

# WEST OXFORDSHIRE DISTRICT COUNCIL

## DEVELOPMENT MANAGEMENT SUB-COMMITTEE

**Date: 8th June 2026**

### REPORT OF THE HEAD OF PLANNING



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.

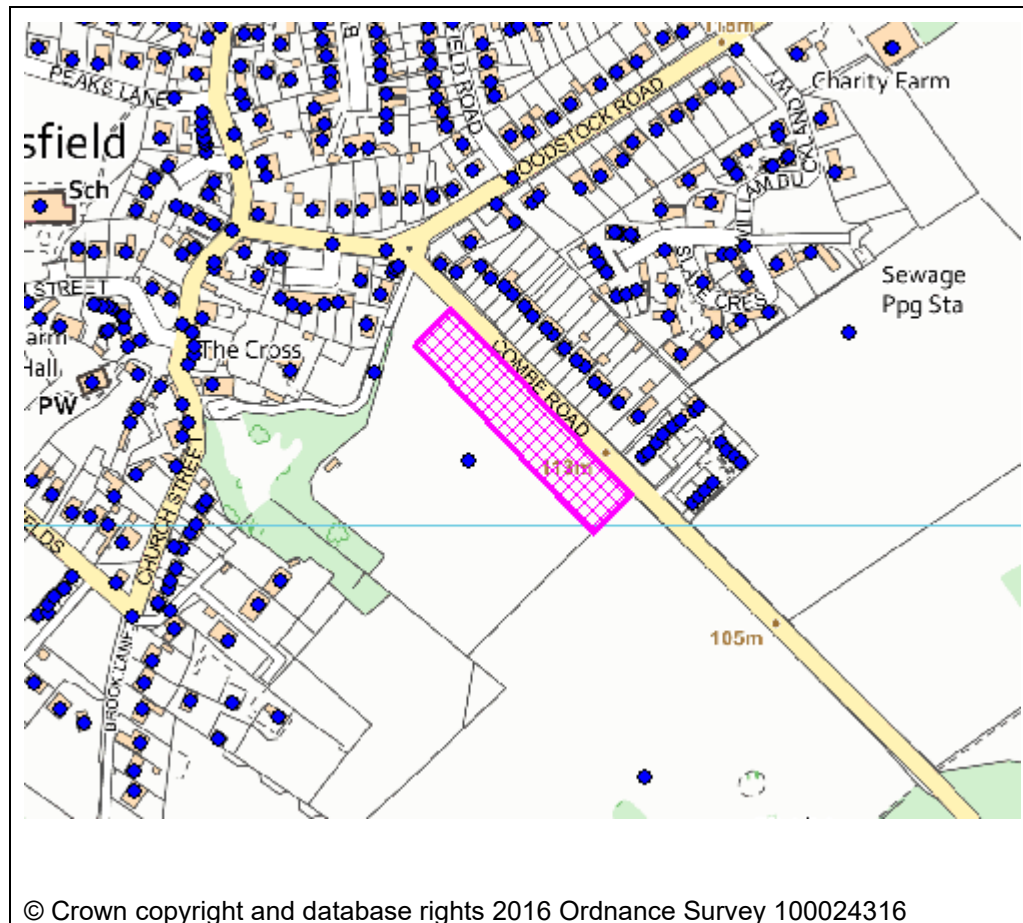
Please note that:

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>
1	25/01897/OUT	<a href="#">Land West Of Combe Road</a>	Mike Cassidy
2	26/00053/FUL	<a href="#">Well Cottage Thames Street</a>	Fern Lynch
3	26/00390/FUL	<a href="#">Play Area Windmill Road</a>	Clare Anscombe
4	26/00396/LBC	<a href="#">3 Church View Bampton</a>	George Matthews
5	26/00638/LBC	<a href="#">Asthall Manor Asthall</a>	Chris Mitchell
6	26/00774/LBC	<a href="#">The Fox Inn 27 Enstone Road</a>	Rebekah Orriss
7	26/00806/FUL	<a href="#">Cherry Tree Cottage Lower End</a>	Nathan Harris
8	26/00853/HHD	<a href="#">3 Church View Bampton</a>	Sarah Weaver

Application Number	25/01897/OUT
Site Address	Land West Of Combe Road Stonesfield Oxfordshire
Date	27th May 2026
Officer	Mike Cassidy
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stonesfield Parish Council
Grid Reference	439596 E 217043 N
Committee Date	8th June 2026

**Location Map**



**Application Details:**

Outline planning application with some matters reserved for erection of 20 dwellings within a nature enhancement scheme.

**Applicant Details:**

C/O Agent  
C/O Agent

## I CONSULTATIONS

WODC - Sports

No objection. The Council would seek to secure, by way of planning obligations off site contributions for:

- o Outdoor pitch contribution (£61,002.60) towards the provision, enhancement or improvement of outdoor sports pitches and ancillary facilities in the catchment area.
- o Artificial pitch contribution (£6,713) towards the cost of providing a replacement or improvement to artificial pitches/ancillary facilities in the catchment area.
- o Indoor sports contribution (£8,894) towards the provision, enhancement, or improvement of indoor sports provision in the catchment area.
- o Swimming pool contribution (£11,601) towards the provision, enhancement, or improvement to swimming pool provision in the catchment area.
- o Outdoor tennis court contribution (£724) towards the cost of enhancements or improvement to outdoor tennis courts and ancillary facilities in the catchment area.

Cotswolds Conservation Board

No comment to make on the application. The LPA should ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and take into account the relevant Board publications.

Parish Council

Objection to the proposal on the following grounds:

Housing need - the housing market will provide more than sufficient housing to meet identified need, so there is no need (according to the WODC Local Plan 2031 and to the recent village Housing Needs Assessment) for any additional market housing, whether within the built-up area or on adjoining land within the parish of Stonesfield. Similarly, whilst the indicative conditions for these are favourable, being social rent and limited to occupation with a Stonesfield connection, the proposed provision of affordable housing is also in excess of identified need.

Impact on important views - the proposal would have an adverse impact on views towards the settlement. The proposal notably fails to protect views towards the village from the Oxfordshire Way.

Impact on Evenlode Valley and the adjacent dip-slope lowland - the proposal would fail to protect the Valley and adjacent lowland.

Protecting Stonesfield's Local Green Spaces - the proposed development is incompatible with the Local Green Spaces policy.

Biodiversity - the proposal is likely to impact on biodiversity. The trees along the Combe Road are a well-known habitat for birds and other wildlife.

Water quality, drainage, and flood risk - the proposed development is directly adjacent to an area which has suffered significantly from sewage and drainage issues. Residents of Combe Road regularly have issues with the capacity of the pumping facility and also water pressure. The dip below the village on Combe Road is frequently flooded and there is a high risk that further development along the Combe Road would exacerbate this problem.

Major Planning Applications  
Team

Transport: No Objection subject to conditions relating to means of access, visibility splays, Construction Traffic Management Plan, off-site highway works, cycle parking, and Travel Plan/Travel Information Pack and associated informatives as suggested being attached to any permission granted.

Lead Local Flood Authority: Holding objection. A Flood Risk Assessment has been submitted and is acceptable in principle. A Sustainable Drainage Options Appraisal and Strategy has also been provided to demonstrate how surface water runoff will be managed post-development.

Notwithstanding this, the LLFA currently objects to the application pending the submission of infiltration testing in accordance with BRE365 to demonstrate soakage rates. In addition, groundwater monitoring covering both summer and winter periods is required in order to establish peak groundwater levels across the site.

Education: No objection subject to a s106 legal agreement being entered into securing a Special Education Contribution (£11,804).

Archaeology: No objection subject to conditions relating to the submission and approval of a Written Scheme of Investigation and staged programme of archaeological evaluation and mitigation as suggested being attached to any permission granted.

Waste Management: No objection subject to a s106 legal agreement being entered into securing a Household Waste Recycling Centre Contribution (£2,070).

Active Travel England

No comments to make

Climate

No Comment Received.

Conservation And Design  
Officer

The proposal would lead to 'less than substantial harm' to the Stonesfield Conservation Area. The site is currently an open area of undeveloped land, which makes an important contribution to the rural, loosely developed character of the conservation area. The

proposed development would therefore result in the loss of open space that makes a valuable contribution to the character and appearance of the area and the significance of the conservation area.

Environment Agency	No comments to make
District Ecologist	No objection subject to conditions relating to a Construction Environmental Management Plan, artificial lighting and Biodiversity Enhancement Plan and Biodiversity Net Gain informative as suggested being attached to any permission granted.
ERS Air Quality	No objection. To encourage active and low emission travel, it is recommended the provision of cycle storage and electric vehicle charging facilities, as referenced in the Transport Assessment, be conditioned should this application be approved or at the reserved matters stage.
Env Health Noise And Amenity	No objection subject to conditions relating to noise and construction as suggested being attached to any permission granted
Oxfordshire Fire Service	No objection. It is taken that the development will be subject to a Building Regulations application and subsequent statutory consultation with the fire service where applicable, to ensure compliance with the functional requirements of The Building Regulations 2010. It is also taken that suitable fire service access will be provided.
WODC Housing Enabler	No Comment Received.
WODC Tree Officer	No objection to the proposal subject to conditions relating to compliance with the Tree Constraints Plan, and Arboricultural Impact Assessment and Method Statement submitted being attached to any permission granted.
OCC Lead Local Flood Authority	No Comment Received.
OCC Waste Planning Authority	No Comment Received.
Thames Water	Waste Comments: No objection subject to an informative relating to the requirement for a Groundwater Risk Management Permit from Thames Water as suggested being attached to any permission granted.  Water Comments: No objection subject to a condition relating water network upgrades and informative relating to water pressure as suggested being attached to any permission granted.
Designing Out Crime Officer	No Comment Received.
Natural England	No objection. Based on the plans submitted, Natural England

considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites

## 2 REPRESENTATIONS

2.1 142 responses have been received objecting to the application on the following grounds:

- The site lies within the Cotswolds National Landscape (CNL) and Stonesfield Conservation Area, where major development should be refused unless exceptional circumstances exist. No such exceptional circumstances or public benefits have been demonstrated contrary to local plan policy.
- The proposal is outside the village envelope and constitutes unjustified encroachment into open countryside.
- The proposal would open the door to substantial further expansion and irreversible change to village character.
- The Stonesfield Neighbourhood Plan Housing Needs Assessment identifies no requirement for market housing and only a very limited need for affordable housing that could be met through small rural exception sites.
- The proposed new market housing will not address local needs and may not be affordable to local households.
- The development would have an adverse landscape and visual impact eroding the rural character and scenic beauty of the CNL.
- Harmful to key public views, including from the Oxfordshire Way and approaches to the village.
- The proposal would set a precedent for further development across the remainder of the field.
- The site forms part of the setting of Stonesfield Conservation Area, the curtilage of the Grade II listed Stonesfield Manor and the setting of the Roman Villa Scheduled Monument. The proposal fails to demonstrate that the harm to heritage assets is acceptable or outweighed by public benefits.
- Loss of meadow, mature hedgerows and trees on Combe Road which support birds, bats, and other wildlife.
- Strong concern over the removal of important boundary trees: absence of a tree survey or Arboricultural Impact Assessment.
- The nature enhancement claims made are unsubstantiated and the Biodiversity Net Gain assessment is flawed and not based on the proposed development.
- The development will increase pollution and habitat loss affecting the River Evenlode.
- Additional development will worsen flooding at the bottom of Combe Road and place further strain on an already failing drainage network.
- Surface water discharge to the mains sewer is considered unacceptable and contrary to the SuDS hierarchy.
- Prejudicial to highway and pedestrian safety, particularly for schoolchildren.
- Adverse impact on Highway Safety
- Increase in traffic and congestion on Combe Road, which is narrow with on street parking, poor visibility, and bus movements.
- The proposed site layout is considered overly dense, urban in appearance and at odds with the villages grain.
- The proposed houses turn their backs on Combe Road which would create poor frontage and erode character.
- Small gardens are proposed likely to result in future pressure to remove trees and hedgerows.
- The proposal will lead to pressure on already overstretched GP surgeries, schools, and village services.

