



Appeal Decision

Site visit made on 7 October 2025

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/V3120/W/25/3360653

Land off Fernham Road, Uffington, Faringdon, Oxfordshire, SN7 7RD

- 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 Mr Edward Preece against the decision of Vale of White Horse District Council.
 - The application Ref is P24/V1460/PIP.
 - The development proposed is Permission in Principle for new self-build dwelling, access, and parking for existing allotments.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of the subsequent Technical Details Consent application, if permission in principle is granted. I have determined the appeal accordingly.
3. The Planning Practice Guidance (PPG) indicates that other statutory requirements may apply at the TDC stage such as those relating to listed buildings. However, the duty in Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) including the effect on the setting of listed buildings, does apply, as a reference to permission in principle was introduced by the Housing and Planning Act 2016. Furthermore, that general duty relating to listed buildings under Sections 66(1) applies to the exercise of any functions under the Planning Acts which includes permission in principle. These duties should therefore be exercised when considering permission in principle cases.
4. The appeal has been accompanied by amended plans removing a parking area close to the site access, intended for users of the allotments. The Council did not base its decision on this drawing and interested parties have not been given the opportunity to make representations on these changes giving rise to procedural unfairness. For that reason, I will not accept them.

Main Issue

5. Having regard to the preliminary matters together with the Council's decision notice, the main issue is whether the site is suitable for a residential dwelling in

¹ Paragraph: 012 Reference ID: 58-012-20180615, Permission in principle guidance, Ministry of Housing, Communities and Local Government, published 28 July 2017, last updated 15 March 2019.

respect of its location, the proposed land use and the amount of development, having regard to policies concerning housing in the countryside, local character and appearance and the effect on the setting of the Grade I listed building, Church of St Marys and the character and appearance of the Uffington Conservation Area (CA).

Reasons

Housing in the Countryside

6. The appeal site encompasses part of an agricultural field on the edge of Uffington, a rural village containing a modest number of amenities and services. From the main approaches into the village Uffington presently appears well contained and has a strongly rural surrounding landscape. For the purposes of the appeal the Vale of White Horse Local Plan 2031 Part 1 (Local Plan Part 1) categorises Uffington as a 'Larger Village'.
7. Policy CP4 of the Local Plan Part 1, states that only development allocated in adopted Local Plan or Neighbourhood Plans will be permitted outside the existing built-up areas of Larger Villages. Otherwise, the policy highlights that development outside of the existing built area of these settlements *"must be adjacent, or well related, to the existing built area of the settlement or meet exceptional circumstances set out in the other policies of the Development Plan"*.
8. Policy H2A of the Uffington and Baulking Neighbourhood Plan (2011-2031) (the NP) states that housing development within the built area of Uffington will be supported provided it meets several criteria including being well-related to other buildings within the built-up area; is in keeping with local character; and respects the character of the landscape within and surrounding the village.
9. The NP's explanatory text indicates that the 'built area' is defined as a group of existing non-agricultural buildings of permanent nature, together with their immediate surroundings. It does not, amongst other things, include gardens, paddocks and other land in the curtilage of buildings on the edge of the settlement where they provide a transition between the surrounding countryside and the built areas of the settlement.
10. The existing tree belt lining the appeal field's southeast corner provides a clear and defensible boundary, visually separating the appeal site from dwellings to the east and south and containing their curtilages within the established settlement pattern. Those dwellings broadly face away from the appeal site and are oriented towards the village. In contrast, the appeal site does not relate to any defined frontage, nor does it occupy a position that could reasonably be considered infill or a logical continuation of development. Its introduction would represent an isolated incursion into an open agricultural field, eroding the strong edge that currently defines the village and undermining the clear distinction between built form and countryside. Although physically adjacent, the site would not integrate with the built-up area and would instead read as part of the wider open countryside. Accordingly, it would not be well related to the settlement insofar as it concerns the requirement of Policy CP4.
11. Moreover, the appeal site does not constitute in my view a "built area" as defined by the NP. Even though the appeal site may not form part of a "paddock" it nevertheless presents clearly as an undeveloped agricultural field on the edge of

the settlement that provides a transition between the surrounding countryside and the built areas of Uffington. Therefore, the appeal site would be inconsistent with the general thrust of the NPs definition and the exemptions regarding what constitutes the “built area”.

12. On this basis the proposal’s location and land use would conflict with the terms of Policy CP4 of the Local Plan Part 1 and H2A of the NP described above, and in doing so would undermine the Council’s strategic approach to the development of housing in the district.

Character and appearance

13. Occupying the eastern portion of a long field enclosure, the appeal site would be contained along two of its sides by tall mature trees and shrubs. Beyond those boundaries are the domestic gardens of dwellings accessed off Broad Street and Waylands. The height and extent of the tree cover along those parts of the site reinforce the distinction between the undeveloped and built edges of the settlement and the transition to the open countryside beyond. This contrast in appearance can be clearly seen from properties close to the site and from the public footpaths to the east and south. It is acknowledged that there would be some vegetation cover along these footpaths, as noted from the viewpoints presented by the appellant. But there are also significant breaks and gaps between vegetation that visibly reveal the appeal site and its context. Moreover, the site would be partially glimpsed from the direction of the nearby allotments and sewerage works.
14. Despite differences between the main parties on this matter, the Landscape Capacity Study contained within the NP identifies the appeal field as having a ‘low capacity’ for new development. Though occasional very small-scale development may be possible providing it has regard to the setting and form of the existing settlement and surrounding landscape character.
15. A domestic dwelling at this location beyond the robust tree line and domestic gardens to the east and south, would appear visually and physically detached from the established settlement pattern, occupying a position on the periphery of the village rather than integrating with its core. Its placement, along with a long access track cutting through the field, would erode the clear distinction between built form and open countryside, introducing a sense of encroachment into what is currently an uninterrupted field. This change would diminish the rural character of the landscape, fragment the existing green buffer, and create a more urbanized edge, reducing the perception of openness and continuity that defines the village’s setting.
16. Although there are no details of the proposed dwelling’s scale or appearance at this stage to better assess the likely impact, even a modest structure with associated domestic paraphernalia, attendant parking and an access track would obscure the transition between the settlement edge and the adjoining countryside, resulting in harm to the local landscape character. Whilst I acknowledge that the site does not have any special landscape designation, this in itself would not overcome the visual harm from expanding the built form of the village outwards onto adjoining prominently positioned undeveloped land.
17. Accordingly, the appeal site is unsuitable with regard to its location and the amount of development proposed, given that it would have a harmful effect on the

character and appearance of this edge of settlement location. The proposal would be contrary to the requirements of Policy CP44 of the Local Plan Part 1 and Policy L1 of the NP insofar as they relate to protecting key features of the local landscape from harmful development and taking account of the NP's Landscape Capacity Assessment and locating schemes in parts of the neighbourhood that have the capacity to accommodate development.

18. My conclusions above have not taken into account Policy CP37 of the Local Plan Part 1 or Policy D1 of the NP, as they provide design specific criteria that would relate to more detailed proposals.

