

Thursday, 30 May 2024

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## LOWLANDS AREA PLANNING SUB-COMMITTEE

You are summoned to a meeting of the Lowlands Area Planning Sub-Committee which will be held in Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB on **Monday, 10 June 2024 at 2.00 pm.**



Giles Hughes  
Chief Executive

To: Members of the Lowlands Area Planning Sub-Committee

Councillors: Joy Aitman, Michael Brooker, Julian Cooper, Steve Cosier, Rachel Crouch, Phil Godfrey, Nick Leverton, Andrew Lyon, Michele Mead, David Melvin, Andrew Prosser, Sarah Veasey, Adrian Walsh and Alistair Wray.

Recording of Proceedings – The law allows the public proceedings of Council, Executive, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

# AGENDA

1. **Election of Chair**

Purpose:

To elect a Chair for the Civic Year 2024/25.

Recommendation:

That the Chair of Lowlands Area Planning Sub-Committee be elected for the Civic Year 2024/25.

2. **Appointment of Vice-Chair**

Purpose:

To appoint a Vice-Chair for the Civic Year 2024/25.

Recommendation:

That a Vice-Chair of the Lowlands Area Planning Sub-Committee be appointed for the Civic Year 2024/25.

3. **Apologies for Absence and Temporary Appointments**

To receive any apologies for absence.

4. **Declarations of Interest**

To receive any declarations from Members of the Committee on any items to be considered at the meeting.

5. **Minutes of Previous Meeting (Pages 5 - 12)**

To approve the minutes of the previous meeting held on 22 April 2024.

6. **Applications for Development (Pages 13 - 28)**

Purpose:

To consider applications for development, details of which are set out in the attached schedule.

Recommendation:

That the applications be determined in accordance with the recommendations of the Business Manager – Development Management.

Page	Application No.	Address	Planning Officer
15-19	24/00115/FUL	9 Charterville Close, Minister Lovell, Witney.	Elloise Street
20-25	24/00596/S73	North Leigh Football Club, Eynsham Park, North Leigh.	Elloise Street
26-28	24/00601/PN56	Elmfield, New Yatt Road, Witney.	Elloise Street

- 6.1 24/00115/FUL 9 Charterville Close, Minister Lovell, Witney.
- 6.2 24/00596/S73 North Leigh Football Club, Eynsham Park, North Leigh.
- 6.3 24/00601/PN56 Elmfield, New Yatt Road, Witney

7. **URGENT DECISION** (Pages 29 - 42)

Purpose:

For the Sub-Committee to note a decision taken by the Chief Executive where the matter was urgent and could not reasonably await the next meeting of the Sub-Committee.

Recommendation:

That the Lowlands Area Planning Sub-Committee resolves to:

- I. Note the urgent decision set out in Annex B.

8. **Applications Determined under Delegated Powers.** (Pages 43 - 60)

Purpose:

To inform the Sub-Committee of applications determined under delegated powers.

Recommendation:

That the report be noted.

9. **Appeal Decisions Report.** (Pages 61 - 62)

Purpose:

To inform the Sub-Committee of any appeal decisions.

Recommendations:

That the report be noted.

(END)

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## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the

### Lowlands Area Planning Sub-Committee

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB  
at 2.00 pm on **Monday, 22 April 2024**

#### PRESENT

Councillors: Michael Brooker (Chair), Andy Goodwin (Vice-Chair), Julian Cooper, Rachel Crouch, Phil Godfrey, Nick Leverton, Andrew Lyon, Andrew Prosser, Harry St John, Adrian Walsh, Alistair Wray, Martin McBride, Michele Mead and David Melvin

Officers: Abby Fettes (Development Manager), Elloise Street (Planning Officer), Anne Learmonth (Strategic Support Officer) Max Thompson (Senior Democratic Services Officer), Christine Elsasser (Interim Democratic Services Officer)

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors Dan Levy, Colin Dingwall and Lysette Nicholls.

Councillor David Melvin substituted for Councillor Dan Levy.

Councillor Martin McBride substituted for Councillor Lysette Nicholls.

Councillor Michele Mead substituted for Councillor Colin Dingwall.

#### **2 Declarations of Interest**

The following Councillors declared interests in the following items:

Councillor Nick Leverton declared an interest in item 24/00574/HHD, 4 Rose Close, Carterton due to his ownership of the property. Councillor Leverton would leave the room for this item and would not take part in the vote.

Councillor Michele Mead declared an interest in item 24/00574/HHD, 4 Rose Close, Carterton due to her being a close friend of the owner of the property.

#### **3 Minutes of Previous Meeting**

The minutes of the meeting held on 22 April 2024 were approved and signed by the Chairman as a correct record, subject to:

Page 7; Olde Well Cottage wording in the 2<sup>nd</sup> paragraph- the wording on the house proposal that explained there was an addition of 2 more bedrooms was changed to the house having 4 or 5 bedrooms.

Councillor Martin McBride was to be added to the attendance list.

The Sub-Committee resolved to:

- I. Agree the minutes of the previous meeting held on Monday 22 April 2024 as a true and accurate record.

#### **4 Applications for Development**

The Chair advised the Sub-Committee that the applications would be heard in a revised order as follows:

24/00175/HHD Olde Well Cottage, 23/00285/LBC Olde Well Cottage, 23/03347/FUL Barn Adj to 11 Farmhouse Close, Stanton Harcourt and 23/03349/LBC Barn Adj to 11 Farmhouse Close, Stanton Harcourt. 24/00574/HHD 4 Rose Close, Carterton.

#### **5 23/03347/FUL Barn Adj to 11 Farmhouse Close, Stanton Harcourt.**

Elloise Street, Planning Officer, introduced the application for a conversion of agricultural barn to a single dwelling and the addition of a single storey extension and associated works (amended description and plans).

The Planning Officer drew the Sub-Committees' attention to the Additional Representation Report and raised the following points:

- There was an additional comment from ERS on contaminated land in the supplementary pack and a contamination condition was requested to be added should any contamination be found.
- Stanton Harcourt Parish Council raised an objection to the Listed Building application and as per the scheme of delegation, the Listed Building Consent was required to be determined by the Committee should Officers views be contrary to the Parish Council.
- The location plan of the site was shown in red and the application site related to an existing curtilage listed barn and was locally listed. The addition of a single storey extension was to allow the addition of a bedroom to facilitate the conversion to a single dwellinghouse.
- The existing barn was currently split into 3 equal sections which was to transfer through to the dwellinghouse. The proposed dwellinghouse was to retain the form of the existing barn in relation to the eaves line and roofline. The barn conversion was also to have a small extension to the south which would be 3m in width and 4m in length and would provide space for a bedroom. The proposed extension was to be of a pitched roof nature and was to be 2.6m to the eaves with an overall ridge height of 4m.
- The existing barn was to be converted to consist of a living space, kitchen, bathroom and storage area. There would be two conservation rooflights on the south-eastern elevation and one conservation rooflight on the north-western elevation. The south-eastern elevation would consist of a new window and a double set of doors.
- The existing field gate was to be removed to facilitate the new parking for the dwellinghouse. The proposed dwellinghouse was to have 2 parking spaces in accordance with OCC highways. The existing concrete block wall was to be removed to facilitate the parking and a turning circle and to be replaced with a 1.2m close boarded fence. The full outside space for the dwellinghouse was to be gravelled to provide a courtyard garden for a 1-bedroom dwelling.
- The modern 20th century separating walls were to be removed to facilitate the internal works to the barn. The existing saddlestones and posts were to be retained and were

to be inside the new external wall of the dwellinghouse. In addition, the existing foundations were to be underpinned along the roadside.

- Officers considered the scale and design complied with Policy OS4 of the West Oxfordshire Local Plan 2031 which stated that new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible, enhance the character and quality of the soundings.
- Officers also took into account that the proposal was considered to be acceptable on its merits and complied with Policies OS2, OS4, H6, T4, EH9, EH10, EH11, EH16, EH3, E3, EH7 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.
- The site fell within the Stanton Harcourt and Sutton Conservation Area and officers found that the proposed works would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature of what is proposed and its location.
- The WODC Biodiversity Officer was consulted on the application to ascertain the impact of the proposed conversion on any species in the vicinity. Results from the bat emergence surveys confirmed that there was one feeding roost of common pipistrelle and soprano pipistrelle as well as one day roost of one brown long eared bat within the barn. As a result of the development these roosts would be permanently lost. It was considered that that the conservation significance of the roosts was low. As a result, a licence from Natural England would be required in order for works to proceed lawfully.
- There were no other constraints to consider as part of this application and planning officers were satisfied with the appropriate measures.

The Chair then invited the Sub-Committee to ask any questions of clarification which raised the following points:

- It was to be noted that this development was considered on its own merit. However, given that there were similar barn conversions in the area, namely Blackditch Farmhouse (under different ownership) and another similar barn conversion in the area.
- Regarding Policy T1 and cross ground with neighbouring parking, access and clarification of parking was provided. Highways were consulted and there were no issues with highway safety.
- One Councillor agreed with the Parish Council and suggested that the wood burner would affect the air quality and felt that the plans could have been improved. However, this he felt was not a strong enough reason to refuse the application.
- Another Councillor suggested that the extension would encroach on the neighbouring property. The Officer confirmed that the law stated that you could build up to the property line and that the applicant had agreed to work out any possible maintenance issues with the neighbouring property.

Councillor Harry St. John proposed the application be approved in line with officer recommendations and this was seconded by Councillor Adrian Walsh. It was put to a vote and

the outcome was as follows: 12 voted in favour, 0 voted against and there was 1 abstention; therefore, the vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application on the grounds that the application was considered acceptable on its merits and complied with Policies OS2, OS4, H6, T4, EH9, EH10, EH11, EH16, EH3, E3, EH7 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design. However, subject to the conditions in Section 6 of the report and in the supplementary pack.

## **6 23/03349/LBC Barn Adj to 11 Farmhouse Close, Stanton Harcourt.**

The application was discussed under the previous application 23/03347/FUL Barn Adj to 11 Farmhouse Close Stanton Harcourt.

Councillor Harry St. John proposed the application be approved in line with officer recommendations and this was seconded by Councillor Adrian Walsh. It was put to a vote and the outcome was as follows: 12 voted in favour, 0 voted against and there was 1 abstention; therefore, the vote was carried.

The Sub-Committee **Resolved** to:

1. Approve the application on the grounds that the application based on the that the proposal was considered acceptable on its merits and complied with Policies OS2, OS4, H6, T4, EH9, EH10, EH11, EH16, EH3, E3, EH7 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design. However, subject to the conditions in Section 6 of the report and in the supplementary.

## **7 24/00175/HHD Olde Well Cottage, 109 Station Road, Brize Norton.**

Elloise Street, Planning Officer, introduced the application for the erection of a single storey extension with attached garage and wood store.

The Planning Officer drew the Sub-Committees' attention to the following points:

- The location plan was presented with the developed site outlined in red.
- The proposed site of the extension with attached garage and wood store was located to the south.
- An aerial view was shown with Station Road situated to the west of the site.
- There were constraints as it was a listed building.
- The site was located in flood zone 2 and not within a conservation area.
- There was a stepping down of the property with a bedsit approved in the early 2000's.
- The proposed single storey extension was to be adjoined to the existing bedsit on the ground floor and provided an additional 2 bedrooms to the property overall. The extension was to be 12m in length and 5m in width. With an eaves height of 2.4m and an overall ridge height of 4m.



- In addition to the extension was a single storey oak framed garage which was to be 5.77m in length and 5m in width and 3.5m in overall height.
- There was also to be a small wood store at 1.5m in width and 2.2m in height.

Fiona Gove spoke as the applicant for the application.

The Chair then invited the Sub-Committee to ask any questions of clarification, which raised no points.

The Planning Officer continued with the presentation, which clarified the points contained in section 5.8-5.15 of the report and Officers recommended refusal on the basis of those points.

The Chair then invited the Sub-Committee to ask any questions of clarification which were as follows:

- If approval was sought a water drainage scheme would be required due to site falling in flood zone 2.
- Approval would be reconsidered if various elements were removed and the overall scale of harm was reduced or removed.
- Various Councillors expressed that they felt the front view from the road of the existing structure with the material used would be improved by the extension with attached garage and wood store. Other Councillors suggested they felt torn and were concerned about the overall carbon footprint of the site and also that it was in flood zone 2.
- Another Councillor commented that as it currently stood it was an over-development, however; with modifications and pre-application advice the recommendations could be different and therefore accepted should it come back to Committee.

Councillor Nick Leverton proposed the application be refused in line with officer recommendations and was seconded by Councillor Andy Goodwin. It was put to a vote and the outcome was as follows: 9 voted in favour, 2 voted against and there were 2 abstentions; therefore, the vote was carried.

The Sub-Committee **Resolved** to:

- I. Refuse the application on the grounds that the application by reason of its siting and scale, the development would be transformative to the dwelling house and would detract from the character of the original property and would have a negative appearance on the street scene. The proposed development would result in an incongruous overdevelopment which would have an adverse impact on the historic nature of this Grade 2 Listed Building. The proposal would result in less than substantial harm to this heritage asset, which would fail to be outweighed by the public benefits of the proposed development as per paragraph 208 of the NPPF. Consequently, the proposal would fail to comply with Policies OS2, OS4, H6, EH9 and EH11 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide and advice in the NPPF.

## **8 23/00285/LBC Olde Well Cottage, 109 Station Road, Brize Norton.**

The application was discussed under the previous application 24/00175/HHD Old Well Cottage, 109 Station Road, Brize Norton.

Councillor Nick Leverton proposed the application be refused in line with officer recommendations and was seconded by Councillor Andy Goodwin. It was put to a vote and the outcome was as follows: 9 voted in favour, 2 voted against and there were 2 abstentions; therefore, the vote was carried.

The Sub-Committee **Resolved** to:

Refuse the application on the grounds that the application by reason of its siting and scale, the development would be transformative to the dwelling house and would detract from the character of the original property and would have a negative appearance on the street scene. The proposed development would result in an incongruous overdevelopment which would have an adverse impact on the historic nature of this Grade 2 Listed Building. The proposal would result in less than substantial harm to this heritage asset, which would fail to be outweighed by the public benefits of the proposed development as per paragraph 208 of the NPPF. Consequently, the proposal would fail to comply with Policies OS2, OS4, H6, EH9 and EH11 of the West Oxfordshire Local Plan 2031, the West Oxfordshire Design Guide and advice in the NPPF.

**9** **24/00574/HHD 4 Rose Close, Carterton**

Councillor Nick Leverton left the room.

Elloise Street, Planning Officer, introduced the application for the installation of dormer windows in east and west elevations to increase usable head height within the master bedroom.

The Planning Officer drew the Sub-Committees' attention to the Additional Representation Report and raised the following points:

- The application was brought before Members of the Lowlands Area Sub Planning Committee because the applicant was a District Councillor.
- The application site related to a detached bungalow within the residential area of Carterton and the site did not fall within any areas of special designated control and therefore the main considerations of this application were the impact of the proposed development on the visual amenity and residential amenity.
- The proposal included two dormer windows on the eastern and western elevation to the rear of the property to allow more usable head height within the dwellinghouse. The proposed dormers on the western and eastern elevation were to be 3.1m in width and 1.8m in height and would protrude from the existing roofline by 2.2m. There was to be one window on both the eastern and western elevation which was to be obscurely glazed. The proposed dormers were to be clad with composite cladding system with an EPDM roofing system and white casement uPVC windows.
- There would be no additional bedrooms added as part of the proposal and the ground floor would remain unchanged.
- The proposed dormers were to face eastwards and westwards into neighbouring properties and due to their close proximity and lack of screening it was appropriate that the obscurely glazed windows were to be conditioned to be retained indefinitely. As a result, Officers were of the opinion that the proposed works would not give rise to any adverse impacts in regard to neighbouring amenity.

- Taking into account the above matters the proposal was considered acceptable on its merits and complied with Policies OS2, OS4 and H6 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016

The Chair then invited the Sub-Committee to ask any questions of clarification which raised the following points:

- It was confirmed that this application would have been given the same recommendation if the property wasn't owned by a District Councillor.

Councillor Andy Goodwin proposed the application be approved in line with officer recommendations and was seconded by Councillor Rachel Crouch. It was put to a vote and the outcome was as follows: 12 voted in favour, 0 voted against and there were 0 abstentions; therefore, the vote was carried.

The Sub-Committee **Resolved** to:

Approve the application on the grounds that the proposal was considered acceptable on its merits and complied with Policies OS2, OS4 and H6 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016. However, subject to the conditions in Section 6 of the report.

## **10 Applications Determined under Delegated Powers**

The report giving details of applications determined under delegated powers was received and noted by the Sub-Committee.

## **11 Appeal Decisions**

The report giving details of appeals decisions under delegated powers was received and noted by the Sub-Committee.

The Meeting closed at 2.49 pm

CHAIRMAN

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## WEST OXFORDSHIRE DISTRICT COUNCIL LOWLANDS AREA PLANNING SUB-COMMITTEE

**Date: 10th June 2024**

### REPORT OF THE BUSINESS MANAGER-DEVELOPMENT MANAGEMENT



WEST OXFORDSHIRE  
DISTRICT COUNCIL

Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Business Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

***List of Background Papers***

All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

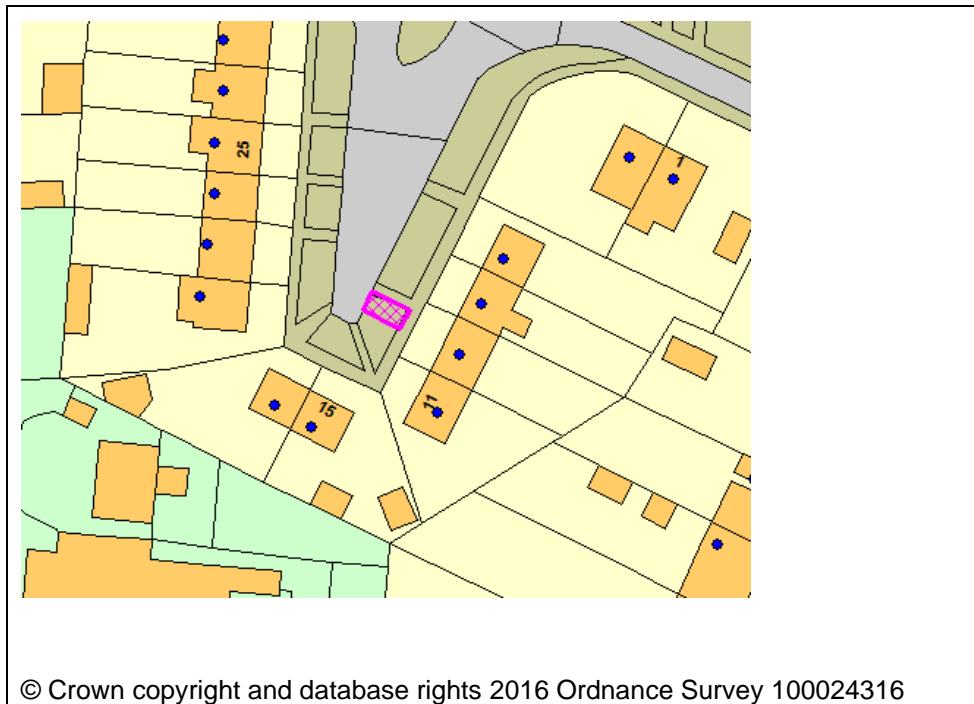
Please note that:

1. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from [www.westoxon.gov.uk/meetings](http://www.westoxon.gov.uk/meetings)

<b>Item</b>	<b>Application Number</b>	<b>Address</b>	<b>Officer</b>
15-19	24/00115/FUL	<a href="#">9 Charterville Close Minster Lovell</a>	Elloise Street
20-25	24/00596/S73	<a href="#">North Leigh Football Club Eynsham Park</a>	Elloise Street
26-28	24/00601/PN56	<a href="#">Elmfield New Yatt Road</a>	Elloise Street

Application Number	24/00115/FUL
Site Address	9 Charterville Close Minster Lovell Witney Oxfordshire OX29 0SL
Date	29th May 2024
Officer	Elloise Street
Officer Recommendations	Approve
Parish	Minster Lovell Parish Council
Grid Reference	431307 E 210763 N
Committee Date	10th June 2024

### Location Map



### Application Details:

Proposed dropped kerb and hard standing for off street parking.

### Applicant Details:

Mr Stephen Jones  
9 Charterville Close  
Minster Lovell  
Witney  
Oxfordshire OX29 0SL

## **I CONSULTATIONS**

OCC Highways No Comment Received.

Parish Council No Comment Received.

OCC Highways 03.05  
The proposed parking space is on public highway - should the proposal be permitted, the space cannot be reserved for the sole use of the applicant and may be used by other members of the public.

The proposal does not comply with OCC Dropped Kerb Guidance however I cannot demonstrate sufficient harm in terms of highway safety to warrant the refusal of the application as required by the NPPF.

The proposal will require a licence from OCC for the work on the highway - I cannot guarantee such a licence will be forthcoming.

The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.

Recommendation:

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission, subject to the following condition.

- G11 access specification

Parish Council 01.05  
The Parish Council objects to this application on the grounds that it would be difficult for other neighbours to exit their own properties. Parking would be partly on Oxfordshire County Council land and therefore the dropped kerb cannot be used solely by the applicant.

## **2 REPRESENTATIONS**

2.1 No third party consultee comments have been received since this application was made a FULL application.

## **3 APPLICANT'S CASE**

3.1 No design and access statement was required for this application.



## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places,  
OS4NEW High quality design,  
T4NEW Parking provision,  
NPPF 2023,  
DESGUI West Oxfordshire Design Guide,  
The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### **Background Information**

- 5.1 The application seeks planning permission for the proposed dropped kerb and hard standing for off street parking at 9 Charterville Close, Minster Lovell.
- 5.2 The application is brought before Members of the Lowlands Area Sub Planning Committee as Minster Lovell Parish Council have objected to the proposed scheme and their views are contrary to the Officers views.
- 5.3 The application site relates to an mid-terraced dwellinghouse within the residential area of Minster Lovell.
- 5.4 The site does not fall within any areas of special designated control and therefore the main considerations of this application are the impact of the proposed development on the visual amenity, residential amenity, parking provision and highway safety.
- 5.5 Taking into account planning policy, other material considerations and the representations of interested parties your officers are of the opinion that the key considerations of the application are:
- Principle of Development
  - Siting, Design and Visual Impact
  - Impact on Neighbouring amenity
  - Highways
  - Other Matters

### **Principle of Development**

5.6 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority (LPA) shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The revised NPPF reiterates the pre-eminence of the local plan as the starting point for decision making (Paragraph 2 of the NPPF). The NPPF is a material consideration in any assessment and makes clear in Paragraph 12 that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Therefore, development coming forward must be determined in accordance with the Local Development Plan, which in this case is the West Oxfordshire Local Plan 2031 (WOLP).

5.7 The proposed dropped kerb and hard standing for off street parking are to be associated with the residential property of 9 Charterville Close. Therefore, the principle of development is considered acceptable following further assessment in regard to the impact on the design and siting, highway safety and residential amenity being carefully considered against the adopted West Oxfordshire Local Plan 2031.

### **Siting, Design and Visual Impact**

5.8 The proposed works are for a proposed dropped kerb and hard standing for off street parking. It is important to note that the proposed dropped kerb does not need planning permission as falls under the provisions of General Permitted Development (England) Order 2015 Schedule 2, Part 2, Class B as the access is not on a trunk road or a classified road. However, the proposed works are included as a whole for this application.

5.9 The proposed hardstanding is to be on an existing parcel of green space forward of the front elevation of the dwellinghouse outside of the residential curtilage. The hardstanding is to be 2.5m in width and 5m in length and the kerb is to be dropped the full 2.5m. The existing pathways are to remain as existing. The hard standing is to be a grass mat hard standing to replicate the existing grassed verge.

5.10 Policies OS2 and OS4 are relevant to be considered for the proposed application. Policy OS2 focusses on development being located in the right places and states that "all development should form a logical complement to the existing scale and pattern of development and/or the character of the area". Similarly, Policy OS4 states that "new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible enhance the character and quality of the surroundings. This also links with Section 12 Paragraph 135 b which states policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

5.11 The proposed dropped kerb and hard standing for off street parking would be visible on the streetscene, however it has been considered that the proposed works would not give rise to adverse impacts in regard to visual amenity as there is still a softening between the verge and the dwellinghouse in form of the front garden. Therefore, it has been considered that the proposed would not give rise to any adverse impacts in regard to visual amenity.

### **Impact on Neighbouring amenity**

5.12 Officers are of the opinion that the proposed would not give rise to any adverse impacts in regard to neighbouring amenity. There is no built form that would result in overshadowing, overlooking, loss of light or privacy.

5.13 Section 12 of the NPPF states to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. Officers have carefully considered the residential amenity concerns that may arise from a development and have concluded that there are minimal concerns and considered acceptable in terms of residential amenity.

## Highways

5.14 OCC Highways have been consulted on the application due to the change in parking provision and the change of use of land. OCC Highways have stated that the proposed parking space is on a public highway and as a result cannot be reserved for the sole use of the applicant. They have also stated that the proposed doesn't comply with OCC dropped kerb guidance but would not demonstrate sufficient harm in terms of highway safety. As a result, OCC Highways have raised no objections in regard to highways safety and convenience subject to relevant conditions and informative.

5.15 Officers note the comments made by OCC Highways and note that as stated, planning permission is not required for the dropped kerb but in any event, falls under the agreement between the applicant and OCC Highways. The hardstanding proposed would alleviate an element of parking concerns in the locality and would not result in unacceptable highway safety harm. On this basis, the scheme is considered acceptable and complies with policy T4 of the West Oxfordshire Local Plan.

## Conclusion

5.16 Taking into account the above matters the proposal is considered acceptable on its merits and complies with Policies OS2, OS4 and T4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF and the West Oxfordshire Design Guide 2016.

## 6 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

3. The development shall be constructed with the materials specified in the application.

REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

4. The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the car parking space hereby approved.

REASON: To ensure a safe and adequate access.

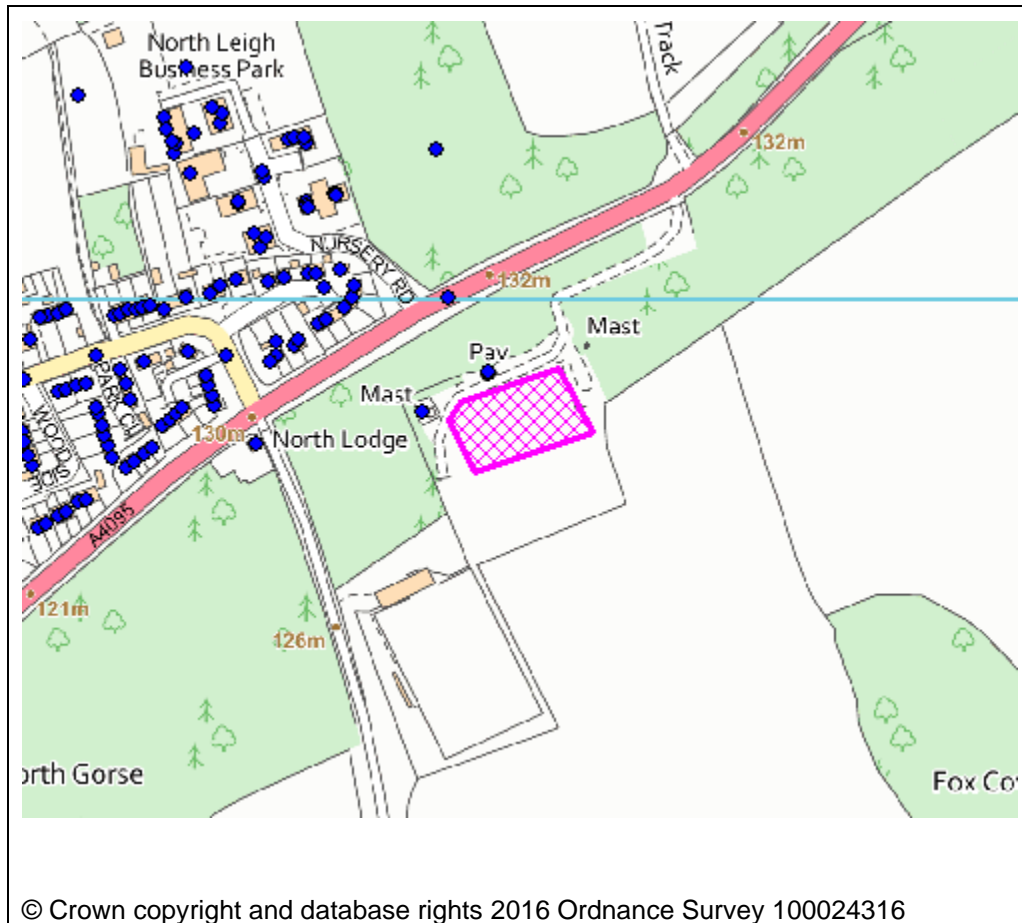
**Contact Officer:** Eloise Street

**Telephone Number:**

**Date:** 29th May 2024

Application Number	24/00596/S73
Site Address	North Leigh Football Club Eynsham Park North Leigh Witney Oxfordshire OX29 6SL
Date	29th May 2024
Officer	Elloise Street
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	439546 E 212950 N
Committee Date	10th June 2024

### Location Map



### Application Details:

Variation of condition 1 of permission 23/01778/FUL to extend the use of the temporary car park on the existing football pitch for a further 12 months until 31st March 2025

## **Applicant Details:**

C/O Agent

## **I CONSULTATIONS**

WODC - Sports	No Comment Received.
Sport England South East	Thank you for consulting Sport England in respect of the details submitted under the above planning reference to vary condition 1 of permission 23/01778/FUL. We have reviewed the submitted documentation submitted. Sport England raises no objection to the Variation of condition 1 of permission 23/01778/FUL to extend the use of the temporary car park on the existing football pitch for a further 12 months until 31st March 2025 being granted.
Parish Council	As already detailed by North Leigh Ward District Councillor Harry St John, a number of issues have been raised regarding Eynsham Hall's non-compliance with the terms of their Interim Travel Plan. Councillor St John has requested that this application be brought to the WODC Lowlands Committee for further scrutiny as soon as possible and we fully support this request.
OCC Highways	The proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network.  Recommendation:  Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they do not object to the granting of planning permission.

## **2 REPRESENTATIONS**

2.1 8 Objection comments have been received as summarised below:

- Unsafe access.
- Facility is unsuitable for the volume of traffic.
- Concerns with lack of full travel plan.
- Helicopter trips and other modes of transport are unsustainable.
- Near misses of minibuses in North Leigh.

## **3 APPLICANT'S CASE**

3.1 A full copy of the design and access statement and additional supporting information can be viewed on the online portal.

## **4 PLANNING POLICIES**

OS2NEW Locating development in the right places.

OS4NEW High quality design.

EH5 Sport, recreation and children's play.

T4NEW Parking provision.

NPPF 2023.

DESGUI West Oxfordshire Design Guide.

The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### **Background Information**

5.1 This application is made under section 73 of the Town and Country Planning Act (1990) (as amended) for variation of condition 1 of permission 23/01778/FUL to extend the use of the temporary car park on the existing football pitch for a further 12 months until 31st March 2025 at North Leigh Football Club, Eynsham Park, North Leigh.

5.2 The application site relates to a current extant planning permission for a temporary change of use of land to provide a car park to serve Eynsham Hall.

5.3 The planning permission subject to this application is 23/01778/FUL was approved on 15th February 2024 with a time period extension until 30th April 2024. The change of use is now in breach of the previous condition.

5.4 This application is before the Lowlands Planning Committee as the application was called in by previous Councillor St John.

### **Principle of Development**

5.5 The application seeks planning permission to vary condition 1 of permission 23/01778/FUL to extend the use of the temporary car park on the existing football pitch for a further 12 months until 31st March 2025.

5.6 Section 73 of the Town and Country Planning Act allows for applications for the variation of conditions attached to previously granted permissions. The regulations set out that when determining such applications, it is only the question of the conditions attached to the approved consent which may be considered. As such, the principle of the original scheme cannot be reconsidered under this application.

5.7 The regulations set out that the Local Planning Authority can grant permission with conditions differing from the original permission, or it can refuse the application if it considers that the original conditions should apply. Therefore, when assessing this application, Officers will consider the impact of the proposed changes on design and siting and residential amenity.

5.8 Following this it will also need to be considered if any further conditions need to be attached to any new consent.

## **Justification of Time Limit Extension**

5.9 The subject of this application is for the variation of condition 1 of Planning Permission 23/01778/FUL to allow a change in the time limit. The original condition stated:

The use of the temporary car park hereby permitted shall cease, shown on the site plan edged red and shown on Drawing No. 20\_089(CL) SK(90)01 on 30th April 2024. Within 3 months of removal of the temporary car park the playing field land shall be reinstated as per the White Horse Contractor's report dated the 1st February 2024.

REASON: The use is only justified by the special and temporary need for the development.

5.10 Officers consider that there will be no physical changes to the temporary car park. The only change is the temporary use date to end until 31st March 2025. Officers have consulted both Sport England and OCC Highways for their comments on the revised timeline to which they had no objections on highway safety grounds nor the impact on the football pitches. This is subject to the relevant conditions placed on the application.

5.11 Officers note that the need for the extended timeline has been queried by 3rd party consultees in which the applicants have responded in such that some of the on-site parking areas are unavailable for use at present due to the fit-out and construction works still ongoing due to delays on site. They have confirmed that the car park is solely to be used by hotel staff and Officers have deemed it appropriate to add an additional condition to secure that the temporary car park is only used by hotel staff members.

5.12 Officers note that in the previous permission, the car park was permitted to subject the land being reinstated back to its original condition and this was subject to adhering to exception 4 of the Sport England Playing Field Policy in such that the playing field will be replaced by a new area of playing field. As the use is temporary it still accords with NPPF 103 however a full assessment would have to be made should the use be not temporary.

5.13 The proposal still accords with policies OS2 and OS4 in such that Policy OS2 focusses on development being located in the right places and states that "all development should form a logical complement to the existing scale and pattern of development and/or the character of the area". Similarly, Policy OS4 states that "new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and where possible enhance the character and quality of the surroundings.

5.14 As there are no proposed design changes officers have considered that the car park would still be commensurate with the locality and Officers believe that the proposed additions would not cause a detriment to the street scene and as a result would be considered to comply with Policies OS2 and OS4 of the WOLP 2031.

## **Impact on Neighbouring amenity**

5.15 Given the nature of the temporary car park even with the extended timeline, officers are of the opinion that the proposed would not give rise to any adverse impacts in regard to neighbouring amenity. The car park is to be a sufficient distance away from neighbouring properties in which the effects of comings and goings would not have a detrimental impact on neighbouring properties.

5.16 Section 12 of the NPPF states to create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users. Officers have carefully considered the residential amenity concerns that may arise from a development and have concluded that there are minimal concerns and considered acceptable in terms of residential amenity.

### **Conditions**

5.17 Decision ref. 23/01778/FUL was subject to a total of 3 conditions. The effect of an application under Section 73 of the Act is to grant a wholly new planning permission. Therefore, the conditions attached to the original consent should be replicated on the new permission, reviewed or removed. This section will assess the conditions attached to 23/01778/FUL for relevance on this decision and shall address any further conditions to be applied.

5.18 Officers note that there have been no discharge of conditions and the development has commenced. As a result, condition 1 is to be varied and reviewed to add the new time limit of 31st March 2025 on the basis that this is a temporary solution and would not be acceptable in the long term.

### **Other Matters**

5.19 Officers note that there have been third party objection comments noting the unsafe access, however OCC Highways have been consulted fully on the application and was considered acceptable in the first instance and also in this application. It was considered that the intensified use would not warrant a detrimental harm to highway safety whilst also considering its initial use of a football club.

5.20 8 Objection comments have been received as summarised below:

- Unsafe access.
- Facility is unsuitable for the volume of traffic.
- Concerns with lack of full travel plan.
- Helicopter trips and other modes of transport are unsustainable.
- Near misses of minibuses in North Leigh.

5.21 Officers note that some of the comments are in relation the development of Estelle Manor as a whole and this application is for a temporary planning consent for a car park in relation to the overall development. As such, many of the comments are not directly linked to the temporary car park and cannot be considered as part of this application.

### **Conclusion**

5.22 It is considered that the variation of condition 1 of 23/01778/FUL to allow a time limit change is acceptable, and in accordance with the policies in the Development Plan and the NPPF, which are not outweighed by other material planning considerations. It is therefore recommended that the variation of condition 1 of Planning Permission 23/01778/FUL be granted.

## **6 CONDITIONS**

- I. The use of the temporary car park hereby permitted shall cease, shown on the site plan edged red and shown on Drawing No. 20\_089(CL) SK(90)01 on 31st March 2025. Within 3 months of



removal of the temporary car park the playing field land shall be reinstated as per the White Horse Contractor's report dated the 1st February 2024.

REASON: The use is only justified by the special and temporary need for the development

2. That the development be carried out in accordance with the approved plans listed below.

REASON: For the avoidance of doubt as to what is permitted.

3. The development shall be constructed with the materials specified in the application.

REASON: To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

4. The temporary car park hereby permitted shall only be used by members of staff employed at Estelle Manor.

REASON: To ensure a safe and adequate parking provision.

**INFORMATIVES** :-

- Officers would like to advise the applicants that this application tests the suitability of a temporary car park. Should the car park be sought to be permanent, this would require a full new application and that it is likely that it would not accord with Policy EH5 of the WOLP and NPPF 2023 paragraph 103.

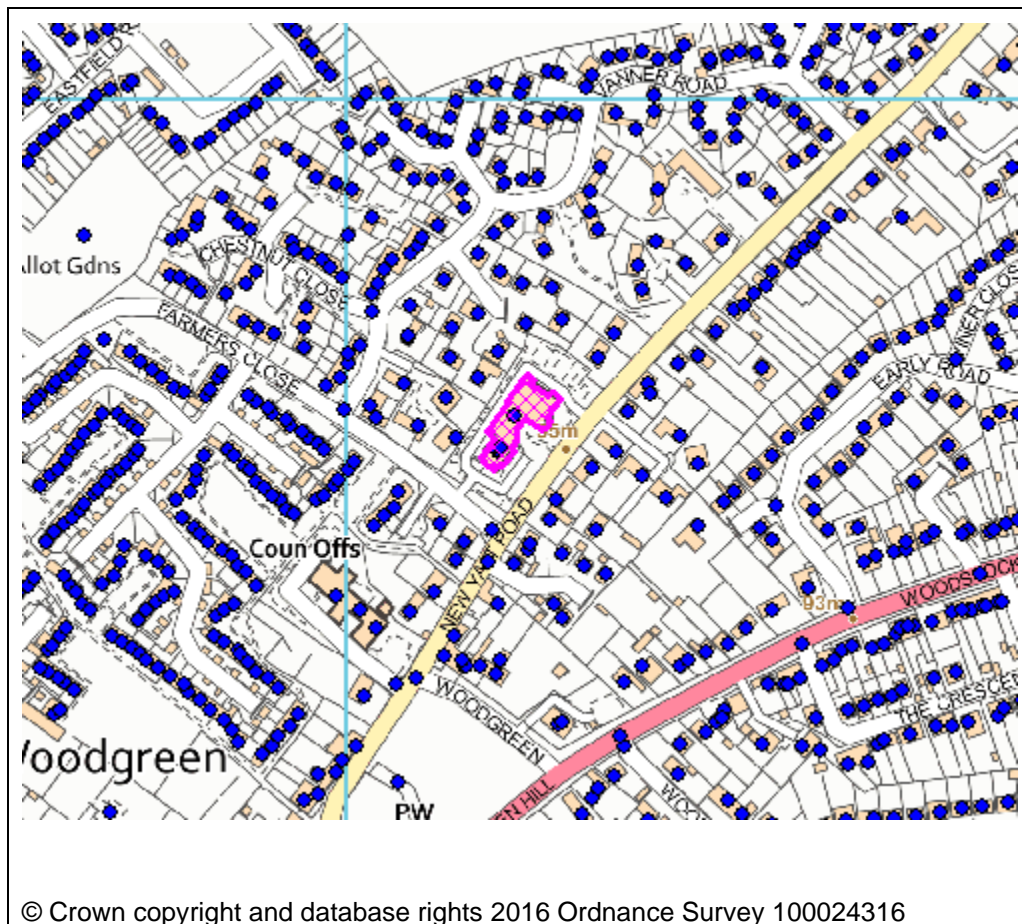
**Contact Officer:** Eloise Street

**Telephone Number:**

**Date:** 29th May 2024

Application Number	24/00601/PN56
Site Address	Elmfield New Yatt Road Witney Oxfordshire OX28 1PB
Date	29th May 2024
Officer	Elloise Street
Officer Recommendations	Prior Approval Not Required
Parish	Witney Parish Council
Grid Reference	436112 E 210790 N
Committee Date	10th June 2024

### Location Map



### Application Details:

Installation of replacement rooftop solar panels.

**Applicant Details:**  
Miss Hannah Kenyon  
Council Offices  
Trinity Road  
Cirencester  
GL7 1ZE

## **1 CONSULTATIONS**

No Comment Received.

## **2 REPRESENTATIONS**

2.1 No third-party representations have been received to date.

## **3 APPLICANT'S CASE**

3.1 No design and access statement is required as part of this application.

## **4 PLANNING POLICIES**

The National Planning Policy framework (NPPF) is also a material planning consideration.

## **5 PLANNING ASSESSMENT**

### **Background Information**

5.1 The application is to be heard before the members of the Lowlands Area Planning Sub-Committee as the application is on behalf of the Council and on a Council Owned Building

5.2 This application is a notification for a determination as to whether the prior approval of the Local Planning Authority is required for the installation of replacement rooftop solar panels to the existing Elmfield Building. The building which is the subject of the proposed application is a set of offices within the main area of Witney.

5.3 This application is considered against Schedule 2, Part 14, Class J of The Town and Country Planning (General Permitted Development) (England) Order 2015 and seeks to establish whether the works would require formal planning permission or whether has been granted under the order subject to whether the prior approval has been granted.

5.4 The application proposes the installation of replacement rooftop solar panels which are to be 48.190kWP and are to replace the existing, defunct solar panels. They are to be all black solar panels with a shallow depth which are proposed to minimise the visual impact.

5.5 In relation to the criteria of Schedule 2, Part 14, Class J:

- The proposed development involves the installation of other solar PV equipment on the roof of a building (J (c)).

5.6 In relation to the criteria of Schedule 2, Part 14, Class J.1:

- The solar PV equipment or solar thermal equipment would be installed on a pitched roof and would not protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope; (J.1 (a));
- The solar PV equipment would be installed on a roof and would be a minimum of 1 metre from the external edge of that roof (J.1 (c));
- The solar PV equipment would not be installed on a site designated as a scheduled monument (J.1 (e));
- The solar PV equipment would not be installed on a listed building or on a building within the curtilage of a listed building (J.1 (f)).

5.7 In relation to the criteria of Schedule 2, Part 14, Class J.2:

- The solar PV equipment would not be installed on a wall (J.2 (a, b and c)).

5.8 In relation to the criteria of Schedule 2, Part 14, Class J.4:

- The solar PV equipment would be sited on an existing office building in a mixed area containing dwellings, and another nearby council building. In addition, the proposed solar panels are to replace the existing panel in siting and design. In addition, there have been no material planning objections received from neighbouring properties. Given the existing nature of the surrounding area, the proposed siting of the solar PV equipment is not considered to have a detrimental impact on the external appearance of the building or the visual amenity of the surrounding area. (J.4 (1a)).

5.9 The proposal meets the remaining criteria of Schedule 2, Part 14, Class J.4.

5.10 In assessing this application against the criteria of Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015, officers consider that prior approval is not required for the proposed installation of solar panels to the existing office council building.

## 6 CONDITIONS

1. The solar PV equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building.

REASON: To safeguard the character and appearance of the building.

2. The solar PV equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area.

REASON: To safeguard the amenity of the area.


3. The solar PV equipment is removed as soon as reasonably practicable when no longer needed.

REASON: To safeguard the amenity, character and landscape of the area.

**Contact Officer:** Eloise Street

**Telephone Number:**

**Date:** 29th May 2024

 <p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>LOWLANDS AREA PLANNING SUB-COMMITTEE – 20 JUNE 2024</b></p>
<p>Subject</p>	<p><b>URGENT DECISION</b></p>
<p>Wards affected</p>	<p>Witney wards; South Leigh</p>
<p>Accountable member</p>	<p>Andy Graham, Leader of the Council. Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a></p>
<p>Accountable officer</p>	<p>Giles Hughes, Chief Executive Officer Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a></p>
<p>Report author</p>	<p>Andrew Brown, Democratic Services Business Manager Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a></p>
<p>Summary/Purpose</p>	<p>For the Sub-Committee to note a decision taken by the Chief Executive where the matter was urgent and could not reasonably await the next meeting of the Sub-Committee.</p>
<p>Annexes</p>	<p>Annex A – Officer report Annex B – Decision notice</p>
<p>Recommendation(s)</p>	<p>That the Lowlands Area Planning Sub-Committee resolves to:</p> <p style="padding-left: 40px;">I. Note the urgent decision set out in Annex B.</p>
<p>Corporate priorities</p>	<ul style="list-style-type: none"> <li>• Putting Residents First</li> <li>• A Good Quality of Life for All</li> <li>• A Better Environment for People and Wildlife</li> <li>• Responding to the Climate and Ecological Emergency</li> <li>• Working Together for West Oxfordshire</li> </ul>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<ul style="list-style-type: none"> <li>• Director of Governance</li> <li>• Director of Finance</li> </ul>

	<ul style="list-style-type: none"><li>• Leader of the Council</li><li>• Executive Member for Planning and Sustainable Development</li><li>• Chair of Development Control Committee</li><li>• Chair of Lowlands Area Planning Sub-Committee</li></ul>
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## **1. EXECUTIVE SUMMARY**

- 1.1 This report is to formally notify the Lowlands Area Planning Sub-Committee of a decision taken by the Chief Executive under urgency powers. The decision was taken to agree to no longer defend the refusal reasons that were applied when the East Witney application was determined by the Lowlands Area Planning Sub-Committee. The site is allocated for development in the adopted Local Plan

## **2. BACKGROUND**

- 2.1 The Council's Constitution (Part 3C) includes the following provision for matters of urgency:

The Chief Executive in consultation with the Chief Finance Officer and the Monitoring Officer, may take a decision in relation to any function of the Council, Executive or of a Committee or Sub-Committee where the matter is urgent and cannot reasonably await the next meeting of that body. In doing so, the Officer shall also consult with the Leader of the Council, or in their absence, the Deputy Leader of the Council and the Chair, or in their absence the Vice-Chair, of any relevant Committee or Sub-Committee, as the case may be.

Any decision under the above provisions shall be recorded on an Officer Decision Notice, and published, unless exempt or confidential. The decision shall be reported to Council, the Executive or the appropriate Committee or Sub-Committee, such report to include the reasons that the powers needed to be used.

## **3. URGENT DECISION**

- 3.1 The urgent decision taken by the Chief Executive, including the reasons for it and why it was treated as urgent, are set out in the officer report attached at Annex A and the decision notice attached at Annex B.

## **4. ALTERNATIVE OPTIONS**

5. As set out in the officer report (Annex A), the Council could have decided to continue with the appeal. However, the reputational and financial consequences of fighting a much-weakened case when the Council had largely secured the key elements it was looking for meant that this option was not preferred.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 As set out in the officer report (Annex A), the effect of the urgent decision was to save the Council costs of c. £40,000 and negate the risk of an award of costs (unknown but potentially in the region of £150,000 to £200,000).

## **7. LEGAL IMPLICATIONS**

- 7.1 The legal implications are included in the officer report (Annex A).

## **8. RISK ASSESSMENT**

**8.1** There were risks in seeking to defend the refusal reasons at appeal, as set out in the officer report (Annex A) and the decision notice (Annex B).

**9. EQUALITIES IMPACT**

**9.1** There are no equalities impacts.

**10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**


**10.1** As set out in the officer report (Annex A), the scheme secures substantial ecological and landscape mitigation which has been enhanced post the refusal and can be locked in by way of the legal agreement and conditions.

**11. BACKGROUND PAPERS**

**11.1** None.

(END)



 <p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>CHIEF EXECUTIVE DELEGATED DECISION – 7 MAY 2024</b></p>
<p>Subject</p>	<p><b>SUGGESTED NON-DEFENCE OF REFUSAL REASONS IN RESPECT OF IMPENDING APPEAL FOR THE EAST WITNEY ALLOCATION IN THE LOCAL PLAN</b></p>
<p>Wards affected</p>	<p>Witney wards, South Leigh</p>
<p>Accountable member</p>	<p>Andy Graham, Leader of the Council Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a></p>
<p>Accountable officer</p>	<p>Charlie Jackson, Assistant Director Planning and Sustainability Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a></p>
<p>Report author</p>	<p>Phil Shaw, Business Manager Development and Sustainability Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a></p>
<p>Summary/Purpose</p>	<p>All evidence for the Witney East Public Inquiry must be submitted by 21 May 2024, yet the Council will only re-establish itself following the local elections after that that. However, given the changes made by the developer to the scheme in preparing for the upcoming Public Inquiry, that WODC join OCC in deciding to no longer defend the refusal reasons that were applied when the application was determined by committee</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendation(s)</p>	<p>That the Chief Executive utilising the powers contained in the Urgency and Emergency Decisions element of the Constitution decides to authorise the relevant planning officers to continue negotiations with the applicant and PINS with a view to establishing a common position to put to the Inspectorate at the Inquiry and in so doing confirms that the LPA does not seek to defend the refusal reasons that led to the application being refused at Lowlands Sub Committee</p>
<p>Corporate priorities</p>	<ul style="list-style-type: none"> <li>• Putting Residents First</li> <li>• A Good Quality of Life for All</li> <li>• A Better Environment for People and Wildlife</li> </ul>

	<ul style="list-style-type: none"> <li>• Responding to the Climate and Ecological Emergency</li> <li>• Working Together for West Oxfordshire</li> </ul>
Key Decision	The course of action is predicated upon an agreement with the agent acting for the developer to not seek costs for the late withdrawal of the appeal, the totality of which could well exceed 150K.
Exempt	NO
Consultees/ Consultation	The Executive Member for Planning and Sustainable Development has been encouraging officers to seek a negotiated solution to Witney East, thereby potentially saving costs and time. Subsequently the planning appeal team, the KC appointed to support them, the Business Manager, The Chief Executive and the Planning Policy Manager along with other statutory officers have been exploring options for resolving Witney East

## **1. EXECUTIVE SUMMARY**

- 1.1 When the application was determined it had followed a long period of pre application and application negotiation where officers had been seeking compliance with the policies of the approved plan and the developer had not been prepared to deliver upon those requirements. Oxfordshire County Council (OCC) had also refused consent on highways/technical grounds. In preparing for the Inquiry the developer had adjusted his position on a number of matters and had amended the scheme to address the refusal reasons that WODC would be tabling. Separately negotiations with OCC had progressed such that they have indicated they will not be defending their refusal reason. As such the position now is very different to that which pertained at the time the application was determined such that a review of the expediency of continuing with the appeal was logical- particularly as the weakening of the LPA position alongside the recent loss of the 5 year housing land supply had substantially increased the likelihood of an adverse award of costs should we continue to seek to defend a weakened case
- 1.2 A without prejudice meeting between the Chief Executive, Business Manager for Development and Sustainability and the applicants agent was undertaken to explore the position and on the planning merits it was concluded that withdrawal was the correct course of action. This potential decision was complicated in that the ability to withdraw from the appeal is time limited and the Council was effectively in limbo pending the election on 2/5/24. In discussion with the Leader it was decided that the decision would need to be taken under delegated powers in order to meet the timeframes but that it be postponed until after the election in order to enable the new administration to be briefed before it was made. This report represents that briefing document/framework for making the decision.

## **2. BACKGROUND**

- 2.1 Land at East Witney is allocated for development in the adopted Local Plan ((Policy Wit 1 pages 148-150) This policy includes a series of criteria that would need to be met if the policy is to be fully complied with (points a-o). Discussions were undertaken with the developer before an application was tabled and at numerous points during the processing of the application seeking to secure policy compliance. However the landowner was unwilling to compromise on a number of key policy provisions and as such, with some reluctance, the application was presented to committee with a recommendation for refusal and was refused. That refusal is the subject of an appeal to PINS
- 2.2 The Executive Member for Planning and Sustainable Development has been encouraging Planning Officers to seek a negotiated solution thereby saving time and money. The developer had made a number of concessions in preparing for the appeal that had potentially narrowed the gap between the parties but had additionally substantially weakened the position of the LPA as to the deficiencies of the scheme. It was decided that the best way to explore matters was for the Chief Executive and Business Manager to meet the developer on a without prejudice basis to see whether a compromise could be reached

It is also relevant contextually that since the refusal the Council can no longer demonstrate a 5 year housing land supply ( which weakens the extent to which policy can be relied upon) and that following the changes that had been made by the developer the KC acting for the developer now considered that the LPA continuing to run the appeal would be considered unreasonable behaviour ( in that our requests had largely been met) such that they would be in a position to seek full costs against the LPA- in that the elements behind the refusal reasons had been largely addressed. These costs, which would be on top of the LPAs own legal costs would be for a KC plus multiple witnesses. The agent agreed as part of any deal that were a compromise to be reached costs would not be sought.

### **3. MAIN POINTS**

- 3.1 Looking in detail at the refusal reasons :
- 3.2 OCC has withdrawn all its objections in light of the changes and is moving to a conditioned/H of T based response. The substantially improved position vis a vis the improvements to pedestrian and cycle accessibility now on offer is a game changer compared to when the application was determined. We can ensure that new/improved routes are either provided (where the land is held or has landowner consent) or that funding is provided to secure improvements where the agreements are not yet in place.
- 3.3 The lack of a master plan refusal reason was primarily based at securing an acceptable scheme. As one has/is emerging this has now reduced the weight that can be attached to that refusal reason and it is no longer considered a reason to withhold consent
- 3.4 As regards the design/view cone refusal reason this is only an outline and details could be agreed at Reserved Matters stage. The lack of an agreed masterplan and parameter plans that go beyond what the illustrative plan show would weaken our position in seeking to negotiate at that point. However two alternative mechanisms exist to protect our position. Firstly revised parameter plans could be prepared that more closely align to what we anticipate from the revised illustrative layout will be delivered in terms of built form heights, proximity to the view cone to the church, landscape mitigation on the higher land and in the Windrush Valley etc. Alternatively notes could be appended to the existing plans reflecting that there are key sensitivities at these points that will need to be picked up in response to whatever detailed scheme is eventually tabled ie reserves both parties positions to the RM stage. This could be the subject of some discussion in front of the inspector and conditioned accordingly and has been agreed in principle by the agent acting for the landowner.
- 3.5 The BNG/environmental mitigation package can be locked in/ dealt with by condition/106
- 3.6 The developer will be tabling a Unilateral Undertaking/106 to address the lack of one and this could potentially be turned into a formal 106 agreement very easily and so address the refusal reason

### **4. ASSESSMENT**

It is the opinion of the BM Development and Sustainability that the clear balance of advantage now that the developer has moved towards our position is to jointly agree that the Inquiry should be directed at resolving the conditions/Heads of Terms but not the

principle of development. This will save us costs, negate the risk of an award of costs and slightly improve our 5 year land supply position.

## **5. TIMING/PROCESS**

- 5.1 Timing has proven particularly problematic in that all the evidence needed to support the Public Inquiry has to be with PINS by 21/5 and yet the Council will not have re-established itself in terms of committees etc until after that date and certainly well after all the expenses that we are seeking to avoid in terms of witness statements etc have been incurred. The Chief Executive enjoys a power to make “urgent” decisions when they need to be taken in advance of the ability to refer the matter back to Members. It has been informally discussed with key Members and decided that the decision should be made in the period immediately post the 2/5/24 election. The developer has been advised accordingly.

## **6. ALTERNATIVE OPTIONS**

- 6.1 The Council could decide to continue with the appeal. However the reputational and financial consequences of fighting a much weakened case when we have now largely secured the key elements we were looking for mean this is not recommended

## **7. CONCLUSIONS**

- 7.1 A decision needs to be made very quickly to lock in the financial and other benefits of not taking the case through appeal. A delegated power to do this exists and if it is exercised post the election it will enable briefing with whomever forms the new administration before the decision is made
- 7.2 The clear balance of advantage lies with withdrawing from the appeal and securing the benefits now on offer by way of conditions and the section 106 agreement

## **8. FINANCIAL IMPLICATIONS**

- 8.1 None directly from this report but potentially 150 – 200k savings from avoiding an award of costs to the appellants plus the 40K seeking to support our own case

## **9. LEGAL IMPLICATIONS**

- 10. Addressed in above report.

## **11. RISK ASSESSMENT**

- 12. Addressed in above report.

## **13. EQUALITIES IMPACT**

- 14. Not applicable

## **15. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 15.1 The scheme secures substantial ecological and landscape mitigation which has been enhanced post the refusal and can be locked in by way of the legal agreement and conditions. (END)

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## Delegated Decision Notice

This form is used to record any delegated decision which has been taken by officers under delegated authority.

Decision title	Non-defence of refusal reasons in respect of impending appeal for the East Witney allocation in the Local Plan
Decision date	7 May 2024
Decision maker	Giles Hughes, Chief Executive, in consultation with: <ul style="list-style-type: none"><li>• Director of Governance</li><li>• Director of Finance</li><li>• Leader of the Council</li><li>• Executive Member for Planning and Sustainable Development</li><li>• Chair of Development Control Committee</li><li>• Chair of Lowlands Area Planning Sub-Committee</li></ul>
Source of delegation (resolution or Constitution – please reference)	<p>Constitution Part 3C: Urgency and Emergency Decisions:</p> <p>The Chief Executive in consultation with the Chief Finance Officer and the Monitoring Officer, may take a decision in relation to any function of the Council, Executive or of a Committee or Sub-Committee where the matter is urgent and cannot reasonably await the next meeting of that body. In doing so, the Officer shall also consult with the Leader of the Council, or in their absence, the Deputy Leader of the Council and the Chair, or in their absence the Vice-Chair, of any relevant Committee or Sub-Committee, as the case may be.</p> <p>Any decision under the above provisions shall be recorded on an Officer Decision Notice, and published, unless exempt or confidential. The decision shall be reported to Council, the Executive or the appropriate Committee or Sub-Committee, such report to include the reasons that the powers needed to be used.</p>
Decision taken	To agree, in light of the changes made by the developer to the scheme in preparing for the upcoming Public Inquiry, that the Council join Oxfordshire County Council in deciding to no longer defend the refusal reasons that were applied when the application was determined by the Lowlands Area Planning Sub-Committee.
Reasons for the decision	When the application was determined it had followed a long period of pre application and application negotiation where officers had been seeking compliance with the policies of the



	<p>approved plan and the developer had not been prepared to deliver upon those requirements. Oxfordshire County Council (OCC) had also refused consent on highways/technical grounds. In preparing for the Inquiry the developer had adjusted his position on a number of matters and had amended the scheme to address the refusal reasons that the Council would be tabling. Separately negotiations with OCC had progressed such that they have indicated they will not be defending their refusal reason. As such the position now is very different to that which pertained at the time the application was determined such that a review of the expediency of continuing with the appeal was logical - particularly as the weakening of the Local Planning Authority position alongside the recent loss of the 5-year housing land supply had substantially increased the likelihood of an adverse award of costs should the Council continue to seek to defend a weakened case.</p> <p>It is the opinion of the Business Manager for Development and Sustainability that the clear balance of advantage now that the developer has moved towards the Council's position is to jointly agree that the Inquiry should be directed at resolving the conditions/Heads of Terms but not the principle of development. This will save the Council costs, negate the risk of an award of costs and slightly improve the Council's 5-year land supply position.</p>
Alternative options considered	Continue with the appeal – not preferred due to the reputational and financial consequences of fighting a much-weakened case when the Council has now largely secured the key elements it was looking for.
Key or non-key?	Non-key
Subject to urgency rules?	Yes
Affected wards	Witney Wards; South Leigh
Details of consultation undertaken	<p>Prior to confirming the decision the Chief Executive consulted with:</p> <ul style="list-style-type: none"> <li>• Director of Governance</li> <li>• Director of Finance</li> <li>• Leader of the Council</li> <li>• Executive Member for Planning and Sustainable Development</li> <li>• Chair of Development Control Committee</li> <li>• Chair of Lowlands Area Planning Sub-Committee</li> </ul>
Lead officer	Phil Shaw, Business Manager Development and Sustainability





WEST OXFORDSHIRE  
DISTRICT COUNCIL

List of documents considered	Report titled "Suggested non defence of refusal reasons in respect of impending appeal for the East Witney allocation in the Local Plan".
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# Agenda Item 8

## West Oxfordshire District Council – DELEGATED ITEMS

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### Application Types Key

<u>Suffix</u>		<u>Suffix</u>	
ADV	Advertisement Consent	LBC	Listed Building Consent
CC3REG	County Council Regulation 3	LBD	Listed Building Consent - Demolition
CC4REG	County Council Regulation 4	OUT	Outline Application
CM	County Matters	RES	Reserved Matters Application
FUL	Full Application	S73	Removal or Variation of Condition/s
HHD	Householder Application	POB	Discharge of Planning Obligation/s
CLP	Certificate of Lawfulness Proposed	CLE	Certificate of Lawfulness Existing
CLASSM	Change of Use – Agriculture to Commercial	CND	Discharge of Conditions
HAZ	Hazardous Substances Application	PDET28	Agricultural Prior Approval
PN42	Householder Application under Permitted Development legislation.	PN56	Change of Use Agriculture to Dwelling
PNT	Telecoms Prior Approval	POROW	Creation or Diversion of Right of Way
NMA	Non Material Amendment	TCA	Works to Trees in a Conservation Area
WDN	Withdrawn	TPO	Works to Trees subject of a Tree Preservation Order
		FDO	Finally Disposed Of

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<u>Decision Code</u>	<u>Description</u>	<u>Decision Code</u>	<u>Description</u>
APP	Approve	RNO	Raise no objection
REF	Refuse	ROB	Raise Objection
PIREQ	Prior Approval Required	P2NRQ	Prior Approval Not Required
P3APP	Prior Approval Approved	P3REF	Prior Approval Refused
P4APP	Prior Approval Approved	P4REF	Prior Approval Refused

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## West Oxfordshire District Council – DELEGATED ITEMS Week Ending 24th May 2024

Application Number.	Ward.	Decision.
I. <b>23/00713/FUL</b>	Carterton North East	REF
Change of use to allow food retail in units 9 and 9a at the West Oxfordshire Business and Retail Park, Carterton <b>Unit C9 West Oxfordshire Retail Park Haddon Place</b> Mr Sam Cover		

2. **23/02464/FUL** Standlake, Aston and Stanton Harcourt APP  
Demolition of existing engineering workshop. Erection of 2 dwellings with associated parking, turning, landscaping, private amenity space and access to include the installation of solar panels on south-western elevations (retrospective).  
**61 High Street Standlake Oxfordshire**  
Victorum Developments Limited
3. **23/02601/LBC** Bampton and Clanfield APP  
Internal and external alterations to include the replacement of three windows. Internal works to include the addition of a cooker head and vent through wall. External works to include replacement of existing concrete pavers and the addition of a downpipe and gully with adjustment to existing gutter.  
**The Old Pound 20 Pound Lane Clanfield**  
Mrs Charlotte Martins
4. **23/02784/CND** Carterton North West APP  
Discharge of conditions 4 (full surface water drainage scheme) 5 (desk study to assess the nature and extent of any contamination) 7 (scheme of hard and soft landscaping) 8 (details of bat roosting and nesting opportunities) and 12 (schedule of materials) of Planning Permission 23/01471/S73  
**Brooklyn Nurseries 65 Shilton Road Carterton**  
Mr Tom Fletcher
5. **23/03011/CND** Hailey, Minster Lovell and Leafield APP  
Discharge of Condition 2 (landscape scheme) of Planning Permission 23/01283/FUL  
**Iydene Burford Road Minster Lovell**  
Miss A Beszant
6. **23/03239/FUL** Witney South APP  
Change of use from planning class light industrial use to community centre (F2(b)) (amended)  
**Unit 1 Cranbrook Court Avenue Two**  
Mr Mohamed El Sharkawy
7. **24/00009/CND** Brize Norton and Shilton APP  
Discharge of conditions 2 (a full surface water drainage scheme) and 5 (desk study) of Planning Permission 23/01310/PN56  
**Little Acre Manor Dairy Barn Shilton**  
Mrs Jackie Hinton

- |     |                                                                                                                                                                                                |                        |     |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-----|
| 8.  | <b>24/00019/HHD</b><br>Affecting a Conservation Area                                                                                                                                           | Alvescot and Filkins   | APP |
|     | Erection of a single storey rear extension<br><b>3 New Cottages Kelmscott Lechlade</b><br>Mrs Claire Stowe                                                                                     |                        |     |
| 9.  | <b>24/00073/FUL</b>                                                                                                                                                                            | Witney North           | APP |
|     | Erection of a two-storey dwelling and associated works on land at the rear of 61 Woodstock Road, Witney (amended plans).<br><b>61 Woodstock Road Witney Oxfordshire</b><br>Mr Sarkiss Brandaro |                        |     |
| 10. | <b>24/00089/CLP</b>                                                                                                                                                                            | Witney West            | APP |
|     | Certificate of Lawfulness (rear extension)<br><b>17 Lyneham Close Witney Oxfordshire</b><br>Mr Richard Holmes                                                                                  |                        |     |
| 11. | <b>24/00167/CLE</b>                                                                                                                                                                            | Bampton and Clanfield  | REF |
|     | Certificate of Lawfulness (to allow single storey dwelling with associated garden).<br><b>Clearwater Aston Road Bampton</b><br>Mr Francis Goody                                                |                        |     |
| 12. | <b>24/00226/ADV</b><br>Affecting a Conservation Area                                                                                                                                           | Witney South           | WDN |
|     | Erection of externally illuminated signage and three non illuminated signs<br><b>Windrush Leisure Centre Witan Way Witney</b><br>Miss Lou Cable                                                |                        |     |
| 13. | <b>24/00299/S73</b><br>Affecting a Conservation Area                                                                                                                                           | Eynsham and Cassington | APP |
|     | Variation of condition 2 of Planning Permission 22/00607/HHD to allow design changes (amended plans)<br><b>Bee Cottage Abbey Street Eynsham</b><br>Mr Richard Paulin                           |                        |     |

14. **24/00323/S73** Ducklington APP  
Affecting a Conservation Area
- Variation of conditions 2, 3 and 6 of planning permission 22/02489/FUL to allow the boundary treatments to be 1.4m high rubble stone walling between the properties (constructed using stone as shown in the images provided) and the use of new blue roof slates whilst discharging conditions 4 (Construction Environmental Management Plan) and 5 (Bat/Bird boxes).  
**10 Church Street Ducklington Witney**  
Mr Richard Oliver
15. **24/00326/HHD** Witney North APP  
Removal of existing conservatory and erection of two story rear extension.  
**163 Vanner Road Witney Oxfordshire**  
Mr Bryan Abbott
16. **24/00340/FUL** Alvescot and Filkins APP  
Affecting a Conservation Area
- Conversion of Home Farm Barn into a dwelling house/holiday accommodation with alterations to existing access, provision of car parking and associated landscape works.  
**Home Farm Barn Kencot Oxfordshire**  
Mr Jones
17. **24/00363/FUL** Hailey, Minster Lovell and Leafield APP  
Affecting a Conservation Area
- Formation of hardstanding for private off street parking (part retrospective)  
**Lavender Cottage Old Minster Lovell Minster Lovell**  
Mrs Annette Hodge
18. **24/00382/LBC** Eynsham and Cassington APP  
Affecting a Conservation Area
- Internal and external alterations to include the erection of a single storey extension (amended plans)  
**Bee Cottage Abbey Street Eynsham**  
Mr Richard Paulin
19. **24/00391/FUL** Eynsham and Cassington REF  
Erection of a detached dwelling, with access, parking, amenity space and associated works  
**77 Witney Road Eynsham Witney**  
Ms L Smith

20. **24/00406/LBC** Bampton and Clanfield APP  
 Internal and external alterations to include the replacement of existing front door and installation of two security cameras to the front and side of building (Retrospective)  
**Homestead Main Street Clanfield**  
 Mr Robert Craik
21. **24/00410/FUL** Ducklington APP  
 The erection of a solar powered electric gate on an existing agricultural access and associated solar panels (retrospective).  
**Duttons Farm Lew Road Curbridge**  
 H A King And Son
22. **24/00431/HHD** Eynsham and Cassington APP  
 Removal of side extension. Erection of a part single storey part two storey front extension, single storey rear extension and conversion of part of the existing garage to create additional living space. Works to include installation of timber cladding to front and rear elevations and new solar panels.  
**23 Witney Road Eynsham Witney**  
 Mr And Mrs Adams
23. **24/00457/ADV** Witney Central APP  
 Affecting a Conservation Area  
 Erection of a non illuminated fascia sign  
**1 Wesley Walk Witney Oxfordshire**  
 Mr D Somaiya
24. **24/00438/HHD** Eynsham and Cassington APP  
 The installation of two conservation style roof lights and internal reconfigurations.  
**Oakfield Barn 4 City Farm Barns Eynsham**  
 Mrs Mami Smith
25. **24/00439/LBC** Eynsham and Cassington APP  
 The installation of two conservation style roof lights and internal reconfigurations.  
**Oakfield Barn 4 City Farm Barns Eynsham**  
 Mrs Mami Smith

26. **24/00455/HHD** Brize Norton and Shilton REF  
 Erection of two storey rear extension.  
**The Old Dairy 116B Station Road Brize Norton**  
 Mr Gary Tilton
27. **24/00458/HHD** Carterton South APP  
 Erection of a single storey rear extension  
**52 Ashfield Road Carterton Oxfordshire**  
 Mr Steve Whyte
28. **24/00462/HHD** Witney North APP  
 Affecting a Conservation Area  
 Replacement and changes to existing rear and side facing ground floor windows and doors.  
**9 Millers Mews Witney Oxfordshire**  
 Mr Darin Stevens
29. **24/00464/CND** Brize Norton and Shilton APP  
 Affecting a Conservation Area  
 Discharge of condition 4 (surface water drainage scheme) of planning permission  
 19/02767/HHD.  
**Bridge House Bridge Street Shilton**  
 Mr And Mrs Smith
30. **24/00476/FUL** Witney South APP  
 Alterations to include extensions incorporating the relocation of the entrance, new access  
 door and glazing. Reconfiguration of existing remote corral to include a new maintenance  
 storage room, introduction of 4 new cycle racks and associated works to the site.  
**McDonalds Ducklington Lane Witney**  
 McDonalds Restaurants Ltd
31. **24/00486/HHD** Witney East APP  
 Affecting a Conservation Area  
 Erection of a single storey side extension  
**Field View Woodgreen Witney**  
 Mr J Skeen



32. **24/00512/HHD** Hailey, Minster Lovell and Leaffield APP  
 Erection of two storey side extension with rear dormer along with construction of a conservatory to rear (part retrospective)  
**125B Brize Norton Road Minster Lovell Witney**  
 Mr Stephen Middleton
33. **24/00510/CND** Alvescot and Filkins APP  
 Affecting a Conservation Area  
 Discharge of condition 9 (boundary hedge details) of planning permission 23/02100/S73.  
**Peartree Barn Cross Tree Lane Filkins**  
 Mr William Hartwell
34. **24/00511/LBC** Standlake, Aston and Stanton Harcourt APP  
 Replace front and rear dormer windows on the house and replace two ground floor windows, one first floor window and a door on the barn (amended description).  
**Bracken Cottage 63 High Street Standlake**  
 Mrs Caroline Power
35. **24/00516/PN56** Ducklington P2NRQ  
 Conversion of agricultural building to a dwelling and associated works  
**Duttons Farm Lew Road Curbridge**  
 H A King And Sons
36. **24/00538/OUT** Brize Norton and Shilton REF  
 Development of 5 age restricted dwellings with re-sited access conveyance of part of site as nature recovery network land (outline application with all matters reserved)  
**Land Parcel To North East Of Carterton Football Club Swinbrook Road Carterton**  
 Messrs McShane, Thomas, Yule And Harris
37. **24/00548/LBC** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Internal and external alterations to include removal and rebuild of the upper third section of the party wall and the chimney stack between 8 and 10 Bushey Row following fire damage  
**8 Bushey Row Bampton Oxfordshire**  
 Mr Nicholas Macdonald Smith

38. **24/00549/HHD** Witney West APP  
 Erection of an orangery to rear elevation of dwelling.  
**4 Centenary Way Witney Oxfordshire**  
 Mrs A Norris
39. **24/00565/CND** Ducklington APP  
 Discharge of condition 16 (Archaeological Written Scheme of Investigation) of permission  
 21/01236/FUL  
**Ducklington Farm Course Hill Lane Ducklington**  
 Nicola Jones
40. **24/00567/LBC** Alvescot and Filkins APP  
 Affecting a Conservation Area  
 Internal and external alterations to replace six timber casement windows on front east  
 elevation (amended description)  
**Kencot Lodge Kencot Lechlade**  
 Mr Alistair Dinmore
41. **24/00572/CND** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Discharge of conditions 3 (material schedule) and 7 (landscape and ecology masterplan) of  
 permission 22/03389/FUL  
**The Deanery Church Close Bampton**  
 Mr and Mrs Armitage
42. **24/00573/HHD** Witney South APP  
 Erection of a front single storey extension  
**80 Abbey Road Witney Oxfordshire**  
 Mr and Mrs Soden
43. **24/00594/HHD** Standlake, Aston and Stanton APP  
 Harcourt  
 Installation of 56 ground mounted solar panels  
**Yew Tree Farm 49 Abingdon Road Standlake**  
 Mrs Emma Welch

44. **24/00599/HHD** Alvescot and Filkins APP  
Affecting a Conservation Area
- Erection of first floor extension over existing wc and utility to form ensuite.  
**The Forge Langford Lechlade**  
Mr And Mrs Hugo Chittenden
45. **24/00605/HHD** Standlake, Aston and Stanton APP  
Harcourt
- Convert existing garage into a living area downstairs with a bedroom and en-suite in the loft space above.  
**1 Park Farm Place Northmoor Witney**  
Mr Simon Robinson
46. **24/00626/HHD** Carterton South APP
- Erection of a single storey rear extension.  
**34 Mayfield Close Carterton Oxfordshire**  
Mr Paul Mackenzie
47. **24/00627/HHD** Eynsham and Cassington APP  
Affecting a Conservation Area
- Erection of single storey rear extension and internal alterations  
**26 Newland Street Eynsham Witney**  
Mr & Mrs Relph
48. **24/00628/LBC** Eynsham and Cassington APP  
Affecting a Conservation Area
- Erection of single storey rear extension and internal alterations  
**26 Newland Street Eynsham Witney**  
Mr & Mrs Relph
49. **24/00624/HHD** Witney South APP
- Enlarge two existing dormers, erection of single storey side extension and construction of replacement garage.  
**2 Curbridge Road Witney Oxfordshire**  
Mr And Mrs Clilverd

50. **24/00630/CND** Eynsham and Cassington APP  
Affecting a Conservation Area
- Discharge of conditions 3 (schedule of materials) 5 (details of windows and doors) 8 (construction management plan) 11 (surface water drainage scheme) 13 (external wall sample) 14 (boundary treatment) 17 (details of integrated bat roosting and nesting opportunities) and 18 (stone boundary wall) of Planning Permission 23/02277/FUL  
**Grange Farm Bungalow Lynton Lane Cassington**  
Mr Blackmore
51. **24/00631/S73** Witney North APP
- Variation of conditions 2, 3 and 4 of planning permission 23/01099/HHD to allow the reduction in size of rear extension, alterations to design of garage, changes in materials to be used and provision of integrated bat roosting features.  
**Meadow Cottage New Yatt Road Witney**  
Mr And Mrs Stephen Noon
52. **24/00637/CLP** Standlake, Aston and Stanton APP  
Harcourt
- Affecting a Conservation Area
- Certificate of Lawfulness (Erection of a self contained unit)  
**28 Flexneys Paddock Stanton Harcourt Witney**  
Mrs Amanda Fox
53. **24/00640/LBC** Eynsham and Cassington APP  
Affecting a Conservation Area
- Internal alterations to raise kitchen chimney lintel.  
**Cobden 45 Queen Street Eynsham**  
Mr And Mrs Cooper
54. **24/00643/HHD** Carterton South APP
- Erection of a single storey front extension, first floor side extension and single storey rear extension (part retrospective).  
**4 Hayward Drive Carterton Oxfordshire**  
Mr Genese
55. **24/00644/HHD** Witney South APP
- Erection of a single storey side extension  
**86 Colwell Drive Witney Oxfordshire**  
Mr Guillaume Abada

56. **24/00654/S73** North Leigh APP  
 Removal of condition 3 of Planning Permission 23/03413/FUL to allow the permission to be implemented in addition to planning permission 22/01268/S73 (Amended)  
**Eynsham Hall North Leigh Witney**  
 .
57. **24/00684/S73** Eynsham and Cassington APP  
 Variation of condition 2 of Planning Permission 20/02779/HHD to allow amendments to the approved design  
**38 Witney Road Eynsham Witney**  
 Mr T Sheffield
58. **24/00668/HHD** Eynsham and Cassington APP  
 Construct single storey rear extension with pitched tiled roof.  
**24 Daisy Crescent Eynsham Witney**  
 Mr Parker
59. **24/00704/HHD** Eynsham and Cassington APP  
 Construction of first floor front extension.  
**55 Millmoor Crescent Eynsham Witney**  
 Mr T Ambrose
60. **24/00698/PN56** Alvescot and Filkins P4REF  
 Conversion of a barn to form single dwellinghouse with facilitating works  
**Land (N) 422588 (E) 204083 Filkins Lechlade**  
 M Pearce
61. **24/00714/HHD** Hailey, Minster Lovell and Leafield APP  
 Loft conversion including insertion of front and rear dormers. Construction of side extension to replace existing garage and provide bedroom above, single storey rear extension to replace conservatory and single storey front extension with canopy over front entrance. Installation of air source heat pump together with associated external works to accommodate additional parking.  
**Furchalay New Yatt Lane New Yatt**  
 Mr And Mrs L Hill

62. **24/00717/S73** Eynsham and Cassington APP  
 Variation of condition 2 of planning permission 21/02544/FUL to allow design changes to approved dwelling.  
**Ambury Close Farm Barnard Gate Witney**  
 Mr And Mrs James And Gemma Lyall
63. **24/00722/HHD** Hailey, Minster Lovell and Leafield APP  
 Erection of single storey extension.  
**1 Waterworks Cottage Worsham Witney**  
 Mr And Ms David And Patricia Steynor And Wylie
64. **24/00727/HHD** Standlake, Aston and Stanton Harcourt APP  
 Erection of single storey front extension.  
**2 Linch Hill Cottages Linch Hill Stanton Harcourt**  
 Mr Darren Maddocks
65. **24/00729/S73** Brize Norton and Shilton APP  
 Variation of conditions 2 and 3 of permission 22/01865/HHD to allow alterations to the original design to include alterations to floor layouts, fenestration and external materials  
**Ashlar House Ladburn Lane Shilton**  
 Mr A Montague-Fuller
66. **24/00730/HHD** Witney North APP  
 Addition of wood cladding to exterior of completed single storey extension  
**55 Schofield Avenue Witney Oxfordshire**  
 Mr Phillip Brough
67. **24/00732/HHD** Standlake, Aston and Stanton Harcourt APP  
 Erection of garden room/gym  
**86 High Street Standlake Witney**  
 Georgina Crumlish

68. **24/00734/HHD** Carterton North West APP  
 Erection of rear extension and extension to front porch along with conversion of existing garage into a bedroom  
**33 Edgeworth Drive Carterton Oxfordshire**  
 Mrs Sharon Chadwick
69. **24/00738/HHD** Ducklington APP  
 Erection of front and rear single storey extensions.  
**5 Macray Road Ducklington Witney**  
 Mr And Mrs Gibbs
70. **24/00773/LBC** Witney North APP  
 Affecting a Conservation Area  
 Alterations to refurbish existing house, including removal of existing chimney from single storey rear extension, repairs to windows and replacement front and rear doors together with internal changes to fireplace and restoration of flagstone flooring.  
**74 West End Witney Oxfordshire**  
 Mr Thomas Sloane
71. **24/00785/S73** Eynsham and Cassington APP  
 Affecting a Conservation Area  
 Variation of condition 2 of planning permission 23/02277/FUL to allow design changes to include alterations to fenestration and doors, reduction in rooflights and reduced width of approved dwelling.  
**Grange Farm Bungalow Lynton Lane Cassington**  
 Mr B Blackmore
72. **24/00786/HHD** Hailey, Minster Lovell and REF  
 Leaffield  
 Affecting a Conservation Area  
 Erection of single storey extension to existing kitchen together with associated landscaping works.  
**Handcroft Farm Lower End Ramsden**  
 Mr And Mrs Walford

73. **24/00787/LBC** Hailey, Minster Lovell and REF  
Leaffield  
Affecting a Conservation Area  
  
Internal and external alterations to include erection of single storey extension to existing kitchen together with associated landscaping works.  
**Handcroft Farm Lower End Ramsden**  
Mr And Mrs Walford
74. **24/00790/HHD** Witney West APP  
  
Erection of single storey rear extension with Ultraframe pre approved gable roof system with glazed sections.  
**15 Winfield Drive Witney Oxfordshire**  
Miss A Groom
75. **24/00798/HHD** Witney Central APP  
  
Thermal upgrade of existing detached property to include insulation to ground floor, external walls and roof, removal of existing chimneys and installation of Air Source Heat Pump and PV array together with the demolition and rebuild of single storey side/rear extension and construction of new front entrance porch.  
**24 Davenport Road Witney Oxfordshire**  
Mr And Mrs Arthur And Lucy Lovell
76. **24/00804/CLP** Witney East APP  
  
Certificate of Lawfulness (conversion of existing garage and erection of single storey rear extension.)  
**188 Manor Road Witney Oxfordshire**  
Mr G Hudson
77. **24/00836/HHD** North Leigh APP  
  
(Amended Description) Erection of rear single storey extension  
**2 Woodman Cottages New Yatt Road North Leigh**  
Mrs Anita Rich
78. **24/00860/HHD** Bampton and Clanfield APP  
Affecting a Conservation Area  
  
Erection of a single storey rear extension (retrospective)  
**2 Valence Court Aston Road Bampton**  
Mr And Mrs Roberts



79. **24/00851/HHD** Witney West APP  
 Erection of a single storey rear extension  
**27 Broadway Close Witney Oxfordshire**  
 Mr R Brailsford
80. **24/00853/HHD** Witney Central APP  
 Affecting a Conservation Area  
 Alterations to existing house including replacement windows (retrospective), change front porch roof tiles, timber screening of uPVC greenhouse and recladding of existing garden buildings.  
**Ash Close House 41 Gloucester Place Witney**  
 James And Sarah Nellist And Beresford
81. **24/00862/CND** Carterton North West APP  
 Discharge of condition 5 (full surface water drainage scheme) of Planning Permission 22/02108/S73  
**Land To The Rear Of 41 And 43 Burford Road Carterton**  
 Messrs Peter And Gordon
82. **24/00879/HHD** Carterton North East APP  
 Loft conversion with installation of rooflights  
**1 Woodrush Gardens Carterton Oxfordshire**  
 Mr Andrew McMahon
83. **24/00868/HHD** Carterton North West APP  
 Erection of single storey rear extension, installation of front roof lights, alterations to enlarge first floor rear dormer and provision of balconies to serve bedrooms. Associated landscaping works.  
**93 Shilton Road Carterton Oxfordshire**  
 Mr And Mrs S Greening
84. **24/00869/FUL** Alvescot and Filkins APP  
 Affecting a Conservation Area  
 Change of use of part of a paddock to form residential garden. (Retrospective).  
**The Band Hall Filkins Road Langford**  
 Mr Ostrowski

85. **24/00873/HHD** Carterton North East APP  
 Removal of conservatory. Erection of a single storey extension  
**1 Foxbury Lane Carterton Oxfordshire**  
 Mr S Meik
86. **24/00875/NMA** Bampton and Clanfield APP  
 Affecting a Conservation Area  
 Erection of two storey side and front extension, single storey rear extension and external timber wall cladding (non material amendment to allow a slight increase to eaves curve of rear flat roof single storey extension and recessed glazing revised to suit)  
**9 Bushey Row Bampton Oxfordshire**  
 Dr And Mrs Ward
87. **24/00917/HHD** Witney North APP  
 Removal of garage and erection of a single storey extension to dwelling  
**39 Early Road Witney Oxfordshire**  
 Mr & Mrs Bent & Cousins
88. **24/00931/CLE** Witney Central APP  
 Certificate of Lawful Development (erection of single storey rear extension and side-facing rooflights).  
**31 Beech Road Witney Oxfordshire**  
 Ms Collette Lally
89. **24/00884/S73** Standlake, Aston and Stanton APP  
 Harcourt  
 Variation of condition 2 of planning permission 20/03451/FUL to allow design changes to Plot 1.  
**138 Abingdon Road Standlake Witney**  
 Mr And Mrs Ling
90. **24/00907/HHD** Witney West APP  
 Erection of single storey side and rear extension and part garage conversion  
**50 Valence Crescent Witney Oxfordshire**  
 Mr And Mrs Peacock

91. **24/00911/NMA** Eynsham and Cassington APP  
Affecting a Conservation Area
- Demolition of existing extension, erection of single storey side extension, proposed garage conversion and re-roofing of garage and carport (non-material amendment to allow all of the extension roof metal seamed).  
**64A Acre End Street Eynsham Witney**  
Ms Vanessa Jones
92. **24/00918/CND** Alvescot and Filkins APP
- Discharge of conditions 4,5 (ecology) and 6 (external lighting) of permission 23/03207/HHD  
**Mill Stream House Little Faringdon Mill Little Faringdon**  
Mr Jeremy Duckworth
93. **24/01023/CLP** Witney East APP
- Certificate of Lawfulness (formation of habitable room in roof space with front and rear velux rooflights and extension of soil pipe)  
**7 Northfield Square Witney Oxfordshire**  
Mr & Mrs Briggs
94. **24/01078/CND** Bampton and Clanfield APP  
Affecting a Conservation Area
- Discharge of conditions 3 (schedule of materials), 6 (Precautionary Working Method Statement) and 15 (construction management plan) of Planning Permission 23/02297/FUL  
**1 Primrose Lane Weald Bampton**  
Mr Adrian Smart
95. **24/01127/SCREEN** Ducklington EIANOT  
Affecting a Conservation Area
- Screening opinion (EIA) for development of a 30MW solar farm with 30MW BESS and associated works, equipment, and necessary infrastructure.  
**Land (E) 431746 (N) 208467 Caswell Lane Brize Norton**
96. **24/01304/NMA** North Leigh APP
- Conversion of church to dwelling (part retrospective) (non-material amendment to allow a door with a glass panel in place of a solid door to the side elevation).  
**North Leigh Methodist Church Chapel Lane North Leigh**  
Mr And Mrs O'Shea

97. **24/01348/NMA**  
Affecting a Conservation Area

Bampton and Clanfield

APP

Erection of single storey rear and first floor side extensions. Construction of detached replacement pitched roof garage (non-material amendment to allow a rendered finish externally to the single storey rear extension in lieu of reconstructed stone).

**Rose Cottage Broad Street Bampton**

Mrs Hazel Disbrey

## Lowlands Appeal Decisions

[Appeal Ref: APP/D3125/W/23/3315043](#)

22/01667/FUL- Magdalen Farm, Abingdon Road, Standlake, Oxfordshire OX29 7RN

Demolition of two redundant farm buildings: Change of use of the site of application from agricultural to residential use: the erection of a one and a half storey detached single dwellinghouse with integral garage: modification to existing access gate.

Appeal dismissed.

[Appeal Ref: APP/D3125/Y/23/3321911](#)

22/03467/LBC- Old Manor, Broadwell, Oxfordshire GL7 3QS

Internal alterations to allow changes to layout including the removal of a staircase.

Appeal dismissed.

[Appeal Ref: APP/V3125/D/24/3339723](#)

23/02737/HHD- Manor Cottage, Bampton Road, Black Bourton, Oxfordshire, OX18 2PD

Erection of a first floor extension.

Appeal allowed.

[Appeal Ref: APP/D3125/W/23/3322449](#)

22/02769/FUL- 15, 17 and 19 Church Street, Ducklington, Witney, Oxfordshire OX29 7UA

Render all exterior walls of dwellings.

Appeal dismissed.

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