



Appeal Decision

Site visit made on 15 October 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/D3125/W/25/3363971

Land Adjoining Greenwich Lane, Leafield, Oxfordshire OX29 9QR

- 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 Tim Northey (Abbeymill Homes) against the decision of West Oxfordshire District Council.
 - The application Ref is 24/01869/FUL.
 - The development proposed is erection of 9 dwellings including affordable homes, with new access and footpath, carports, parking, landscaping, and all enabling works, together with new allotments and dedicated parking.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Tom Northey (Abbeymill Homes) against West Oxfordshire District Council. This application is the subject of a separate decision.

Preliminary Matters

3. The reasons for refusal on the decision notice do not cite harm to Policy EH2 of the West Oxfordshire Local Plan 2031 (WOLP) (adopted 2018). This policy clearly relates to the quality, character and distinctiveness of the District's natural environment. To clarify, my decision has assessed compliance against this policy as well as the other relevant policies.
4. The appeal submission includes an updated Ecological Impact Assessment & Biodiversity Net Gain Assessment¹ and an amended Landscape Strategy Plan². During the course of the appeal, a completed unilateral undertaking (UU) was also submitted by the appellant to seek to overcome the third and fourth reasons for refusal. I have accepted this additional information for consideration as to do so would not prejudice interested parties.
5. The evidence before me refers to a Major planning application for a development of seven houses and a two storey block of four flats, in close proximity to the appeal site and including widening of Greenwich Lane. I was made aware during this appeal that this was granted planning permission by the District in November 2025 ("the Land West of Greenwich Lane permission"). I therefore refer to this permission below where appropriate.

¹ Ref: W4976_rep_Land East of Greenwich Lane_19-02-25

² Drawing No. LSP/100 Rev A

6. The criteria in the Planning Inspectorate's guidance for determining this appeal by written representations is met. It can therefore be decided by this method, and a hearing is thus not required.

Main Issues

7. The main issues are:

- the effect of the proposed development on the character and appearance of the Leafield Conservation Area;
- the effect of the proposal on the character and appearance of the Cotswold National Landscape;
- whether the proposal would secure an appropriate amount of Affordable Housing; and
- whether the proposal would secure Biodiversity Net Gain.

Reasons

Leafield Conservation Area (LCA)

8. The appeal site partially adjoins the existing built up area of Leafield village at its eastern end, as it borders Leafield Road and its junction with Greenwich Lane, with some buildings and gardens opposite these roads. The site is part of a large field that extends southwards to an area of dense woodland, and is mainly enclosed by drystone walls of varying condition along the highway frontages. It mainly consists of fallow grassland, with a smaller section of arable land to the east, and an even smaller area of scrub and trees adjacent Leafield Road and the existing group of allotments to the east.
9. The West Oxfordshire Design Guide 2016 (WODG) advises that the LCA was designated in 1990 and does not have an up-to-date conservation area appraisal. Based on the submitted evidence and my site visit observations, the significance of the LCA is derived from Leafields's pronounced linear and partially dispersed form, its rural vernacular and character and its visual and historical connections with surrounding agricultural land, including its open setting south of Wychwood Forest.
10. Eastern end LCA boundaries include historic dwellings north of the appeal site close to Leafield Road, a section of Greenwich Lane alongside post-war terraced rows of dwellings, and a triangle of hardstanding in front of the terraces and enclosed by drystone walls. This enclosed parcel forms part of The Pearl Chinese restaurant and bar, which appeared to have ceased trading at the time of my site visit. The appellant's Heritage Impact Assessment (HIA) advises that this facility was formerly a public house, probably dating to c.1700 or earlier. It is a landmark historic vernacular building facing east to provide a sense of arrival to the village.
11. The appeal site is therefore within the setting of the LCA where the development could affect the manner in which the LCA is experienced. Although the statutory duty within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply to a site outside of a Conservation Area, there are relevant policies within the WOLP and the National Planning Policy Framework (the Framework) that govern the setting of a Conservation Area.

12. Policy EH9 of the WOLP reflects the historic environment policies (Chapter 16) of the Framework, as it states that heritage assets should be conserved in a manner appropriate to their significance, and that great weight should be given to the asset's conservation.
13. Whilst the appeal site is in visual and landscape terms no more remarkable than other areas of open land in the vicinity adjoining Leafield, it nonetheless contributes positively to the rural character and setting of the LCA, including along westbound approaches to the village. It follows that the appeal site contributes positively to the LCA's significance as a designated heritage asset (DHA).
14. The existing pumping station building and allotments east of the appeal site along Leafield Road contribute to a sense of arrival to the village when travelling westwards. Within this context, the proposed dwellings would have a relatively slender linear form along the road, and would splay away from the existing village roofscape, which includes the spire of the Grade II* Listed Church of St Michael and All Angels³. Change to the setting of a DHA does not automatically amount to harm to its significance.
15. However, the proposed vehicular access location at the site's eastern end would necessitate removal of several trees adjacent Leafield Road. Whilst these trees are relatively small, their loss would in visual terms open up views of the proposed development from westbound approaches to the village along Leafield Road. This would significantly alter the undeveloped character of the site and would harm the significance of the LCA through development in its setting. It would thus fail to preserve its significance as a DHA.
16. Although a new native treed edge would be provided along the site's eastern boundary, this would take some time to establish. The new tree planting locations and sizes would also be limited by the highway visibility requirements and the proximity of the proposed allotment parking to the eastern boundary.
17. Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 requires me to have special regard to the desirability of preserving the listed building or its setting. The proposed development would be of sufficient separation distance to the side and considerably away from the church spire, such that it would not detract from or harm the special character, historic interest and setting of the Church of St Michael and All Angels, either in visual or functional terms.
18. The pumping station building and the allotments are not readily visible when walking eastbound on the Lower End footway towards the junction of Leafield Road and Greenwich Lane, due to the slight curvature of Leafield Road and intervening shrubbery. Dwellings opposite the site along the north side of Leafield Road are also mainly well screened by shrubbery at this location, despite their close proximity to the road.
19. Therefore, when walking eastbound along the Leafield Road footway and past the appeal site, I felt a strong sense of leaving the village. Namely due to the expansive open views across the broadly flat and wedge-shaped field towards the slightly elevated ancient woodland and dense tree line beyond. The nearby post-war terraced rows of dwellings demonstrate an evolution of Leafield's built up area and

³ Historic England List Entry Number: 1367730

- setting. By comparison, the proposed development would however form a long and sprawling roadside expansion of built form beyond the existing village envelope.
20. I acknowledge the proposed setback distances from the highway frontage, the somewhat informal cul-de-sac layout and plot shapes, and provision of some gaps between the proposed dwellings. The scheme would still however lead to the loss of views across a significant area of open space that I have found to make an important contribution to the LCA's character, appearance and setting.
 21. Provision of a community orchard, splaying the dwellings away from the open land in front of The Pearl Chinese restaurant, somewhat reduces the visual effect on the LCA's setting along the westward village approach. I also accept that the proposed linear form echoes the predominant pattern of development in the village, and that most public views of the important buildings within the LCA would be preserved. These matters however do not mitigate the harm to the LCA's significance that would be caused by the proposed development in its setting.
 22. I therefore conclude that the proposed development would fail to respect the historic and landscape character of the locality. This adverse visual effect on the LCA's setting would fail to conserve or enhance its character and appearance, thus failing to preserve its significance as a DHA. The scheme is thus contrary to Policies OS2, OS4, EH9, EH10 and EH13 of the WOLP.
 23. The HIA refers to four previous buildings within the proposal site, near to and along Leafield Road as shown on the tithe map of 1839. These are identified as "hovels" in the tithe apportionment and such a term was also applicable to small dwellings. Given that these hovels were detached and occupied by four different people, I accept that on the balance of probabilities, they were dwellings. These were however cleared away by no later than 1899 and there has therefore been no residential use of the site over multiple generations.
 24. Moreover, as depicted on the 1839 tithe map, the hovels do not appear similar to the dwellings that have survived on the opposite side of Leafield Road, as they are shown to have more substantial footprints. Historic presence of hovels as dwellings therefore does not justify allowing the appeal development, which in any event extends substantially further to the east. For the same reason, prior presence of three structures within the field's western margin beside Greenwich Lane, as shown on a vertical air photograph of 1944, also does not justify allowing the appeal.

Cotswolds National Landscape (CNL)

25. The appeal site and its surrounds are within the Cotswolds National Landscape (CNL). It is also within the Wychwood Project Area which, as set out in the WOLP, aims to restore the landscape character and mix of habitats associated with the Royal Hunting Forest. The Wychwood Way Long Distance Path runs along Greenwich Lane adjacent to the appeal site's western boundary.
26. Statute⁴ requires me to seek to further the statutory purpose of conserving and enhancing the natural beauty of NLs. This is reflected in WOLP Policy EH1 insofar as it requires great weight to be given to conserving and enhancing the CNL's natural beauty, landscape and countryside, including its heritage. NLs are listed

⁴ Section 245 of the Levelling-up and Regeneration Act 2023

under the Framework as one of the land designations with the highest status of protection in terms of landscape and scenic beauty.

27. The CNL is a rich mosaic of historical, social, economic, cultural, geological, geomorphological and ecological features. Policy EH1 of the WOLP also refers to the Cotswolds Conservation Board's Management Plan. A more recent CNL Management Plan (CNLMP) (2023-2025) has since been published, which identifies the special qualities of the CNL as including distinctive dry stone walls, limestone grasslands, distinctive settlements developed in the Cotswold vernacular, ancient broadleaved woodland, and an accessible landscape for quiet recreation for both rural and urban users, with numerous walking routes.
28. The main parties appear to be in broad agreement that the appeal site and its surrounds is representative of the various published regional, county and local landscape character assessments (LCAs). Following my site visit, I have no reason to disagree, and I also found the site and its setting to be representative of the special qualities of the CNLMP as already listed above.
29. The appeal site could be described as ordinary relative to nearby undeveloped land in the CNL. This site and the wider agricultural field have not been assessed in a site specific qualitative manner in any of the abovementioned published landscape assessments. These factors do not however diminish the high landscape value of the site and its surrounds, as I observed during my visit. That being said, a National Landscape (NL) designation does not in itself preclude development.
30. The appellant's Landscape and Visual Appraisal (LVA) includes a site-specific and more localised landscape character assessment. I agree that the gently rolling arable field forming part of the appeal site is of medium scale. Photo View Point (VP) 6 of the LVA shows the appeal site to have a degree of visual containment by the long tree belt further east.
31. However, at closer points on the Lower End and Leaffield Road footway by the junction of Greenwich Lane, open views facing southeast across this wedge-shaped field, across the tree belt and towards the ancient woodland, are of significant scale. As already set out in the first main issue, this vista provides a strong sense of leaving Leaffield and entering open countryside. The allotments and pumping station building, further east on the south side of Leaffield Road, are not visible from this junction location, and therefore do not give the perception of the village fringe landscape extending in this direction.
32. The historic dwellings beyond the junction, opposite the site on the north side of Leaffield Road, are generally well-screened by boundary shrubbery at this same junction location. When viewed from here, this long-established ribbon development therefore also does not provide a strong visual cue of the village extending eastwards opposite the appeal site. This elevates the landscape and visual sensitivity of the site and its susceptibility to change at this location to High, when having regard to the thresholds and factors within the LVA's Methodology.
33. At this location, the development would be clearly perceived as extending beyond the existing built form rather than being set amongst it. The landscape and visual effects of the proposal on receptors along Lower End and Leaffield Road would be localised to a relatively short section of highway. Such effects are also localised in comparison to the wider context of the village, the abovementioned LCAs and the CNL as a whole. I also accept that some change is inevitable when considering

residential development on greenfield land, and the proposal could be described as relatively small-scale in terms of its number of dwellings and density.

