

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 8th December 2025

REPORT OF THE HEAD OF PLANNING



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:

- I. 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

Item

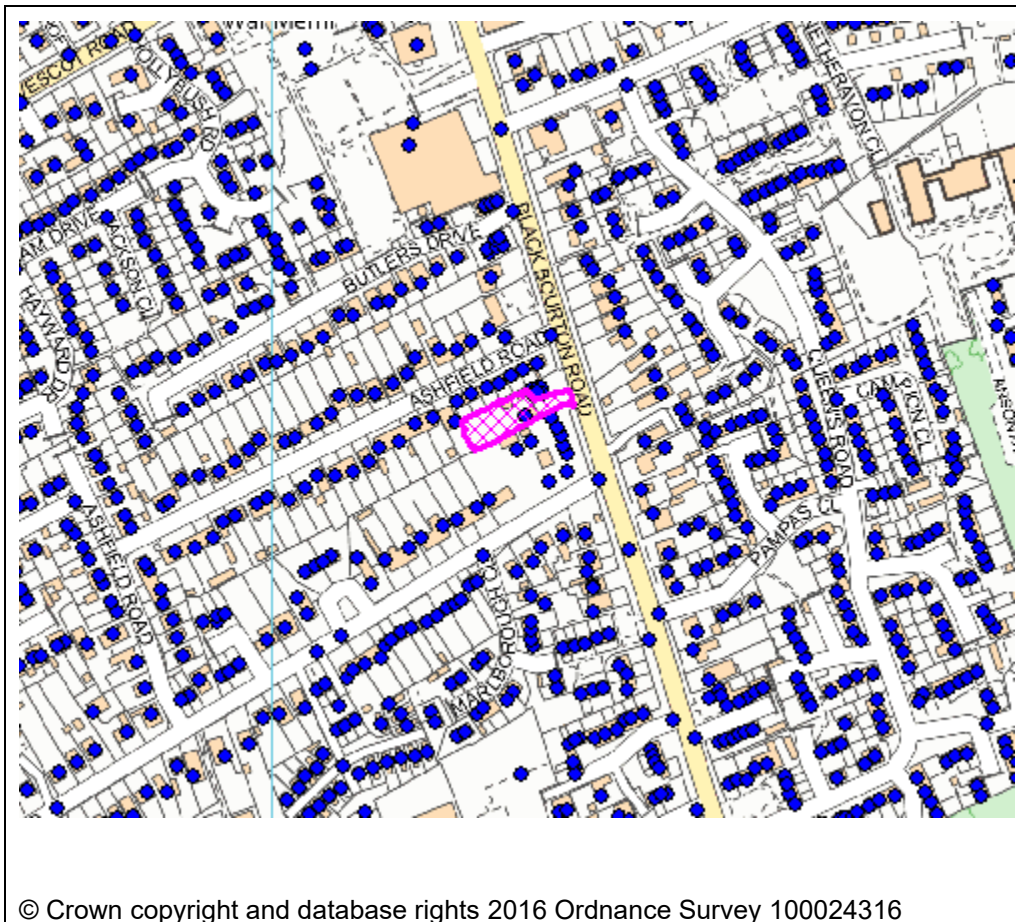
Application Number
25/01852/FUL

Address
44 Black Bourton Road
Carterton

Officer
Clare
Anscombe

| | |
|-------------------------|---|
| Application Number | 25/01852/FUL |
| Site Address | 44 Black Bourton Road Carterton Oxfordshire OX18 3HE |
| Date | 26th November 2025 |
| Officer | Clare Anscombe |
| Officer Recommendations | Refuse |
| Parish | Carterton Parish Council |
| Grid Reference | 428176 E 206451 N |
| Committee Date | 8th December 2025 |

Location Map



Application Details:

Redevelopment of site, including demolition of existing workshops and erection of seven dwellings and associated ancillary development

Applicant Details:

Mr Robert Clifton

44 Black Bourton Road
Carterton
Oxfordshire
OX18 3HE
United Kingdom

I CONSULTATIONS

Parish Council

Original Comments:-

Support. The Council supports the application, subject to an impact assessment being carried out for 67 Ashfield Road and the Council would like to see the inclusion of hedging on Black Bourton Road.

Parish Council

Reconsultation comments:-

Support. The comments of WODC Economic Development Officer regarding the loss of employment land should be looked at in depth.

Economic Development
Manager

Reconsultation comments dated 7th November 2025:-

No objection. Based on the information provided, I am satisfied that the requirements of policy EI have been met.

Conservation And Design
Officer

Reconsultation:- no comments received.

OCC Highways

Reconsultation:-

Repeat previous recommendation/comments.

OCC Highways

Original consultation:-

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 conditions:

Conditions

- G28 parking as plan
- G25 drive etc specification
- G35 SUDS sustainable surface water drainage details
- G32 turning facility

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

WODC Drainage

No objection subject to conditions.

Env Health Contamination

I acknowledge that the application has been submitted with the following report:

'Phase I site investigation, 44 Black Bourton Road, Carterton, April 2025, Project No. 001CGTRPI prepared by Wesson Environmental. The report outlines a Desk Study, including a site walkover, of the site '44 Black Bourton Road' which has a former/current use as an automotive garage and workshop. The report identifies a variety of potential contamination on site associated with the use as a garage/workshop, including heavy metals, TPH and PAHs. Additionally, asbestos is mentioned from the walkover to be on-site. The Desk Study recommends a full intrusive site investigation. I concur with this recommendation.

I have no objections in principle to the application; however the following condition is recommended so as to ensure that the land is suitable for the proposed use:-

1. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins

2. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved timetable of works and before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. On completion of the works the developer shall submit to the Local Planning Authority written confirmation that all works were completed in accordance with the agreed details. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Additionally, please see below regarding asbestos advice:

The existing structure would appear to be constructed of likely asbestos-containing materials. It is recommended that no development should take place until an asbestos survey has been completed. Any identified asbestos-containing material should be assessed and if necessary removed from site. Any work involving disturbance or removal of this material should be conducted by persons trained in the safe handling of asbestos with reference to the

Control of Asbestos Regulations 2012 and HSE guidance.
Reason: To ensure any contamination of the site is identified and appropriately remediated.
Relevant Policies: West Oxfordshire District Council Local Planning Policy EH8 and Section 15 of the NPPF.

District Ecologist

Acceptable subject to conditions and informative.

Conservation And Design
Officer

Original consultation:-

This development is perhaps tending towards overdevelopment - bearing in mind the scheme immediately to the south - but perhaps not outrageously so. The house designs are tidy, if innocuous. They do have a slightly deep plan and lowish pitch, but they do at least chime with the existing development adjacent. The flats tend to the slightly odd, with cluttering rooflights, but probably not refusably so. In summary, this is all a bit uninspired and somewhat underwhelming.

Thames Water

No Comment Received.

Economic Development
Manager

Original comments:-

From an Economic Development perspective, this proposal raises important considerations regarding the loss of employment land.

The employment space removal could reduce opportunities for local enterprise, particularly where employment land is limited or under pressure from residential development.

Before supporting a change of use, we would expect to see:

- o Evidence of marketing the site for employment use over a reasonable period.
- o Viability assessments showing that continued commercial use is not feasible.
- o Consideration of alternative mixed-use models, such as retaining part of the site for flexible workspace or live/work units, which could help balance housing delivery with economic sustainability.

The Local Plan aims to ensure that economic growth is not undermined by the incremental loss of employment land. This is particularly relevant in smaller towns and villages where employment opportunities are more limited and where retaining local workspace contributes to community resilience and reduced commuting.

2 REPRESENTATIONS

2.1 Comments have been received from local residents objecting to , and in support of, the application. Full details can be found on the online case file. In summary, the following concerns have been raised:

- Loss of heritage
- Infilling of an already overcrowded community
- Neighbourliness
- Contamination
- Landscaping and boundary treatment
- Design and layout
- Impact on the amenity of residents along Ashfield Road, potential overshadowing/loss of light and outlook/privacy concerns
- Proposed location of bin and bike store
- Adequacy of consultation exercise
- Impact on security of neighbouring properties
- Lack of parking
- Impact on local ecology

2.2 Other comments have been received in support of the application. In summary, these are as follows:

- Improvements to amenity and character and appearance of the area
- Provide needed homes including 1 bedroom properties
- The site is unviable for employment use
- Good public engagement
- The pre-application advice has been followed
- Good design and layout with a good mix of houses
- Clearly supports the NPPF

2.3 Full details can be found on the online case file.

3 APPLICANT'S CASE

3.1 The applicant has submitted a Planning Statement and rebuttal letter which, in summary, makes the following points:

- The proposal accords with the Council's spatial distribution policies for new housing and specifically with the Carterton Sub-Area Strategy.
- The proposals accord with the aims of policy EI
- The proposed dwellings will be more compatible with the established character of the area and surrounding residential uses, compared to the current non-conforming commercial use
- The proposed number and density of dwellings reflects the existing (and approved) scale, pattern and grain of development in the locality
- The proposal makes effective and efficient use of the available space at the site, delivering development in a sustainable location that minimizes the need to travel
- The proposal represents a bespoke design solution that is locally resonant, in line with the District's Design Guide

- The proposals will afford appropriate amenity to future occupants. Furthermore, the existing amenity of neighbouring residents (and future occupants of the recently approved dwellings to the south) will not be unacceptably impacted by the application proposals
- The proposals accord with policies T1 - Sustainable Transport, T2 - Highway Improvement Schemes, T3 - Public Transport, Walking and Cycling and T4 - Parking Provision
- There are no ecological or landscape constraints
- The application accords with policy EH7 - flood risk
- The proposal includes the provision of 7 dwellings in a town centre location, the re-use of previously developed land and associated environmental benefits. In the absence of any materially adverse impacts and in the context of substantial public benefits, planning permission should be granted

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

OS5NEW Supporting infrastructure

E1NEW Land for employment

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T3NEW Public transport, walking and cycling

T4NEW Parking provision

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH7 Flood risk

EH8 Environmental protection

CA5 Carterton sub-area strategy

West Oxfordshire Design Guide

National Design Guide

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

5 PLANNING ASSESSMENT

5 Background Information

5.1 This application seeks consent for the redevelopment of the site, including demolition of existing workshops and erection of seven dwellings and associated ancillary development at 44 Black Bourton Road, Carterton. Ashfield Road lies to the north of the application site and Milestone Road is to the south.

5.2 The site consists of existing hardstanding and several dilapidated buildings.

5.3 To the front of the site (but outside the current application boundary) is an existing detached two-storey building which operates as a HMO. To the north, south and east are residential dwellings.

5.4 The site is registered as contaminated land. The site has a long planning history. Relevant planning history is as follows:

- W77/0875 - Use of land as builders yard (retrospective application). Approved.
- W80/1485- Change of use from builders' yard and offices to car repairs, tyre and exhaust fitting, accessories shop and residential. Approved. 20th January 1981
- W84/0974 - Use of land and buildings as contractors depot. Approved. 3rd October 1984
- W92/0050 - Change of use to park and maintain three coaches (retrospective). Approved. 19th February 1992. This related to the front part of the site
- W92/0726 - Change of use of ground floor offices to provide additional two room flat (use Class C1). Approved. 24 August 1992
- W95/0289 - Change of use of garage to a store and workshop (retrospective). Approved. 19th July 1995. This related to the building located along the southern boundary of the site.
- W95/1698 - Part change of use of ground floor from office (of no. 44 Black Bourton Road) to self-contained flat. Refused 23 February 1996, but the subsequent appeal was upheld, allowing the development.
- W97/1763 - Change of use of the workshop from copier company to picture framing, t-shirt printing, embroidery, screen printing and sign making with ancillary retail trading - Approved. 22 January 1998. Unclear if this was implemented.

5.5 Based on the available planning history, the site has an existing employment use.

5.6 The neighbouring site (48 Black Bourton Road) was recently the subject of an appeal for 9 dwellings, which was allowed and is under construction. Taking into account planning policy, other material considerations and the comments of interested parties, Officers consider that the main considerations of this application are:

- Principle of development/compliance with the development plan
- Conclusions on the principle of residential development and conclusions on paragraph 11 di)
- Loss of employment use
- Design
- Impact on amenity
- Ecology
- Impact on flood risk
- Impact on highway safety
- The overall planning benefits
- Paragraph 11 dii) planning balance

5.7 Each will be considered in the following sections of this report.

Principle/compliance with the development plan

5.8 Policy OS2 of the adopted West Oxfordshire Local Plan (WOLP, 2031) sets out the overall strategy on the location of development for the District. It adopts a hierarchical approach, with the majority of new development focused on the main service centres of Witney, Carterton and Chipping Norton, followed by the rural service centres of Bampton, Burford, Charlbury, Eynsham, Long Hanborough,

Woodstock and the new Oxfordshire Cotswolds Garden Village (now referred to as Salt Cross). The site lies within Carterton, a main service centre.

5.9 Policy H2 of the WOLP states that:

'New dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances:

On previously developed land within or adjoining the built up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan...'

5.10 Policy OS2 of the WOLP states that all development should (inter alia):

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Avoid the coalescence and loss of identity of separate settlements;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or increase flood risk elsewhere;
- Conserve and enhance the natural, historic and built environment;
- Safeguard mineral resources;
- Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.

5.11 Officers' concerns in relation to these particular General Principles will be discussed further below. Paragraph 11d) of the NPPF (2024) applies and this is explained below.

The Council's Housing Land Supply Position and implications of the NPPF

5.12 The NPPF sets out the Government's planning policies and how these are expected to be applied. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development and sets out that there are three dimensions to sustainable development: economic, social and environmental. In essence, the economic role should contribute to building a strong, responsive and competitive economy; the social role should support strong, vibrant and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

5.13 At the heart of the NPPF is a presumption in favour of sustainable development and paragraph 11 advises that for decision-making this means approving development proposals that accord with an up-to-

date development plan without delay, or where policies that are most important for determining the application are out-of-date, permission should be granted unless:

- I. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.14 Policies H1 and H2 of the WOLP identify an overall housing requirement of 15,950 homes to be delivered in the period 2011 - 2031. Ordinarily, this would be used to calculate the Council's five-year housing land supply. However, the Council has undertaken a formal review of the WOLP in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 and in doing so has determined that the housing trajectory of Policies H1 and H2 are out of date and need to be reviewed. In accordance with national policy, because those policies are now more than 5 years' old, until such time as a new housing requirement is determined through the new Local Plan, the District Council will calculate its five-year housing land supply position on the basis of local housing need using the Government's standard method. An updated HLS position statement has not been published by the LPA since the December 2024 revisions to the NPPF. Nevertheless, officers consider it relevant to note that the recent changes to the NPPF are likely to increase the housing requirement for the following reasons:

- Paragraph 61 sets the overall aim of policy as meeting an area's identified housing need, including with an appropriate mix of housing types for the local community (removing previous reference to 'meeting as much of an area's identified housing need as possible').
- Paragraph 62 confirms that housing requirements will be based on local housing need ('LHN'), as calculated using the standard method, which officers understand will result in the LHN figure for West Oxfordshire increasing from 570 dpa to 905 dpa, which is likely to have a significant impact on its deliverable HLS position.
- Paragraph 78 inter alia re-introduces a buffer that is likely to be 5% for West Oxfordshire, as its Housing Delivery Test figures have to date never been below 85% (Nonetheless, this will increase the requirement further, again tending to worsen the deliverable HLS position).

5.15 For a combination of reasons relating to the changes identified above, officers expect the LPA's HLS position to worsen from the 4.3 years it has most recently been able to demonstrate at various appeals that were determined following public inquiries. As such, officers anticipate that the LPA's HLS shortfall is likely to rise when its next HLS position statement is published; and for the purposes of this application, officers accept that the LPA cannot currently demonstrate a full 5-year deliverable HLS and accordingly under the operation of footnote 8, paragraph 11(d) is engaged.

Conclusions on the principle of residential development and paragraph 11(d) of the NPPF

5.16 In view of the above, it is clear that the decision-making process for the determination of this application is therefore to assess whether:

- I. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

- II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.17 In terms of the first arm of paragraph 11d of the NPPF, detailed above, it is not considered that the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.

5.18 In respect of bullet point ii), detailed above, footnote 9 clarifies that the policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

5.19 Notwithstanding this, the application is assessed against paragraph 11d ii) of the NPPF below.

Loss of employment use

5.20 In terms of the principle of development, policy E1 is relevant in this case. This states:

'Non-employment uses on employment sites will be refused except in the following circumstances:

- where it can be demonstrated that the site or premises are not reasonably capable of being used or redeveloped for employment purposes; or
- where the site or premises are considered unsuitable on amenity, environmental or highway safety grounds for employment uses; or
- where the proposed use includes community, leisure, or retail uses which are complementary and compatible to the functioning of the employment site and the local community, and conform with Policy E6: Town Centres; or
- where substantial community benefits would be achieved by allowing alternative forms of development.'

5.21 The submission states that the site is unsuitable for reuse as offices or other employment uses on the basis that the existing buildings/facilities are unsuitable for alternative business uses, by virtue of their construction and condition, and that repurposing the site for an alternative residential use will deliver amenity benefits to neighbouring properties by reducing the risk of late night disturbances and/or daytime noise emanating from car repairs taking place in the workshops and it also represents an opportunity to address historic contamination issues.

5.22 The application also states that there will be no loss of employment use because the existing company will relocate to another site close by and so the proposals accord with the aims of policy E1.

5.23 Policy E1 seeks to safeguard existing employment sites unless it can be clearly demonstrated that they are no longer suitable or viable for continued employment use. In this case, the applicant has provided justification. This approach aligns with the intent of Policy E1, which allows for flexibility where employment continuity is secured through relocation. The applicant's succession strategy and commitment to remain within the vicinity particularly given contractual obligations with RAF Brize Norton further strengthen the case. On this basis, the Council's Economic Development Officer considers the justification provided to be sufficient and proportionate, and is therefore satisfied that the proposal complies with Policy E1.

Design and Amenity

5.24 In terms of design, paragraph 135 of the NPPF states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

5.25 Paragraph 139 states: 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

5.26 The National Design Guide 2021 states that a high standard of amenity is a key objective for good design in the NPPF.

5.27 In terms of whether a high standard of amenity would be achieved, the gable end of plot 1 is around 9.2m from the rear elevation of no. 67, Ashfield Road. Given the scale, positioning, mass and blank design of the gable end of the proposed dwelling, it is considered that the proposal would harm the amenity of the neighbouring residents of no. 67 Ashfield Road by way of overbearing.

5.28 Due to the positioning and height of the proposed dwellings in relation to existing properties along Ashfield Road, it is considered that the proposal would lead to some loss of light to neighbouring residents. The submitted shadow analysis shows that there will be some additional overshadowing to some properties along Ashfield Road in the summer and winter months. However, the applicant states that even in mid winter (the worst case scenario), the shadows cast by the proposed dwellings do not reach the rear elevation of the dwellings on Ashfield Road, and even the rear projecting conservatory at No. 67 Ashfield Road remains clear of any shadows at noon in mid winter. At that time of year existing boundary features cast shadows on the gardens in any event. However, in applying the 25 degree rule, a line drawn at 25 degrees from the cill height of rear windows would clip the proposed ridge of the dwellings. Therefore, Officers consider that the proposal would be very likely to lead to loss of light and overshadowing of neighbouring residents and so harm the amenity of neighbouring residents.

5.29 Concern has been raised by neighbouring residents about the bin and bike store which is proposed adjacent to the rear boundary of 67, Ashfield Road. Due to proposed boundary treatment and that the

bike and bin store are for plot 1 only and Officers could not control where bins are stored within the property once occupied because this is not a planning matter, Officers consider that this is acceptable.

5.30 Rooflights are proposed in the rear elevation of the flats. Provided these are conditioned to have a minimum internal cill height of 1.7 metres above finished floor level, Officers consider that the proposed flats would be unlikely to harm the amenity of future occupants of the properties to the south which have planning permission (if built-out) by way of loss of privacy.

5.31 In terms of impact on the dwellings permitted to the south of the site to the rear of 48 Black Bourton Road, the submitted shadow analysis confirms that there will be some loss of light/shadowing to occupants of these properties, but Officers consider that this would not be to an unacceptable degree. Due to the height of the proposed flats, adjacent permitted bungalows to the rear of 48, Black Bourton Road and the distance between these properties, it is considered that the proposed apartments would have an overbearing effect on neighbouring residents in the permitted bungalows.

5.32 A dwelling is permitted at 48, Black Bourton Road adjacent to the entrance to the site. This has a height of 8.5m and the proposed flats are located circa 4m from the rear boundary of the property with a height of 9.76m. Due to the height of the proposed flats and proximity to this property, Officers consider that the proposal would likely have a harmful effect on the amenity of future occupants by way of overbearing and overshadowing. Further, Officers consider that due to the location and size of the external amenity space provided for the four flats, the outdoor amenity space provided would not be private and of sufficient size to meet the needs of the occupants and so is considered to be unacceptable.

5.33 In terms of the relationship between the existing HMO and new flats, due to the proximity and positioning of the proposed flats in relation to the HMO and existing and proposed windows, Officers consider that the proposal would have a tunnelling effect, be overbearing, and have an oppressive impact on the amenity of occupants of the existing HMO, particularly those residing to the rear of the HMO. Therefore, the proposed development is considered to harm the amenity of existing neighbouring residents and future occupants of the proposed dwellings in conflict with paragraphs 135 and 139 of the NPPF 2024, the National Design Guide 2021, and policies OS2, H2 and OS4 of the adopted WOLP.

Ecology

5.34 In terms of impact on ecology, the Council's biodiversity officer has no objection, subject to conditions and informative, and so the proposal is considered to conserve and enhance biodiversity in accordance with policy EH3 of the adopted WOLP.

Impact on flood risk

5.35 In terms of impact on flood risk, the application form confirms main sewer as the surface water drainage proposal but the Design and Access Statement refers to soakaways. In accordance with SUDS hierarchy, infiltration should initially be considered for the disposal of surface water. The Council's Flood Risk Management Officer has been consulted, and no objection has been raised on surface water flood risk grounds, subject to a condition requiring the submission and approval of a full surface water drainage scheme prior to the commencement of development. In terms of foul water, disposal is to be via mains sewer. Thames Water have been consulted, but no comments have been received to date.

Impact on highway safety

5.36 In terms of impact on highway safety, access is proposed from 44 Black Bourton Road, and 13 car parking spaces are proposed including 3 unallocated spaces. The County Council as the local highway authority have been consulted and consider that the proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety) on the adjacent highway network and so raise no objection, subject to conditions. Therefore, the proposed development is considered to be acceptable on highway safety grounds, subject to conditions.

Other Matters

5.37 Local concern has also been raised about contamination and the presence of storage tanks. A desk-top contamination study has been submitted which confirms that further intrusive investigations will need to be carried out to qualify the identified contamination risks. The Council's Environmental Health Officer has no objections in principle to the application, but recommends conditions to ensure that the land is suitable for the proposed use.

5.38 Concern has been raised about boundary treatments and security of neighbouring properties. The applicant has confirmed that no changes are proposed to the current boundary (tall close-boarded timber fence) which exists between the application site and the neighbouring houses in Ashfield Road (to the north). Additional proposed boundary treatments could be conditioned for approval. Concern has also been raised about the public consultation process. A site notice advertising the application was posted for the relevant period during the determination process.

The overall planning benefits

5.39 Planning benefits claimed for in the application include the effective use of previously developed land in a sustainable location, in an area where there are identified local needs and where land supply is constrained. Officers acknowledge that the NPPF says that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and that these proposals should be approved unless substantial harm would be caused. Further, Officers acknowledge that appropriate opportunities to remediate contaminated land should be supported.

5.40 Three 3-bedroom dwellings are proposed and 4, 1-bed flats/masionettes. Officers acknowledge that there is a need for 1-bedroom properties in the district and attach modest weight at most to the provision of 7 dwellings.

5.41 There are also economic benefits associated with the scheme, the application representing a small-scale windfall site which can be quickly developed by an SME developer. For a scheme of this size, however, Officers consider that resulting economic benefits would be limited to modest at most.

5.42 Other benefits claimed for include the regeneration of an unsightly workshop building and resulting improvements to the visual amenity and appearance of the area, and improvements to amenity from the removal of a non-conformist commercial use in a residential area. Officers acknowledge these benefits, however, as the existing unsightly HMO building will be retained and there will be harm to amenity from the proposed dwellings as set out above (amenity disbenefits), the weight that can be attributed to these benefits is lessened.

Paragraph 11dii) planning balance

5.43 The proposed development would lead to harm to the amenity of neighbouring residents and future occupants of the proposed dwellings and is therefore not considered to constitute high quality design.

5.44 Officers acknowledge that the Council cannot currently demonstrate a five year housing land supply and acknowledge the public benefits identified by the applicant.

5.45 Paragraph 139 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.' Paragraph 135 states: 'Planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...' Therefore, Officers consider that substantial weight should be attributed to the harm to the amenity of neighbouring residents and future occupants of the proposed dwellings resulting from the design of the proposal.

Recommendation

5.46 In this case, taking into account planning policy, other material considerations and the comments of interested parties, the harms identified above are considered to significantly and demonstrably outweigh the benefits of the development and so the application is recommended for refusal.

6 CONDITIONS/REASONS FOR REFUSAL

I The development proposal by reason of its siting in close proximity to adjoining dwellings, height and scale will have a harmful impact on the amenity of neighbouring residents by way of unacceptable levels of overbearing and overshadowing and due to the location and size of the external amenity space serving the proposed flats, the proposed development fails to demonstrate a high standard of amenity for future users. Therefore, the proposed development fails to achieve a high quality design. As such the development is considered contrary to policies OS2, OS4 and H2 of the adopted West Oxfordshire Local Plan, the NPPF 2024 and the National Design Guide 2021. These adverse impacts are considered to significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Contact Officer: Clare Anscombe

Telephone Number:

Date: 26th November 2025