

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, 13 October 2025**

PRESENT

Councillors: Andy Goodwin (Chair), Michael Brooker (Vice-Chair), Rachel Crouch, Phil Godfrey, Nick Leverton, Andrew Lyon, Michele Mead, Andrew Prosser, Sarah Veasey, Alistair Wray, Dan Levy and Liam Walker

Officers: Kelly Murray (Principal Planner for Enforcement and Appeals), Clare Anscombe (Career Grade Planner), Tara Hayek (Senior Conservation and Design Officer) and James Nelson (Principal Planner)

Other Councillors in attendance:

61 Apologies for Absence

Apologies for absence were received from Councillors David Melvin, Steve Cosier and Adrian Walsh.

Councillor Dan Levy substituted for Councillor Steve Cosier.

Councillor Liam Walker substituted for Councillor Adrian Walsh.

62 Declarations of Interest

Declarations of Interest were received from the following councillors.

25/01129/FUL Land West of Nursery.

The Chair, Councillor Andy Goodwin, declared that he knew the applicant and would leave the Council Chamber when the application was heard.

Councillor Nick Leverton declared he knew the applicant and would not vote on the application.

25/01606/FUL 6 Marriots Walk, Witney.

Councillors Rachel Crouch and Andrew Prosser as members of the Executive, they would not vote on the application.

25/01782/FUL Windrush Inn, Burford Road, Witney.

Councillor Lyon knew the applicant but was not pre-determined.

63 Minutes of Previous Meeting

The minutes of the previous meeting were queried by a public speaker who attended the Lowlands Area Planning Sub-Committee on Monday 8 September 2025. Democratic Services reviewed the minutes and explained that since minutes of meetings were not recorded verbatim, no changes would be made.

Councillor Michele Mead proposed that the minutes of the previous meeting held on Monday 8 September 2025 be agreed by the Sub-Committee as a true and accurate record. This was seconded by Councillor Rachel Crouch, was put to the vote and agreed unanimously by the Sub-Committee.

The Sub-Committee resolved to:

1. Agree the minutes of the previous meeting held on Monday 8 September 2025.

64 Applications for Development

65 25/01129/FUL Land West Of The Nursery, 6 Oxford Road, Eynsham.

The Chair left the Council Chamber and the Vice-Chair took over proceedings whilst this application was heard.

Clare Anscombe Senior Planner presented the application for the erection of 1 self build dwelling with garage.

The Senior Planner's presentation addressed the following points.

- The members of the sub-committee had attended the site visit before the meeting.
- The site was near St Leonards Church (a Listed Building), and within a scheduled monument site, a national historic site. Special consent should be sought for any works proposed on a scheduled monument site.
- Scheduled ancient monuments are nationally important historic sites that have been given legal protection under the Ancient Monuments and Archeological Areas Act to ensure their preservation.
- The site was screened by shrubbery and there are other Grade II listed buildings close to the site.
- The plot was set back from neighbouring properties. The proposed dwelling would have a garage built at the front. Red brick, render, and a slate tile roof would be used. The height of the proposed dwelling would exceed the neighbouring property.

The Heritage Officer raised the following points:

- Gave a history of the site from the 11th century onwards. An Abbey was previously on the site.
- Historic England had raised concerns and objected to the current proposal. They have stated that the site, a former monastery has exceptional significance.
- The site was a Scheduled Monument, and no archaeological evaluation had been done. There were buried assets where the Abbey had stood that also needed to be taken into consideration.
- The impacts on the listed buildings, St Leonards church and others beyond the site were considered and the proposed application would be harmful to these.
- Future developments were also considered and concerns raised where the site may be diminished.

John Jago, the applicant, addressed the Sub-committee and raised the following points:

- There was no street view from the site. The area was framed from view by housing and gardens along the Oxford Road to the north and a tree-lined recreation area to the east.
- The house the applicant previously lived in, number 6 Oxford Road, and its garden has not created any harm to the scheduled monument, and it was felt by the applicant neither would the proposed self-build house.
- The applicant felt that the proposal would bring a neutral effect to the conservation area and the extensive grounds of the Eynsham Abbey Scheduled Monument.

The Senior Planner's presentation addressed the following points.

- The Council cannot currently demonstrate a five year housing land supply therefore a presumption in favour of sustainable development applied and so Officers were required and consider whether the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed.
- In doing this, policies relating to designated heritage assets are relevant. This includes the scheduled monument, conservation area and listed buildings. The scheduled monument is legally protected under the Ancient Monuments and Archaeological Areas Act.
- Scheduled monument consent had not been applied for or granted. This consent was required ahead of any ground works being carried out within the site including archaeological investigation.
- Concern had been raised regarding the impact on the significance and setting of St Leonard's Church, The Shrubbery and the conservation area. The church was considered to have a direct historic association to the former Abbey due to development within the rural and undeveloped setting of the shrubbery and due to the

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loss of a characterful part of the conservation area. Historic England considered that insufficient information had been provided when assessing the impacts of the development on the significance of the scheduled monument.

- The archaeological potential of the site had not been tested in the field.
- It was considered that the benefits did not outweigh the harms of the proposed development, and the proposed development was considered to be contrary to legislation, national and local policies. Therefore, the application was recommended for refusal for the reasons set out in the committee report.

The Chair invited the Sub-Committee to discuss the application which raised the following points:

- Members accepted the strong objection from Historic England and raised concerns that no archaeological assessments had been done.
- Members recognised that the site had been built on from the mid-16th century. The site had been developed since. The Planning Officer confirmed that the developments in the area referred to by members had been granted planning permission some time ago and since then, the policy context had changed, and the application would need to be considered on its merits. There had been objections from Historic England, the Council's Conservation Officer and OCC Archaeology.
- It was acknowledged that the 16th century church and surrounding areas were shielded substantially from the proposed development by trees and by distance.
- Members raised concerns about the archaeological items that could be beneath the site which had not been assessed and the risk to the items if built on.
- Members felt that heritage was important to protect where possible given the reports submitted. Even though the proposed development was small concerns were raised for the future of the site and other incremental changes that could happen.

Councillor Liam Walker proposed the Sub-Committee refuse the application in line with the officer recommendations. This was seconded by Councillor Michele Mead and put to the vote.

Voting Record – 8 for, 1 against, 2 abstentions.

The Sub-Committee **Resolved** to:

1. Refuse the application in line with officer recommendations.

The Chair returned to the Council Chamber and resumed his role of chairing the meeting.

Clare Anscombe, Senior Planner presented the application for the conversion of existing unused unit to create a micro-brewery and taproom / café to include replacement frontage, provision of outdoor seating and extraction/ ventilation/ heating system.

The Senior Planner's presentation addressed the following points.

- The application was before the Sub-Committee due to the site being owned by the Council which is situated at the north end of Marriott's Walk and east of Woodford Way.
- The unit was on a second shopping frontage, with dwellings above.
- The site came within the Witney and Cogges Conservation Area.
- The proposed replacement to frontage included new glazing, new window to kitchen, a double door and sliding folding doors. Framing was to be black or dark grey and a condenser pump unit was proposed on the western elevation. The existing blockwork would be rendered with a smooth finish.
- The proposed use was for a mixed use microbrewery and taproom café with the sale of beer and merchandise for consumption on or off the premises, some live events, the cooking of some foodstuffs to be sold in the cafe and brewing of beer.
- The application stated that ex -services personnel would be mainly employed within the business.
- The proposal would complement the existing shopping offer by driving footfall and provide a unique and locally distinctive experience, positively contribute to the function and vitality of the town centre by making use of an underused space, and celebrate local heritage. The proposed use complied with policies E6 and WIT5 of the adopted local plan.
- The council's environmental health officers were satisfied that the proposed development was acceptable subject to conditions. There were no objections on highway safety, parking or flood risk grounds.
- The proposed design was modern and in the view of Officer's, did not affect the character of the conservation or appearance of the area.
- The application was recommended for approval, subject to conditions.

The Chair invited the Sub-Committee to discuss the application which raised the following points:

- It was confirmed the application was before the Sub-Committee due to the Council's ownership of the property.
- Members asked the Condition 7 working hours be altered from 8am - 6pm, to 9am-5pm out of respect to the neighbouring residents and to minimise disruption.

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- Clarification was asked about the licensing regarding music. The Environmental Health Officer had asked for a Noise Management Plan which would cover the issue of music on the site.

Councillor Michele Mead proposed that the Sub-Committee approve the application in line with the officer recommendations, with an amendment to Condition 7. Demolition and construction works shall not take place outside the 09.00 hours to 17.00 hours Monday to Friday. This was seconded by Councillor Liam Walker and put to the vote.

Voting Record – 9 for, 0 against, 2 abstentions.

The Sub-Committee **Resolved** to:

- I. Approve the application in line with the officer recommendations, with an amendment to Condition 7. Demolition and construction works shall not take place outside the 09.00 hours to 17.00 hours Monday to Friday

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25/01782/FUL Windrush Inn, Burford Road, Witney

Ella Charles, Planner presented the application for the erection of a wooden climbing frame (retrospective).

The planners presentation addressed the following points.

- The application had been brought before the sub-committee due to objection from Witney Town Council.
- The site was surrounded by residential development and was accessed via Burford Road to the south. The climbing frame sat to the east of the pub building in the adjacent pub garden. The neighbouring properties ran alongside the pub garden.

David Highton spoke in objection to the application and raised the following points:

- Was speaking on behalf of his neighbour Mrs Kerr as well.
- Asked for the climbing frame to be moved away from their properties and neighbouring properties to a more suitable location.
- Explained that their properties can be looked into from the location of the climbing frame, often older children use the frame. The sound of children can be high pitched.
- The impact on his family and offered a financial contribution to relocate the climbing frame.

Mia Lester, applicant addressed the sub-committee and raised the following points:

- Had liaised with neighbours and shown the brochure of the climbing frame.

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- The frame was designed for children under 10 years old.
- The position had been carefully thought out to enable children to play safely. The garden was fenced and the garden seating is located near the gate access to the garden. This is to enable staff to serve food and drinks to guests without risking accidents with younger children.
- The climbing frame could not be relocated to the rear of the pub due to the angle of the garden and lack of fencing. No company could be found to take on this work due to liability.

The planners presentation addressed the following points:

- The climbing frame was a timber frame construction consisting of timber posts and supporting cross beams. Officers considered the climbing frame to be a moderate, well -designed structure which formed a logical complement to the existing pub garden setting.
- The climbing frame, whilst visible from the street scene, was not considered to give rise to any adverse impacts given the garden's set -back nature and the proportional design of the frame.
- Concerns of the neighbouring properties had been acknowledged however the climbing frame was not a solid or enclosed structure, it was not deemed to result in any significant harm to amenity of adjoining properties in terms of loss of light, overlooking and overbearing matters
- The position of the climbing frame at the front of the adjacent properties, any associated noise impacts were expected to be minimal.
- The proposed climbing frame was considered to be a proportionate well -designed addition to the pub garden which provided a safe place for children to play whilst visiting the pub. The application was recommended for approval.

The Chair invited the Sub-Committee to discuss the application which raised the following points:

- Members acknowledged the pub owners enhancing the use of the garden for a place for local families to use.
- Members acknowledged the concerns of the speaker and neighbours and suggested that there could be screening to lessen the noise from the garden by way of both owner and neighbours working together.

Councillor Liam Walker proposed the Sub-Committee approve the application in line with the officer recommendations. This was seconded by Councillor Andrew Lyon and put to the vote.

Voting Record - the vote was unanimous.

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The Sub-Committee **Resolved** to:

- I. Approve the application in line with officer recommendations.

68 Applications Determined under Delegated Powers

The report giving details of the application determined under Delegated Powers was received, explained by officers and noted by the Sub-Committee.

69 Appeal Decisions

The report giving details of appeals was received, explained by officers and noted by the Sub-Committee.

70 Progress on Enforcement Cases

Kelly Murray, Principal Planner (Enforcement and Appeals), introduced the report, which provided an update on progress in respect of priority enforcement investigations.

The Officer explained that the team were fully staffed which had helped with case loads and progression of cases.

The Officer explained the numbers of caseloads and what stages various cases were at, however where certain cases were sensitive, such as those going to court, these could not be discussed in full.

Members asked that the long term cases documentation was saved to handed over when the Council moved to the unitary system.

Members thanked the Officer and team for all their hard work and detailed report.

71 Site Visits

The Principle Planner confirmed there were no site visit reports to consider.

The Meeting closed at 3.15 pm

CHAIR