protected landscapes, the National Planning Policy Framework (the Framework) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty.
5. This area of the CNL is characterised by the plateau landform that is dissected by long, narrow and often dry valleys. It is a heavily wooded landscape that features numerous areas of woodland. It is also characterised by strong, irregular field patterns of arable and pasture fields. The small villages, hamlets and farms in the area, such as Checkendon, are scattered among the woodlands and commons.
6. Adjacent to the appeal site lies a row of six semi-detached dwellings, visually separated from another cluster of residential properties by an open field. This field provides a welcome break in the built environment along the road and contributes

to the more dispersed arrangement of properties as the road stretches away from the village centre. Beyond the field, a dense woodland forms a characterful backdrop, lending a sense of intimacy and enclosure to the village's edge.

7. The proposed dwelling would align with the established building line of neighbouring properties and, in isolation, would not significantly encroach upon the existing gap along the road frontage. The AndersonOrr Design & Access Statement includes a visual impact assessment, which concludes that openness would be retained and preserved. Whilst I acknowledge this assessment, I find that when the proposal is considered in its entirety, including the rear garden and boundary treatments, the development would constrict the field to a narrow pinch point, eroding a distinctive and valued aspect of the village's spatial character and its connection to the surrounding landscape. Although planting is proposed to soften the visual impact, it would not sufficiently mitigate the loss of openness or restore the spatial qualities that currently contribute to the character of the area.
8. The resulting built form would introduce a permanent interruption, diminishing the visual openness between buildings and detracting from the uninterrupted view across the field to the natural landscape features of the CNL beyond. Whilst the Design & Access Statement suggests that the openness of the site would be preserved, I consider that the proposed planting and layout would not adequately compensate for the encroachment or the introduction of urbanising elements that would jar with the tranquil and undeveloped qualities that define the CNL. Consequently, the proposal would cause demonstrable harm to both the landscape and scenic beauty of the CNL.
9. The appellants have drawn my attention to a separate scheme elsewhere in the village, where planning permission was granted for three large detached dwellings. However, I have not been provided with substantive details of that development, nor any explanation of the Council's reasoning in approving it. In the absence of such information, I am unable to make a meaningful comparison between that scheme and the proposal before me. Accordingly, the existence of that permission does not alter my judgement on this appeal.
10. For these reasons, the proposed development would cause unacceptable harm to the character and appearance of the area, including the CNL. Consequently, the proposal would conflict with Policy ENV1 of the South Oxfordshire Local Plan 2011 – 2035, which seeks, in part, to protect South Oxfordshire's landscape and rural areas against harmful development, and to conserve, and where possible, enhance the character and natural beauty of the CNL. On this basis, I find that the duty to seek to further the statutory purposes of National Landscapes, most specifically in terms of conserving and enhancing natural beauty, is not met.

## **Planning Balance**

11. The Council has confirmed that it is unable to demonstrate a five-year housing land supply of deliverable housing sites. Where the development plan is considered to be out of date for the policies most relevant to the determination, Paragraph 11(d) of the Framework requires that presumption in favour of sustainable development is applied unless the application of policies in the Framework that protect assets of particular importance provides a strong reason for refusing the development proposed. For the purposes of Paragraph 11 of the

Framework, National Landscapes are assets of particular importance as denoted by Footnote 7.

12. Paragraph 189 of the Framework seeks to conserve and enhance the landscape and scenic beauty of National Landscapes. In contrast, the proposal would cause unacceptable harm to the CNL, and the application of Paragraph 189 provides a strong reason for refusing the proposed development. Consequently, Paragraph 11(d)(ii) of the Framework is not engaged in this instance.
13. The proposal involves the construction of a single dwelling within an established settlement, thereby contributing to the district's housing stock and helping to address the identified shortfall in housing delivery. The Framework supports measures to boost the supply of housing, and this contribution aligns with that objective. However, given the limited scale of the development, I afford only limited weight to the provision of housing in this instance. The scheme would also generate associated social and economic benefits, including employment during the construction phase and ongoing contributions to the local economy through the use of nearby services and facilities by future residents. Whilst such benefits are also supported by the Framework, their scale is similarly limited, and I therefore afford them only limited weight in the overall planning balance.
14. Weighing against the proposal is my conclusion that it would conflict with the development plan. The proposal may comply with certain policies in the development plan, but given the harm that I have identified, the proposal conflicts with the development plan when taken as a whole. The Framework emphasises that development should contribute to and enhance the natural and local environment, with particular regard to the protection and enhancement of valued landscapes. The planning policies with which the proposal is at odds are consistent with these principles, and I therefore attach significant weight to the resulting adverse impacts. In light of this, the benefits identified above, while acknowledged, do not outweigh the conflict with the development plan or the harm that would arise from the proposed development.

## **Conclusion**

15. 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