



Appeal Decision

Site visit made on 24 February 2026

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 March 2026

Appeal Ref: APP/C3105/W/25/3374960

Field Farm, Stratton Audley Road, Stoke Lyne, Bicester OX27 8FT

- 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 Justine Stoop against the decision of Cherwell District Council.
 - The application Ref is 24/02234/F.
 - The development proposed is self-Build - alterations and conversion of 3 no. existing barns to form 3 no. residential dwellinghouses (re-submission of 23/02255/F).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has provided a structural report at appeal stage that did not form part of the Council's decision. Therefore, to consider the structural report could procedurally prejudice interested parties. Furthermore, it is not for the appeal procedure to advance proposals. This is best achieved through the submission of revised planning applications. For this reason, I have determined the appeal on the basis of the evidence that was before the Council when it made its decision.
3. An emerging local plan has been referenced in the evidence before me. However, given its stage, I have determined this appeal with reference to policies from the existing adopted development plan.

Main Issues

4. The main issues are:
 - whether the appeal site would be a suitable location for the proposed development including whether the site is a sustainable location; and
 - the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Suitable Location

5. The appeal site comprises approximately 1.1ha of a larger landholding. It is accessed via a private track from Stratton Audley Road. There are a number of buildings on the site including modern agricultural and former biomass-related buildings. The Council does not dispute that the appeal site constitutes Previously Developed Land.

6. The appeal site is located outside of any settlement identified in Policy Villages 1 (online version) of the Cherwell Local Plan 2011-2031 (the CLP) and thus in the open countryside for planning purposes.
7. Saved Policy H19 of the Cherwell Local Plan November 1996 (the CLP 1996) outlines that proposals for the conversion of a rural building in a location beyond the built-up-limits of a settlement, whose form, bulk and general design is in keeping with its surroundings will be considered favourably subject to certain criterion. One of these is that the building can be converted without major rebuilding or extension and without inappropriate alteration to its form and character.
8. Barn 1 on the appeal site is relatively lightweight in its construction and is partially open. The appeal scheme would, to a significant extent, reconfigure the external envelope and openings. Consequently, to my mind, it would require relatively extensive rebuilding.
9. Furthermore, it also appears that there would be relatively extensive excavation of the ground below and around Barn 1. Consequently, on the balance of probabilities and based on the evidence before me, it has not been adequately demonstrated that for the excavation to proceed the Barn would not be demolished. Thus, there is limited substantive evidence before me to adequately demonstrate that Barn 1 is capable of conversion without major rebuilding for the purposes of Policy H19 of the CLP 1996.
10. I note in the Council's Officer Report it outlines that Barns 2 and 3 appear likely to be capable of conversion. Based on the evidence before me, I find no reason to disagree with its overall conclusion regarding Barn 3.
11. However, regarding Barn 2, based on the plans before me, the proposed plans refer to the re-use of the clinker-built solid timber cladding upon a new insulated steel frame substructure. It is a matter of planning judgement as to whether a proposal constitutes a re-build or a conversion. Given the reference to a new insulated steel frame substructure, I am not satisfied that the proposal regarding Barn 2 constitutes a conversion without major rebuilding as outlined in Policy H19 of the CLP 1996.
12. Given the limited substantive evidence before me regarding the structural integrity of Barns 1 and 2, on the balance of probabilities Barns 1 and 2, would in my planning judgement result in new dwellings in the open countryside rather than conversions.
13. The appeal site is in a rural location and is generally isolated from day-to-day services and facilities for future occupants to access. I am mindful that Stoke Lyne is approximately 1.5km from the appeal site, whilst the settlement of Bicester is around 3.9km. There is limited street lighting and pedestrian footpaths to access these settlements.
14. Nevertheless, I am mindful that the National Planning Policy Framework (the Framework) outlines in paragraph 110 that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, considering all of the above, it remains that it is likely that the occupants of the development would be reliant upon private motor vehicles to access daily services and facilities.

15. I note reference to other dwellings/villages around the appeal site as well as the limited services in Hethe, Fringford, Stoke Lyne and Bainton which are around 1.5 miles, 3 miles, 1 mile and 500m from the appeal site respectively. All of which likely result in residents of the dwellings and other villages to be reliant upon private motor vehicles.
16. I do not know the full circumstances of these dwellings and therefore, I cannot be certain that they are wholly comparable to the appeal scheme before me. However, for the reasons given above, the presence of these other dwellings or the absence of adequate services in other settlements does not justify the proposed development.
17. Considering all of the above, the appeal site would not be a suitable or sustainable location for the proposed development. Therefore, even though the appeal site is accepted to be Previously Developed Land by the Council, it remains that it would conflict with Policy ESD1 of the CLP and Policies C8, H18 and H19 of the CLP 1996 insofar as they seek to prevent unacceptable development in the open countryside and that new dwellings are in suitable and sustainable locations.

Character and Appearance

18. I am mindful that the supporting text of Policy H19 of the CLP 1996 outlines that the policy is intended to encourage the conversion not of buildings of modern construction but of traditional farm buildings
19. The appeal scheme would retain the overall size and form of the barns and the proposed external materials would match those that are already present. However, the barns are relatively utilitarian in design and are buildings of relatively modern construction rather than traditional farm buildings.
20. The scheme would introduce a number of new openings on the barns but in particular Barn 1, including bifold doors and rooflights. There is, to my mind, extensive glazing and general fenestration incorporated into the designs, particularly on the south elevation of Barn 1, which would be an overly prominent and incongruous feature given the rural character and appearance of the surrounding area. The domestic character that would be introduced by the fenestration would be exacerbated by formalised parking, turning areas, fencing and garden features.
21. The appellant contends that openings have been introduced into the design of the proposed barns to provide an adequate level of internal amenity for future occupants in line with housing standards and in response to comments on a previous scheme. Whilst I do not have the full circumstances of the previous scheme before me, it remains that this does not justify the harmful effect the extensive glazing and fenestration would have upon the character and appearance of the surrounding area.
22. The appellant refers to the proposed designs having taken cues from the requirements of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) and references a scheme at Quarry Farm, Oxford Road. However, I do not have the full circumstances of the referenced scheme before me and therefore cannot be certain that it is wholly comparable to the appeal scheme before me. Nevertheless,

each application is determined on its own merits and the existence of other schemes does not justify a development I have found would be harmful.

23. Thus, whilst the appeal scheme would use relatively sympathetic materials to the existing barns, it remains that the proposed designs of the appeal scheme would, in my planning judgement, result in unacceptable harm to the character and appearance of the surrounding area for the reasons I have identified above.
24. I acknowledge that views of the site are limited from the public highway partly due to the mature vegetation its boundary. Additionally, that it is not located within an area of landscape protection or significant value. There is limited substantive evidence before me to adequately demonstrate that the site is not likely to be financially viable for rural enterprise or agricultural use due to the associated costs. However, even if this was the case, it would not justify a development that I have identified would result in unacceptable harm to the character and appearance of the surrounding area.
25. There is limited evidence before me regarding landscaping and the consequent effect upon biodiversity on the appeal site to adequately demonstrate that it would result in a significant improvement. Nevertheless, given the extensive hardstanding it is likely that it would result in a level of improvement. However, given the limited evidence before me it does not outweigh the overall harm I have identified regarding the proposed design of the appeal scheme.
26. The appellant refers to a previously refused application to extend a building on the appeal site for a piggery. I do not have the full circumstances of this application before me and therefore cannot be certain that it is wholly comparable to the appeal scheme before me. Moreover, each application is determined on its own merits. Nevertheless, there is limited substantive evidence before me to adequately demonstrate that were an agricultural use of the site or wider site to be reinstated that this would result in a larger and more visually intrusive built form.
27. Paragraph 84 of the Framework states that planning decisions should avoid the development of isolated homes in the countryside. However, it provides exceptions. Notably, for the appeal before me is 84(c) which outlines the re-use of redundant or disused buildings which would enhance the immediate setting.
28. I have identified above that I am not satisfied that the appeal scheme constitutes a conversion of Barns 1 and 2 and thus the proposed development would result in isolated homes in the countryside. However, even if I was to consider the appeal scheme to reuse redundant and disused buildings, for the reasons identified above, it would not enhance the immediate setting and thus, the appeal scheme as a whole would not benefit from support from paragraph 84(c) of the Framework.
29. Consequently, given all of the above, the appeal scheme would result in unacceptable harm to the character and appearance of the surrounding area. It would therefore conflict with Policies ESD13 and ESD15 of the CLP and Policies H19, C28 and C30 of the CLP 1996. These policies seek, amongst other things, to ensure that the design of new developments is of a high quality and reinforce local distinctiveness including the local landscape.

Other Matters

30. The Council has stated that they are only able to demonstrate a housing land supply of approximately 2.3 years. This is considerably below the housing land supply it is expected to deliver in line with the Framework. Whilst the proposal would only deliver three units this would nonetheless be valuable in boosting the housing stock in circumstances where there is a significant shortfall.
31. The description of development refers to the proposed development as a self-build. However, there is no legal mechanism to secure the status of the proposed development as self-build. Nor is there a legally binding S106 agreement or undertaking before me and I do not have the power to impose one.
32. In determining this appeal, I have had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who do and do not share a protected characteristic.
33. I note the personal preference of the appellant and thus a total of three generations of their family wish to live on the appeal site. Notably, that the appellants parents need help on a daily basis. Consequently, there is a potential for an adverse impact upon persons with a protected characteristic.
34. Based on the evidence before me, the appeal site is within a red impact risk zone for great crested newts. Concern has been raised by NatureSpace regarding whether the appellant has adequately demonstrated that there would be no impact to great crested newts and/or their habitat as a result of the appeal scheme. However, as I am dismissing the appeal for other reasons no further consideration is required.
35. A lack of objections from consultees on matters such as highways, drainage or contamination are neutral factors in my determination of this appeal.

Planning Balance

36. As set out above, the appeal site would not be a suitable or sustainable location for the appeal scheme and would result in unacceptable harm to the character and appearance of the surrounding area. Thus, there would be a material conflict with the development plan as a whole. Due to the Council's housing land supply position, paragraph 11 d) of the Framework is engaged.
37. The proposal would deliver three additional dwellings in a District that is falling significantly below the level of housing required by national policy. Three dwellings would make a modest contribution as indicated in paragraph 73 of the Framework.
38. Furthermore, I have identified above that the appeal scheme provides the opportunity to further the aims of the PSED regarding living accommodation for the appellants parents who need help on a daily basis. Consequently, persons with a protected characteristic. However, there is limited evidence before me regarding the absolute need for the development in this location and thus these personal circumstances do not outweigh the harm I have identified above.

39. Accordingly, considering all of the above, the adverse impacts I have identified would significantly and demonstrably outweigh the benefits of the proposal when assessed against the Framework policies as a whole.

40. I conclude that it is proportionate and necessary to dismiss the appeal in this case.

Conclusion

41. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR