



Appeal Decisions

Site visit made on 18 November 2025

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2026

Appeal A Ref: APP/D3125/W/25/3365155

Church Farm House, Road Through Lew A4095, Bampton, Oxfordshire OX18 2AZ

- 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 Damian Gallagher against the decision of West Oxfordshire District Council.
- The application Ref is 24/02679/HHD.
- The development proposed was originally described as: the conversion of existing single storey, vaulted height garage and outbuildings to single-storey living accommodation; and a proposed small rear extension, in-filling a portion of the area between a neighbouring agricultural barn and the main house.

Appeal B Ref: APP/D3125/Y/25/3365154

Church Farm House, Road Through Lew A4095, Bampton, Oxfordshire OX18 2AZ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Damian Gallagher against the decision of West Oxfordshire District Council.
 - The application Ref is 24/02680/LBC.
 - The works proposed were originally described as: the conversion of existing single storey, vaulted height garage and outbuildings to single-storey living accommodation; and a proposed small rear extension, in-filling a portion of the area between a neighbouring agricultural barn and the main house.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. Both appeals relate to the same proposal under different but complementary legislation. To avoid duplication, I have dealt with the two schemes together, except where otherwise indicated. As the appeals relate to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. Policy OS2 of the West Oxfordshire Local Plan 2031 (LP) was not submitted to the appeals and is referenced in the reasons for refusal. I have therefore relied on the text of this policy as it appears within the on-line version of the plan on the Council's website. As this plan is a publicly available document, I consider that no party would be prejudiced by my doing so.

Main Issues

5. The main issues are whether the proposal would preserve the Grade II listed building, Church Cottage¹ now known as Church Farm House, or its setting or any features of special architectural or historic interest which it possesses; and the effect of the proposal upon the setting of the Grade II listed building, the Church of the Holy Trinity².

Reasons

The appeal site, its surroundings and the proposal

6. The West Oxfordshire Design Guide (WODG) indicates the appeal site is within the Thames Vale character area, characterised by a predominantly flat and agricultural landscape, largely determined by the process of enclosure. The fragmented village of Lew comprises a handful of farms and houses together with the Church of the Holy Trinity (the Church).
7. The listed building (LB) has an irregular footprint and is sited perpendicular to the main road through the village, with its front elevation facing a courtyard area. The rear elevation faces towards the Church with an intervening private track and a large field, bounded by hedgerow and some trees. The property is bounded on the roadside by tall stone walling and wooden gates. The courtyard area is bounded by some lower walling and gates, beyond which is further land in the appellant's ownership. The westerly gable of the LB faces towards a nearby tall, modern barn alongside the track, with a gravelled area between that appears to be used for parking.
8. In brief, the proposal comprises a single storey extension to the westerly side of the building (the westerly extension), with a glazed link at the rear linking to a new opening within the rear lean to; and the extension and conversion of parts of the easterly side of the building to form living accommodation (the easterly scheme).

Special interest, significance and settings

9. Listed Building: The list entry describes the building as a two-storey house with attic, adapted/remodelled in the 17th-early 18th century, and altered in the 19th and 20th centuries. The appellant's heritage appraisal (the appraisal) includes a comprehensive account of the building's evolution and its architectural and historic interest, which is not disputed by the Council. From the appraisal before me, its significance can be summarised as evidential, historical and architectural, with evidence of lost structures, enlargement of the property to support a wide range of economic activities, and connections to named residents. Further, the setting of the LB has largely resulted from the loss of historic homesteads surrounding the site and the erection of modern barns in their place. In essence, the LB is an enlarged cottage plot affected by acts of enclosure.
10. In summary, the appraisal indicates the oldest historic fabric is the main house with a later former workshop and rear lean-to in place by 1821. Further, that the outhouse was added to the eastern boundary by about 1876, and its form and roof are not considered to be original. Part of the outhouse now serves as the rear part of a garage. Further, in the 19th and 20 centuries the cowshed/store, front part of

¹ List Entry Number 1200140

² List Entry Number 1053520

the garage and shed were added. I shall refer to the outhouse, cowshed, garage and shed and as the easterly structures. The evolution of the building is such that the easterly structures have effectively extended it towards the highway.

11. The main house is cottage in style, of limestone with a steep stone slate roof. The former workshop is of a similar cottage style appearance and materials, while the rear lean-to is of limestone with a steep catslide roof. The westerly gable of the main house includes a large chimney stack; a large, blocked exposed fireplace; oversized elm lintel and joist ends. The appraisal indicates the stack leans out due to the loss of structural support from a previous adjoining structure lost by 1821, whose nature, form and purpose are unknown. Due to their architectural details and materials, the main house, former workshop and rear lean-to have a largely consistent and cohesive character and appearance, typical of the Cotswold cottage style and the Thames Vale character area as described in the WODG. These three structures are assessed as being of moderate heritage value in the appraisal and I find no reason to consider otherwise.
12. In contrast, the easterly structures demonstrate an evolved vernacular to include limestone, red brick, clay tile, timber cladding and metal roofing. Although clay tiles are sometimes found in the Thames Vale character area, the easterly structures exhibit a degree of inconsistency in materials and form, with a degree of discordance to the older parts of the building when viewed from within the private courtyard area. The appraisal finds the easterly structures to be of low-nil heritage value, and I find no reason to consider otherwise.
13. Drawing all the above together and insofar as related to the appeal, I consider the key features of significance and special interest of the LB are the main house including its westerly gable and exposed features, the former workshop and the rear lean-to.
14. The Church: The Church is by a named Oxford architect, and dates from 1841-1842. Insofar as related to the appeal, its key features are its octagonal tower and its southern elevation which includes a porch and flanking buttresses and faces towards the appeal site. I find no reason to disagree with the findings of the appraisal that views from the Church towards the south cannot be a deliberate creation on the church builders, as the earliest parts of the LB predate the Church by some margin. Nevertheless, the National Planning Policy Framework (the Framework) defines the setting of a heritage asset as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.
15. The appeal site is given to be about 140-250m south of the Church and its grounds. Intervisibility is restricted to some degree by the intervening field boundaries of hedgerow and trees, even when not in leaf. The vista towards the rear of the LB building is dominated by the barn near the main house. The upper parts of the westerly chimney stack and rear elevation of the LB appear within view from the Church steps and its grounds, but the exposed features of the fireplace, lintel and joists within the lower part of the westerly gable are not discernible due to the angle of view and distance.
16. Private views of the Church are available through a gap between the main house and the nearby modern barn, from within the appellant's wider land and likely from neighbouring private land alongside the same side of the highway. Public views are

also available within the gap when travelling along the highway from the south, near to the southern gate of the appellant's wider land holding. The exposed features within the lower gable are not discernible in such views. The uppermost part of the octagonal tower can be seen just above the ridgeline of the main house, when travelling from the south, depending on the angle of view.

17. From the evidence before me and my own observations, it seems to me that the degree to which the Church appears in view within the wider rural landscape is dependent upon the nature of the sporadic built form and intervening vegetation within the surrounding landscape. Such views form part of the present day setting of the Church, and this is recognised in the appraisal, which identifies the view from the southern gate of the appellant's land to be a significant modern view.

Effects

18. Listed Building: The WODG sets out that extensions or alterations that are of an inappropriate scale, or likely to obscure or significantly alter the form or character of the original property, are unlikely to be supported. Further, that any proposed extension likely to obscure the original form of a listed building, to obscure or result in the loss of significant original fabric or features, or which fails to respond sympathetically or meaningfully to the listed building, is unlikely to be supported. While the WODG recognises contemporary design with higher proportions of glazing, it also makes clear that this is less appropriate in traditional designed buildings. The WODG also refers to relevant design matters, including materials.
19. The proposed single storey westerly extension would be set back from the front and rear elevations of the main house. The half-hipped roof form would be finished in reproduction slates, similar in appearance to the main roof, but with a much shallower angle of pitch. Due to the size and siting of the proposed rooflight it would be at the ridge height of the proposed roof and would dominate the front roof plane. While the solid walls of the westerly extension would match existing stonework, its front elevation would include timber framed, full height glazing, with a pair of full height glazed doors. The scale and style of such glazing would be highly discordant to the cottage style appearance of the front elevation of the main house.
20. Overall, the footprint and volume of the westerly extension would be secondary and subordinate, but the scale and contemporary nature of the glazing in the front elevation would be discordant to the character, appearance and proportions of the main house that it would directly adjoin. The appearance of the westerly extension therefore falls uncomfortably between modern and traditional; and fails to respond sympathetically to the cottage style and proportions of the main house, in conflict with the WODG. Indeed, the appellant's own heritage assessment indicates that the use of lighter weight/lower status materials and different roofing materials to that of the main house would ensure that the main house remains the dominant feature. For the above reasons, the design of the proposed westerly extension would unacceptably undermine the primacy of the main house.
21. The proposed glazed link would be sited about halfway along the rear elevation of the proposed westerly extension, running along the rear of the main house to meet a new doorway in the rear lean to. This would result in the loss of some historic fabric within a key part of the LB, thereby causing some harm. Of itself, and due to its siting, scale, height, width, depth and materials, the glazed link would appear as a legible, contemporary addition at the rear of the building.

