



Appeal Decision

Site visit made on 6 January 2026

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2026

Appeal Ref: APP/Q3115/W/25/3366706

Land adjacent to Oxford Road, Horspath, Oxfordshire

- 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 Alex Cresswell Planning Consultancy Ltd against the decision of South Oxfordshire District Council.
 - The application Ref is P25/S1133/PIP.
 - The development proposed is the erection of 4 no. dwellinghouses (Permission in Principle).
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Decision

1. The appeal is allowed and planning permission is granted for residential development comprising a minimum of 1 and a maximum of 4 dwellings at Land adjacent to Oxford Road, Horspath, Oxfordshire in accordance with the terms of the application, Ref P25/S1133/PIP.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 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 2 stages.
3. 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. I have determined the appeal accordingly.
4. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission is sought for a minimum of 1 and a maximum of 4 dwellings. A Proposed Site Plan and Proposed Site Elevation were submitted as part of the application. I have treated these as being for illustrative purposes only.
5. Additional plans were submitted as part of the appeal¹ which show visibility splays at the proposed access. The plans do not fundamentally change the proposal, and the Council has had the opportunity to consider the additional information as part of the appeal process, as such, no injustice would occur should I accept the plans.

¹ Proposed Site Plan – Access210225-PP0012 and Proposed Site Plan 210225-PP0010-A

For the avoidance of doubt, I have therefore considered the amended plans in the determination of the appeal.

Main Issue

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular regard to;
- whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - whether the development would be in a suitable location, with regard to development plan policies relating to the location of development;
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on highway safety.

Reasons

Whether inappropriate development

7. The site is located within the Green Belt. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development in the Green Belt is inappropriate unless specific exceptions apply. Relevant to this appeal are the exceptions set out at paragraphs 154 e) and 155 of the Framework.
8. Policy STRAT6 of the South Oxfordshire Local Plan 2011-2035, adopted December 2020 (SOLP) sets out that to ensure the Green Belt continues to serve its key functions, development in the Green Belt will be restricted to those limited types of development which are deemed appropriate by the Framework, unless very special circumstances can be demonstrated.
9. Paragraph 155 of the Framework outlines that the development of homes in the Green Belt should not be regarded as inappropriate, where all of the criteria listed are met. These include that the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; there is a demonstrable unmet need for the type of development proposed; the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and where applicable the development proposed meets the 'Golden Rules'.
10. For the purposes of decision-making, 'grey belt' is defined in the Framework as land in the Green Belt comprising previously developed land (PDL) and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b), or (d) in paragraph 143 of the Framework. Whether or not the site would constitute PDL, is not determinative in the context of paragraph 155, as grey belt is not restricted to PDL.

11. I note the Council's contention that, given the location of the site, adjacent to Horspath, the site makes a strong contribution to Green Belt purpose a), and that the proposal would diminish the contribution that this part of the Green Belt serves to meeting that purpose. Nonetheless, the PPG² is clear that purpose a) relates to the sprawl of large built-up areas, and villages should not be considered large built-up areas. Consequently, given that the site lies on the edge of Horspath, which there is no dispute is a village, purpose a) is not applicable when considering the contribution the land makes to the Green Belt in this case. Furthermore, the Council accept that, as purpose b) also relates to the merging of towns, and not villages, there would be no impact on this purpose. For the same reason, purpose d) which relates to historic towns not villages, and given the site does not contribute to the setting of Oxford, would also not apply.
12. I have been referred by the Council to the Oxford Green Belt Study, 2024 update, which found that Parcel OX14, in which the appeal site is located, contributed strongly to purpose a) and made a medium contribution to purposes b) and d). This reflects the findings of the Council's Green Belt Assessment, dated December 2024. However, the advice in the Framework and PPG, postdates these and is clear that purposes a), b) and d) in paragraph 143 of the Framework apply to towns and not villages. In addition, given the scale and siting of the development, the proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan and would therefore satisfy criterion a) of paragraph 155.
13. The appeal submissions indicate that the Council is currently unable to demonstrate a 5 year supply of housing land. Thus, in accordance with footnote 56 of the Framework, there is a demonstrable unmet need for the type of development proposed. Consequently, the proposal would satisfy part b) of paragraph 155.
14. The Council considered the location to be sustainable. Given the relatively modest distance to amenities within Horspath, and the provision of a pavement which would provide access by foot, future occupiers of the development would not be wholly reliant on the private car. Thus, taking these factors into account, I have no reason to reach a different conclusion. As the proposal does not comprise major development, the 'Golden Rules' are not applicable, and paragraph 155 d) of the Framework is therefore not relevant in this case.
15. In light of the foregoing considerations, the tests at 155 of the Framework are satisfied and I therefore conclude the development would not constitute inappropriate development in the Green Belt. Consequently, there is no need for me to consider the exception to inappropriate development at paragraph 154 e) of the Framework, or the effect on openness. Accordingly, the proposal would not conflict with the aims of Policy STRAT6 of the SOLP.

