



Appeal Decision

Site visit made on 12 May 2026

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2026

Appeal Ref: 6001448

Land at High Street, Tetsworth OX9 7AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by BSL Strategic Ltd against the decision of South Oxfordshire District Council.
 - The application Ref is P24/S3144/O.
 - The development proposed is outline planning application for the erection of up to 50 dwellings with public open space, landscaping, sustainable urban drainage system (SuDs) and the principal means of vehicular access from High Street. All matters reserved except for means of access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is in outline with all matters reserved except for access. Appearance, landscaping, layout and scale are matters reserved for future consideration. As far as any details of matters relating to the reserved matters have been provided on the submitted plans, I have treated these as indicative.
3. The appeal site was subject to a planning application in 2016 for the erection of up to 60 dwellings with associated means of access, areas of open space and landscaping, which was refused by the Council and subsequently dismissed at appeal following a public inquiry in 2018 (appeal ref. APP/Q3115/W/3182192) (the 2018 Appeal). That decision is therefore a material consideration in relation to this appeal. However, I have determined the appeal before me on its own merits having regard to the evidence available and the circumstances at the time of my Decision.

Background and Main Issues

4. At the time the Council reached its decision, reasons for refusal 3, 4 and 5 related to the absence of a completed Section 106 Agreement. A completed Agreement has now been submitted. As these matters all arise from the absence of completed planning obligations, it is appropriate to consider them together as a single main issue.
5. Accordingly, the main issues are:
 - i) whether the appeal site is in a suitable location for housing having regard to the spatial strategy for the area and the site's accessibility;
 - ii) the effect of the proposal on the character and appearance of the area;

- iii) whether the development makes adequate provision to mitigate its impacts through planning obligations, with regard to the delivery of affordable housing, necessary infrastructure contributions, and the securing of biodiversity net gain; and
- iv) whether there are any other considerations, including the housing land supply situation and benefits of the proposal, which would indicate that the proposal should be determined otherwise than in accordance with the terms of the development plan.

Reasons

Suitability of location for housing and accessibility

6. The appeal site extends to approximately 3.9 hectares and is located on the north-western edge of Tetsworth. It comprises pastureland lying beyond the established built-up area of the village and forming part of the surrounding countryside.
7. The development plan establishes a clear strategy for the distribution of growth across the district. Policy STRAT1 of the South Oxfordshire Local Plan 2035 (SOLP) directs development towards strategic allocations and the district's most sustainable locations, whilst limiting development within Smaller Villages such as Tetsworth. This approach is reflected in SOLP Policies H1, H8 and H16, which, taken together, restrict housing development outside allocated sites and support only limited forms of development within Smaller Villages, including infill development within built-up areas.
8. The proposal comprises up to 50 dwellings on a greenfield site located beyond the settlement boundary and extending beyond the existing built form of the village. By reason of its scale, location and form, it cannot reasonably be characterised as infill development and does not fall within the circumstances envisaged by Policies H1, H8 or H16 of the SOLP. As such, it conflicts with the housing strategy established by the SOLP.
9. A consistent approach is taken within the Tetsworth Neighbourhood Development Plan (TNDP), which post-dates the 2018 Appeal decision. TNDP Policy TET1 supports infill development within the defined settlement boundary and seeks to resist development in the surrounding countryside. Given the location of the appeal site beyond the settlement boundary and the scale of the proposal, conflict also arises with that policy. The TNDP forms part of the current development plan context against which the appeal must be determined.
10. The proposal would introduce substantial housing growth on land not identified through either the Local Plan or the Neighbourhood Plan and would be inconsistent with the plan-led distribution of development envisaged for a Smaller Village.
11. Turning to accessibility, the appellant places considerable emphasis on the relative sustainability of Tetsworth within the Council's settlement hierarchy. The village contains a primary school, local shop, public house, village hall and recreational facilities and performs more favourably than some settlements within the Smaller Villages category. These characteristics distinguish it from less accessible rural settlements and weigh in favour of the proposal.
12. Nevertheless, the village offers only a limited degree of self-sufficiency.

Employment opportunities, secondary education, healthcare provision and higher-order retail and service facilities are largely located elsewhere. Future residents would therefore continue to rely upon travel beyond the settlement to meet many everyday needs.

13. The Transport Assessment draws attention to changing travel patterns since the 2018 Appeal, including increased home working, online shopping and home delivery services. Such changes are likely to reduce the frequency of some journeys. However, they do not remove the need to travel for employment, education, healthcare and a wide range of services, nor do they materially alter the relative accessibility of the site when compared with locations identified for growth through the development plan.
14. The nearest higher-order centre is Thame, approximately 8 kilometres from the appeal site. Although accessible by cycle, the previous Inspector found that Thame was not realistically accessible on foot and that cycling was likely to be limited to more confident users having regard to the character of the surrounding road network. Whilst additional accessibility measures are now proposed, including improvements to pedestrian infrastructure, public transport and active travel connections, I am not persuaded that they significantly alter the overall conclusion that access to higher-order services and facilities beyond the village would remain dependent on travel by modes that are unlikely to be attractive or realistic for all users.
15. Considerable reliance is placed on the package of accessibility improvements proposed. These include a substantial financial contribution towards enhancing the frequency of the No. 275 bus service, improvements to bus stop infrastructure, traffic calming measures, a zebra crossing, improvements to dropped kerbs and enhancements to pedestrian and cycle connectivity. Collectively, these measures represent an improvement over the existing situation.
16. The proposed improvements would make a positive contribution towards accessibility and sustainable travel. In particular, they would improve conditions for pedestrians and cyclists, support the National Planning Policy Framework (the Framework) objective of encouraging travel by modes other than the private car and would be reinforced by the measures contained within the submitted Travel Plan, including the provision of travel information, travel planning coordination and ongoing monitoring. Some positive weight is attached to these benefits.
17. The public transport benefits require more careful consideration. The proposed financial contribution would facilitate enhancements to the No. 275 bus service and improve the attractiveness of local bus infrastructure. However, the evidence from Carousel Buses indicates that, whilst the proposed contribution could support service improvements in the short to medium term, the long-term commercial viability of rural bus services remains uncertain and future service levels cannot be guaranteed beyond the period of financial support. Consequently, whilst the proposed contribution would improve the baseline position, there is limited certainty regarding the extent and longevity of any enhanced service provision once the period of financial support has expired. I therefore attach some positive weight to these public transport benefits.
18. Whilst the proposal would improve the baseline position, I am not persuaded that the evidence demonstrates that the enhanced service would materially reduce

reliance upon the private car over the longer term. Nor does it demonstrate that future residents would enjoy the genuine choice of transport modes envisaged by the Framework for significant development of this scale. Accordingly, whilst I attach positive weight to the proposed improvements, I do not consider that they materially alter my overall assessment of the site's accessibility.

19. I recognise that the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and that some reliance on travel to larger settlements is an inherent characteristic of village life. Nevertheless, that does not remove the need to assess whether a proposal accords with the development plan strategy for directing growth to the most sustainable locations. In this case, notwithstanding the accessibility improvements proposed, future occupiers would remain reliant upon travel beyond the village for a substantial proportion of their day-to-day needs.
20. Based on the submissions before me, I am satisfied that the proposal would not result in unacceptable highway safety impacts and would incorporate appropriate measures to mitigate its transport effects and encourage travel by sustainable modes. Accordingly, it would satisfy the technical requirements of SOLP Policies TRANS4 and TRANS5 relating to access, transport mitigation and sustainable travel.
21. Compliance with those policies does not, in itself, establish that the site represents a sustainable location for development of the scale proposed. The absence of a highway safety objection is not equivalent to a finding that the site occupies a suitable position within the settlement hierarchy or accords with the spatial strategy of the development plan.
22. My conclusions do not rest solely upon the site's position outside the settlement boundary, but also upon its role within the settlement hierarchy, its relationship to the spatial strategy and the extent to which future occupiers would remain reliant upon travel beyond the village to meet many everyday needs.
23. Consequently, I find that the proposal would not represent a suitably sustainable location for development of the scale proposed. By reason of its location, accessibility and scale, it would be inconsistent with the spatial strategy of the adopted development plan and the planned distribution of growth across the district. It would also run counter to the Framework's plan-led approach to decision-making.
24. For these reasons, the proposal conflicts with Policies STRAT1, H1, H8 and H16 of the SOLP and Policy TET1 of the TNDP. Although it would comply with Policies TRANS4 and TRANS5 of the SOLP in respect of highway safety, access arrangements and transport mitigation, that compliance does not outweigh the identified conflict with the spatial strategy of the development plan.