22. The westerly extension and glazed link would not significantly alter existing public views of the upper part of the chimney stack within the westerly gable of the main house. However, they would essentially enclose the key features of significance in the lower part of the gable wall. Whilst the proposed glazing could allow some limited views of these features, they are likely to be significantly restricted because of the reflective nature of the glazing and potential use of internal blinds or curtains.
23. The proposed easterly scheme would increase the footprint of the building by creating a small extension to square off the corner of the outhouse structure near the highway; and by what is effectively a new front facing, fully glazed elevation between the corners of the former workshop and the outhouse. There would be some demolition of existing internal/external wall; some new internal walls and openings would be created/modified and the proposed roofscape would be complex. A central pitched form would largely replace existing mono pitched roof forms and would be finished in reproduction stone slates, while the flat roofs with upstands to the front and rear would largely replace the existing flat and pitched roof forms. While the use of reproduction stone slates for replacement and repair of stone slate roofs serving listed buildings is not supported by the WODG, in this instance, they would replace clay tile, metal and felt, and result in a more sympathetic and cohesive appearance than at present.
24. There would be a loss of some historic fabric to the former workshop, in the form of a new opening to enable internal access to the easterly structures. However, this would be at a point which is already obscured by the easterly structure attached to it. Although there would be some loss of historic fabric to the easterly structures and the works would result in the loss of some evolved vernacular, these structures are of low to nil heritage value.
25. Overall, due to its siting, scale, height, roof form and distance from the main two-storey house, the easterly scheme would not undermine the primacy of the main house and would appear subordinate to it. In addition, it would potentially result in a more cohesive and sympathetic addition than the existing structures it would convert and/or extend. This effect would be largely perceptible within the private courtyard, and from the highway where the roofscape, and the rear and flank elevations would appear in public view. For the above reasons, the easterly part of the proposal would have a neutral effect upon the significance of the LB.
26. In concluding upon the effects of the proposal upon the LB, the westerly extension would unacceptably harm the primacy of the main house, and obscure key features of its significance, resulting in a negative impact upon the LB. The easterly scheme would have a neutral effect upon key features of significance. While the easterly scheme would result in aesthetic improvement, this would not overcome the harm I have found. Consequently, the proposal would have an overall negative impact upon the significance of the LB.
27. The Church: Views from the Church and its grounds would include the proposed increase in built form and massing to the rear of the LB and any vehicles within the proposed parking spaces near the rear elevation. However, the nearby barn would still be dominant and intervisibility would still be impeded by existing vegetation, even if not in leaf. While internal illumination would be seen during the hours of darkness from the extended property, this would not be significantly different to the existing situation, nor to any other illumination arising from other structures within the wider and largely flat agricultural landscape. The proposal would obscure some

rather limited views from the south in the gap between the main house and the nearby barn. However, the partial loss of a view would not harm the setting of the Church. For these reasons, the proposal would not harm the setting of the Church.

28. Given all the above, I find that the proposal would not harm the setting of the listed Church, but it would fail to preserve the LB and its setting and any features of special architectural or historic interest which it possesses. This would harm the significance of the LB. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.

Public benefits and balance

29. Paragraph 212 of the Framework sets out that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any such harm should have a clear and convincing justification. Given the proposal is minor in scale, I find the harm to be less than substantial in this instance and in the low range of that spectrum, but nevertheless of considerable importance and great weight.
30. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The PPG³ sets out that public benefits could be anything that delivers the economic, social or environmental objectives as described in the Framework; and they should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. Further, that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.
31. I acknowledge that the proposal would meet the appellant's aspirations for enhanced residential accommodation. However, there is no compelling evidence before me to suggest that use of the LB as a dwelling is not viable or dependent on the proposal. Consequently, the enhanced residential accommodation would largely be a private benefit for existing and future occupiers of the property.
32. The proposal would re-purpose materials within the site, use energy efficient glazing and locally sourced materials. Such matters could be secured by condition. In addition, the appellant intends to install water butts; introduce native planting to support wildlife and is willing to replace oil fired heating with an air source heat pump. Collectively, these measures would likely make a relatively small contribution to environmental sustainability objectives, and therefore the public environmental and sustainability benefits associated with them would be limited. In addition, temporary economic benefits would arise during the construction phase, limited by the scale of the works.
33. The appellant intends to restore and reinstate the exposed fireplace and contends that the proposal would protect the heritage asset from weathering. While this could reduce or remove risks to the heritage asset, and thus be a public benefit, I am not satisfied that the proposal would be the only way to achieve such an objective, nor

³ Paragraph: 020 Reference ID: 18a-020-20190723, Revision date: 23 07 2019

that it would be the least harmful way to do so. Indeed, key features in the westerly gable would be partially obscured by the proposal. Consequently, this matter attracts very limited weight in favour of the proposal.

34. The appellant suggests that the additional habitable space would enable residents of the village to meet and socialize in the absence of communal facilities within the village. Although I appreciate the village is within a rural location where opportunities to meet may be limited, there is no compelling evidence to demonstrate that the existing accommodation prevents such social activity, nor that social activity within the village is dependent on the proposal. This matter therefore attracts no weight for or against the proposal.
35. A stated aim of the proposal is to provide accommodation for a young family away from what is considered by the appellant to be a noisy and dangerous road. The appellant also contends that the use of extensive glazing would allow natural light into the property. However, the proposal would not alter any road conditions, and there is no substantive evidence to demonstrate that existing levels of light at the property are insufficient to meet the health and well-being of its occupiers. These matters therefore attract no weight for or against the proposal.
36. Collectively, the benefits of the proposal would not outweigh the harm that I have found, to which I am required to attach great weight. I therefore conclude that on balance, the proposal would fail to preserve the Grade II listed building and features of special architectural or historic interest which it possesses. This would fail to satisfy the requirements of the Act and the Framework, and would conflict with LP Policies OS2, OS4, EH9 and EH11. Taken together, and among other things, these policies seek to ensure that development is of high-quality design that respects the intrinsic character of the area; and conserves and/or enhances heritage assets in a manner appropriate to their significance, in accordance with national legislation, policy and guidance. In respect of Appeal A, the proposed development would not be in accordance with the development plan.

Other Matters

37. In reaching my findings, I have taken account of the appellant's example of Morgans Farm about 0.25 miles distant, given to be listed and the subject of a development scheme to include a glazed link. The appellant accepts that each heritage asset has its own significance. While some images are provided, the detailed circumstances which led to this scheme are not before me, and I have not been provided with any location plan or approved plans or any information about its relationship to the listed Church. Moreover, the images appear to show a glazed link between two structures, one to the side of a main elevation and the other forward of that main elevation, which is a somewhat different arrangement to the proposal before me. For these reasons, I am not satisfied that the example is directly comparable.
38. The appellant claims that the planning application for the Morgans Farm development was not accompanied by any heritage statement. In addition, the appellant claims inconsistencies in the Council's pre-application advice over some years and my attention is drawn to pre-application discussions concerning various options to extend the building. The limited information before me includes images of drawings in plan form only and selected extracts from communications.

39. Although the Framework stresses the benefits of early engagement and of good quality pre-application discussion, the conduct of the Council in handling planning applications or pre-application advice does not affect my consideration of the appeals. While I appreciate alternative schemes could result in different effects upon the LB, it is not my role to compare alternative schemes and/or advise on what might make a proposal acceptable, but rather to assess the proposal before me. I have determined the appeals on their own planning merits.
40. Although there are supporting representations for the proposal, such support does not render it acceptable.

Conclusion

41. For the above reasons and having regard to all other matters raised, I therefore conclude that the appeals should be dismissed.

J Moore

INSPECTOR