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## Appeal Decision

Site visit made on 29 October 2025

**by N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 25 November 2025**

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**Appeal Ref: APP/D3125/W/24/3357979**

**Leafield Technical Centre, Langley, Oxfordshire OX29 9EF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Clerkenwell Estates (Cotswolds) Ltd against the decision of West Oxfordshire District Council.
  - The application Ref is 24/01693/S73.
  - The application sought planning permission for partial demolition of existing buildings and development of a holiday park comprising short stay holiday accommodation units and associated leisure facilities through redevelopment and refurbishment along with landscaping, boundary treatment, access, parking, drainage, services and plant. Conversion of Building F to form 2 X 4 bedroom dwellings (Class C3) without complying with a condition attached to planning permission Ref 22/03408/FUL, dated 01 November 2023.
  - The condition in dispute is No 19 which states that: The occupation of the holiday accommodation units hereby permitted shall be limited to holiday purposes only. None of the units are to be used at any time as permanent accommodation or as a primary place of residence. The owner shall provide upon request by the District Council a list of all persons who in the twelve (12) month period leading up to the date of such a request have occupied one or all of the units (such list is not to be unreasonably withheld or delayed).
  - The reason given for the condition is: The accommodation is on a site where residential development would not normally be permitted, and is unsuitable for continuous residential occupation.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The address on the application form includes reference to 'Lane Through Langley'. This is a description of the location, rather than part of the address. For this reason, I have omitted this from the banner heading. I also note that the appeal form does not use this part of the address line either.
3. The Council refers to Policy T2 of the West Oxfordshire Local Plan 2031 (the LP) in the reason for refusal. However, in their Statement of Case the Council clarify that instead of Policy T2 it should have listed Policies T1 and T3 of the LP which are relevant to the reason for refusal. The appellant acknowledges the error in their submission. As such, I do not consider that the appellant has been prejudiced by this error, and I have determined the appeal on this basis.

## Background and Main Issues

4. Planning permission was originally granted in 2022<sup>1</sup> (the original permission) for the partial demolition of existing buildings and development of a holiday park comprising short stay holiday accommodation units and associated leisure facilities through redevelopment and refurbishment along with landscaping, boundary treatment, access, parking, drainage, services and plant, and conversion of building F to form two, four-bedroom dwellings. The approved development has not yet started.
5. The proposal seeks to vary condition 19 of the original permission in order to remove the occupancy restriction on eight barn style cabins so as to allow them to be occupied as permanent residential dwellings, as opposed to holiday accommodation.
6. The appeal site is located in the Cotswolds National Landscape. As such, I have paid regard to my duty under Section 85 of the Countryside and Rights of Way Act 2000 (as amended) to seek to further the purpose of conserving and enhancing the natural beauty of the area.
7. Given the foregoing, and based on the Council's reason for refusal, the main issues in this case are whether varying the condition would accord with the development plan strategy for housing and is in a sustainable location; and whether the proposal would conserve and enhance the landscape and scenic beauty of the Cotswold National Landscape.

## Reasons

### *Location*

8. The appeal site comprises the disused Leaffield Technical Centre, a former radio transmission station and motorsports centre. The site is located along a quiet country lane in the hamlet of Langley. The surrounding area has a prevailing rural character, with open fields, bounded by hedgerows and an abundance of mature trees within the landscape. Residential dwellings are sporadic.
9. The Council's development strategy is set out in Policies OS1, OS2 and H2 of the LP, which seeks to direct housing development to the right places, in accordance with the settlement hierarchy.
10. As a hamlet, the appeal site falls within the small villages, hamlets and open countryside category of the hierarchy and Policy OS2 of the LP seeks to limit development to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area, and which accords with Policy H2 of the LP.
11. Policy H2 sets out that new dwellings will only be permitted in the small villages, hamlets and open countryside where they comply with the general principles set out in Policy OS2 of the LP and in certain circumstances, including, amongst other things, residential development of exceptional quality or innovative design.
12. The barn style buildings comprise a design that is high quality, particularly in the context of the design and layout of the approved holiday park development.

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<sup>1</sup> Council Reference: 22/03408/FUL

However, I am not persuaded on the limited evidence before me that the design meets the threshold of exceptional quality or innovative design.

13. While two dwellings were permitted under the original permission, the Council accepted that they met the certain circumstances of Policy H2 of the LP. In contrast, I have no substantiated evidence which demonstrates that the appeal proposal would meet any of the other circumstances set out in Policy H2 of the LP. Consequently, the proposal would not accord with Policy H2 of the LP and overall, it is contrary to the Council's development plan strategy for housing.
14. Policies T1 and T3 of the LP together and amongst other things, seek to give priority to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised, due to opportunities for walking, cycling and the use of public transport. This is consistent with the National Planning Policy Framework (the Framework) which seeks to ensure that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location.
15. The nearest village is Leaffield which is approximately 1.5 kilometres away. Access to the village is via the country lane and the busy Leaffield Road / Fairspear Road with no continuous footpath and limited streetlighting. Indeed, a large section of these roads are subject to the national speed limit and carry fast moving traffic. Therefore, in combination with the distance to the village, future occupiers would be discouraged from walking and cycling to access the services and facilities on offer, particularly during hours of darkness and poor weather conditions. This would particularly be the case for families with young children, older people or those with mobility issues.
16. Likewise, for similar reasons to those set out above, as well as variable ground conditions, public rights of way would also not be attractive or reliable routes to access nearby settlements.
17. The nearest bus stop is approximately 750 metres away from the site. To access the bus stop, future occupants would need to walk down the country lane, and during hours of darkness and winter months, it would not be a desirable route. Also, the bus stop serves a community bus, which is not a frequent service, only operating four buses a day during weekdays. Therefore, I am not satisfied that bus travel would be a realistic alternative mode of transport for future occupiers of the dwellings. As a result, the future occupants would be highly dependent on the use of private cars for their day-to-day needs, and it is not clear to what extent the proposal would enhance or maintain the vitality of the nearby community.
18. The Framework also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Even so, I consider that the site is not readily accessible to the nearest settlements via a range of modes of transport, including the larger settlement of Witney and the nearest train services from Finstock Station.
19. The original permission for the holiday park included 'central facilities', such as a shop, as well as a bar and restaurant. The appellant also suggests that an indoor swimming pool and spa, studio / event space and walking and cycle trails would be on offer. My attention has also been drawn to the completed S106 Agreement of the original permission, which secured planning obligations in the form of financial

contributions for public rights of way improvements and the retention and enhancements of bus services.

20. Clearly the intention was for the central facilities to be available for guests of the holiday park, but the appellant suggests that these facilities would be accessible for the general public also. While I acknowledge that the operation of a bus service for the holiday park would provide dedicated transport for customers of the holiday park, there are otherwise limited details of how it could provide a reliable and convenient service to the general public or the occupiers of the barn style dwellings. There is also no guarantee that the bus service would operate in perpetuity. Likewise, there are limited details of how the shop and bar / restaurant would function and what benefits the facilities would provide for properties occupied as independent dwellings, and it is not clear to what extent that those services would significantly reduce car use for the eight proposed dwellings.
21. Undoubtedly, the use of the eight barn style cabins as holiday accommodation would also generate a certain degree of vehicle movements to access services nearby. However, the vehicle movements and the frequency of trips associated with holiday accommodation would be different compared to properties occupied as family dwellings. Indeed, properties occupied as permanent dwellings would be more frequent as occupants travel to work and school, and access higher order services in the larger settlements and towns on a daily basis. Accordingly, even though the difference would be modest, the vehicle trips and a reliance on a vehicle to access services and amenities would be increased, nonetheless.
22. For the above reasons, I conclude that the appeal proposal does not accord with the development plan strategy for housing, and it is not in a sustainable location. It would thereby conflict with Policies OS1, OS2, H2, T1 and T3 of the LP.
23. Reference has been drawn to Policy E4 of the LP which seeks to deliver sustainable tourism. While I acknowledge that the proposal would result in the eight barn style cabins not being delivered as tourist accommodation, Policy E4 focuses on the location of new tourist development rather than the loss of such accommodation. Therefore, the policy is not clearly related to the reason for refusal and on the limited evidence before me I am not persuaded that the proposal would conflict with Policy E4 of the LP.

### *Cotswold National Landscape*

24. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 245 of the Levelling-up and Regeneration Act 2023 amended the duty on relevant authorities in respect of their functions which affect land in National Landscapes.
25. Relevant authorities must 'seek to further' the statutory purposes of Protected Landscapes, including National Landscapes. The Framework describes National Landscapes as having the highest status of protection in relation to landscape and scenic beauty, to the conservation and enhancement of which great weight should be given.
26. The development granted under the original permission was concluded to not result in any unacceptable intrusion or harm to the tranquillity or scenic beauty of the landscape.

27. No external alterations are proposed to the eight barn style cabins, which would still be viewed within the context of the wider redevelopment proposals granted under the original permission. As such, although I acknowledge that if occupied as dwellings there would be a greater level of domestication of that part of the site, within the context of the wider redevelopment of the site, any change would continue to conserve the special characteristics of the landscape.
28. Consequently, for the above reasons, I conclude that the proposal would conserve and enhance the landscape and scenic beauty of the Cotswolds National Landscape, and it would accord with the identified objectives of the Framework.

### **Other Matters**

29. As the appeal site is located within the Cotswolds National Landscape and the cumulative number of dwellings within the development would be ten, Policy H3 of the LP seeks a financial contribution towards the provision of affordable housing off-site within the area. No planning obligation has been provided to meet these expectations, but given my conclusions on the main issues, I am satisfied that I need not consider these matters further in this instance.

### **Planning Balance**

30. The Council accept that they cannot currently demonstrate a five-year supply of deliverable sites for housing. Indeed, following a recent appeal decision<sup>2</sup> the main parties accept that the latest deliverable housing land supply position is 4.34 years.
31. While the short fall is modest, the presumption in favour of sustainable development, as set out at Paragraph 11(d) of the Framework applies. In these circumstances, paragraph 11(d)(ii) of the Framework states that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
32. The Framework makes it clear that weight should be afforded to policies of the development plan according to their degree of consistency with the Framework. In this regard, the Framework seeks rural housing to be located where it will enhance or maintain the vitality of rural communities. The Framework also seeks to direct development towards locations with good access to services and facilities and ensure that sustainable transport modes are prioritised. Therefore, the conflict between the proposal for eight open market houses, and Policies OS1, OS2, H2, T1 and T3 of the LP should be given significant weight in this appeal.
33. The appellant suggests that the proposal seeks to make the holiday park development financially viable and without the variation of the condition it would not be possible to complete construction of the entire scheme. However, no substantive details have been provided to substantiate the appellants claim. As such, I attach limited weight to this matter. Even so, eight open market houses, on a windfall site, with a separate access, would contribute to boosting the supply of new housing, as referenced in the Framework. The proposal would also contribute to the wider redevelopment of the site and continue to provide associated social, economic and environmental benefits.

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<sup>2</sup> Appeal reference: APP/D3125/W/23/3332089

34. In the context of the shortfall in housing land supply, the identified benefits attract considerable positive weight in my determination. However, due to the small-scale nature of the proposals the benefits of the scheme attract modest weight overall.
35. Consequently, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.

### **Conclusion**

36. The variation of the condition would conflict with the development plan read as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

*N Bromley*

INSPECTOR