34. Such a low density, coupled with the linear built form alongside Leafield Road, however leads to considerable and conspicuous spread of development across what I found to be an important area of open space in landscape and visual terms. This adverse visual impact would not be mitigated by the retention of a much larger section of the field behind the dwellings, the setback distances from the highway frontage, or provision of some gaps between the dwellings.
35. Additionally, the wide vehicular access would be beyond the easternmost residential boundary on the opposite side of Leafield Road. This would face Wychwood Forest, albeit at a distance beyond an intervening undulating open field, and would include some harm to existing landscape fabric through removal of a group of trees to facilitate the access. The appeal scheme would therefore not form a logical complement to Leafield's existing pattern of development, and would fail to conserve the landscape and scenic beauty of the CNL and the landscape character of the locality within the Wychwood Project Area.
36. For the above reasons, the localised magnitude of change arising from the proposal would be adverse and elevated to High (as defined in Table 4 of the LVA), at close-range landscape and visual receptors at Lower End and Leafield Road, in the vicinity of the Greenwich Lane junction. It follows therefore that the significance of these localised effects would be Major adverse in landscape and visual terms.
37. As already set out in the first main issue, loss of the trees to facilitate the vehicular access would open up views of the proposed development from westbound approaches to the village along Leafield Road. Therefore, at VPs 4 and 5, the magnitude of change would be elevated to High. I found the landscape and visual sensitivity of the site and its susceptibility to change at VPs 4 and 5 to also be High, as it makes an important contribution to rural character for receptors on the approach to Leafield. The significance of these localised effects would thus be Major adverse in landscape and visual terms.
38. The above Major adverse effects on the CNL amount to substantial conflict with Policies OS2, OS4, EH2 and BC1 of the WOLP. These policies require, amongst other things, new development to conserve and enhance the landscape and scenic beauty of the CNL and the quality of the District's natural environment.
39. Whilst the proposed community orchard planting may restrict views of the three proposed dwellings nearest it, there is little detail before me regarding the precise planting sizes of the overall proposed landscape framework across the Leafield Road frontage. It has therefore not been demonstrated that the major adverse effects that I have identified would be mitigated by the proposed landscaping to any meaningful degree. Although the proposed housing designs are reflective of the village vernacular, including their external materials, this would not reduce the magnitude of change that would be experienced from the above viewpoints.
40. The majority of Greenwich Lane (forming part of the Wychwood Way Long Distance Path) towards the appeal site is enclosed by vegetation, which I found to limit visual effects to a close-range glimpsed view through a gap in the vegetation structure at VP10. This view would be framed in the background by the established ribbon development opposite the site to the north.

41. Based on the plans before me provided by the District and my site visit observations, the Land West of Greenwich Lane permission, if implemented, would have some urbanising effect in the vicinity of VP10. For the above reasons, in landscape and visual terms the proposal would cause Moderate adverse effects on receptors in this location.
42. There is also much divergence between the main parties in respect of the magnitude of change and overall significance of effect at the other VPs within the LVA. I found the longer distance views along the Public Rights of Way (PRoWs) bisecting Greenwich Lane to be occasional and glimpsed due to the generally well vegetated and enclosed nature of the lanes and PRoWs. Views further east and west on Leafield Road would be experienced within a context of existing built form features. To my mind, the proposal would thus not amount to Major effects on receptors at these locations in landscape and visual terms.

Affordable Housing (AH)

43. WOLP Policy H3 sets out that in order to address identified AH needs, the Council will require “qualifying” market housing schemes to make an appropriate contribution towards the provision of affordable housing within the District. Within the CNL, housing schemes of 6-10 units and which have a maximum combined gross floorspace of no more than 1,000m² will be required to make a financial contribution towards the provision of affordable housing off-site within the District.
44. The appeal proposal forms a qualifying scheme for the purposes of Policy H3. A Unilateral Undertaking (UU) is before me, which includes on-site provision of two three-bed dwellings to be occupied as shared ownership AH. Such on-site provision would meet and exceed the abovementioned requirements of Policy H3. The UU contains appropriate controls in respect of type, tenure and continued availability as AH.
45. The officer report advises that in light of the District's housing land supply (HLS), a District-wide AH need is clearly present. The WOLP indicates a need for 274 additional affordable homes each year in the District for the plan period (2018-2031) and therefore, the proposal could contribute to this wider need as well as that identified locally.
46. The above planning obligation is thus necessary to make the development acceptable in planning terms. It is directly related to the proposal, and fairly and reasonably related in scale and kind to the development. It therefore satisfies the three tests within Regulation 122 of the Community Infrastructure Regulations 2010, and the tests for planning obligations in paragraph 58 of the Framework.
47. I therefore conclude that the proposal subject of this UU would secure an appropriate amount of AH to comply with Policy H3 of the WOLP, the relevant requirements of which are already set out above.

Biodiversity Net Gain (BNG)

48. The Environment Act 2021 statutory provisions relating to BNG are principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 (As Amended). Under this statutory regime, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is

for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

49. The completed UU requires a Biodiversity Gain Plan (BGP) to be submitted to and approved by the District to achieve BNG pursuant to Section 7A of the Act, along with a Habitat Management and Monitoring Plan (HMMP) to be prepared in accordance with the approved BGP. The HMMP must include management measures to maintain habitat in accordance with the approved BGP for a period of 30 years from completion of the development. The above measures would ensure that the proposed open space would be delivered, nurtured and managed in a sufficient manner and timeframe to achieve BNG.
50. The UU also secures an index linked biodiversity gain land monitoring contribution towards the District's costs of monitoring compliance. This would fall within the scope of the reasonable everyday functions of the District, and would fairly and reasonably relate to the scale and kind to the development.
51. Following the consultation comments of the District's Biodiversity Planning Officer, an amended Landscape Strategy Plan (LSP) and Ecological Impact Assessment & Biodiversity Net Gain Assessment (EIA&BNGA) are submitted with this appeal. The LSP includes revised indicative native tree species and hedgerow mix schedules and indicates that the proposed mixed native hedgerows would provide a wide and dense base suitable for dormice. The tree species schedule includes wych elm to support the white-letter hairstreak butterfly. The EIA&BNGA includes a mitigation strategy for dormice, including protection measures for the retained hedgerow.
52. There is some divergence between the main parties in respect of the likely achievable condition of the proposed natural grassland, traditional orchard and other new trees. This would impact the level of BNG that could be achieved.
53. However, given the way in which the biodiversity gain objective is underpinned by a separate statutory framework, it would have been inappropriate for me as the decision maker to dismiss the appeal solely on the grounds of insufficient information or demonstration that this objective could be met. This is because the determination of a BGP by the District would in any event be required as part of the pre-commencement biodiversity gain condition, if planning permission were to be granted. As I am dismissing the appeal on other substantive grounds, I need not consider this matter any further, as it could not lead me to a different decision.

Other Matters

54. The appellant received pre-application advice from the District for 10 two storey dwellings, extension of the existing allotments and parking for its users. The appellant perceived the District's written response as an indication that the benefits of the scheme may outweigh any adverse impacts, especially if a HLS shortfall exists. A planning application for a reduced scheme of nine dwellings was subsequently submitted in attempt to address the pre-application advice comments. Further amendments have been made to the current appeal scheme following the withdrawal of the previous application.
55. I am also told that the District has recently approved a number of planning applications for residential development on the edge of villages. This includes an approval at North Leigh for up to 55 dwellings. Although the full details of that

example are not before me, this example relates to a different amount of dwellings at a different village, which would have turned on its own site-specific merits.