Designated heritage assets

19. To the south of the appeal site is the Grade I listed Church of St. Mary [List Entry Number: 1198865]. The Church dates from around 1250 and comprises rendered walling and a stone slate roof. It features a striking octagonal tower with louvered lancets rising from its nave.
20. An adjoining field, some domestic properties and school playing fields separate the appeal site from the Church. Despite the intervening distance and those other land uses and structures, the Church is of such a scale that it is clearly seen from the appeal site. There are also clear perspectives of the Church and the site from the proposed access off Fernham Road, the adjacent public footpaths and the remainder of the field the appeal site relates to.
21. The Church's significance and special interest stems from its surviving historic fabric and its continuous role as a place of worship since medieval times. It also serves as a visual and social landmark within Uffington, with its prominent tower acting as a focal point, especially when approaching from Fernham Road and transitioning into the surrounding rural landscape. The green, open spaces beyond the Church, which include the appeal site, form part of its setting, further enhancing its historic and cultural value as a rural place of worship.
22. The appeal site lies just beyond the northern boundary of the CA, an area that encompasses Uffington's historic core including the listed Church, and expansive green spaces that take in the settlement's outlying rural hinterland. The significance and special interest of the CA is derived in part from the historic and architectural appearance of its buildings, the verdant connecting spaces, and pastoral fields that combine to create an attractive and coherent rural village.
23. In this context the appeal site forms part of an open and green backdrop. Where it adjoins the CA it provides a clear definition between the historic settlement and its verdant, rural surroundings. This transition can be seen when viewed from the direction of the nearby allotments, the sewerage works, adjacent public footpaths and through gaps in vegetation along Fernham Road. The Church and the appeal site can also be viewed from those perspectives with the latter providing an open and undeveloped background or foreground to the Church that portrays a clear transition between the historic Church and its rural surroundings. Therefore, the appeal site's undeveloped nature, and verdant qualities make a small albeit positive contribution to the setting of both the CA and the Church.
24. Although the submitted drawings are just illustrative, they provide an indication of how the appeal site could be developed and show a long access road cutting through the field and leading to a large dwelling, parking and turning area

occupying the field's eastern corner. Even a smaller dwelling at this location would form a new background element in views towards the CA and Church. The proposal would lead to an extension of built development into the open undeveloped fields that surround the settlement and are part of the settings that influence the significance of the Church, and the CA. Whether or not intervisibility is partly obscured or filtered by existing vegetation at certain times of the year, and notwithstanding supplementary hedgerow planting is proposed, introducing solid built form on the appeal site, irrespective of its size, would undermine the contribution the appeal site makes to the settlement's rural edge.

25. As a consequence, the proposal would fail to preserve the settings of the listed Church and CA. Taking into consideration the nature of the proposal and the overall significance of the nearby heritage assets, the appeal scheme would cause a moderate level of less than substantial harm to the Church and the CA; which the National Planning Policy Framework (the Framework) requires be weighed against the public benefits of the proposal. I will turn to this in my overall Heritage and Planning Balance.
26. Drawing the above reasons together, I have found the appeal site to be unsuitable for a residential dwelling with regard to its location and the amount of development having regard to its effect on the Grade I listed St Marys Church and the character and appearance of the CA. The proposal would therefore be contrary to Policy CP39 of the Local Plan Part 1, Policies DP36, DP37 and DP38 of the Vale of White Horse Local Plan 2031 Part 2, and Policy H4 of the NP. Amongst other things these require proposals to conserve the special interest and significance of heritage assets, insofar as they relate to their setting; make a positive contribution to local character, distinctiveness and the features which contribute to the special interest of Listed Buildings and Conservation Areas.

Other Matters

27. Part of the appeal site's boundary adjoins the curtilage of Craven Cottage, a Grade II listed building. This listed thatched and ashlar/brick cottage dates from early 17th century and faces onto Broad Street. Its significance stems in part from its historic and architectural interest. The cottage's setting that includes its rear garden and boundary trees also provide a soft verdant background from where views of the cottage and its significance can be understood and appreciated.
28. The appeal site is separated from the cottage by a thick line of boundary trees, while there is an appreciable separation distance maintained from the cottage itself. It is considered that in the case of Craven Cottage, the boundary features and separation distance will ensure that a dwelling could be built at the appeal site that would preserve its setting and the significance it derives from it.
29. The appellant has drawn my attention to another appeal decision at Hillside², where the site was also in proximity of a listed building. In that case the Inspector was satisfied that the separation distance between the appeal site, the degree of intervening screening and topography changes would ensure that the listed building's special interest and significance would not be harmed through development effecting its setting. However, that case related to a separate site outside of this District with a different site context. Accordingly, I do not consider

² APP/H1705/W/24/3344656, dismissed 7th November 2024

that the scheme before me is comparable to Hillside, and the matter does not weigh in favour of this appeal.

30. I note that in the Padbury, Homington, Beckford and Porthtowan³ appeal cases an assessment of the proposal's effect on local character and the setting of nearby heritage assets was reserved until the Technical Details stage when more details of those schemes' layout and scale would be known. However, in the case of this appeal, which relates to a different site context as well as a heritage asset of the highest grade, it is evident from my assessment that even at this "in principle stage" a modest size dwelling at this sensitive edge of settlement site would result in new development on an otherwise undeveloped field that would adversely harm the setting of the village and adjacent heritage assets.
31. I have been referred to two appeals⁴ for residential development elsewhere in Uffington. In those cases, it was considered that the siting of dwellings outside but close to the village was acceptable. However, those decisions related to sites where the adjacent pattern of development and proximity to built form differed, while they were not in such proximity to the listed Church as in the case of this appeal. For these reasons they are not comparable to the scheme before me.
32. The appellant refers to a Permission in Principle development approved at nearby Shrivenham⁵, where more site-specific development plan policies relating to matters such as detailed design were not applied. I acknowledge this and I have referred to policies which are not relevant to this appeal above. Although I have considered policies that the Council did not regard as relevant in the Shrivenham case, I am satisfied that these policies relate to development in a general sense and have therefore applied them in my assessment of the appeal.

Heritage and Planning Balance

33. I have found that the proposal's location, land use and amount of development would be unsuitable having regard to its effect on local character, nearby heritage assets and the strategic aims of the Council's housing strategy. The harm in these respects conflicts with the development plan and carries considerable weight.
34. Weighing in the scheme's favour are the addition of an open market dwelling to help increase the supply of housing in the district and the resultant economic benefits accrued locally during the construction phase and from future occupiers spending in the local area. There would also be benefits associated with the use of amenities and services in the village, that would help sustain for example the local school and post office. I am not fully convinced that all future occupiers would walk or cycle to access those facilities, given that the footpath linking the appeal site to the village is partially wooded, unlit and uneven in places. Nevertheless, it would likely be convenient to some in favour of using less sustainable modes of transport such as the private car. Accordingly, these benefits would attract moderate weight.
35. In addition to the above, a self-build dwelling at the site would make a small albeit valuable contribution to the supply of such units in the district, particularly given the Local Planning Authority's poor track record in approving this form of housing, relative to demand, in recent years. Even though I have found that the appeal site

³ APP/J0405/W/23/3314293, dismissed on 24th November 2023; APP/Y3940/W/19/3238851, dismissed on 11th January 2020; APP/H1840/W/24/3350993, dismissed on 15th January 2025; APP/D0840/W/23/3320333, allowed on 9th December 2023

⁴ APP/V3120/W/18/3212955, allowed 14th June 2019; and APP/V3120/W/19/3235719 allowed 19th November 2019.

⁵ Local Planning Authority Ref: P24/V1017/PIP

is outside of the settlement, the provision of a self-build unit would, in part, address the demand for such units found locally and meet a local need in that respect. Accordingly, the proposal would carry some favour in meeting the provisions of Core Policy 3 (Settlement Hierarchy), despite being outside of the built area. It would also align with the Framework where it provides advice on self-build dwellings. Therefore, given the shortfall in this form of housing in the district, the proposal attracts moderate weight as a scheme benefit.

36. However, considerable importance and weight is given to the desirability of preserving the setting of the listed Church and the CA, which would be harmed by the proposal. Less than substantial harm should not be equated to less than substantial planning objection. The public benefits associated with the appeal proposal do not cumulatively outweigh the considerable weight I've attached to the harm to the heritage assets. Moreover, the benefits would fail to outweigh the considerable harm incurred by the development upon the area's character and appearance and the strategic aims of the development plan.

Conclusion

37. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

RE Jones

INSPECTOR