2.2 43 responses have been received in support of the application on the following grounds:

- The development would make a meaningful contribution towards meeting the urgent and well evidenced need for affordable housing in Stonesfield. The provision of 10 affordable homes is viewed as particularly important in a village where younger households, families, and key workers often cannot access suitable accommodation. The scheme is considered essential in enabling local people to remain in, or return to, the village, reducing the loss of community members who are currently priced out of the area. There is significant unmet local housing demand and long waiting lists for affordable tenures.
- The proposal is necessary to help rebalance the villages ageing population by providing homes that younger people can afford. This is viewed as vital for maintaining a mixed and sustainable community. Concerns were expressed about the declining number of young families in the village, with specific reference to the very low recent intake at the primary school, and the potential long term implications for local services if new homes are not provided.
- The development is expected to bring wider social and economic benefits, including increased patronage for the primary school, pre school, shop, pub, sports teams, community facilities, and local businesses. The additional population is required to sustain these services and ensure their long term viability.
- The scheme's design approach is supported. The materials, layout and building form reflect the established pattern of development along Combe Road, helping the proposal integrate sensitively with the conservation area and wider landscape. The retention of the mature belt of roadside trees is highlighted as an important feature that preserves the existing rural character.
- A substantial proportion of the site (over 75%) would be retained as open space, with enhancements for biodiversity and opportunities for public access, including new viewpoints and a footpath. This is regarded as a balanced approach that meets local housing needs while safeguarding village character and providing environmental and recreational benefits.
- The proposal would provide a range of anticipated benefits, including increased social cohesion, support for community owned assets, enhanced access to green space, and ecological improvements.
- The development is considered to represent modest, proportionate growth in a logical and sustainable location within the village boundary, adjacent to existing housing. This is viewed as preferable to the risk of larger or speculative development proposals elsewhere around Stonesfield.

### 2.3 Stonesfield Community Trust commented as follows:

Support for the application. There is strong evidence that Stonesfield has a very significant unmet affordable housing need and The Stonesfield Community Trust is aware that there is a shortage of affordable accommodation in the village. The development will provide 10 new affordable houses which will make a very important and significant contribution to the unmet affordable housing need and shortage of affordable accommodation in the village evidenced in the submission.

## **3 APPLICANT'S CASE**

3.1 The submitted Planning, Design and Access Statement advances the following in support of the proposal:

**Affordable Housing Need** - The scheme would deliver 10 affordable homes, 8 social rent and 2 First Homes, making a significant contribution to the acknowledged unmet affordable housing need in Stonesfield as evidenced by the WODC Home seeker waiting list.

**Housing Mix** - A 50/50 affordable to market housing split is proposed, with unit sizes (predominantly 1 and 2 bedroom) closely reflecting the profile of those on the waiting list.

Design and Layout - The layout was arrived at following pre-application engagement with the Council's planning and conservation officers and is asserted to reflect the established pattern of housing along Combe Road, sympathetic to the Conservation Area and Cotswolds National Landscape.

Field retention - The development footprint is confined to approximately 24% of the overall site, with 76% of the field retained and opened up to public view in perpetuity.

Biodiversity Net Gain - The retained field is to be nature-enhanced to achieve at least 10% BNG, in accordance with the WODC Nature Recovery Plan 2024-2030.

Public Footpath - A new public footpath is proposed within the existing tree belt along Combe Road.

Community Benefit - The applicant has committed to gifting 10% of net development profits to the Stonesfield Community Housing Trust.

## **4 PLANNING POLICIES**

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

## **5 PLANNING ASSESSMENT**

### **Background Information**

5.1 The application site (0.64 hectares) is located on the southern side of Combe Road within the village of Stonesfield. It comprises predominantly a grass meadow with two coppices of trees (to be retained in the proposal) and two wooden stable buildings in its western corner. The site forms the southern edge of a plateau of land above steeply sloping ground to the south, descending to the River Evenlode.

5.2 The site is bound to the north-east, south-east and the southern part of the south-western boundary by hedgegrow trees. The north-western boundary is post and wire fence, beyond which is a drystone wall to Stonesfield Manor (Grade II listed) to the north; and the well-wooded gardens to Stonesfield Manor to the west, which continue around the site to form the northern part of the south-eastern boundary. The site is surrounded by a mixture of agricultural land as well as a number of residential properties.

5.3 The majority of the local street scene is made up of two / two and a half storey traditional styled Cotswold stone buildings with slate roofs. The buildings closest to the site on Combe Road itself comprise predominantly semi-detached former Council houses, dating from the 1920s onwards. The site falls within the Stonesfield Conservation Area (the northwestern front part only) and Cotswolds National Landscape (CNL) (formerly Area of Outstanding Natural Beauty (AONB)).

### **Proposal**

5.4 The proposal is for the erection of 20 dwellings with an access road proposed onto Combe Road. The application is in outline form with means of access and site layout only to be considered at this stage. As part of the proposal, 2.02ha of the existing field (circa 76% of the total), directly neighbouring the application site to the south and outside of the red line application boundary, would be nature enhanced and made publicly available.

5.5 The Planning, Design and Access Statement submitted states that the proposed development would offer a mix of 1-bedroom to 4-bedroom dwellings comprising 10 market and 10 affordable housing dwellings. The 10 market dwellings would comprise 6 x 3-bedroom and 4 x 4-bedroom units and the 10 affordable housing dwellings would comprise 8 social rented (6 x 1-bedroom and 2 x 3-bedroom) and 2 First-Home (2 x 2-bedroom) units.

#### Relevant Planning History

5.6 Pre-application advice (24/02093/PREAPP) was provided in February 2025 for a similar form of development for 20 new dwellings

Additional information provided during the course of the application

5.7 During the course of the application, the following additional information and amendments have been received:

Stage I Road Safety Audit;

Arboricultural Impact Assessment;

Drainage Report;

Surface Water Drainage Strategy; and

Sustainable Drainage Options Appraisal and Strategy.

5.8 Taking into account planning policy, other material considerations and the representations of interested parties, officers are of the opinion that the key considerations of the application are:

Principle of Development

Affordable Housing/Housing Mix

Layout, Design and Scale

Impact on Landscape/Setting of Cotswolds National Landscape (formally AONB)

Impact on Heritage Assets

Highway Impact and Pedestrian Accessibility

Residential Amenity/Noise/Air Quality

Flood Risk/Drainage/Water Supply

Ancient Woodland/Trees/Biodiversity

Sustainability/Climate Change

CIL and S106 Contributions

5.9 Each of the above considerations are fully considered in the following sections of this report.

### **Principle of development**

5.10 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 TCPA 1990 provides that the local planning authority shall have regard to the provisions of the development plan, as far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the Local Plan 2031 adopted in September 2018.

#### *Development Plan Policies*

5.11 Within the Local Plan, the District is divided into five sub-areas based on landscape characteristics and local catchment areas for key services and facilities. The application site is located within the Burford Charlbury sub-area.

5.12 Policy BCI sets out that within the Burford-Charlbury sub-area the focus of new development will be in Burford and Charlbury and that these towns are relatively constrained by their AONB (now CNL) locations so are suitable for a modest level of development. It goes on to state that development elsewhere will be limited to meeting local housing, community and business needs and will be steered towards the larger villages.

5.13 Policy OS2 of the Local Plan sets out the overall strategy on the location of development for the District. It adopts a 'hierarchical' approach, with the majority of future homes and job opportunities to be 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) and then the villages as set out in Policy OS2.

5.14 The application site is located within the village of Stonesfield, listed in Table 4b of the Local Plan settlement hierarchy as one of a number of villages. Supporting paragraph 9.6.3 to Policy BCI indicates that beyond Burford and Charlbury, other larger settlements in the sub-area include Stonesfield, with a population of about 1,500 (at the time of the Local Plan's adoption) and a thriving community spirit, with a range of local services and facilities.

5.15 Whilst supporting text does not have the same force as policy and cannot trump it, the above nonetheless indicates that Stonesfield comprises a larger village for the purposes of the Local Plan. It certainly cannot be described as a small village, as this is defined in Table 4b as "all other villages and settlements not listed above plus open countryside".

5.16 Paragraph 135 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history including the surrounding built environment and landscape setting and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users.

5.17 Policies OS2 (Locating development in the right places), OS4 (High quality design) and EH2 (Landscape character) each require the character of the area to be respected and enhanced. The importance of achieving high quality design is reinforced in the National Design Guide.

5.18 Policy OS2 also sets out general principles for all development. Of particular relevance to this proposal is that it should:

- a) Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- b) Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- c) As far as reasonably possible protect or enhance the local landscape and its setting of the settlement;
- d) 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;
- e) Conserve and enhance the natural, historic, and built environment; and
- f) Be supported by all the necessary infrastructure.

5.19 Policy H2 sets out that new dwellings will be permitted at the main service centres, rural service centres, and villages in the following circumstances:

On sites that have been allocated for housing development within a Local Plan or relevant neighbourhood plan;

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;

On undeveloped land within the built-up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2;

On undeveloped land adjoining the built-up area where convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy H1 and is in accordance with other policies in the plan in particular the general principles in Policy OS2.

5.20 The application site comprises undeveloped land which adjoins the built-up area where Policy H2, as detailed above, requires that convincing evidence is needed to demonstrate that the development is necessary to meet identified housing needs, in accordance with the distribution of housing set out in Policy H1 and accords with other policies of the Local Plan, in particular the general principles in Policy OS2. The issue of housing need and the distribution of housing is dealt with in detail below.

#### *National Policy/Guidance*

5.21 The National Planning Policy Framework (NPPF) (2024) 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.

5.22 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 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.

5.23 The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where local authorities cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11 of the NPPF, as set out above, is engaged (as identified in footnote 8).

5.24 Where policies are considered 'out of date,' planning permission should be granted unless the application of policies in the framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposal; or, where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the framework taken as a whole. The NPPF further notes that this should have particular regard to 'key policies directing development to sustainable locations, making effective use of land, securing well designed places, and providing affordable homes, individually or in combination.

5.25 The Site is within the CNL. Paragraph 11 d) i) at footnote 7 identifies that the National Landscape and 'irreplaceable habitats' are considered to be areas or assets of particular importance where the NPPF provides specific guidance regarding protection of these areas.

5.26 In relation to the CNL, paragraph 189 notes that great weight should be given to conserving or enhancing landscape and scenic beauty and that the extent of development in these areas should be limited. Paragraph 190 outlines that major development in these areas should be refused other than in 'exceptional circumstances', and where it can be demonstrated that the development is in the public interest.

5.27 Both of these matters will be considered further in the relevant sections of this report.

#### *Five Year Housing Land Supply and Housing Need*

5.28 The Council is currently unable to demonstrate a deliverable five-year housing land supply (HLS). 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. In the appeal decision relating to 28 new dwellings on Land north of Woodstock Road, Charlbury (LPA Ref. 23/02399/FUL and Appeal Ref: APP/D3125/W/24/3351969), the Inspector commented (paragraph 51) in his decision notice dated 29th May 2025 that "the main parties agree that the Council is unable to demonstrate a sufficient five-year supply of housing land but dispute the extent of the shortfall. The Council suggest that it is in the region of 4.3 years, although they acknowledge that with application of the standard method for calculating housing need there is likely to be further deterioration in the supply. The appellant at the hearing advised that he considered the supply to be more likely in the region of 3.5 years." This was also the case in the recent appeal decision in December 2025 relating to a proposed single dwelling at Land at Brook Lane, Stonesfield (LPA Ref. 24/02390/PIP and Appeal Ref. APP/D3125/W/25/3363544) in which the Inspector sited a similar figure.

5.29 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 five-year deliverable HLS and accordingly under the operation of footnote 8, paragraph 11(d) is engaged.

5.30 It is established that the District Council has a general housing need which needs to be met throughout the District. Whether or not the LPA can demonstrate a five year land supply, the provision of dwellings in sustainable locations (subject to other considerations) should be supported by the Council and this is reinforced in paragraph 11 d) of the NPPF. The Local Plan identifies no housing allocations in Stoneleigh partly due to the location of the settlement within the CNL. This does not however, mean that there is no housing need within these areas.

5.31 As such, it is clear that the decision-making process for the determination of this application is therefore to assess whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits or whether there are specific policies in the framework that protect areas or assets of particular importance which provide a strong reason for refusing the development proposed. These issues are considered in more detail below.

5.32 The application site provides for 50% affordable housing. Consultation with the Council's Housing Officer (HO) has identified that there is a significant local housing need within the Stoneleigh Area. The proposal would provide ten affordable housing units in accordance with Policy H3. A weighting towards 1 and 2-bedroom units as proposed is considered to be acceptable in principle, and these would be provided predominantly as Social Rent tenancy and secured in perpetuity via a s106 legal agreement in any planning permission granted.

5.33 As of September 2025, there were 2365 households registered on the district register for housing. Of those, 42 households have expressed a preference of a dwelling in Stoneleigh. Of these, 11 households already live in Stoneleigh. The provision of 20 new dwellings, including 10 dwellings as affordable units, in this location would therefore go some way to addressing the housing needs of the local community and is supported.

5.34 An assessment of the development against the general principles of Policy OS2, as detailed above, is detailed further in the sections below.

#### Impact on Landscape/Setting of Cotswolds National Landscape

5.35 The site is located within the CNL along with the totality of the Charlbury and Burford Sub Area. In this regard, policy EHI of the Local Plan and paragraphs 189-191 of the NPPF are of key consideration. Essentially each of these policies set out the same considerations as the NPPF with great weight being given to conserving and enhancing the area's natural beauty.

#### Whether the Application Constitutes "Major" Development

5.36 When considering applications for development within National Landscapes, paragraph 190 of the NPPF advises that:

"permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

5.37 Footnote 67 of the NPPF advises for the purposes of paragraph 190, "whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale, and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined".

5.38 There are no set rules as to what comprises "major development" within what is now termed a National Landscape (formerly an AONB), and the Courts have held that it is a matter of judgment in all of the circumstances of the case (see *R (on the Application of Hilltop Experiences) v Norfolk CC* [2025] EWHC 1447 (Admin)).

5.39 In the Hilltop case, Lieven J. observed reiterated earlier jurisprudence to the effect that "major development" for the purposes of NPPF guidance in respect of AONB/NL is not to be equated with the use of the term in the Town and Country Planning (Development Management Procedure) England Order 2015 (per Lieven J. at para 77, endorsing *Aston v SSCLG* [2013] EWHC 1936 at paragraph 93) comprising residential development of more than 10 dwellings or on a site having an area of more than 1 hectare.

5.40 At paragraph 81, Lieven J. made it clear that once a planning judgment has been formed, then it can only be challenged on the grounds of rationality (which is a high bar - see *Newsmith v SOS* [2001] EWHC 74 Admin).

5.41 The case of *Porter v Secretary of State for Communities and Local Government* [2013] EWHC 2314 (Admin) (commonly referred to as *Porter No.2*) is a key legal precedent in understanding what constitutes "major development" in AONBs (now National Landscape). In this case, the key judgement points made by Sullivan LJ. were as follows:

- 1) "Major development" is not just about scale or size. It is a planning judgment, not a purely quantitative or threshold-based one.
- 2) Context matters. What might be a small development in an urban area can be major in a sensitive AONB context. The nature, location, and potential impact on the AONB are all relevant to deciding whether something is "major."
- 3) There is no fixed definition. The court rejected the idea that "major development" should be defined only by the thresholds in the Town and Country Planning (Development Management Procedure) (England) Order 2010, which defines major development more rigidly (e.g. 10+ dwellings, 1,000+ sqm floor space).

4) Ultimately, it is for the decision-maker (the LPA) to decide, subject to rationality. So long as the planning authority considers all relevant factors and comes to a reasoned judgment, courts will be slow to interfere.

5.42 The Porter No. 2 judgment confirms that "major development" in AONBs is a flexible, context-sensitive concept, and not automatically defined by rigid legislative thresholds. It gives LPAs authorities discretion, but this discretion must be exercised carefully and with clear justification, especially given the high level of protection afforded to AONBs.

5.43 In Summary, the Porter No. 2 case established that the determination of whether a proposal is "major development" in an AONB is a matter of planning judgment — based on the proposal's scale, impact, and sensitivity of its context — not simply on legislative thresholds.

5.44 It is important to note from the above case law that in relation to consistency it does not indicate that there needs to be a "good reason" to depart from a decision reached in a materially similar case. All that is required is that any departure from a materially similar case/decision is adequately reasoned. Provided there is a rational reason that is properly and adequately explained, it is entirely permissible to depart from a previous decision/finding. This is because of the common law rule against fettering of discretion and also the fact that under the TCPA 1990 all applications must be determined on their own merits.

5.45 In the May 2025 appeal decision relating to Land north of Woodstock Road, Charlbury (LPA Ref. 23/02399/FUL referenced above, the Inspector did not consider a proposal for 28 new dwellings to be "major development" He noted (paragraphs 18 to 20):

"The National Landscape designation does not preclude development and there would be beneficial impacts from the Cotswolds vernacular design, and a landscape led approach mainly in the form of the managed boundary buffer. Albeit on a small and enclosed field atypical of the wider landscape there would be a major adverse change through the development of a green field for residential development and the introduction of built form, hard surfacing, and associated infrastructure.

Given the overall size of the Cotswolds NL and the particular characteristics of the site its loss to development would not be significant in the context of the key qualities and landscape features of the Cotswolds NL as a whole. That said, paragraph 189 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

The Framework states that for the purposes of paragraph 190 it is a matter for the decision maker to determine whether a proposal constitutes major development in a NL. The appellant, Council and Cotswolds Conservation Board are of the view that the proposed development would not be major development in the Cotswolds NL. Based on the evidence before me I have no reason to conclude otherwise."

5.46 The proposed development comprises 20 dwellings on a 0.64 hectare site on the southern edge of Stonesfield, a village within the Cotswolds National Landscape. The development footprint is confined to approximately 24% of the overall site area, with the remaining 76% to be retained as open space and nature-enhanced. The site is enclosed to the north, south and east by boundary vegetation and

hedgerow trees, providing a degree of containment. Whilst the scale of the proposal, 20 dwellings, is above the 10-dwelling threshold for major development under the DMPO, that threshold is not determinative in the National Landscape context. The proposed dwellings are intended to be two storeys in height, in keeping with the character of development along Combe Road, and would not be visible from the majority of publicly accessible viewpoints in the wider National Landscape.

5.47 Taking into account the nature, scale, and setting of the current proposal, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined, and applying planning judgment and fact and degree, based on a professional evaluation of the current proposals, Officers do not consider that the current proposal would constitute "major development."

### **Impact on Landscape and Setting of Cotswolds National Landscape**

5.48 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) prepared by The Landscape Workshop (May 2025), assessed to the standard of the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3). The assessment was undertaken by a Chartered Member of the Landscape Institute and is considered to represent a robust and proportionate evaluation of the proposal's landscape and visual effects.

#### *Landscape Context*

5.49 The site occupies a gently sloping improved pasture field of approximately 0.64 hectares on the south-eastern edge of Stonesfield village, lying at approximately 113-117m AOD. It falls within the Cotswolds National Landscape (NCA 107 - Cotswolds), within the Stonesfield Conservation Area, and within the local landscape character area identified in the Stonesfield Parish Landscape Character Assessment as the Stonesfield Inner Fields and Baggs Bottom Local Landscape Character Area (LLCA). At district level it falls within the Lower Evenlode Valley character area (Semi-enclosed Limestone Wolds character type) as defined by the West Oxfordshire Landscape Assessment 1998, and within the Wooded Estatelands landscape type as defined by the Oxfordshire Wildlife and Landscape Study 2004. The site is assessed as having a high landscape sensitivity to the proposed form of residential development at all scales from national to site-specific level.

5.50 The site is bounded to the north and east by existing residential development, with strong tree-lined hedgerows to the north, west and east. A mature hedge runs along the south-eastern boundary, providing containment. The site forms a transitional edge between the village and the open farmland and valley landscape to the south and east. A Site of Special Scientific Interest (Stonesfield Common,

Bottoms & Banks) lies approximately 320m to the south, and Notoaks Wood (Ancient Woodland) is visible in the middle distance beyond the southern boundary.

#### *Visual Baseline*

5.51 Ten viewpoints (VP1 to VP10) were assessed, selected from publicly accessible land including Public Rights of Way and Combe Road. The site visit took place on 27 April 2025. Photographs were taken using a full-frame DSLR camera at 50mm focal length in accordance with Landscape Institute guidelines.

5.52 From the majority of the assessed viewpoints, including Shakespeare's Way to the north (VP1), the Wychwood Way to the east (VP2), the bridleway to the west (VP3), viewpoints VP6, VP9 and VP10 to the south and west, and the public right of way at VP8 to the south-east, the site is either not visible or

not discernible, being screened by intervening landform, hedgerows, woodland blocks and/or existing settlement. Visual effects at these locations are assessed as neutral at both Year 1 and Year 10.

5.53 The most significant visual effects are identified from viewpoints along Combe Road (VP4 and VP5), where filtered views through existing roadside vegetation would allow glimpses of new dwellings and the proposed access, particularly during winter months when deciduous cover is reduced. From VP8 (public right of way to the south-east), partial views of upper elevations and rooflines would be perceptible within the broader view towards the settlement edge, though the development would be read as part of the established village rather than as isolated incursion into open countryside.

#### *Landscape Effects*

5.54 At the national scale (NCA 107 - Cotswolds), the site's limited extent and adjacency to existing built form means the proposal would not materially disrupt the broad landscape characteristics of the designation. The magnitude of change is assessed as low, with a slight adverse effect at Year 1 reducing towards neutral by Year 10 as mitigation planting matures.

5.55 At district and county level, the development occupies only a very small proportion of the Semi-enclosed Limestone Wolds and Wooded Estatelands character types and does not fragment landscape patterns or disrupt primary visual corridors. The magnitude of change is low, resulting in a slight adverse effect at Year 1 reducing to neutral by Year 10.

5.56 The most significant landscape effects are at the local level. Within the Cotswolds National Landscape Character Assessment area 11B (Stonesfield Lowlands) and the Stonesfield Inner Fields and Baggs Bottom LLCA, the site's transitional character, its role in forming the rural setting of the village edge, and its proximity to the Conservation Area and heritage assets contribute to a higher sensitivity. The conversion of an improved pastoral field to a residential use represents an immediate and locally apparent change in land use and character. The magnitude of change is assessed as medium at Year 1, resulting in a moderate adverse landscape effect. However, the proposed layout, which mirrors the scale and rhythm of existing development on the opposite side of Combe Road, retains and reinforces the boundary vegetation framework and commits to native planting to all boundaries. By Year 10, as planting matures, the magnitude of change is expected to reduce to low, with the resulting landscape effect assessed as slight adverse.

5.57 At the site-specific level, the development transforms part of a semi-enclosed pasture field that currently performs a perceptual role in the rural setting of the village. The magnitude of change is medium at Year 1 (moderate adverse), reducing to low at Year 10 (slight adverse) as the development becomes absorbed into the village edge and mitigation planting establishes.

#### *Visual Effects*

5.58 The visual effects are assessed at most as moderate adverse at Year 1 from nearby sections of Combe Road, reducing to slight adverse by Year 10. From Viewpoint 8 (public right of way 173/10/10 to the south-east), a moderate adverse effect is also identified at Year 1, reducing to slight adverse by Year 10 as boundary planting matures. In the majority of wider public viewpoints, no adverse visual effect is identified.

5.59 The retention and enhancement of existing roadside vegetation, supplemented by new native hedgerow and tree planting to all boundaries, is identified as the primary mitigation measure. This planting is expected to achieve sufficient maturity within ten years to provide effective visual

containment and integration. Given that the development would be seen against the backdrop of existing housing along Combe Road rather than as an isolated rural incursion, the adverse effects identified are considered to be localised in extent and limited in duration.

#### *Cotswolds National Landscape Board*

5.60 The Cotswolds National Landscape Board was consulted and responded on 23 October 2025. The Board confirmed that, due to consultation workload, it was not providing a comprehensive response on this occasion, directing the local planning authority to relevant Board publications including the CNL Management Plan 2025-2030, Landscape Character Assessment and Strategy and Guidelines, and relevant Position Statements. The Board's response does not constitute an objection.

#### *Officer Assessment*

5.61 Officers note that the LVIA has been prepared to the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) and that its methodology and conclusions have not been disputed by any technical consultee. The landscape and visual sensitivity of the site, within the Cotswolds National Landscape, the Stonesfield Conservation Area, and a locally valued transitional landscape, is high. The proposal would cause a moderate adverse landscape effect at the local level at Year 1. However, this must be weighed against the limited extent of the development (a single strip of land facing Combe Road, covering only 24% of the application site), the retention and nature enhancement of 76% of the wider field, the development's relationship to existing housing directly opposite, and the mitigation measures proposed. By Year 10, effects at all scales reduce to slight adverse or neutral as planting matures.

5.62 Officers are satisfied that the landscape and visual impacts, whilst adverse in the short term, are not of a severity that would justify refusal on landscape grounds alone when weighed in the overall planning balance. The impacts are considered to be adequately addressed by appropriate conditions requiring a detailed landscaping scheme, phased implementation of boundary planting, and long-term management provisions.

5.63 The proposed development is therefore considered to comply with Policy EH1 of the Local Plan. Should the Committee consider that the proposal constitutes "major development" for the purposes of paragraph 190 of the NPPF, Officers address the exceptional circumstances test in the Conclusion and Planning Balance section below.

#### **Affordable Housing/Housing Mix**

5.64 Policy H3 of the Local Plan sets out the Council's requirements in relation to affordable housing. In order to address identified affordable housing needs, it states 'the Council will require 'qualifying' market housing schemes to make an appropriate contribution towards the provision of affordable housing within the

District. Within the Cotswolds AONB, housing schemes of 6-10 units and which have a maximum combined gross floorspace of no more than 1,000m<sup>2</sup> will be required to make a financial contribution towards the provision of affordable housing off-site within the District. This commuted sum will be deferred until completion of the development to assist with viability.' Across the District as a whole, housing schemes of eleven or more units or which have a maximum combined gross floorspace of more than 1,000m<sup>2</sup> will be required to provide affordable housing on site as a proportion of the market homes proposed'. As the proposal includes twenty new residential units, 50% on-site affordable housing provision would be required in accordance with Policy H3.

5.65 The application proposes 20 dwellings which would equate to an affordable housing provision of 10 units. The current application proposes 10 affordable dwellings on site equating to a 50% provision of affordable housing in accordance with the requirements of Policy H3.

5.66 Policy H4 of the Local Plan seeks to provide a good, balanced mix of property types and sizes. The submitted Planning, Design and Access Statement sets out that a mix of sizes from 1-bedroom to 4 - bedroom dwellings are proposed. This mix together with the affordable housing mix on the site would provide an appropriate mix of smaller and larger size dwellings.

5.67 The proposed development provides for affordable housing to meet the identified local housing need within the Stoneleigh Area. The affordable housing will be retained in perpetuity via a s106 with an appropriate mechanism for nominations for the affordable housing and offered to Stonesfield local residents first through the use of a cascade mechanism. The proposal is therefore considered to comply with policies H2, H4 and H5 of the Local Plan.

Layout, design, and scale

5.68 Paragraph 135 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users. Policies OS2 and OS4 of the Local Plan reflect this advice and require development of a high quality that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the National Design Guide and the West Oxfordshire Design Guide 2016.

5.69 This is an outline application with means of access and site layout submitted for approval at this stage. Appearance, landscaping, scale, and internal access details are reserved for future determination. The assessment of design and layout is therefore necessarily based on the indicative layout submitted, which has been developed through pre-application engagement with the Council's planning and conservation officers and is intended to reflect the character and grain of the established housing in this part of Combe Road.

### **Layout**

5.70 The indicative layout proposes a single row of dwellings one to two units deep along the Combe Road frontage, accessed from a single priority junction onto Combe Road. This approach was arrived at following detailed pre-application engagement with officers, including the Council's Conservation and Design Officer, who advised that development should be confined to the area immediately facing the existing housing on the eastern side of Combe Road and should reflect the established linear grain of that frontage. The submitted layout directly follows this advice.

5.71 The arrangement of dwellings mirrors the prevailing pattern of housing on the opposite side of Combe Road, which comprises predominantly semi-detached and short-terrace former Council housing dating from the 1920s onwards. This approach ensures the proposed development reads as a logical complement to the existing built form rather than an alien intrusion, in accordance with the general principles of Policy OS2. Active frontages face onto Combe Road, with gardens and amenity space to

the rear. The layout ensures that the majority of the wider field, approximately 76% of the total landholding, remains undeveloped, open to public view and available for nature enhancement.

5.72 The Council's Conservation and Design Officer has engaged with the scheme through the pre-application process, and the indicative layout reflects the advice given. Officers are satisfied that the layout as submitted is appropriate in principle and would form a logical complement to the existing scale and pattern of development in this part of Combe Road, in accordance with Policy OS2.

#### *Design and Materials*

5.73 As an outline application, detailed design matters are reserved. However, the Planning, Design and Access Statement sets out the applicant's design intentions, which have been informed by the West Oxfordshire Design Guide and the character of the local vernacular. Stonesfield falls within the Limestone Wolds character area of the Design Guide, where the distinctive building features include creamy limestone walling, limestone slate or imitation stone slate roofing, long frontages, narrow gables, and steeply pitched roofs. These are the defining characteristics of the local vernacular and are well represented in the older buildings of the village.

5.74 The applicant proposes that facing materials will comprise a mix of natural local limestone and render, reflecting the established mix of materials on the opposite side of Combe Road. Roofing materials are proposed as Cotswold-style concrete tiles or dark blue slates, with imitation stone slates proposed for the two detached dwellings at the southern end of the site which are most visible on the approach to the village from the south. Fenestration is intended to reflect the traditional character of the area, with vertical emphasis, plain gables without bargeboards and steeply pitched roofs. The applicant has confirmed willingness to accept the advice of the Council's Conservation and Design Officer on detailed appearance and materials at the reserved matters stage.

5.75 Officers consider the design approach set out in the Planning, Design and Access Statement to be appropriate in principle and consistent with the character of the Conservation Area and the CNL. The detailed design, materials and appearance of all dwellings will be assessed at the reserved matters stage and can be secured by condition to ensure compliance with the local vernacular and the requirements of the West Oxfordshire Design Guide.

#### *Scale*

5.76 The proposal is for 20 dwellings in outline, with scale a reserved matter. The indicative layout demonstrates that 20 dwellings can be accommodated within the application site in a manner that is proportionate to the existing settlement and does not overwhelm the character of Combe Road. The development footprint of approximately 0.64 hectares represents a modest addition to the village and is consistent with the scale of the existing housing along this stretch of Combe Road. The applicant has confirmed an intention to limit building heights to two storeys, in keeping with the prevailing height of dwellings in the immediate vicinity.

#### *Securing Design Quality*

5.77 Given the sensitivity of the site within the Stonesfield Conservation Area and the Cotswolds National Landscape, Officers consider it essential that detailed design quality is secured robustly at

the reserved matters stage. Conditions requiring the submission and approval of detailed design drawings, a schedule of external materials, hard and soft landscaping details and boundary treatment

details will be attached to any permission granted. The Council's Conservation and Design Officer will be consulted on all reserved matters submissions.

5.78 Having regard to the above, Officers are satisfied that the indicative layout and design approach are acceptable in principle and that the proposed development would, subject to the detailed design being secured at the reserved matters stage, be in accordance with Policies OS2 and OS4 of the Local Plan, the West Oxfordshire Design Guide, the National Design Guide, and the relevant provisions of the NPPF.

#### Impact on Heritage Assets

5.79 The site lies within the Stonesfield Conservation Area and in the setting of a number of designated heritage assets. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving listed buildings and their settings (Section 66(1)) and special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas (Section 72(1)). Relevant policies of the Local Plan reflect these statutory duties, in particular Policies EH9, EH10 and EH13.

5.80 Section 16 of the NPPF sets out guidance on conserving and enhancing the historic environment. Paragraph 212 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm or less than substantial harm. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 215).

#### The Stonesfield Conservation Area

5.81 The application site lies partially within the Stonesfield Conservation Area, with the north-western frontage portion of the site falling within the Conservation Area boundary. The site currently comprises an open pasture field which makes a contribution to the rural, loosely developed character of this part of the Conservation Area, providing an open aspect and reinforcing the transitional character between the built village edge and the surrounding countryside.

5.82 The Council's Conservation and Design Officer has commented that whilst limiting the development spread to the south and north-west of the original scheme is an improvement, there would still be a significant impact on the Conservation Area, albeit one that is arguably less than substantial. The CDO has noted that development on both sides of a road is inevitably urbanising in character, and that whilst vegetation would mitigate this impact to a degree, it would be unwise to rely on vegetation in perpetuity as a means of addressing that harm. The CDO's position remains that there would need to be strong social justification for the proposal.

5.83 Officers have carefully considered the CDO's assessment. It is accepted that the development of land on the western side of Combe Road, bringing built form onto both sides of the road, would have an urbanising effect on this part of the Conservation Area and that this represents a real and material harm

to its character and appearance. The mature roadside tree belt provides significant screening and visual mitigation, but as the CDO notes, this cannot be relied upon in perpetuity, and the character of the Conservation Area would be altered in a manner that cannot be fully reversed. Officers assess the level of harm as less than substantial, consistent with the CDO's own assessment but acknowledge that it sits at the more significant end of that range rather than at the lower end as originally indicated in pre-application discussions.

#### Stonesfield Manor (Grade II Listed Building)

5.84 Stonesfield Manor and Manor Lodge are Grade II listed buildings located approximately 110 metres to the west of the application site. The north-western boundary of the site is defined by a post and wire fence beyond which is a drystone wall to the Manor, and the well-wooded gardens to the Manor continue around the site to form part of the south-eastern boundary. The proposed development would be visible in oblique views from the Manor and its grounds and would alter the open rural character of the land immediately to its east. However, given the intervening boundary vegetation and the separation distance, the impact on the setting of the Manor is considered limited. The level of harm to the significance of this asset is assessed as less than substantial at the lower end of that scale.

#### Church of St James the Great (Grade II Listed Building)

5.85 The Church of St James the Great is located approximately 212 metres to the west of the application site. The church is a prominent landmark in the village, and its setting is informed in part by the open countryside to its south and east. The proposed development would be seen in the context of the existing built edge of the village when viewed from the churchyard and surroundings and would not materially affect the principal views to and from this asset. Officers consider the harm to the significance of the church and its setting to be less than substantial and at the lower end of that scale.

#### Stonesfield Roman Villa (Scheduled Monument)

5.86 The Stonesfield Roman Villa is a Scheduled Monument located to the south-east of the application site, just north of the Oxfordshire Way (Akeman Street). The monument lies outside the application site boundary and is separated from the proposed development by open agricultural land. The LVIA confirms that the site is not visible from the public right of way adjacent to the monument at Viewpoint 10, where visual effects are assessed as neutral. Officers are satisfied that the proposed development would not materially affect the setting or significance of the Scheduled Monument.

#### Archaeology

5.87 The County Archaeological Officer raises no objection to the application, noting that an archaeological evaluation was not required given the existing evidence base for this area. No further archaeological investigation is required prior to determination and there are no archaeological constraints to the development of this site. Conditions requiring a written scheme of investigation and programme of archaeological evaluation is recommended in the event that unexpected finds are made during development, in line with standard practice.

#### Overall Heritage Balance

5.88 In line with paragraph 215 of the NPPF, Officers have weighed the less than substantial harm identified across the heritage assets, and in particular to the Stonesfield Conservation Area, against the public benefits of the proposal.

5.89 The Council cannot demonstrate a five year housing land supply. The application proposes 20 dwellings of which 10 are affordable, comprising 8 social rented units and 2 First Homes, all to be offered to Stonesfield residents in the first instance through a cascade mechanism secured by s106. As of January 2025 there were 35 households on the WODC Homeseeker register seeking

accommodation in Stonesfield, of whom 11 were already living in the village, with a significant proportion requiring one or two bedroom units of the type proposed. The Stonesfield Community Housing Trust has confirmed strong support for the scheme and the unmet need for affordable housing in the village is well evidenced. The applicant has further committed to gifting 10% of net development profits to the Trust to enable additional affordable housing provision in the village. These are substantial and directly evidenced social benefits that go materially beyond the general case for housing delivery.

5.90 In addition to the affordable housing benefits, the proposal would deliver the nature enhancement and permanent public opening of approximately 76% of the wider field, a new public footpath within the existing tree belt along Combe Road, biodiversity net gain in excess of the statutory 10% requirement, and financial contributions to education, sports, recreation, and community facilities secured by s106. The applicant's commitment to use of local vernacular materials and forms, and to detailed design engagement with the Conservation and Design Officer at the reserved matters stage, will ensure the development makes a positive contribution to the character of the Conservation Area insofar as is achievable.

5.91 Officers consider that these public benefits, individually and in combination, clearly outweigh the less than substantial harm to the designated heritage assets identified above, and that the strong social justification required by the CDO is demonstrated. The proposed development is therefore considered to accord with the requirements of Policies EH9, EH10 and EH13 of the Local Plan and the relevant provisions of Section 16 of the NPPF, subject to appropriate conditions.

### **Highway Impact and Pedestrian Accessibility**

5.92 Policy T1 of the Local Plan states that priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised, due to opportunities for walking, cycling and the use of public transport. And that, all new development will be designed to maximise opportunities for walking, cycling and the use of public transport. Similarly, Policy T3 states that all new development will be located and designed to maximise opportunities for walking, cycling and the use of public transport and that where opportunities for walking, cycling, and using public transport are more limited, other measures will be sought to help reduce car use as appropriate.

5.93 The application site is located within Stonesfield, a village with a range of day-to-day services and facilities including a primary school, convenience store with post office, a public house and pre-school, all of which are accessible on foot from the site via the existing footway network on Combe Road. The village is served by the Stagecoach S3 Gold Service from bus stops on Combe Road approximately 100 metres from the proposed site access, providing hourly connections seven days a week. The site is therefore considered to be in a sustainable location where the need to travel by private car can be minimised.

5.94 The proposed parking provision has been reviewed by OCC Highways, the Local Highway Authority. The site layout (drawing no. PCD714/001 Rev B) includes parking in accordance with OCC's adopted parking standards, which require up to one space per one-bedroom dwelling and up to two spaces for two, three and four bedroom dwellings. OCC Highways is satisfied that the proposed parking provision is acceptable.

5.95 OCC Highways initially raised an objection to the proposed development on the grounds that the proposed access had not been demonstrated to accommodate all vehicle sizes, and that safe pedestrian access to key destinations including Stonesfield Primary School had not been demonstrated. The applicant subsequently provided a Transport Technical Note and a Stage I Road Safety Audit to address these concerns. The swept path analysis was updated to track an 11.6m refuse vehicle, the Stage I RSA raised no safety concerns, and the proposed pedestrian footways have been extended and widened to 2m, connecting the site to the existing bus stops and to the village centre to the north-west. The LHA is now satisfied with the proposed access arrangements and raises no objection, subject to conditions and a s278 agreement for offsite highway works.

5.96 OCC has confirmed that the proposed site layout (drawing no. PCD714/001 Rev B) is acceptable. The layout incorporates 2m wide pedestrian footways throughout, a 6m wide shared surface with 0.8m grass margins, and two turning heads to facilitate an 11.6m refuse vehicle. Visibility splays as shown on the approved drawings are required to be maintained free of obstruction above 0.6m by condition.

5.97 Having regard to the above, and to the no-objection position of the Local Highway Authority subject to conditions and a s278 agreement, officers are satisfied that the proposed development would not have an unacceptable impact on highway safety or the operation of the local highway network. The proposal is considered to accord with Policies T1, T3 and T4 of the Local Plan and the relevant provisions of the NPPF.

### **Residential Amenity/Noise/Air Quality**

5.98 Section 12 of the NPPF seeks to achieve well-designed places and paragraph 135 sets out, inter alia, that places should promote health and well-being, providing a high standard of amenity for existing and future users. This advice is reflected in Policies OS2 and OS4 of the Local Plan which seek to ensure that new development does not have a harmful impact on the amenity of existing occupants.

5.99 In terms of layout and impact on neighbouring residents, given the orientation, separation distances and existing landscaping, there will not be an adverse impact on the amenity of neighbouring residents in respect of overlooking, loss of daylight/sunlight and overbearing issues. Similarly, the proposed relationship between the new dwellings is considered to be acceptable.

5.100 With regard to contaminated land and potential risk to human health, the Council's Environmental Health Contamination Officer has not provided comments on the proposal. As such, it is recommended that a desk study and if required, a remediation scheme, be secured by condition in any permission granted.

5.101 Given the relative proximity to the Coomb Road (as close as 10m), the development must incorporate suitable measures to limit road traffic noise to residents. In addition, given the proposed layout, there is also a likely need for careful consideration of Air Source Heat Pumps (ASHP's) serving the development. The Council's Environmental Health Noise Officer has reviewed the proposal and has

raised no objection subject to conditions controlling noise from plant and the hours of construction as suggested being attached to any permission granted.

5.102 With regards to air quality, the ERS Environmental Protection Officer has no objection in principle and welcomes the inclusion of cycle storage and electric vehicle charging in each property.

### **Flood Risk/Drainage/Water Supply**

5.103 The site is located within Flood Zone I for fluvial flooding meaning it is at the lowest risk of flooding. Furthermore the site is not in a risk area for surface water or reservoir flooding.

5.104 Policy EH7 of the Local Plan relates to water and flood risk. It highlights that all developments should use sustainable drainage systems to manage run-off and support improvement in water quality. It also requires a site specific flood risk assessment for all development with a site area over 1 hectare.

5.105 A Flood Risk Assessment (FRA) and a Sustainable Drainage Options Appraisal and Strategy have been submitted in support of the application. The site comprises a 0.64ha plot of grassland on limestone bedrock with no superficial deposits, and the drainage strategy is based on infiltration-based sustainable drainage in accordance with the hierarchy set out in national standards for SuDS.

5.106 The drainage strategy proposes the use of pervious paving in the proposed access road and parking areas, and soakaways in the rear gardens of each dwelling to manage runoff from roof and patio areas. The applicant's drainage consultant has calculated the greenfield runoff rate for the site as 1.7 l/s for the 1% AEP event using the HR Wallingford FEH statistical method, with a minimum discharge rate of 1.92 l/s (3 l/s/ha) applying. The proposed drainage strategy is designed to limit surface water discharge to no greater than the calculated greenfield rate and to constrain the runoff volume from the site to as close to the greenfield volume as is reasonably practicable.

5.107 Infiltration testing in accordance with BRE 365 is required to confirm ground soakage rates and determine the required sub-base depths for the pervious paving and the minimum soakaway sizes. The Lead Local Flood Authority (LLFA) has raised a holding objection pending the submission of infiltration test results and groundwater monitoring data covering both summer and winter periods to establish peak groundwater levels across the site. This information is required prior to commencement of development and can be secured by condition.

5.108 With regard to foul drainage, Thames Water has confirmed no objection to the application subject to an informative relating to the requirement for a Groundwater Risk Management Permit, and a condition relating to water network capacity upgrades if required.

5.109 The proposed development complies with national and local planning policy in relation to flood risk and drainage, subject to the resolution of the LLFA's holding objection through the submission and approval of the required infiltration and groundwater monitoring data by condition. This is consistent with Policy EH7 of the Local Plan and the relevant provisions of the NPPF.

### **Trees and Biodiversity**

#### *Trees*

5.110 Policy EH2 of the Local Plan identifies that development proposals should conserve and where possible enhance the intrinsic character and quality of the local landscape.

5.111 The site is located on the south-eastern fringe of Stonesfield and is characterised by strong tree-lined hedgerows along its northern, western, and eastern boundaries. A mature hedgerow also runs along the south-eastern boundary. A belt of mature trees runs along the Combe Road frontage of the site, forming a prominent and visually significant feature of the local street scene. To the south-east of the site, several clumps of trees occupy former spoil heaps known locally as "chipping banks," created by waste material from historic slate extraction. These features contribute to the character of the site and its setting within the Stonesfield Conservation Area and the Cotswolds National Landscape.

5.112 An Arboricultural Impact Assessment (AIA) and Method Statement have been submitted in support of the application. The survey was conducted in accordance with BS 5837:2012 and records a total of 11 trees or groups of trees within the survey area, comprising 5 Category B (moderate quality), 5 Category C (low quality) and 1 Category U (poor quality) features. No Category A trees are present, and no ancient or veteran specimens have been identified. The tree stock consists primarily of native or naturalised species and is generally early-mature to mature in age.

5.113 The Council's Tree Officer has reviewed the submitted arboricultural information and raises no objection to the proposal, subject to conditions requiring compliance with the Tree Constraints Plan and the approved AIA and Method Statement. A number of third party representations raised concern about the potential loss of the boundary trees along Combe Road, which are recognised as providing important habitat for birds and other wildlife, and questioned whether a tree survey had been undertaken. The submitted AIA directly addresses these concerns.

5.114 The mature roadside tree belt along the Combe Road frontage is to be retained in its entirety as part of the proposed development. The proposed development will require the partial removal of one boundary group only (G1, including trees G3, T4, T5, T6, T7, T8, T9 and T10, approximately 250m<sup>2</sup>), confined to the area within the footprint of the new access junction and visibility splays. The trees proposed for removal include Category B, C and U specimens of varying individual quality; collectively they form part of the moderate quality boundary group. The AIA assesses the impact of this loss as moderate and short-term in nature, having regard to the adjacent highway and properties. One group of trees (G1) will require facilitation pruning, consisting of lateral crown reductions and crown lifts to facilitate construction access, visibility splays and to alleviate potential nuisance post-construction. Root Protection Area incursions are limited to the periphery of the RPAs of G1 and T11 (circa 1-3% of total RPA) and will be managed by supervised excavations and temporary ground protection measures in accordance with the approved AIA and Method Statement.

5.115 The proposed development would not result in the loss of any trees of arboricultural or amenity value beyond those required to facilitate the access junction. Retained trees and hedgerows would be protected during construction in accordance with BS 5837:2012, as secured by condition. Compensation for tree loss is proposed through replacement planting around the site perimeter, including understory planting to reinforce the existing boundary group along Combe Road and native hedgerow planting to internal boundaries. A new public footpath is proposed within the retained tree belt, providing public access along the Combe Road frontage. Detailed replacement planting plans are to be secured by condition as part of the Reserved Matters application.

5.116 Having regard to the above, the proposed development is considered to accord with Policies EH2 and EH3 of the Local Plan and the relevant provisions of the NPPF.

## **Biodiversity**

5.117 Policy EH3 of the Local Plan requires development proposals to protect and enhance biodiversity with the requirement to achieve an overall net gain in biodiversity where possible. Paragraph 193 of the NPPF requires that where significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Paragraph 180 of the NPPF further requires that planning decisions contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains, including by establishing coherent ecological networks.

5.118 A Preliminary Ecological Appraisal has been submitted in support of the application. The assessment considers a range of species and habitats including bats, birds, badger, great crested newts, hedgehogs, reptiles, and amphibians. The Council's Ecology Officer has reviewed the submitted ecological information and raises no objection to the proposal in principle, subject to conditions securing a Construction Environmental Management Plan (CEMP), details of external artificial lighting, and a Biodiversity Enhancement Plan (BEP).

5.119 Natural England raises no objection to the application and considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or species. Natural England's standing advice on protected species is also relevant and will be drawn to the applicant's attention by informative.

5.120 With regard to great crested newts, the application site lies within a red impact zone as identified on the modelled district licence map, indicating that there is highly suitable habitat for great crested newts within the surrounding area. Whilst the ecological assessment concludes that there is a low risk of great crested newts being present on the site itself, an informative will be attached to any permission granted advising the applicant of the relevant legal protections and the potential requirement to join the Council's District Licence scheme.

5.121 Stonesfield Parish Council and a number of third party representations have raised concern regarding the potential impact of the development on biodiversity, including the habitat value of the Combe Road boundary trees and hedgerows for bats, birds and other wildlife, and the potential impact of additional residents and domestic pets on the wider field and its ecology. These concerns have been carefully considered by the Council's Ecology Officer. The retention of the mature boundary tree belt and hedgerows in their entirety, together with the proposed nature enhancement of approximately 76% of the wider field to the south of the application site, is considered to provide meaningful mitigation. Conditions securing a CEMP with bat-sensitive working methods, restrictions on artificial lighting affecting key foraging and commuting corridors, and a Biodiversity Enhancement Plan including integral nest boxes, hedgehog highways and artificial hibernacula will be attached to any permission granted.

5.122 A Statutory Biodiversity Metric has been submitted (Arbtech, April 2025). The application site (0.59ha) consists entirely of other neutral grassland in moderate condition, with a 200m hedgerow/line of trees in good condition adjacent to the site. The proposals will result in the loss of all onsite grassland and the removal of approximately 10m of the adjacent hedgerow/tree line to create the site access. To address the resulting onsite biodiversity net loss, the applicant proposes to deliver offsite biodiversity gains on an adjacent 1.3ha area of neutral grassland (moderate condition), enhancing this to lowland meadow (target: moderate condition), together with onsite hedgerow planting comprising 370m of native hedgerows around the perimeter of the site outside of the proposed residential curtilage. Accounting for these measures, the submitted metric demonstrates overall gains of 14.86% in habitat units and 28.71% in hedgerow units, both exceeding the statutory 10% requirement.

5.123 As the offsite gains are on land owned by the developer but outside the red line boundary, they must be secured by way of a deed of conservation covenant or S106 agreement. The legal agreement will need to secure the submission of a Habitat Management and Monitoring Plan (HMMP) covering both onsite and offsite gains, timescales for habitat creation and a completion report, monitoring reports over a 30-year period, and a monitoring fee of £4,000.

5.124 The Council's Ecology Officer has raised no objection to the proposed development in principle, subject to conditions securing a CEMP, an external lighting scheme and a Biodiversity Enhancement Plan (including integral swift bricks on a 1:1 ratio to new dwellings, hedgehog highways, and artificial hibernacula), and subject to a BNG informative being attached to any permission granted.

5.125 Subject to the completion of a satisfactory legal agreement securing the offsite biodiversity gains and the HMMP and associated monitoring requirements, the proposed development is considered capable of meeting the statutory 10% biodiversity net gain requirement. The proposed development is therefore considered to comply with Policy EH3 of the Local Plan and the relevant provisions of the NPPF.

### **Sustainability/Climate Change**

5.126 In accordance with Policy OS3 of the Local Plan, the development is required to demonstrate consideration of the efficient and prudent use and management of natural resources including minimising the use of non-renewable resources and energy demands / loss through design, layout, orientation, landscaping, materials, and the use of technology.

5.127 In accordance with Policy OS3 of the Local Plan, development is required to demonstrate consideration of the efficient and prudent use and management of natural resources, including minimising the use of non-renewable resources and energy demands through design, layout, orientation, landscaping, materials, and the use of technology.

5.128 The application site is located within the village of Stonesfield, which has a population of approximately 1,700 people. The village benefits from a range of day-to-day services and facilities including a primary school, a convenience store with post office, a public house, and a pre-school. These facilities are accessible on foot from the application site, which lies on the southern edge of the village and is connected to the village centre by the existing footway network on Combe Road and the pedestrian infrastructure to be improved as part of the s278 highway works. The majority of day-to-day needs could therefore be met without recourse to the private car.

5.129 The village is served by the Stagecoach S3 Gold Service from bus stops on Combe Road approximately 100 metres from the proposed site access, providing hourly connections seven days a week to Oxford, Kidlington, Charlbury, Woodstock, Enstone, Chipping Norton and Yarnton. As set out in the Highway Impact section above, the applicant has agreed to provide an improved bus stop facility as part of the s278 agreement. This demonstrates that the development is located where the need to travel by private car can be minimised and where alternative sustainable transport options are available within easy walking distance, in accordance with Policy T1 of the Local Plan.