56. There are some clearer similarities between the Land West of Greenwich Lane permission and the appeal scheme in terms of its linear form and location adjoining the built up area of Leafield. That nearby site is however significantly smaller, and it is in a more secluded location relative to Leafield Road, behind rows of terraced dwellings, with a row of mature trees beyond and along its rear site boundary which I found restrict views from PRow 273/8/10. The Land West of Greenwich Lane permission therefore does not justify allowing the appeal proposal.
57. There was no specific landscape consultation or landscape officer comments received for the current application subject of this appeal, and I can understand how perceived inconsistencies of approach by the District could be frustrating. I am however dutybound to make my own assessment of the proposal based on the relevant policy, evidence and site-specific circumstances before me.
58. The officer report states that future occupiers would likely rely heavily on private car usage. Be that as it may, I found the appeal site to be within safe and convenient walking distance to Leafield's facilities, including a primary school and a shop with post office. Thus, I am not surprised that this matter did not amount to a reason for refusal. This matter does not justify dismissing the appeal and is instead, I view this as a benefit to be considered further as part of the Planning Balance below.

Planning Balance

59. I have found material conflict with Policies OS2, OS4, EH2, EH9, EH10, EH13 and BC1 of the WOLP. I therefore conclude that the proposal conflicts with the development plan as a whole.
60. The adverse visual effects on the setting of the LCA that I have identified would harm its special interest, character and appearance through development in its setting, contrary to WOLP Policy EH10. I found the LCA to be an important asset for the village in terms of its character and appearance. The extent of harm to the LCA's setting through loss of views of surrounding agricultural land, namely when exiting Leafield eastwards past the proposal site, would be towards the higher end of the scale.
61. The harm to the setting of the LCA that I have identified to arise from the appeal scheme amounts to less than substantial harm, having regard to the Framework. Less than substantial harm does not however equate to a less than substantial planning objection. Policy EH9 also reflects the Framework insofar as it sets out that proposals which would harm the significance of a designated asset will not be approved, unless there is a clear and convincing justification in the form of substantive tangible public benefits that clearly and convincingly outweigh the harm, using the balancing principles set out in national policy and guidance.
62. As required by Framework paragraph 78, the District should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. This must be measured against its local housing need (LHN), as the strategic policies within the WOLP are more than five years old.

63. The evidence before me refers to appeal decisions received in the first half of 2024⁵, whereby the District's HLS was debated as part of Public Inquiries and it was accepted that it could only demonstrate a deliverable supply of around 4.3 years. Since the abovementioned appeals were determined, the subsequent and latest version of the Framework, and amended PPG, has altered the standard method for calculating the LHN figure. Despite this, the District has not formally published its updated five year supply position, although it accepts that it cannot currently demonstrate a five year HLS.
64. My attention is drawn to the District's Draft Preferred Policy Paper (DPPP) (June 2025) which relates to its emerging new Local Plan. The DPPP states that its purpose is to outline the district's current thinking on the emerging plan's overall structure and direction. It also advises that the standard method for calculating LHN as outlined in the Framework increases the District's LHN figure to 905 dwellings per annum (dpa). This indicates a significant increase in its LHN figure when compared to 570dpa with no buffer as was required by the 2023 version of the Framework. The District accepts that this likely increases its HLS shortfall.
65. The DPPP also indicates a housing need of 16,000 new homes in the period from April 2025 to March 2041, inclusive of a 10% buffer, and excluding Oxford city's unmet housing needs which is subject to further discussions. This amounts to at least 1,000 new homes per annum across this 16-year period.
66. The appellant believes that the District has no better than a 2.1-year HLS. Whilst no precise calculations for this are before me, I accept that the lack of up-to-date data on land supply in the District makes it difficult to calculate an accurate figure. When comparing the District's increased housing requirement figure as set out in the DPPP alongside its HLS tested under the abovementioned appeals, and in the absence of evidence before me to the contrary, I must assume that the District's current HLS shortfall is substantial. There is little evidence to dispute that this shortfall is not within the appellant's range as set out above, which indicates a substantial deterioration of the District's housing supply position.
67. This undersupply of housing means that the approach set out in paragraph 11d) of the Framework applies. This sets out that planning permission should be granted unless, as per paragraph 11d)i., the application of policies in the Framework that protect areas or assets of particular importance, including DHAs and NLs, provides a strong reason for refusing the development proposed.
68. The 2023 Housing Delivery Test (HDT) results published by the Government in December 2024 shows the District's HDT result as 146% (i.e. between the financial years of 2020-2023, there were 146% as many completions as the number of homes required). I accept that this HDT result indicates a good recent delivery performance across the District in more recent years. However, the other planning permission or appeal decision examples cited above indicate that the District's housing supply shortfall has nonetheless persisted for some time.
69. The appeal proposal comprising a majority of open market dwellings cannot be reasonably described as a rural exception site. That being said, the supporting text to WOLP Policy H3 indicates that typical developments of 6-10 units should be able to afford an affordable housing commuted sum of £100 per m2. On this basis, the appeal scheme's on-site provision of two dwellings as shared ownership Affordable

⁵ Including Appeal Ref: APP/D3125/W/23/3332089 (Land West of London Lane, Ascott under Wychwood)

Housing (to be transferred to a Registered Provider) in lieu of an off-site contribution would, upon my reading of Policy H3, exceed its requirements.

70. Provision of nine dwellings would form a material and welcome contribution to the District's housing supply shortfall, within safe and convenient walking distance to Leafield's facilities. The Framework supports an increased supply of homes in such locations and the related economic and social benefits. The appellant has worked with the Leafield Allotment Association to deliver an extension to the existing allotments. The proposal also includes extensive areas of public open space, including new landscaping, to provide recreational opportunities and biodiversity gains. The above social and environmental benefits would be secured in the UU. Collectively, these benefits are afforded substantial weight.
71. The proposal would provide a safe pedestrian route through the appeal site to the allotments. Whilst most of the existing route along Leafield Road past the appeal site is not served by a segregated footway, most of it is subject to the 20mph speed limit. There is also a traffic calming measure in the form of a priority narrowing feature with speed hump. The appellant's Transport Statement refers to Automatic Traffic Counts (ATCs) installed either side of the proposed vehicular access. The ATCs were however undertaken at a time when the section of Leafield Road past the appeal site was subject to a higher 30mph speed limit. Existing average speeds may therefore be lower than those recorded by the ATCs.
72. Oxfordshire County Council Highway Authority commented that the proposed access and vehicular parking for the allotments would be beneficial in terms of highway safety, given the present arrangement of parking on the highway. During my site visit, I observed several vehicles parked fully on Leafield Road along the eastern approach to the appeal site, and vehicles parked on the verge and within the informal layby directly in front of the site. To reach the existing allotment off Leafield Road, users would have to traverse a relatively short section of highway subject to the national speed limit (60mph).
73. Although my visit was a snapshot in time, I observed vehicles notably reducing their speeds towards the 20mph limit and traffic calming features. The allotments are only accessible across a grass verge and via wooden steps over a stone wall. I accept that this arrangement is not particularly safe for pedestrians, and it also means that less able-bodied people cannot access the allotments.
74. However, for the above reasons, whilst the appeal proposal would improve highway safety, this would not be to a significant degree. It has also not been demonstrated that the appeal scheme is the only or least harmful way, in landscape, visual impact and historic environment terms, to deliver improved access and parking for the allotments as part of a new housing proposal. I therefore ascribe moderate positive weight to the highway safety benefits arising from the proposal.
75. Collectively, the overall benefits arising from the proposed development are not sufficient to outbalance the less than substantial harm to the significance of the LCA. In reaching this conclusion, I have had regard to the scale of such harm and the importance and special interest of the LCA, while also bearing in mind that great weight should be given to the LCA's conservation.
76. The scheme would also fail to conserve and enhance the CNL's special landscape qualities and scenic beauty. I found the extent of landscape and visual impact to be localised, but nonetheless of Major adverse significance, due to the spread of

development across open land including loss of some trees. It is axiomatic that these effects also harm the general character and appearance of the immediate area. The above harms amount to substantial conflict with WOLP Policies OS2, OS4, EH2 and BC1.

77. I have therefore found that the appeal scheme does not benefit from the presumption in favour of sustainable development, as the application of policies in the Framework that protect areas or assets of particular importance, including DHAs and NLs, provides strong reasons for refusing the development proposed.

Conclusion

78. For the reasons given above, the proposal conflicts with the development plan as a whole and the material considerations before me do not indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR