



Appeal Decision

Site visit made on 7 July 2026

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 11 August 2026

Appeal Ref: APP/Q3115/C/24/3358283

Land at Toll Lodge Farm, London Road, Tetsworth OX9 7AZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr R Cockram against an enforcement notice issued by South Oxfordshire District Council.
- The notice was issued on 21 November 2024.
- The breach of planning control as alleged in the notice is Without planning permission, the creation of a paved hardstanding and gravelled area at the access to the Land. The area of the Land in which the alleged breach of planning control is considered to be taking place is shown in the approximate position hatched blue on the accompanying plan.
- The requirements of the notice are to:
 - (i) Dig up and remove from the land the paved hardstanding and gravelled area and all resultant materials from the Land.
 - (ii) Resurface the area where the paved hardstanding has been removed in compliance with paragraph 5 (i) above with tarmac or grey concrete.
 - (iii) Add topsoil and grass seed and/or turf with grass, all that part of the Land where the gravel has been removed, in compliance with paragraph 5 (i) above.
- The period for compliance with the requirements is: 3 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary Decision: The appeal is dismissed and the enforcement notice is upheld in the terms set out below in the Formal Decision.

Preliminary Matter

1. The main parties failed to attend the scheduled accompanied site visit. However, the development was clearly visible from London Road, and I was able to see everything that I needed to from public land. I therefore carried out the site visit unaccompanied.

Appeal on ground (a)

2. An appeal on ground (a) is brought on the basis that planning permission ought to be granted for the matters stated in the notice as constituting a breach of planning control.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The development forms part of a vehicular access to a site that I am informed is used for the unauthorised storage of building materials and machinery and is the subject of a separate enforcement notice and ongoing prosecution proceedings.
5. Despite the presence of this site, the prevailing character of the immediate area is rural, dominated by open agricultural fields, hedgerows and trees. It is undisputed that the appeal site is situated outside of any identified settlement and is therefore located within the countryside for planning purposes.
6. The raised paved hardstanding and gravelled area, by reason of its extent, engineered form and use of decorative kerbs, setts and gravel, has a distinctly domestic appearance. In the context of the rural landscape, these materials and formalised surfacing appear visually intrusive and urbanising. Despite the presence of nearby vegetation, the discordant effect of the development is readily apparent from London Road. Accordingly, the development fails to assimilate into its rural surroundings and harms the character and appearance of the countryside.
7. I have been made aware that the site benefits from an outline consent for the provision of an equestrian fitness and rehabilitation centre together with ancillary buildings, parking and landscaping. Although this is clearly for more extensive works than the development in this case, there is nothing before me to substantiate that the development is included in the approved plans, or that this permission has been implemented.
8. Whilst the appellant has reserved the right to make a claim for costs against the Council, no such application is before me. Moreover, any potential application for costs would be subject to a separate decision and would have no bearing on the outcome of this appeal.
9. As such, I find that the development has an unacceptably harmful effect on the character and appearance of the area. It thereby conflicts with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2011-2035 (2020) and Policies TET1 and TET3 of the Tetsworth Neighbourhood Development Plan 2035 (2021). Amongst other things, these seek high quality development, that protects, conserves and enhances the existing local landscaped character and setting of Tetsworth and the surrounding countryside. It also fails to accord with design advice contained within the Joint Design Guide Supplementary Planning Document (2022) and the design objectives of the National Planning Policy Framework, as advised in Section 12.

Conclusion on ground (a)

10. Accordingly, the development conflicts with the development plan and there are no other considerations to warrant taking a decision otherwise than in accordance with it. The appeal on ground (a) should therefore not succeed, and I shall refuse the deemed application for planning permission.

Appeal on ground (g)

11. The appeal on ground (g) is made on the basis that the period specified in the notice falls short of what should reasonably be allowed. The period for compliance is 3 months as set out in the header of this decision.

12. The appellant is seeking a compliance period of 6 months as he considers that specialist works are required to be undertaken, and that additional time is needed to secure an appropriate contractor. However, the removal, landscaping and resurfacing of the area hatched blue on the plan is likely to be a relatively small-scale and straightforward operation for a suitably experienced contractor. Such works are also likely to be of limited duration, perhaps taking a few days or weeks to complete.
13. Furthermore, no specific details have been advanced concerning any difficulties in securing the services of suitable local contractors, or of extensive delays in their availability to undertake work. I am therefore not persuaded that there is need to extend the period for compliance in the notice to any extent.
14. As such, I consider 3 months to be a reasonable and a proportionate response to the breach of planning control that has occurred. The appeal on ground (g) therefore fails.

Conclusion

15. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Formal Decision

16. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Mark Caine

INSPECTOR