Character and Appearance

25. The appeal site comprises undeveloped pastureland on the north-western edge of Tetsworth. Although it is not subject to any national or local landscape designation and was not identified by the previous Inspector as a valued landscape, it nevertheless forms part of the open countryside that contains and visually frames the village. The site exhibits characteristics associated with the Undulating Semi-Enclosed Vale Landscape Type and falls within Countryside Character Sector 5

identified in the Tetsworth Parish Character Assessment. Together with the surrounding countryside and public rights of way network, it contributes to the perception of Tetsworth as a compact, predominantly nucleated settlement set within an agricultural landscape.

26. The significance of the site derives not simply from its agricultural use, but from its openness, its contribution to the setting of the village and the manner in which it is experienced. Public rights of way cross and adjoin the site, providing direct access from the settlement into the surrounding countryside. As a consequence, the site contributes to the recreational and experiential appreciation of Tetsworth's rural setting and provides a clear and immediate transition between the built form of the village and the wider countryside.
27. The proposal would deliver up to 50 dwellings together with roads, parking, drainage infrastructure, public open space and associated development. It would also provide a substantial green infrastructure network, including the retention of public rights of way, strengthened hedgerows, extensive tree planting, habitat creation, a community orchard, sustainable drainage features and areas of public open space. There is no substantive dispute that these measures would deliver landscape, ecological and recreational benefits and that the scheme incorporates a more comprehensive green infrastructure framework than the scheme dismissed in the 2018 Appeal.
28. The submitted Landscape and Visual Assessment (LVA) concludes that the development would integrate successfully into its surroundings, that visibility would be limited from many receptors, and that landscape and visual effects would diminish over time as planting matures. It further concludes that the proposal would contribute positively towards management objectives for the Undulating Semi-Enclosed Vale Landscape Type through strengthened field boundaries, increased planting and enhanced ecological connectivity. I accept that the development would improve the quality of a number of existing landscape features and secure environmental benefits. I also accept that the site is relatively well contained and that visibility from parts of the Oxfordshire Way, Horsenden Hill and other more distant viewpoints would be moderated by topography, vegetation and the existing pattern of development.
29. However, the principal issue is not the effectiveness of the proposed mitigation in isolation, but the consequences of introducing residential development onto land that currently forms part of the open countryside at the edge of the village. Whilst strengthened hedgerows, habitat creation, additional tree planting and other green infrastructure measures would improve the condition of individual landscape features and assist the integration of the development, they would occur within a landscape fundamentally altered by the introduction of housing and associated infrastructure.
30. The site would cease to be experienced as open pastoral land and would instead become a residential environment characterised by housing, roads and domestic activity. Consequently, whilst certain landscape components would be enhanced, the proposal would materially alter the existing character, function and experience of the land and would fail to conserve its contribution to the rural setting of Tetsworth.
31. The significance of the impact is not determined solely by visibility. Although the

site is influenced to some degree by nearby development and traffic associated with the A40 and M40, it nevertheless forms part of the transition between Tetsworth and the wider countryside. This role is particularly evident from the public rights of way crossing and adjoining the site. Users currently experience a direct transition from the village into open countryside, with views across pasture and opportunities to appreciate the surrounding rural landscape. Whilst the public rights of way would be retained and enhanced, they would increasingly be experienced within the context of housing, estate roads and associated domestic activity, resulting in a significant qualitative change to their existing character and setting. The proposal would consequently diminish the contribution that the site presently makes to the rural setting of the village and the experience of moving between settlement and countryside.

32. This conclusion is reinforced by the Tetsworth Parish Character Assessment, which describes the area as a well-used rural amenity space containing a network of footpaths offering attractive views of the village and its setting and identifies the protection of views into and out of the village as an important consideration.
33. The proposal would also affect Key Views 6, 11 and 12, identified within the evidence base supporting the TNDP and referenced by Policy TET4. These are among the views recognised as contributing to the character of the village and its rural setting. In views approaching from the west and north-west, the site currently forms part of the foreground from which Tetsworth is appreciated as a compact settlement within a predominantly rural landscape, with St Giles Church acting as a prominent focal point. Development would reduce the extent of that foreground and alter the way in which the settlement is experienced within its landscape context.
34. Although the scheme incorporates a view corridor intended to safeguard views towards St Giles Church, and glimpsed views of the church would remain available, those views would be experienced from within, or immediately adjacent to, residential development rather than across open pasture. The church would therefore remain visible, but the landscape context in which it is presently appreciated would be materially altered.
35. I acknowledge that the current proposal differs materially from the scheme previously dismissed, including a reduced number of dwellings, increased green infrastructure provision, wider landscape buffers, retention of views towards St Giles Church and a revised approach to the treatment of the public rights of way network. These changes would mitigate a number of the adverse effects identified previously and would result in materially less landscape and visual harm than the 2018 proposal. Nevertheless, they do not overcome the fundamental concern that residential development of this scale would extend built form into land that presently makes an important contribution to the setting of Tetsworth and the transition between the settlement and the surrounding countryside.
36. In reaching this conclusion, I also note the appeal decision relating to land to the rear of 10 Silver Street which, although concerning a different site and determined on its own merits, similarly recognised the importance of maintaining a transition between the built form of the village and the surrounding countryside. Whilst not determinative, that decision lends support to the conclusion that land at the edge of Tetsworth performs an important landscape function beyond its immediate visual

contribution.

37. Drawing these matters together, I acknowledge that the proposal would deliver significant benefits through enhanced green infrastructure, habitat creation, public open space, strengthened landscape structure and improved accessibility. The proposed mitigation would reduce the visual prominence of the development, improve the quality of existing landscape features and assist in integrating the scheme into its surroundings over time. Whilst the site is neither a designated landscape nor identified as a valued landscape within the development plan, its contribution to the setting of the village and the transition between settlement and countryside attracts weight. The proposal would erode that contribution and diminish its role in maintaining the distinctive relationship between Tetsworth and the surrounding countryside.
38. Whilst I acknowledge that the LVA characterises the residual effects as localised and capable of mitigation over time, I find that the principal harm arises not from visual prominence alone but from the permanent change in land use, character and landscape function that would result from the extension of built development into the countryside. It is for that reason that I attach greater weight to the identified harm than the appellant's assessment.
39. I therefore conclude that the proposal would result in significant harm to the character and appearance of the area. Whilst some visual effects would be localised and capable of moderation through mitigation over time, the permanent change to the character, function and experience of the site would remain significant. This conclusion is not dependent upon the presence of a landscape designation, but upon the site's demonstrable contribution to the setting of the village, the transition between settlement and countryside, the experience of the public rights of way network, and key views recognised within the TNDP.
40. Consequently, the proposal would conflict with Policy ENV1 of the SOLP, which seeks to protect and enhance landscape character and the countryside, Policies DES1 and DES2 of the SOLP, which require development to respond positively to local context, reinforce local distinctiveness and contribute to a strong sense of place, and Policy TET4 of the TNDP, which seeks to conserve landscape character, the rural setting of the village and important views. It would also conflict with the Framework's objectives of recognising the intrinsic character and beauty of the countryside, conserving landscape character, responding sympathetically to local context and securing well-designed places. I attach considerable weight to this harm.

Whether the proposal makes adequate provision for affordable housing, necessary infrastructure contributions, and the securing of biodiversity net gain.

41. The completed Section 106 Agreement, dated 11 December 2025 (the S106 Agreement) secures a policy-compliant level of affordable housing, including first homes. In particular, it requires that a minimum of 40% of the dwellings, equivalent to 20 units, are provided as affordable housing, together with an appropriate tenure mix. These provisions would contribute towards meeting identified affordable housing needs and accord with Policy H9 of the SOLP, which seeks the delivery of affordable housing on qualifying residential developments.
42. The S106 Agreement also secures a package of transport and accessibility measures, including financial contributions towards enhanced bus services,

improvements to bus stop infrastructure, pedestrian and cycling improvements and associated highway works. These measures are directed towards mitigating the transport impacts of the development and improving opportunities for travel by sustainable modes. They are consistent with Policies TRANS4 and TRANS5 of the SOLP, which seek to ensure that development is supported by appropriate transport infrastructure and mitigation and that safe and suitable access is provided for all users.

43. Provision is also made for public open space, a Locally Equipped Area for Play (LEAP), a community orchard and associated long-term maintenance arrangements. These obligations would provide recreational opportunities for future occupiers and secure their ongoing management. They accord with Policy CF5 of the SOLP, which seeks to ensure that development makes appropriate provision for open space, sport and recreation facilities.
44. The S106 Agreement further secures biodiversity net gain through habitat creation, long-term management and monitoring arrangements together with contingency measures should the anticipated biodiversity gains not be achieved. These provisions would secure measurable biodiversity enhancements for the long term and accord with Policy EP3 of the SOLP, which seeks to protect and enhance biodiversity and secure net environmental gains.
45. The S106 Agreement also secures contributions towards waste and recycling infrastructure, street naming and numbering, and monitoring arrangements. These measures would assist in ensuring that appropriate infrastructure, facilities and administrative functions are provided to support the development and its future occupiers, consistent with the objectives of Policy INF1 of the SOLP, which seeks to ensure that development is supported by the infrastructure necessary to address its impacts and serve future occupiers.
46. The S106 Agreement secures financial contributions towards primary education and Special Educational Needs and Disabilities (SEND).
47. The appellant accepts in principle that education contributions may be appropriate but disputes whether the obligations satisfy the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 57 of the Framework. In particular, concerns are raised regarding the necessity of the contributions, their direct relationship to the development, the methodology used in their calculation, and the potential for overlap with infrastructure funded through the Community Infrastructure Levy (CIL).
48. The Council relies upon evidence provided by Oxfordshire County Council in support of the requested contributions. This includes pupil yield forecasts derived from an established methodology together with evidence regarding existing and forecast education capacity within the area. The evidence indicates that local education provision is operating at, or close to, capacity and that the proposed development would generate additional demand for school places.
49. On the basis of that evidence, I am satisfied that the development would generate additional demand for education provision and would exacerbate existing capacity pressures. Accordingly, mitigation is necessary to make the development acceptable in planning terms.
50. I am also satisfied that the contributions are directly related to the development.

The requested sums are calculated by reference to the anticipated number of pupils arising from the proposed development and are intended to fund additional educational capacity required to serve those future residents. There is therefore a clear functional and geographic relationship between the development and the mitigation sought.

51. In respect of scale and kind, the contributions are based on Oxfordshire County Council's established methodology, which applies pupil yield forecasts and the estimated cost of providing additional school places. Whilst concerns have been raised regarding the adequacy of the supporting evidence, the material before me indicates that the contributions have been calculated by reference to an identified methodology and are intended to address the educational impacts arising from the development. On the evidence available, I have insufficient basis to conclude that the contributions would be excessive, disproportionate or otherwise fail to satisfy the relevant statutory tests.
52. I have also considered the appellant's concerns regarding potential overlap with CIL. However, the evidence before me indicates that the contributions are intended to mitigate education impacts arising directly from the appeal proposal rather than to fund wider infrastructure requirements. I am therefore satisfied that the obligations represent site-specific mitigation and do not result in inappropriate duplication.
53. Taking these matters together, I find that the education contributions, including those relating to SEND provision, are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.
54. Taking all of the obligations secured through the S106 Agreement together, I conclude that they satisfy the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 57 of the Framework.
55. Accordingly, the proposal would make adequate provision for affordable housing, necessary infrastructure contributions, biodiversity net gain and other required mitigation. It would therefore accord with Policies H9, TRANS4, TRANS5, CF5, EP3 and INF1 of the SOLP.

Other considerations

56. The Council is unable to demonstrate a five-year supply of deliverable housing sites, thereby engaging paragraph 11(d) of the Framework. The recent appeal decision relating to Land off the B480, Chalgrove, concluded that the Council could demonstrate between 3.64 and 3.81 years of housing land supply, representing a shortfall of between 1,542 and 1,767 dwellings. The need to boost housing delivery is therefore a matter of considerable importance.
57. Moreover, the emerging South Oxfordshire and Vale of White Horse Joint Local Plan 2041 remains under examination and currently attracts only limited weight. Consequently, there is no clear evidence before me that the present housing land supply shortfall will be resolved in the near future.
58. In light of the above, the appellant submits that reduced weight should be attached to the relevant housing policies. I agree that the absence of a five-year housing

land supply is a significant consideration and reduces the weight that can be attached to policies which seek to restrict the supply of housing land.

59. However, the existence of a significant housing shortfall does not render the development plan strategy irrelevant. Although SOLP Policy STRAT2 was not cited in the Council's reasons for refusal, this identifies the quantum of housing and employment growth to be delivered through the Local Plan and expressly links that growth to the spatial strategy established by Policy STRAT1. Whilst the housing shortfall justifies reduced weight being afforded to the relevant housing policies, it does not displace the importance of directing growth to appropriate locations through the plan-led system.
60. The appellant also argues that delivery of strategic allocations has failed to keep pace with expectations and that the spatial strategy is therefore not operating as intended. These circumstances help explain the Council's housing land supply position and reinforce the reduced weight that should be attached to restrictive housing policies. However, they do not demonstrate that the strategy itself is fundamentally flawed or that development should be permitted irrespective of it. Nor do they demonstrate that development should be redirected to settlements that were not intended through the adopted plan-led process to accommodate growth of this scale. Tetsworth remains identified as a Smaller Village and is not planned to accommodate development on the scale proposed.
61. Consequently, whilst the conflict with the spatial strategy remains an important consideration, the weight to be attached to that conflict is moderated by the Council's housing land supply shortfall, the facilities and services available within Tetsworth and the accessibility improvements secured through the proposal.
62. The parties disagree as to whether paragraph 14 of the Framework is engaged. However, paragraph 14 applies only where, amongst other matters, the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made. The TNDP was made in May 2021 and, at the date of this decision, has formed part of the development plan for more than five years. Consequently, the first criterion of paragraph 14 is not satisfied and the policy is not engaged.
63. Nevertheless, the TNDP remains part of the statutory development plan and was prepared and made following the 2018 appeal decision relating to this site. Its policies therefore represent a more recent component of the statutory development plan and a policy context that did not exist at the time of the 2018 appeal decision.
64. I have had regard to the appeal decision relating to Land off the B480, Chalgrove. That decision provides relevant guidance regarding the Council's housing land supply position and the weight to be attached to housing delivery in circumstances where the Council cannot demonstrate a five-year supply of deliverable housing sites.
65. However, appeal decisions are rarely directly comparable, being highly dependent on their particular facts and circumstances. The Chalgrove appeal related to a different settlement, designated as a Larger Village within the settlement hierarchy, and involved a substantially larger scale of development in a materially different physical and landscape setting. As such, the planning judgement reached in that case was informed by a different assessment of the development's effects and the weight to be afforded to competing considerations. Whilst I have had regard to that

decision, it does not alter my findings in respect of the proposal before me, which must be determined on its own planning merits.

66. The appeal scheme would deliver up to 50 dwellings and would therefore make an important contribution towards addressing the Council's identified housing shortfall. In the context of a significant deficiency in housing land supply, this benefit attracts substantial weight. Furthermore, paragraph 83 of the Framework recognises the role that housing development can play in supporting the vitality of rural communities. The additional population generated by the proposal would help support local services and facilities within Tetsworth. I attach moderate weight to this additional benefit.
67. The proposal would also deliver a policy-compliant level of affordable housing. Through the Section 106 Agreement, at least 20 dwellings would be secured as affordable housing. Given the acute and persistent need for affordable housing within the district, this represents a significant social benefit which attracts substantial weight in favour of the proposal.
68. In addition, the scheme would provide a mix of housing types and sizes, including family housing, helping to meet identified housing needs and widen housing choice within the district. This is a further social benefit to which I attach moderate weight.
69. The proposal would also secure a range of community, environmental and infrastructure benefits. These include publicly accessible open space, a LEAP, a community orchard, green infrastructure, biodiversity net gain and habitat enhancement measures, together with enhanced bus services, improvements to bus stop facilities, traffic calming measures, a new pedestrian crossing on the A40 and improvements to pedestrian connectivity. Collectively, these measures would provide recreational opportunities, contribute to health and wellbeing, improve accessibility and deliver ecological enhancements. While many of these measures are necessary to make the development acceptable in planning terms and therefore attract limited weight, they would nevertheless provide wider benefits to existing and future residents.
70. Economic benefits would arise through construction employment, expenditure within the local economy, and increased spending by future residents. In addition, the development would generate CIL receipts and other fiscal benefits associated with new housing development. These benefits attract moderate weight in favour of the proposal.
71. Taken together, the proposal would deliver a range of social, economic and environmental benefits. Most notably, it would make an important contribution towards addressing both market and affordable housing needs at a time when the Council is unable to demonstrate a five-year supply of deliverable housing sites. Collectively, these benefits attract substantial weight in favour of the proposal.

Other Matters

72. I have taken account of the Bayswater Farm appeal decisions, including the conclusions reached regarding deliverability assumptions and housing land supply. However, I consider the more recent Chalgrove decision provides the most up-to-date assessment of the Council's housing land supply position.
73. Although the planning obligations and associated mitigation measures would

address a range of technical and environmental impacts arising from the development, they would not overcome the fundamental concerns identified regarding the suitability of the site to accommodate development of this scale in this location, nor the resulting harm to the character and appearance of the area.

74. I agree that technical matters, including flood risk, drainage, noise, contamination, ecology and biodiversity net gain, can be satisfactorily addressed through conditions and planning obligations. Accordingly, whilst I have found the proposal acceptable in respect of those matters, they do not materially influence my conclusions on the principal issues.

Planning balance and conclusion

75. The proposal would introduce a substantial housing development on land outside the defined settlement boundary of a Smaller Village and in a location not identified for growth of this scale. As such, it would conflict with the development plan's spatial strategy. The Council's housing land supply shortfall, the range of facilities available within Tetsworth and the accessibility improvements secured by the proposal reduce the weight to be attached to that conflict, but do not remove it.
76. Furthermore, notwithstanding those improvements, future occupiers would remain reliant upon travel beyond the village to meet many day-to-day needs, with the private car likely to remain an important mode of transport. I therefore attach moderate adverse weight to the proposal arising from its conflict with the development plan spatial strategy and the unsuitability of the location for development of the scale proposed.
77. The most significant harm arises in respect of character and appearance. The proposal would result in the loss of undeveloped pastureland which currently forms part of the rural setting of Tetsworth and contributes to the transition between the village and the wider countryside. The development would introduce suburban built form into this open landscape, eroding the village's soft edge and materially altering its relationship with the surrounding countryside. In addition, there would be noticeable adverse effects on the experience of users of the extensive public rights of way network, together with harm to key views of the village. For the reasons set out above, I conclude that this harm would be significant and I attach considerable weight to it.
78. Notwithstanding compliance with a number of development plan policies and technical requirements, I conclude that the proposal conflicts with the development plan when read as a whole.
79. In undertaking the assessment required by paragraph 11(d)(ii) of the Framework, I have had regard to all of the benefits identified above. I attach substantial weight to the contribution the proposal would make towards both market and affordable housing need, having regard to the Council's significant housing land supply shortfall and the identified need for affordable homes. I also attach moderate weight to the economic benefits of the proposal, the provision of a mix of housing types and tenures, and the support that additional population would provide to local services and facilities. Further positive weight attaches to the public open space, biodiversity enhancements, green infrastructure and transport improvements that would accompany the development.
80. Against these benefits must be weighed the harms identified above. I have

attached moderate adverse weight to the proposal's conflict with the spatial strategy. More importantly, I have found that the proposal would cause significant harm to the character and appearance of the area, to which I attach considerable weight.

81. The harms I have identified are also reflected in important objectives of the Framework. In particular, the Framework promotes a plan-led approach to decision-making, seeks to direct significant development to sustainable locations, encourages opportunities to promote sustainable modes of transport and requires development to be sympathetic to local character and landscape setting and to create well-designed places. The development plan policies with which I have found conflict are closely aligned with those objectives. Conversely, the Framework places substantial importance on significantly boosting the supply of homes, including affordable homes, and supporting thriving rural communities. These objectives are reflected in the benefits identified above.
82. Drawing all matters together, I acknowledge that the proposal would deliver substantial benefits, particularly through the provision of market and affordable housing at a time when the Council is unable to demonstrate a five-year supply of deliverable housing sites. Nevertheless, having regard to paragraph 11(d)(ii) of the Framework, I conclude that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
83. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan unless material considerations indicate otherwise.
84. For the same reasons set out above, the material considerations do not indicate that permission should be granted contrary to the development plan.
85. Therefore, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR