



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: 30 October 2025

Appeal Ref: APP/Q3115/W/25/3361560

The Paddock, Church Lane, Aston Rowant, Oxfordshire OX49 5SW

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Rualis Ltd against the decision of South Oxfordshire District Council.
 - The application Ref is P24/S3844/PIP.
 - The development proposed is construction of a minimum of one dwelling and a maximum of one dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading is taken from the application form, but I have removed the reference to the proposal being for permission in principle as that is not an act of development.
3. The appeal is for permission in principle, as provided for in the Town and Country Planning (Permission in Principle) Order 2017. Planning Practice Guidance advises that permission in principle is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or 'permission in principle' stage) establishes whether a site is suitable in principle, and the second ('technical details consent' stage) is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. As such, I have regarded the submitted plans as indicative only.

Main Issues

5. The main issues are:
 - whether the location of the appeal site is suitable for the proposed land use, having regard to the local development strategy on the location of housing; and
 - the effect of the proposal on the character and appearance of the area, with particular regard to the setting of the Aston Rowant Conservation Area.

Reasons

Location

6. The appeal site is part of a field that lies adjacent to, but outside of, the built-up area of Aston Rowant. There is existing residential development on the opposite side of the lane and to the south of the site. However, the field, of which the site is part, is intrinsically linked to the agricultural hinterland of the settlement, as it has an undeveloped appearance similar to other grazing land around the edge of the village. The field visually flows into the rest of the agricultural landscape, and its character is more akin to the rural setting of the village rather than the village itself. As such, the appeal site is outside Aston Rowant and is instead considered countryside for the purposes of the development plan.
7. Policy STRAT1 of the South Oxfordshire Local Plan 2011 – 2035 (LP) outlines the spatial strategy for new development in the district. An important aim of this strategy is to create a sustainable pattern of development which helps reduce the need to travel. The policy seeks to direct development in accordance with a settlement hierarchy. Aston Rowant is designated as a Smaller Village in the LP, where limited amounts of housing are allowed by Policy STRAT1 to help secure the provision and retention of services.
8. Policy H1 of the LP accepts residential development on sites that are not allocated in the development plan, but only in certain circumstances. Policy H1(iv) permits housing on unallocated sites where, amongst other things, it is infilling, and on brownfield sites within Smaller Villages. This is reflected in Policies H8 and H16 of the LP, which respectively concern housing in Smaller Villages and infill development. Specifically, Policy H16 sets out that within Smaller Villages, development should be limited to infill and the redevelopment of previously developed land and buildings.
9. Whilst I acknowledge that the aforementioned planning policies do not specifically require housing development to be within the ‘built limits’ of a Smaller Village, the proposed dwelling would not fill a gap in an otherwise continuous built-up frontage, nor is the site within the settlement and closely surrounded by buildings. Furthermore, there is no compelling evidence before me demonstrating that the site falls into the definition of ‘previously developed land’ as set out in the National Planning Policy Framework (the Framework). As such, the proposal would not find support from Policy H1(iv).
10. Policy H1(viii) permits housing on unallocated sites where the design is outstanding or innovative and of exceptional quality and would significantly enhance its immediate setting. Given that the proposal is for permission in principle only, there are no details of the design of the proposed dwelling. As such, whilst I acknowledge that a design scheme that complies with the above policy requirements could be achieved, I have no substantive evidence before me sufficiently demonstrating that Policy H1(viii) would be complied with.
11. For these reasons, the location of the appeal site is not suitable for the proposed land use, having regard to the local development strategy on the location of housing. Consequently, the proposal would conflict with Policies STRAT1 and H1 of the LP. The Council refers to Policies H8 and H16 of the LP in its decision notice, but as these relate to development on land within, as opposed to adjacent to, Smaller Villages, they are not determinative to this main issue.

Character and appearance

12. As previously concluded, the appeal site lies outside the settlement boundary and is instead located within the countryside. While a corner of the red line boundary falls within the Aston Rowant Conservation Area (CA), the proposed development itself would be situated outside it. Accordingly, the proposal would be considered to lie within the setting of the CA rather than within its designated boundary.
13. The significance of the CA derives, in part, from its identity as a historic rural settlement. Its character is concentrated at the western end around the church and to the east around a large green. The area is generally defined by older properties arranged in an informal layout along narrow, winding lanes, with limited pavements and boundaries formed by planting, fencing, or walling. These features contribute positively to the character and appearance of the CA and enhance its overall significance.
14. The prevailing character of residential development near the appeal site is typified by large detached dwellings set within generous plots. The proposal seeks to introduce a similarly substantial detached property within a spacious curtilage. Although the development would represent an extension of built form into the countryside, its impact would be softened by the site's proximity to the established built-up area. Moreover, the proposed dwelling would be positioned directly opposite an existing detached property of comparable scale and plot size, thereby reinforcing the established pattern of development.
15. In this context, the proposal would not appear incongruous or out of keeping with its surroundings. Instead, it would contribute to a coherent transition between the edge of the settlement and the adjacent rural landscape. Furthermore, the proposal would reflect and respond to the characteristics of built development within the CA. I am therefore satisfied that it would preserve the character and appearance of the CA's setting and have a neutral effect on its significance and special interest.
16. For these reasons, the location of the appeal site, together with the proposed land use and indicative amount of development would not result in material harm to the character or appearance of the area and would preserve the setting of the Aston Rowant Conservation Area. The proposal would therefore accord with Policies DES1, DES2, ENV1, ENV6 and ENV8 of the LP, insofar as they seek to ensure that development reflects the positive attributes of an area, enhances and complements its surroundings, protects the landscape and countryside from harmful development, and conserves the special interest and character of conservation areas.
17. Nevertheless, as detailed design matters fall to be considered at the technical details consent stage, my conclusion on this issue is not determinative at this initial stage of the permission in principle process.

Planning Balance

18. The Council accepts that it is unable to demonstrate a five-year housing land supply. Paragraph 11(d) of the Framework indicates that, in such circumstances, 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 taken as a whole.

19. I have identified a clear conflict with the Council's spatial strategy as set out in the LP. Although there is a recognised and pressing need to address the district's housing shortfall, Aston Rowant offers only limited services and facilities to meet day-to-day needs. Consequently, the site lacks reasonable access to essential amenities, meaning future occupiers would be heavily dependent on private vehicles. In this context, I attach significant weight to the conflict with the spatial strategy, which is designed to guide the location and accessibility of sustainable development.
20. The proposal would deliver a single dwelling, contributing modestly to the district's housing stock and helping to address the current shortfall. The Framework supports measures to boost housing supply, and the scheme would generate some social and economic benefits, both during the construction phase and through future residents' engagement with the local economy. There would also be the potential for the provision of biodiversity enhancements as part of the proposal, which are encouraged by the Framework. However, given the limited scale of the development, these benefits are modest and carry only limited weight in the overall planning balance.
21. These benefits must be weighed against the proposal's conflict with the spatial strategy outlined in the development plan. That strategy reflects the Framework's aim to promote a sustainable pattern of development, particularly in rural areas, by encouraging housing in locations that enhance or maintain the vitality of rural communities. As previously noted, the nearest settlement with adequate services and facilities is not easily or safely accessible without reliance on private transport. Given this, and the fact that the proposal comprises only a single dwelling, its ability to support local services and facilities is minimal. The resulting conflict with both the development plan and relevant Framework policies, along with the associated harm, is afforded significant weight in the planning assessment.
22. Taking all factors into account, I conclude that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits, when considered against the policies of the Framework as a whole.

Conclusion

23. 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