Location

16. Policy STRAT1 of the SOLP sets out the spatial strategy for the location of new development within the district. It looks to focus major new development in Science Vale and strategic allocations and supporting and enhancing the roles of other settlements commensurate with their size. It seeks to protect and enhance the countryside, particularly areas within the AONBs and Oxford Green Belt by

² Paragraph: 005 Reference ID: 64-005-20250225

ensuring that outside of the towns and villages any change relates to very specific needs such as those of the agricultural industry or enhancement of the environment. Neither of which would apply to the appeal proposal.

17. In terms of delivering new homes, Policy H1 of the SOLP sets out that residential development on sites not allocated in the Development Plan will only be permitted where it satisfies specific criteria, including, where it is infilling, and brownfield sites within Smaller Villages, such as Horspath, or residential development of PDL within and adjacent to Smaller Villages.
18. SOLP Policy H8 indicates that the Council will support development within the Smaller Villages, such as Horspath, in accordance with Policy H16. Policy H16, is clear that, within Smaller Villages, development should be limited to infill and the redevelopment of previously developed land or buildings. Infill development is defined as the filling of a small gap in an otherwise continuous built-up frontage or on other sites within settlements where the site is closely surrounded by buildings. The scale of infill should be appropriate to its location.
19. The appellant contends that the development would constitute infill development within a Horspath, which is identified in the SOLP as a Smaller Village. The appeal site comprises a parcel of land located at the end of a row of residential properties. Notwithstanding the extent of the 20mph speed limit, the site is clearly located beyond the main built form of the settlement, the edge of which is defined by the village hall opposite the site, and on this side of the road by the last property in the row of frontage development. Despite the presence of a small pumping house within the adjoining woodland, which is very modest in scale and almost imperceptible in the street scene, the proposed development cannot be described as the filling of a small gap in an otherwise continuous built-up frontage or being surrounded by other buildings. It would therefore not constitute infill development. Moreover, while I am mindful of the former use of the land in association with the railway line, there is no substantive evidence that the land is PDL.
20. I therefore conclude that the proposed development would not be in a suitable location, with regard to development plan policies relating to the location of development. In that regard it would conflict with Policies STRAT1, H1, H8 and H16 of the SOLP.

Character and appearance

21. The appeal site comprises a rectangular parcel of grassland, enclosed to the frontage by a roadside hedge. It is bound by the adjoining residential development to one side and woodland to the other, with open countryside to the rear. The surrounding area, by virtue of its close relationship with the nearby built form, including the adjoining residential properties and village hall opposite the site, and open countryside beyond, is semi-rural in character. Due to the position of the site, in proximity to, but beyond the existing buildings, and its undeveloped nature, together with the views across the site of the wider open countryside beyond, it contributes positively to the character and appearance of the area.
22. The introduction of residential development as proposed, would inevitably change the character and appearance of the site. Nonetheless, the land is well related to the existing built form, being largely contained by the existing residential development and the woodland to the opposite side of the site. Moreover, the development would not extend beyond the existing rear boundaries of the

adjoining residential properties. Taking these factors into account, development of the scale proposed, for up to 4 dwellings, would not give rise to a significant encroachment into the open countryside.

23. I recognise that detailed matters including scale, position within the plot, orientation and design of the dwellings would form part of the second stage of the permission in principle process. However, due to the size and shape of the plot, the appeal before me would likely encourage a layout comprising frontage development, as shown on the indicative layout. This would reflect the adjoining linear pattern of residential development along this side Oxford Road. In light of these considerations, there is no clear evidence before me that a scheme for residential development, including associated accoutrements such as areas of hardstanding or lighting, could not be designed so as to complement the character and appearance of the area, including the semi-rural setting of the village. Consequently, the proposal would not appear unduly visually discordant with the prevailing character of the area or significantly at odds with the landscape setting.
24. For the above reasons, the proposed land use, and the amount of development would, in principle, be suitable and would not harm the character and appearance of the area. Accordingly, the proposal would not conflict with the combined aims of Policies DES1, DES2 and ENV1 of the SOLP which seek development of a high quality design, which among other things, uses land efficiently while respecting and conserving the existing landscape and local context.

Highway safety

25. The Council's refusal reason refers to increased traffic movements close to an existing chicane; however, it has not been demonstrated how harm would arise in that regard. Notwithstanding this, the Council's submissions indicate that the main concern appears to be the position of the proposed access in relation to the existing chicane, specifically the lack of certainty that larger vehicles in particular would be able to access and egress the site and whether appropriate provision could be made for the turning of these vehicles within the site.
26. However, the information provided is commensurate with the nature of the permission in principle stage, which seeks to establish the principle of the development, having regard to the location, land use and amount. Detailed access arrangements would be a matter for the technical details consent stage. The absence of such details would therefore not be a reason to withhold permission in principle.
27. I therefore conclude that, based on the evidence before me, and subject to suitable details being agreed at the technical details consent stage, the location, proposed land use and amount of development would be suitable in principle, having regard to highway safety. In that regard, the proposal would not conflict with the aims of Policy TRANS5 of the SOLP, which among other things, require proposals for development to provide for a safe and convenient access for all users of the highway network.

Other Matters

28. I note concerns raised regarding the effect of the proposed development on, among other matters, the living conditions of occupiers of the neighbouring property and the layout and design of the dwellings. However, these matters do

not fall within the scope of considerations at the first stage of the permission in principle process and would therefore be considered as part of a subsequent technical details consent application.

Planning Balance

29. The Council confirm that it is unable to demonstrate an adequate supply of housing land, with a current supply of just over 4 years. In this scenario, paragraph 11 d) of the Framework indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies.
30. The proposed development would not be in a suitable location when considered against relevant development plan policies which set out the development strategy and would therefore conflict with the development plan as a whole. Nevertheless, while significant weight should be attached to the conflict with the development plan, Horspath is a Small Village where new residential development can be permitted and given the proximity of the site to the village, the Council accept the location is sustainable. Support from policies in the Framework, including those that prioritise sustainable transport modes, encourage the effective use of land and recognise the important contribution small sites can make to meeting the housing requirement of an area thus weigh in favour of the development.
31. In addition, the proposal would offer benefits in terms of housing supply, which is a key objective of the Framework, which seeks to significantly boost the supply of housing. While up to 4 new houses would not greatly improve total supply, given the current housing supply situation in the district, the additional provision would nonetheless be valuable. The development would also give rise to economic benefits during the construction period and increased expenditure in the local area in the longer term. However, the benefits in these regards would be tempered by the modest scale of the development.
32. In this case, I find that, the adverse impacts of the proposal arising from the conflict with the development plan would not significantly and demonstrably outweigh the benefits, when considered against the policies of the Framework taken as a whole. The proposal would therefore benefit from the presumption in favour of sustainable development, set out at paragraph 11 of the Framework. This is a material consideration to which I attribute significant weight. Accordingly, this indicates that a decision should be made otherwise in accordance with the development plan. Therefore, having regard to all other relevant material considerations, I conclude that planning permission should be granted.

Conditions

33. The PPG is clear that it is not possible for conditions to be attached to a grant of permission in principle, the terms of which may only include the site location, type, and amount of development. Therefore, I have not imposed any conditions.

Conclusion

34. For the foregoing reasons, I conclude that the appeal should be allowed.

E Worley INSPECTOR