

## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of the meeting of the **Uplands Area Planning Sub-Committee**

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB  
at 2.00 pm on **Monday, 21 July 2025**

#### PRESENT

Councillors: Julian Cooper (Chair), Mark Walker (Vice-Chair), Lidia Arciszewska, Mike Baggaley, Andrew Beaney, Roger Faulkner, Andy Goodwin, David Jackson and Geoff Saul

Officers: Andrew Brown (Head of Democratic and Electoral Services), Stephanie Eldridge (Principal Planner), Ana Prelici (Senior Democratic Services Officer), Mathew Taylor (Democratic Services Officer), Chris Hargraves (Head of Planning), Phil Shaw (Planning Services Transformation Lead), Leonie Woodward (Head of Legal) and Mike Cassidy (Principal Planner)

Other Councillors in attendance: None.

#### **13 Apologies for Absence**

Apologies for absence were received from Councillors Adam Clements, Genny Early and Elizabeth Poskitt.

#### **14 Declarations of Interest**

There were no declarations of interest received.

#### **15 Minutes of Previous Meeting**

The Chair of the Sub-Committee, Councillor Julian Cooper, asked that the minutes of the meeting on Wednesday 28 May 2025 be amended so that they included the attendance (remotely) of James Felton, West Oxfordshire District Council Solicitor.

Councillor Andrew Beaney proposed the minutes of the meeting held on Wednesday 28 May 2025 be approved by the Sub-Committee. This was seconded by Councillor Julian Cooper, subject to the amendment, was put to the vote and agreed by the Sub-Committee.

The Sub-Committee Resolved to:

- I. Agree the minutes of the previous meeting held on Wednesday 28 May 2025.

#### **16 Applications for Development**

#### **17 23/01422/FUL Land West Of Greenwich Lane Leafield**

Stephanie Eldridge, Principal Planner, presented the application for the development of seven houses and a two-storey block of four flats and associated works to include widening of Greenwich Lane. The Principal Planner's presentation addressed the following points:

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- The application was submitted to the Council in 2023. At that time Leaffield Parish Council had raised some concerns but had not objected. The Officer recommendation had been to approve the application subject to a s106 agreement. This would have been a delegated decision in accordance with the Council's scheme of delegation because the Parish Council had not objected to the proposals. The delegated report was drafted by officers and the legal team were instructed to draft the S106 agreement. This had been carried out over the last year and was ready for completion.
- However, within the last couple of months local concerns had grown. In particular around works being undertaken on the site prior to permission being granted and insufficient capacity in local water infrastructure.
- The Parish Council had subsequently written to Officers to update their response to object to the application.
- Since the 2023 application there had been changes in the planning approach and conditioning of matters around water infrastructure. In addition, the Council could no longer demonstrate a 5-year housing supply, which it could at the time of the initial application.
- For these reasons, in accordance with the scheme of delegation, the application had been brought before Members of the Sub-Committee.
- The scheme was for 100% affordable housing.
- Works would be undertaken to widen Greenwich Lane to improve access to the site.
- The site was within the Cotswold National Landscape. There was one Listed Building near the site, however this would not be impacted. The rest of the existing housing in the vicinity was relatively modern.
- An additional planting area would be provided.
- Materials would be reconstituted stone and Cotswold tiles.
- There was one public right of way within view of the site however there would be limited views of the development from it.

Mike Nelson spoke in objection to the application and raised the following points:

- The scale and content of residents' concerns had been underestimated.
- The Officer report was misleading in relation to Policy EH1 and EH2 and the identification of exceptional circumstances and special protection.
- The development would not enhance and preserve the protected landscape, instead it would destroy it.
- Unless water infrastructure improvements were made before construction commenced the fresh water supply in the village would get worse with the development.
- An explanation of the historic applications and objections on the site was given.

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- Work had now begun on the site and some of the key features that the objectors were seeking to protect had been destroyed.

The Principal Planner continued with her presentation which addressed the following points:

- Due to the scale of the proposal this site was not considered major development in the Cotswold National Landscape and therefore the exceptional circumstances test did not apply.
- As the Council did not have a 5-year housing supply the proposal should be considered in the context of the tilted balance set out in paragraph 11d in the NPPF. This involved determining if there were any demonstrable harms that would have outweighed the benefits of the application.
- There was a clear demonstrated need for the affordable units the scheme would provide in Leafield and the wider District. This was supported by the Council's Housing Enabling Officer.
- Despite the site falling in the Cotswold National Landscape, this site was a small, enclosed field and the development would follow the established linear and clustered pattern of development seen in the village. It would not detract from the established character of the village or wider landscape.
- The surrounding houses were relatively modern and did not contribute to the historic character of the village.
- There were no objections from the Council's Conservation Officers.
- There would be a low level of less than substantial harm to Heritage Assets and the Conservation Area which was outweighed by the benefits of the proposal. These benefits included affordable housing, short-term economic benefits and biodiversity net gain.
- Distances afforded in the plans meant that acceptable levels of amenity were achieved and the development would not be overbearing on neighbouring properties.
- There had been no other technical objections to the proposal.
- Concerns around Thames Water had been addressed through the imposition of a Grampian condition that meant network improvements would need to be completed before occupation and plans would need to be agreed with the LPA in consultation with Thames Water.
- Members were asked to note that there had been a change to Condition 29 to replace the word "southern" with the word "eastern" in relation to the boundary.

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

- Whether the new access road left space on the remainder of the field not used for this application for a sister development. The Officer noted that the potential for further

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development would be considered on its own merits if an application was made, and did not form a consideration of the current application.

- It was noted that there were eighty people in the Leafield area in need of affordable housing. Members suggested that building sympathetic flats was an elegant solution to this need.
- The submission from Leafield Parish Council in 2023 was informative. It was noted that the Parish Council was objecting on grounds of water pressure and sewerage in 2025. This had been addressed by conditions in the report.
- Conditions 18 and 19 were clarified and it was noted that the development would not be occupied until water network improvements had taken place. Members suggested that the works could potentially improve the conditions for the village.
- Councillor Arciszewska requested that condition 18 be amended so that it included the wording 'confirmation to be provided to the LPA'. The Officer agreed that this was an acceptable change.
- The site was visually contained. It was suggested that there would be no significant prominence on the wider area. Only the view from the south could be changed but this may be softened with landscaping.
- The positive sustainability of the development that included solar panels and air-source heat pumps was highlighted.
- The road widening and footpath were considered to be vital. The Officer explained that this work was included as an obligation in the legal agreement with Oxfordshire County Council (OCC).
- The siting of the 20 mph signs was a matter for OCC.
- It was clarified that this site was classified as a rural exception site. This was noted to be positive as was the 100% affordable housing offer.

Councillor David Jackson proposed approving the application in line with Officer recommendations as detailed in the report, subject to the amendment to condition 18 suggested by Councillor Arciszewska.

This proposal was seconded by Councillor Geoff Saul, who noted that this was a rural exception site which it was policy to support, the site consisted of 100% affordable housing, 66% social-rent housing, and therefore the benefits clearly outweighed the harm. This was then put to the vote.

Voting Record – 9 votes for the proposal, 0 votes against and 0 abstentions.

The Sub-Committee resolved to:

- I. Approve the application in line with Officer recommendations, subject to an amendment to Condition 18 to include the wording 'confirmation provided to the LPA', and an amendment to Condition 29 to replace the word "southern" with "eastern" boundary.

## **18 23/03071/FUL Land South of Forest Road, Charlbury**

Mike Cassidy, Principal Planner, presented the application for the erection of thirty-seven dwellings including access road, landscaping, and associated earthworks. The Principal Planner's presentation addressed the following points:

- Amendments had been made to conditions 8 and 9 relating to cycling and car parking as set out in the additional representations report.
- The application was initially brought to the Sub-Committee in May 2025 where it was deferred. The Report had subsequently been updated to address the matters raised at that meeting.
- The application site was to the west of Charlbury, it adjoined the development to the rear of the Railway Station. Rushy Bank Ancient Woodland marked the western boundary. The site was within the Cotswold National Landscape. Charlbury Conservation Area was on the opposite side of the railway line. Charlbury Railway Station was a Grade 2 listed building approximately 350 metres from the site.
- A material consideration for this application was the lapsed permission granted in January 2020. Part of this permission included a five-metre ecology buffer zone between the development and ancient woodland.
- The current application proposed 37 new dwellings. This was the same number as previously approved, albeit in a differing arrangement and lower form of development, with single storey bungalows and two-storey buildings proposed.
- All existing trees were being retained, additional woodland was proposed with a five-metre landscape buffer zone between the development and existing ancient woodland and a further ten metre zone kept free from development.
- Improvement to the footpaths on Forest Road were proposed.
- The proposal was a mixture of one to four bedroom dwellings. Twenty-one affordable units were proposed (57% of the total), and these included seven assisted living bungalows.
- The proposed parking and garages on the site were in accordance with OCC Parking Standards.
- The dwellings would have a simple massing and a vernacular in keeping with the area.

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James Whitehead spoke in objection to the application and raised the following points:

- There were no extant planning consents for development.
- Weight could not be given to previous approvals as they predated the Neighbourhood Plan, ignored harm to ancient woodland and the conservation area and were for a dementia unit not housing.
- The site did not adjoin the settlement.
- With regard to the Woodland, National Policy and Guidance was being set aside and the proposed mitigation could not be considered acceptable.
- The pedestrian connection did not meet policy requirements and was dangerous and unsustainable.
- The National Landscape Board had identified the proposal as a major development due to its detached and elevated position.
- The “tilted balance” was not engaged due to the understated protected harms.

Laura Bisby spoke on behalf of Harper Crewe Ltd in support of the application and raised the following points:

- The benefits of the scheme had been provided to Members previously.
- King’s Council opinion had been sought on the principle points raised at the last meeting of the Sub-Committee and had found the following: there was no fall-back position following the previous judicial review decisions; those decisions did not stray into the planning merits of the scheme; consistency in decision making was a key planning principle and clear reasons should be provided for departure from previous decisions.
- Technical concerns previously raised by the Sub-Committee were controlled by the planning conditions proposed in the Officer Report. Examples were provided.
- The Officer considered the proposal minor development in the Cotswold National Landscape. However, the scheme also met the exceptional circumstances test set out in the NPPF and Planning Policy.
- The proposals had taken on board Natural England Guidance regarding the ancient woodland and buffer zones.
- The development aimed to provide housing which met the need of the local community and included 57% affordable homes and assisted living bungalows.

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The Principal Planner continued with his presentation and addressed the points raised by the public speakers:

- The concerns raised by Objectors regarding: the tilted balance not applying; there being no “exceptional circumstances” for the development; and questioning the assessment undertaken in relation to impact on the National Landscape, were covered in the report. The report had been reviewed by an external planning solicitor and the Council’s legal team, who were satisfied the planning assessment undertaken by Officers was sound.

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

- The development sat on the outskirts of town and therefore would need to have good connectivity for walking and cycling.
- The footpath needed to be widened, and consideration given to making it easier for people to cycle.
- The degree of impact of the development of the site on the views from Grammer School Hill and Dyers Hill which had been cited in objections was explored.
- It was suggested that some of the language in the representation from Campaign to Protect Rural England could have been considered emotive. In particular given the business development that existed near the site.
- The Sub-Committee noted the number and sources of objections to the scheme.
- The proposed buffer zone to the ancient woodland may not be satisfactory. Queries were raised as to whether the inclusion of gardens as part of the buffer zone was acceptable. It was noted that ancient woodland was irreplaceable habitat.
- The benefits of the scheme included: providing much needed affordable housing in Charlbury which was a town with high demand for this; specialist housing; contributions to the local economy; biodiversity net gain; and a contribution to custom build housing.
- There was no objection from the Biodiversity Officer or Natural England.
- The development had energy and water saving features.
- The buffer zone at the far corner of the development was, as previously presented by the Officer, a total of 15 metres.
- The relationship of the Condition 22 (Means of Enclosure) and Condition 26 (Removal of Permitted Development Rights) was explored.
- Consideration was given as to whether the development should be considered major development in the AONB or alternatively was it constrained and therefore not major. The discussion explored if exceptional circumstance would justify the development if it was considered major development. Some Members noted that the location and

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setting were considerations with regards to the classification. Clarification was sought as to the Planning Solicitor's view on this.

- There was evidence that the development fitted Policy H2 of the Local Plan regarding housing needs.
- The NPPF applied, with the presumption of sustainable development unless policies protected assets of particular importance, or the adverse impacts outweighed the benefits of the scheme.
- Thames Water's Charlbury sewerage treatment works capacity and recent spills from this facility. An additional condition was proposed that would not allow occupation of the development until the necessary capacity was reached. It was advised that Thames Water had scheduled works to be completed by summer 2026.
- The use of the railway bridge within the Travel Plan would be explored with an informative suggested linked to condition 4.
- Members requested that as part of the off-site highway works (secured under Condition 5 Offsite Highway Works) consideration would be given to the feasibility of installing a chicane in the road leading to the railway bridge.
- Members sought assurance from Officers around section 6.157 of the Officer Report that required a S106 legal agreement with a management company to maintain the buffer zones. It was noted that while this was positive it was important to ensure that the company was qualified to manage ancient woodland.

The Principal Planner addressed the Members' comments as follows:

- The Planning Solicitor was comfortable with the Officer's view that this scheme did not constitute major development.
- The scheme could also have been considered acceptable if it was considered major development as there were exceptional circumstances.
- Travel Plan Condition 4 sought to maximise links to Charlbury, and the Section 278 off street highway works looked to maximise the width of pavements. It was acknowledged that some sections of pavements could not be expanded due to physical restrictions, however OCC Highways had raised no concerns.
- Condition 12 was a pre-occupation condition which would control the sewerage concerns raised.
- The Landscape Visual Impact Assessment was very detailed and had considered views of the site from Grammer School Hill and Dyers Hill.
- Legal advice could be sought to ensure management of the buffer zones was correctly undertaken and secured in the s106 legal agreement.



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Councillor David Jackson proposed approving the application in line with Officer recommendations as detailed in the report.

This proposal was seconded by Councillor Geoff Saul and put to the vote.

Voting Record – 6 for the proposal, 1 against and 2 abstentions.

The Sub-Committee resolved to:

- I. Approve the application in line with Officer recommendations, subject to an additional Informative advising that when discharging Condition 4 (Travel Plan), the LPA would expect the applicant to consider the feasibility of using the footbridge by Charlbury Railway Station and provide detail of how this could be used. The LPA would also expect the off-site footpath improvement works (secured under Condition 5 Offsite Highway Works) to consider the feasibility of a chicane being installed in the road leading to the railway bridge, similar to other parts of Charlbury, to provide more space to make it easier for pedestrians, cyclists, and those with mobility issues, to get to and from the station.

#### **19 25/00333/OUT Land East Of 87 - 123 Wroslyn Road, Freeland - Site Visit**

Stephanie Eldridge, Principal Planner, presented the report to seek agreement by the Sub-Committee to site visits to both, land east of 87-123 Wroslyn Road, Freeland and land north of Woodstock Road, Charlbury.

Councillor Julian Cooper proposed the site visit to take place at 9:30 on Thursday 14 August 2025. This was agreed by the Sub-Committee.

The Sub-Committee Resolved to:

- I. Agree to site visits by members, to be held on Thursday 14 August 2025 at 9:30am.

#### **20 Applications Determined under Delegated Powers**

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

25/01141/PN42 Down Hill Farm, Worton Road, Middle Barton. Councillor David Jackson noted that the application decision was listed as “P4REF” and sought clarification as to what this meant.

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The Principal Planner advised that this denoted a Prior Approval Application. In cases where householders proposed a 'larger home extension' under Permitted Development Rights such an application was required. This process gave neighbours the opportunity to review plans and make representations. If an objection was received the application could not be dealt with as a prior approval and would need to follow the householder application process. In this case the proposed extension had triggered this process.

## **21 Appeal Decisions**

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

Councillor Cooper noted that the item, Westfield Lodge, Road Through Shilton, Shilton was in the Lowlands Sub-Committee area.

The Principal Planner, noted that this site was in the Lowlands area but the appeal was reported to both the Lowlands and Uplands Sub-Committees because the Brize Norton and Shilton Ward in which it sits was split across the two planning areas. The appeal had been dismissed by the Inspector as it would represent poor design and would significantly harm the character and appearance of the area. The benefit of a single dwelling was not considered to outweigh the visual impact.

Regarding the dismissed appeal at Land north of Woodstock Road Charlbury the Officer advised that this related to the site to be visited by Members in August. Reasons for dismissal of the appeal cited by the Inspector were: poor layout and design, amenities and living conditions of future occupiers.

The Meeting closed at 3.40 pm

CHAIR