5.130 In terms of the sustainability of the dwellings themselves, the applicant has committed to providing air source heat pumps for heating and hot water, solar panels to reduce reliance on the national grid, and electric vehicle charging points for all dwellings with a private driveway. These measures exceed the requirements of Policy OS3 and represent a significant improvement in sustainability credentials

compared to standard new build provision. The Council's Air Quality Officer welcomes the inclusion of cycle storage and electric vehicle charging and raises no objection to the proposal.

5.131 The Council's Environmental Health Air Quality Officer has raised no objection to the proposal and recommends that the provision of cycle storage and electric vehicle charging facilities be conditioned at this stage or at the reserved matters stage, which officers consider appropriate.

5.132 Having regard to the above, the proposed development is considered to represent a sustainable form of development in accordance with Policy OS3 of the Local Plan and the relevant provisions of the NPPF. The site is well located in relation to the services, facilities, and public transport available in Stonesfield, and the proposed dwellings will be constructed to a specification that minimises energy use and carbon emissions.

### S106 Contributions

5.133 Policy OS5 of the Local Plan seeks to ensure that new development delivers or contributes towards the provision of essential supporting infrastructure.

5.134 The applicant has referred to the provision of 50% affordable housing required by policy. This will be comprised of affordable housing with the exact mix to be the subject of a legal agreement.

5.135 Matters relating to the provision of green Infrastructure, biodiversity and open space will also be secured via the s106 legal agreement together with required monitoring costs. The following financial contributions towards sports and recreational and health care facilities requested by WODC are:

- Outdoor pitch provision contribution of £61,002.60 towards the cost of the provision, enhancement or improvement of outdoor sports pitches and ancillary facilities in the catchment area.
- Artificial pitch provision contribution of £6,713 towards the cost of providing a replacement or improvement to artificial pitches/ancillary facilities in the catchment area.
- Indoor sports provision contribution of £8,894 towards the provision, enhancement, or improvement of indoor sports provision in the catchment area.
- Swimming pool provision of £11,601 towards the provision, enhancement, or improvement to swimming pool provision in the catchment area.
- Outdoor tennis court provision contribution of £724 towards the cost of enhancements or improvement to outdoor tennis courts and ancillary facilities in the catchment area.
- Primary health care contribution of £17,280 towards the creation of additional clinical capacity within Stoneleigh or an identified primary care estates project in the local area to serve the development.

5.136 The following on and off site contributions have also been sought by OCC, as set out in their consultation response:

- Education contribution of £11,804 towards special school education capacity serving the development; and
- Waste contribution of £2,070 towards household waste recycling centres within the vicinity of the site.

5.137 The proposal would also be liable for the Community Infrastructure Levy (CIL). Based on a total residential floorspace of 2,047.6sqm (GIA) at a rate of £225psqm, the gross CIL liability amounts to

£460,710, reduced to £331,200 should Formal Relief be granted in respect of the Affordable Housing floorspace.

## **Conclusion and Planning Balance**

5.138 The application seeks outline planning permission for 20 dwellings, of which 10 are affordable, on land west of Combe Road, Stonesfield, within the Cotswolds National Landscape and the Stonesfield Conservation Area. The key planning considerations have been assessed in detail in the preceding sections of this report. This section draws together the overall planning balance.

### *The Development Plan and Housing Land Supply*

5.139 The determination of this application falls to be made in accordance with the development plan unless material considerations indicate otherwise, pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004. The development plan comprises the West Oxfordshire Local Plan 2031, adopted September 2018.

5.140 As set out in the Principle of Development section above, the Council cannot currently demonstrate a five year supply of deliverable housing sites. Officers anticipate the shortfall is likely to worsen when the next housing land supply position statement is published, with the supply likely to be in the region of 3.5 to 4.3 years. Accordingly, paragraph 11(d) of the NPPF is engaged, and the policies most important for determining this application that relate to the supply of housing are considered out of date. The tilted balance therefore applies.

5.141 Under paragraph 11(d)(ii) of the NPPF, planning permission should be granted unless 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. However, as the site lies within the Cotswolds National Landscape, paragraph 11(d)(i) is also engaged: the policies in the Framework that protect areas of particular importance — in this case paragraph 189, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Landscapes — must be considered as a potential strong reason for refusal.

### *Harms*

5.142 Officers have identified the following harms associated with the proposed development.

5.143 In landscape terms, the LVIA concludes that the development would result in moderate adverse landscape effects at the local level at Year 1, reducing to slight adverse by Year 10 as mitigation planting establishes. Visual effects are at most moderate adverse at Year 1 from close-range viewpoints along Combe Road, reducing to slight adverse by Year 10. The site is not visible from the majority of publicly accessible viewpoints in the wider National Landscape. The harm to landscape character is real and must be given great weight, but it is localised, time-limited and does not materially erode the special qualities of the CNL as a whole.

5.144 In heritage terms, the proposed development would result in less than substantial harm to the Stonesfield Conservation Area, to the setting of Stonesfield Manor (Grade II), and to the setting of the Church of St James the Great (Grade II\*). The Conservation and Design Officer has noted the inevitably urbanising effect of development on both sides of Combe Road and has indicated that strong social justification would be required. Officers accept this assessment. The harm to the Conservation Area sits at a more significant point within the less than substantial range and must be given great weight pursuant

to Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 212 of the NPPF.

5.145 No other significant harms have been identified. Highway, drainage, ecology, trees, and residential amenity matters are all capable of being addressed by condition or s106 obligation, as set out in the relevant sections above.

### *Benefits*

5.146 Officers have identified the following public benefits associated with the proposed development.

5.147 The most significant benefit is the provision of affordable housing. The proposal would deliver 10 affordable dwellings comprising 8 social rented units and 2 First Homes, all to be offered to Stonesfield residents in the first instance through a cascade mechanism secured by s106. This represents a 50% affordable housing provision in accordance with Policy H3. There is a well-evidenced and significant unmet need for affordable housing in Stonesfield, with 35 households on the WODC Homeseeker register seeking accommodation in the village as of January 2025, of whom 11 were already living in the village. The Stonesfield Community Housing Trust has confirmed strong support for the scheme. The applicant has further committed to gifting 10% of net development profits to the Trust to enable additional affordable housing provision in the village, which could result in at least 11 new affordable homes in the village in total. Significant weight is attached to this benefit.

5.148 The proposal would also deliver 10 market dwellings, contributing to the Council's housing land supply at a time when the LPA cannot demonstrate a five year supply. Moderate weight is attached to this benefit.

5.149 The retention and nature enhancement of approximately 76% of the wider field, to be opened to public view and access in perpetuity, represents a meaningful environmental and recreational benefit. A new public footpath within the existing tree belt along Combe Road would provide a safe off-road walking route for residents. The biodiversity net gain assessment demonstrates a 22.06% net gain in habitat units and a 78.34% net gain in hedgerow linear units, significantly exceeding the statutory 10% requirement. These environmental benefits attract moderate weight.

5.150 Financial contributions secured by s106 will provide for education (£11,804), outdoor sports pitches (£61,002.60), artificial pitches (£6,713), indoor sports (£8,894), swimming pool provision (£11,601), outdoor tennis courts (£724), and household waste recycling (£2,070). A primary healthcare contribution of £17,280 is also sought. These contributions will benefit existing and future residents of Stonesfield and the wider area. Moderate weight is attached to these benefits collectively.

5.151 The proposed dwellings will incorporate air source heat pumps, solar panels and electric vehicle charging points, exceeding the sustainability requirements of Policy OS3. Limited weight is attached to this benefit, which is increasingly standard in new residential development.

5.152 The economic benefits of the construction phase, including local employment and supply chain expenditure, and the longer-term economic contribution of additional residents to local businesses and services, attract limited weight.

### **The Planning Balance**

5.153 Officers have carefully weighed the harms and benefits set out above.

5.154 The landscape harm, whilst real and requiring great weight to be given to it in line with paragraph 189 of the NPPF, is localised, affects primarily the immediate local character area, reduces substantially over time, and does not materially erode the special qualities or purposes of the Cotswolds National Landscape as a whole. The proposal does not constitute major development for the purposes of paragraph 190 of the NPPF in Officers' assessment, for the reasons set out in the relevant section above. However, even if the Committee were to take a different view on this question, Officers consider that the exceptional circumstances test would be met in this case. The combination of significant and evidenced unmet affordable housing need, the absence of any realistic alternative site within or adjoining the village capable of delivering equivalent provision, the constrained nature of the Burford-Charlbury sub-area within which virtually all land is designated CNL, the limited and time-reducing nature of the landscape harm, and the substantial wider public benefits including the nature enhancement of the majority of the field, together constitute the unique combination of factors required to demonstrate exceptional circumstances under paragraph 190.

5.155 The heritage harm, whilst also requiring great weight pursuant to the statutory duties under the 1990 Act and paragraph 212 of the NPPF, falls within the less than substantial range. As set out in the Heritage Assets section, Officers are satisfied that the strong social justification identified by the Conservation and Design Officer is demonstrated by the evidenced affordable housing need and the wider public benefits of the scheme. The public benefits clearly outweigh the less than substantial harm in accordance with paragraph 215 of the NPPF.

5.156 Taking all of the above into consideration, Officers are of the opinion that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. The social benefits arising from the provision of affordable housing to meet an evidenced and significant local need, combined with the environmental, recreational, and financial benefits of the scheme, are compelling when weighed against harms that are localised, reduce over time and do not fundamentally compromise the designations within which the site falls.

6.20 The application is therefore recommended for approval, subject to the completion of a satisfactory S106 legal agreement securing the matters set out in the S106 Contributions section of this report, and subject to the conditions set out below.

## **6 CONDITIONS/REASONS FOR REFUSAL**

1 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission;

and

(b) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**REASON:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2 Details of the appearance, landscaping, scale and accessibility, (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The application is not accompanied by such details.

3 That the development be carried out in accordance with the approved plans listed below:

23028.1 Rev I - Site Location Plan

23028.2 Rev G - Site Plan

23026.6 Rev D - Site Layout

PCD714 / 001 Rev A - Proposed Site Layout & Highway Works

PCD714 / TR01 Rev A - Vehicular Swept Paths Analysis using Large 4-Axle Refuse Vehicle

PCD714 / TR02 (1) Rev A - Vehicular Swept Paths Analysis using Large Size Car (Sheet 1 of 5)

PCD714 / TR02 (2) Rev A - Vehicular Swept Paths Analysis using Large Size Car (Sheet 2 of 5)

PCD714 / TR02 (3) Rev A - Vehicular Swept Paths Analysis using Large Size Car (Sheet 3 of 5)

PCD714 / TR02 (4) Rev A - Vehicular Swept Paths Analysis using Large Size Car (Sheet 4 of 5)

PCD714 / TR02 (5) Rev A - Vehicular Swept Paths Analysis using Large Size Car (Sheet 5 of 5)

REASON: 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 prior to the first trench being dug 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 dwellings hereby approved.

REASON: To ensure a safe and adequate access.

5 Visibility splays as shown on the approved drawings shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

REASON: In the interests of road safety.

6 Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans," to include details of a Travel information Pack for residents, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be implemented and operated in accordance with the approved details.

REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework (2024).

7 No other part of the development hereby approved shall be occupied until the offsite highway works have been laid out and constructed in accordance with details to be submitted to and first approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall include:

- A scheme for signage between the site and Stonesfield Primary School
- Public Transport Infrastructure on Combe Road

REASON: To ensure a safe and adequate access to the site for all users.

8 Prior to first occupation of any of the dwellings hereby approved, written and illustrative details of the number, type and location of electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the local planning authority. The EVCP shall be installed and brought into operation in accordance with the details agreed prior to occupation of the development.

REASON: In the interests of air quality and to reduce greenhouse gases.

9 Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details. The CTMP will need to incorporate the following in detail:

- Routing of construction traffic and delivery vehicles is required to be shown signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

REASON: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure, and the residential amenities of neighbouring occupiers.

10 Prior to the first occupation of the development, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

REASON: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework (2024).

11 No development shall take place until a desk study has been produced to assess the nature and extent of any contamination, whether or not it originated on site, the report must include a risk assessment of potential source-pathway-receptor linkages. If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be 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 Remediation Scheme 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.

REASON: To prevent pollution of the environment in the interests of the amenity.

12 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 a Verification Report confirming 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.

REASON: To prevent pollution of the environment in the interests of the amenity.

13 Prior to any demolition and the commencement of the development, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

14 Following the approval of the Written Scheme of Investigation referred to in condition 13, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research, and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

REASON: To safeguard the identification, recording, analysis, and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

15 No part of the development hereby approved shall be occupied until confirmation has been provided that either:-

1. All water network upgrades required to accommodate the additional demand to serve the development have been completed; or -
2. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

16 Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element,
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details, including infiltration testing to BRE365 standards to demonstrate the soakage rates for the site and groundwater monitoring data covering both summer and winter monitoring periods to establish peak groundwater levels.
- Consent for any connections into third party drainage systems.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

17 Prior to first occupation of the development, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

18 Prior to first occupation of the development, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;

- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

19 No development shall commence until a suitably qualified acoustic consultant has identified what measures, if any, may be necessary to ensure that harm to amenity (including habitable rooms and gardens) is unlikely to result. A written report shall be submitted to the Planning Authority which shall detail:

- all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based;
- an assessment of plant noise from ASHP's, complaint with BS4142:2014+A1(2019).

Such a report is to be agreed, in writing, by the Planning Authority and the approved measures shall be implemented in their entirety prior to occupation of any part of the development.

REASON: In the interests of residential amenity.

20 No development shall commence until a suitably qualified acoustic consultant has identified what measures, if any, may be necessary to ensure that harm to amenity (including habitable rooms and gardens) is unlikely to result. A written report shall be submitted to the Planning Authority which shall detail:

- all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based;
- an assessment of plant noise from ASHP's, complaint with BS4142:2014+A1(2019).

Such a report is to be agreed, in writing, by the Planning Authority and the approved measures shall be implemented in their entirety prior to occupation of any part of the development.

REASON: In the interests of residential amenity.

21 Hours of work shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00-13:00 on Saturday with no working on Sunday or Bank Holidays. For clarity, there shall be no deliveries to site outside of these hours.

REASON: In the interest of protecting neighbour amenity.

22 Prior to any works above slab level, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the local planning authority. The plan shall include full details of biodiversity enhancements which shall include but not be limited to:

- a) Elevations drawings clearly detailing the model and location of integral nest boxes for birds provided on a 1:1 ratio to new dwellings and in accordance with BS 42021:2022 'Integral nest boxes;'
- b) The creation of marked hedgehog highways (by creating small 13×13cm gaps in close board fencing so that hedgehogs can disperse freely throughout the site); and
- c) The provision of artificial hibernacula for reptiles and amphibians. The approved plan shall be implemented as described and retained thereafter.

REASON: To protect and enhance biodiversity in accordance with Local Plan Policy EH3, paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

23 The development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment by Tree Frontiers dated 29 October 2025 unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure the success of the proposed landscaping scheme and associated biodiversity enhancements.

24 No development shall be undertaken (including any site and/or vegetation clearance) until a construction environmental management plan (CEMP) which contains full details of the measures outlined in the Preliminary Ecological Appraisal (Arbtech, June 2024) associated with the planning application has been submitted to and approved in writing by the local planning authority. The CEMP shall include consideration of the following:

- a) The results of a ground-level tree assessment (GLTA) for bats focusing on trees to be removed, as well as any additional required surveys and mitigation measures for bats;
- b) Retained tree and hedgerow protection measures in accordance with BS 5837:2012;
- c) Specific measures (which may be presented as a series of method statements) to avoid impacts to nesting birds, reptiles, and terrestrial mammals (badger and hedgehog);
- d) The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and
- e) Copies of any protected species mitigation licences required for work to commence, if required.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

REASON: To ensure that biodiversity is safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as Amended, The Hedgerow Regulations 1997, Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024), and Local Plan Policy EH3, and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

25 Notwithstanding the submitted details and before works above slab level commence, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that lighting will not cause excessive light pollution to tree lines, hedgerows, or adjacent grassland habitats to protect key foraging and commuting corridors for bats. The details shall include, but not be limited to, the following:

- d) Technical description, design, or specification of external lighting to be installed including shields, cowls, or blinds where appropriate;
- e) A description of the luminosity of lights and their light colour;
- f) A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- g) Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)); and

h) Lighting contour plans both horizontal and vertical where appropriate and taking into account hard landscaping, etc.

All external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details before the development hereby approved is first brought into use. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

REASON: To protect roosting, foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework (2024), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006 (as amended).

### Notes to applicant

1. 1. Prior to the commencement of a development, a separate agreement(s) must be obtained from Oxfordshire County Council's (OCC) Road Agreements Team for the proposed highway works (vehicular access, new footway links, bus infrastructure, pedestrian refuge island, carriageway widening and new right-turn lane) under S278 of the Highways Act 1980. For guidance and information please contact the county's Road Agreements Team via <https://www.oxfordshire.gov.uk/cms/content/contact-road-agreements-team>.
2. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
3. No vehicles associated with the building operations on the development site shall be parked on the public highway, so as to cause an obstruction. Any such obstruction is an offence under S137 of the Highways Act 1980.
4. IMPORTANT: the statutory Biodiversity Net Gain objective of 10% applies to this planning permission and development cannot commence until a Biodiversity Gain Plan has been submitted (as a condition compliance application) to and approved by West Oxfordshire District Council. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.efluent@thameswater.co.uk](mailto:trade.efluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale, Business customers, Groundwater

discharges section.

- 6 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online At [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).
- 7 Please note that the proposed development set out in this application will be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of the liability will be calculated when the related reserved matters application is determined. Further information about CIL is available at [www.westoxon.gov.uk](http://www.westoxon.gov.uk)

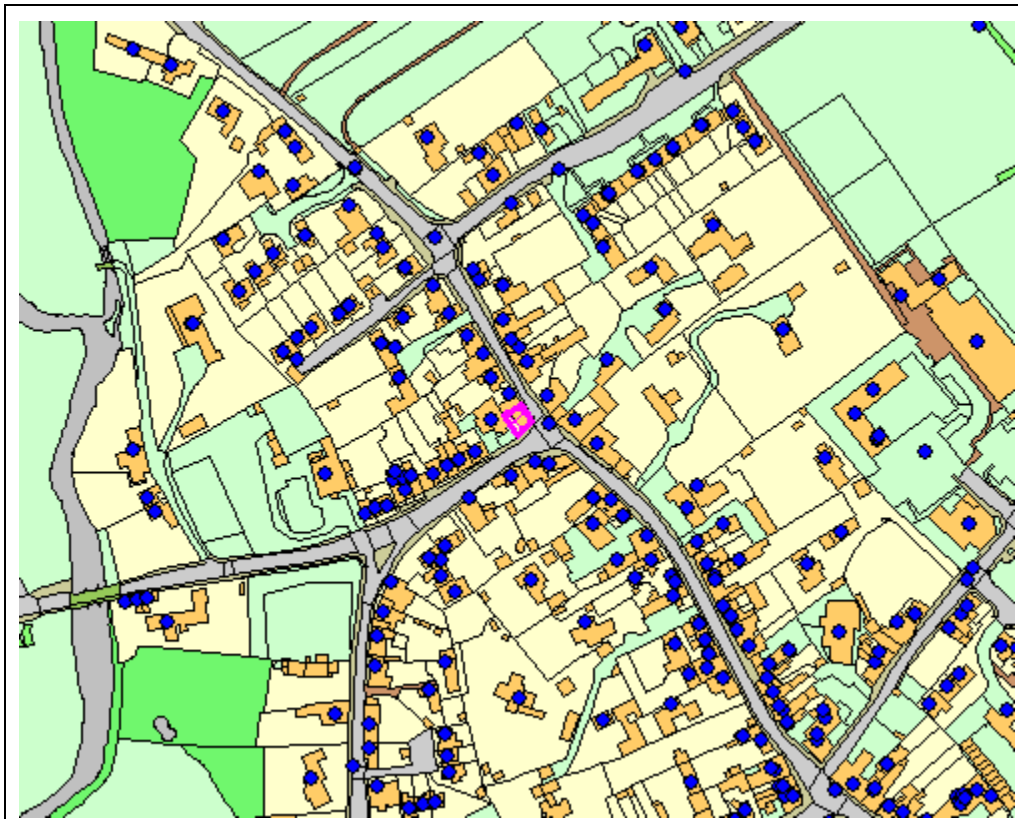
**Contact Officer:** Mike Cassidy

**Telephone Number:**

**Date:** 27th May 2026

Application Number	26/00053/FUL
Site Address	Well Cottage Thames Street Charlbury Chipping Norton Oxfordshire OX7 3QQ
Date	27th May 2026
Officer	Fern Lynch
Officer Recommendations	Approve
Parish	Charlbury Parish Council
Grid Reference	435592 E 219647 N
Committee Date	8th June 2026

### Location Map



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### Application Details:

Conversion of existing garage/workshop to a dwelling

### Applicant Details:

OTT Charlbury  
Well Cottage  
Thames Street  
Charlbury  
Chipping Norton  
Oxfordshire  
OX7 3QQ

## I CONSULTATIONS

WODC Drainage	No objections.
Conservation And Design Officer	No objections following revisions.
OCC Highways	No objection.
District Ecologist	No objections.
Env Health Contamination	No objection subject to inclusion of suggested condition.
Env Health Noise And Amenity	No Comment Received.
Parish Council	<p>The Committee resolved to maintain its objection. While minor amendments have been made to the application, these do not address the fundamental concerns previously raised.</p> <p>In particular:</p> <p>The proposed parking provision remains inadequate and does not meet OCC standards.</p> <p>The Committee does not consider the space to be a genuinely usable parking space and does not accept that it will be used for that purpose in practice.</p> <p>The development would therefore continue to result in a loss of effective parking provision, contrary to Charlbury Neighbourhood Plan Policy ECT7.</p> <p>The Committee concluded that the amendments do not materially alter the scheme or overcome the reasons for objection.</p>

## 2 REPRESENTATIONS

2.1 One objection letter received summarised as follows:

The proposed plans that we objected to last August were withdrawn and we are pleased to see the owner took note of our previous objections on resubmission.

Would like to see following conditions if minded to approved:

1. No parking immediately outside the garage.
2. Internal blinds/shutters installed on the large windows on the street to avoid too much light spill and also for privacy and neighbourliness.
3. Any external lighting to be kept to a minimum and be on a sensor rather than on all the time. Also lighting should be directed downwards and be hooded to avoid sky glow (particularly important as there are many bats here)

2.2 One general comment was also received from the Charlbury Conservation Area Advisory Committee.

The external alterations proposed were modest, involving replacement windows similar to those existing but double-glazed, new roofing and ground-floor doors. The Committee considered that plain casement windows with horizontal glazing bars at first floor level would be more appropriate on the south elevation. The roofing material proposed was unclear: 'slate or tile' in the Design and Access Statement and 'slate tile' on the application form. This should be clarified. Although felt by some to be unsuitable, timber cladding was proposed for retention on the gable wall. Members considered the glazed 'patio'- style external doors on the ground floor inappropriate for this prominent position in the Conservation Area and urged that plain wooden doors be substituted. Shutters to the large windows in Thames Street would reduce light pollution.

The junction of Dyers Hill and Thames Street was difficult and often congested, and the Committee shared the Town Council's concern that the application failed to address the question of parking provision for the proposed new dwelling.

### **3 APPLICANT'S CASE**

3.1 The covering letter is concluded as follows:

The proposed works forming the basis of this application have taken into consideration the comments received in the previously submitted application and have removed the gable window and previously proposed raised roof. The works are contained small scale in form and will facilitate the conversion of the building into a residential dwelling. It has been demonstrated that the proposals accord with the West Oxfordshire Local Plan, Charlbury Neighbourhood Plan, West Oxfordshire Design Guide and NPPF when read as a whole. It is therefore considered the proposals for the conversion and change of use of the former garage into a separate residential dwelling should be supported.

### **4 PLANNING POLICIES**

DESGUI West Oxfordshire Design Guide

NPPF 2024

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

E3NEW Reuse of non residential buildings

EH10 Conservation Areas

EH3 Biodiversity and Geodiversity

EH8 Environmental protection

EH7 Flood risk

T4NEW Parking provision

T1NEW Sustainable transport

T3NEW Public transport, walking and cycling

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

### **5 PLANNING ASSESSMENT**

#### **Background Information**

5.1 The site sits within Charlbury Conservation Area and the Cotswolds National Landscape (CNL), there are a number of Grade II Listed Buildings adjacent to the site. The site also falls within Flood Zone I.

5.2 The location of the site is shown edged in red in the accompanying Location Plan (drawing reference LP-01 Rev A). The site is currently an underutilised garage and former workshop attached to the host dwelling 'Well Cottage', the garage consists of 2 levels and is serviced with running water and electricity. There are no Public Rights of Way (PRoW) crossing the site.

5.3 The site is located on a corner plot within the centre of Charlbury and has elevation fronting both Thame Street and Dyers Hill and benefits from being in proximity to existing services and facilities, including primary schools, doctors surgery, community centre, public houses, convenience stores, and a train station.

5.4 The application is before Members of the planning committee for consideration as the views of the Parish Council are contrary to your officer's recommendation.

5.5 There is no relevant planning history on this site.

5.6 Considering 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: 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 the development
- Design and Layout
- Highway Impacts
- Heritage and Landscape Impacts
- Amenity Impacts

## **Principle**

5.7 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 shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the Local Plan 2031 adopted in September 2018.

5.8 As the application proposal lies within Charlbury Parish, regard must also be had to the Charlbury Neighbourhood Development Plan 2031, which was made on 14th June 2021 and forms part of the statutory development plan alongside the Local Plan 2031.

### *The Council's housing land supply position and the implications of the NPPF*

5.9 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:

- o 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*').

- o 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.

- o 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).

5.10 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*

5.11 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.

5.12 Policy OS2 sets out the overall spatial strategy for growth in West Oxfordshire in the period up to 2031. It adopts a hierarchal approach whereby a significant proportion of new homes, jobs and supporting services will be focused within and on the edge of the main service centres of Witney, Carterton and Chipping Norton.

5.13 Although the application site is located within the Parish of Charlbury, it is located within the centre of Charlbury in short walking distance from the local railway station, it is considered to accord with hierarchal approach underpinning Policy OS2.

5.14 Policy OS2 also sets out several general principles which all development will be expected to accord with, irrespective of location. A number of these are of particular relevance to this application and are further discussed as appropriate below.

#### Charlbury Neighbourhood Plan - June 2021

5.15 The Charlbury Neighbourhood Development Plan (NDP) was formally adopted (made) in June 2021 and now forms part of the statutory development plan alongside the West Oxfordshire Local Plan 2031. The NDP covers the whole of Charlbury Parish, including the application site and includes a total of 4 policies.

5.16 Unlike the West Oxfordshire Local Plan 2031, none of those policies deal specifically with the principle of residential development but they do address a number of issues of direct relevance to the application including in relation to the protection of landscape character and the setting of Charlbury.

5.17 In summary, the principle of residential development on this site is influenced by several interrelated factors spanning the adopted West Oxfordshire Local Plan 2031, the Charlbury Neighbourhood Plan (2025) national policy and the ongoing preparation of the new Local Plan 2043.

5.18 Taking these factors together, officers consider the nature of the proposed being a conversion in a sustainable location together with the spatial strategy of the Local Plan, and the Council's current housing land supply shortfall means that in this instance the principle of a dwelling in this location is acceptable. The proposal therefore proceeds to further assessment against the remaining material planning considerations as set out below.

#### **Design and Form**

5.19 Paragraph 135 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policies OS2 and OS4 of the Local Plan reflect this advice and encourages development of a high-quality design that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the National Design Guide.

5.20 Your officers are satisfied that, on balance, the proposed conversion is an appropriate form of development within the local context. The proposed development therefore adheres with adopted Policies H1, H2, OS2 of the Local Plan and the guidance set out within the residential design guide SPD.

#### **Conservation Area**

5.21 Within a Conservation Area, Officers are required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to consideration of the application. In this regard the proposed conversion and alterations 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.

## **Residential Amenities**

5.22 The application site is adjacent to a Grade II Listed Building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

5.23 Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.

5.24 In order to consider the effect of a scheme on the significance of the listed building, there is a need to identify that significance. In this instance the bulk of the significance lies in the external facades of the adjacent buildings along with its traditional construction and age.

5.25 With regard to the impact on the setting of the listed building, the proposed development is mostly internal alterations across the road from the listed buildings. Paragraph 215 of the NPPF states 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

5.26 In terms of public benefits, the proposed development would add a dwelling to West Oxfordshire Council housing stock, there would be some economic benefits which arise from the conversion of the garage. Therefore, and given that the alterations in this application are on an unlisted building and will preserve its future by conversion, officers are satisfied that the proposed will preserve the special architectural and historic interest of the nearby listed building in accordance with Section 16(2) of the 1990 Act. The significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF.

5.27 The proposed development 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 proposed development would conform to policies EH10 and EH11 of the Local Plan and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

## **CNL**

5.28 The National Planning Policy Framework requires great weight to be given to conserving and enhancing landscape beauty in National Landscapes. Policy EH1 of the West Oxfordshire Local Plan 2031 similarly seeks to ensure that development within the Cotswold National Landscape conserves and enhances its natural beauty, landscape character and scenic qualities.

5.29 In this case, the proposed conversion sits on a corner plot which would only be perceived within its immediate context, which is within an established residential street scene. However the majority of

the proposal is internal only with the external façade largely remaining unchanged. Officers consider these works will improve the external appearance of the site in such a prominent position. There are no wide or elevated views into the site from the public domain. As such, the development would not introduce any new intrusive built form into the CNL.

5.30 The reuse of existing structures, combined with minimal external alterations and the retention of the established layout, ensures that the proposal conserves the wider Cotswold National Landscape. The design approach, which employs materials sympathetic to the rural setting, further limits any potential visual impact. Consequently, the development is considered to accord with Policy EH1 and the guidance set out in the West Oxfordshire Landscape Character Assessment, as well as the overarching aims of the NPPF.

## **Highways**

5.31 The principal access to serve the development will be located along Dyers Hill this is unchanged from the existing arrangement. However, a new pedestrian door will be installed in the western side elevation.

5.32 In terms of public transport links, the site is considered by officers and the highway authority to be sustainably located as there are both bus stops and a railway station within walking distance. It is for these reasons that the OCC highways officer has not objected to the scheme.

5.33 Neighbour objection comments along side concerns raised by the Town Council both alluded to the potential for future occupiers to park their car on the pavement adjacent to the highway, potentially overhanging the footway and road. Officers would like to note that this is a civil matter which should be picked up with OCC parking stewards. The potential for a parking contravention to occur is not considered to be a material planning consideration and the planning system is limited in its powers to control this. Furthermore, the applicants have demonstrated parking provision for cycles and 1 vehicle within the plot and this is considered to be over and above the parking standard requirements of OCC parking standards.

5.34 There are a number of matters which should also be conditioned as part of this consent should members decide to approve it. These cover:

- Retention of the garage for vehicle and cycle parking.
- A Construction Traffic Management Plan (CTMP) which seeks to minimise impacts and maintain safety particularly in relation to the operation of the surrounding residents.

5.35 In considering the above and relevant sections of the NPPF and Local plan policies T1, T3 and T4, and the newly adopted OCC parking standards (April 2026), given this the location of the proposed is within a sustainable town centre location close to public transport links and the provision of a on plot parking space for 1 vehicle, your officers consider the proposal acceptable in highway terms.

## **Residential amenities**

5.36 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.

5.37 Local Plan Policy OS2 states that new development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. Policy O4 states that new development

should not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties. Furthermore, Policy H6 requires extensions should respect the character of the surrounding area and will not unacceptably affect the environment of people living in or visiting that area. The West Oxfordshire Design Guide states that that result in a loss of amenity for neighbouring properties (through overlooking or overshadowing) will not be supported.

5.38 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, this is owing to the siting of the proposed dwelling in relation to neighbouring dwellings, and the siting of openings which will largely remain the same as the existing garage/workshop.

5.39 The neighbour objection comment noted a potential for the new dwelling to be used as a holiday let, however there is no evidence supplied within the submission that this is the case. As the proposal would be a residential unit in its own right, if future owners were to rent it out on a temporary basis this would not constitute a material change of use.

5.40 Officers do not consider there will not be significant impact due to the new comings and goings of future occupants so much so that will result upon the amenity of neighbouring occupiers. Equally officers do not perceive the development would give rise to an unacceptable level of overlooking, loss of privacy, overbearing or loss of light.

5.41 Further, the proposed scheme has been revised to ensure that it will provide adequate living conditions for future occupiers with rooflights and windows added to the 1st floor bedrooms.

5.42 In light of this assessment, officers consider that the proposal is acceptable in terms of neighbourly amenity and accords with WOLP Polices OS2 and OS4 and the West Oxfordshire Design Guide.

## **Drainage**

5.43 The site falls within the Environment Agency Flood Risk Zone 1 (less than 0.1% chance of flooding in any year). Owing to the nature of the proposal being a conversion only, the district drainage officer has not raised an objection to the proposal nor have they suggested any conditions be added to the decision, it is the opinion of your officers that the development proposed complies with Local Plan policy EH7 thus protecting surrounding areas from any additional flood risk.

## **Ecology**

5.44 No ecological information has been submitted with this application. However, the district ecologist confirmed that they did not believe that any ecological surveys were needed. Whilst roosting bats may be affected by the proposals, the existing roof appears to be in good condition (flashing is well-sealed, no missing/loose tiles or evident gaps in brickwork) As such, an informative regarding roosting bats was recommended. Local policy EH3 seeks to protect and enhance the biodiversity of West Oxfordshire by ensuring all development incorporates biodiversity enhancement features; as such, the incorporation of a single bat box in a suitable location is recommended as a form of enhancement. Details of this can be secured via planning condition.

5.45 From 12th Feb 2024, it also became mandatory for all development (other than some exemptions) to deliver 10% biodiversity net gain under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The district ecologist confirmed that this

application is exempt from statutory BNG under the de minimis exemption as the proposals relate solely to the existing workshop/garage.

5.46 In light of the above, the application is acceptable in this regard and complies with adopted local plan policy EH3.

### **Environmental matters**

5.47 Environmental Health have not raised any objections in principle to the application, however there is potential for land contamination at this premises as the existing building have been used as a workshop from the early 20th century. The officer noted the presence of an old fuel pump at the front of the building and was consequently concerned about the presence of petrol tanks that would have supplied fuel to the petrol dispensers. The early photo within the DAS provided shows the dispensers located on plinths. Those same plinths are still present on current street view photos. This prompts the question as to whether sub-surface supply tanks are also still present.

5.48 Early petrol storage in street-side petrol stations was often in the form of smaller tanks (1-2m<sup>3</sup> capacity) buried beneath the forecourt or even the road adjoining. When the tanks fell out of use as the century progressed these tanks were commonly left in situ because to remove them would have caused disruption to the road surface and foundations of adjoining buildings. It is unclear whether this may apply here. It is also uncommon for early fuel tanks to have been fully decommissioned and would thus present a hazard to development.

5.49 Therefore, officers consider it necessary to add a relevant condition to the decision which will safeguard public amenity and future occupants from contamination. In light of this the proposal is considered to accord with Local Plan Policy EH8 and Section 15 of the NPPF.

### **CIL**

5.50 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. As this is a self-build development/residential extension/residential annex, the applicant may apply for relief.

### **Conclusion**

5.51 There are material considerations which indicate that the application should be approved. As the Council cannot demonstrate evidence of a five-year supply of deliverable housing sites, the relevant development plan policies for the supply of housing are out-of-date.

5.52 Where policies for the supply of housing are out of date, para. 11 d) of the NPPF requires a presumption in favour of sustainable development and that planning permission be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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.

5.53 As such, the application is recommended for approval, subject to the imposition of the conditions set out within this report.

## **6 CONDITIONS/REASONS FOR REFUSAL**

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 Construction works shall not take place outside the hours of 08:30 - 18:00 Mondays to Fridays and 09:00; hours to 14:00 hours on Saturdays and shall not take place at any time on Sundays and Bank Holidays.

REASON: To safeguard the amenity of nearby properties.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, AA, B, C, D, E, G and H shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to ensure the amenity of future occupants and nearby residents.

5 No part of the development shall be occupied until the facilities for refuse bins to be stored awaiting collection have been provided in accordance with details first approved by the Local Planning Authority and thereafter the facilities shall be permanently retained.

REASON: To safeguard the character and appearance of the area and in the interests of the convenience and efficiency of waste storage and collection.

6 The integral garage accommodation shall be retained used for the parking of vehicles ancillary to the residential occupation of the dwelling and for no other purposes.

REASON: In the interest of road safety and convenience and safeguarding the character and appearance of the area.

7 A single bat box of durable construction (e.g. woodstone) shall be installed on either a south- or west-facing elevation of an onsite structure at least three metres high, facing towards vegetation (if possible) and where there is no light spill. Details of the model and location of the bat box as well as clear photographs of it in its installed location shall be submitted to and agreed in writing by the local planning authority prior to first use. It shall be retained in that manner thereafter.

REASON: With consideration for bats in accordance with paragraph 187(d) of the NPPF 2024 and in accordance with Local Policy EH3.

8 No development shall take place until a desk study has been carried out to assess the nature and extent of any contamination, whether or not it originated on site. The report on this study must include a risk assessment of potential source-pathway-receptor linkages. The desk study should establish the fate of the former petrol pump and presence of any disused petrol tanks.

If potential pollutant linkages are identified, a site investigation of the nature and extent of contamination must be 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 Remediation Scheme 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.

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 applicant 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.

**REASON** To ensure any contamination of the site is identified and appropriately remediated in accordance with the West Oxfordshire District Council Local Planning Policy EH8 and Section 15 of the NPPF.

### **Notes to applicant**

- 1 Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, separately. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at [www.westoxon.gov.uk](http://www.westoxon.gov.uk).
- 2 Applicants are strongly encouraged to minimise energy and carbon emissions from buildings through:
  - o Low carbon heating (fossil fuel free) and renewable energy generation, for example heat pumps and solar photovoltaic panels
  - o Wall, floor and roof insulation, and ventilation
  - o High performing triple glazed windows and airtight frames

- o Energy and water efficient appliances and fittings
- o Water recycling
- o Materials with low embodied carbon

For further guidance, please visit:

<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/planning-application-supporting-information/sustainability-standards-checklist/>

<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

- 3 There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the National Bat Helpline on 0345 1300 228, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website.

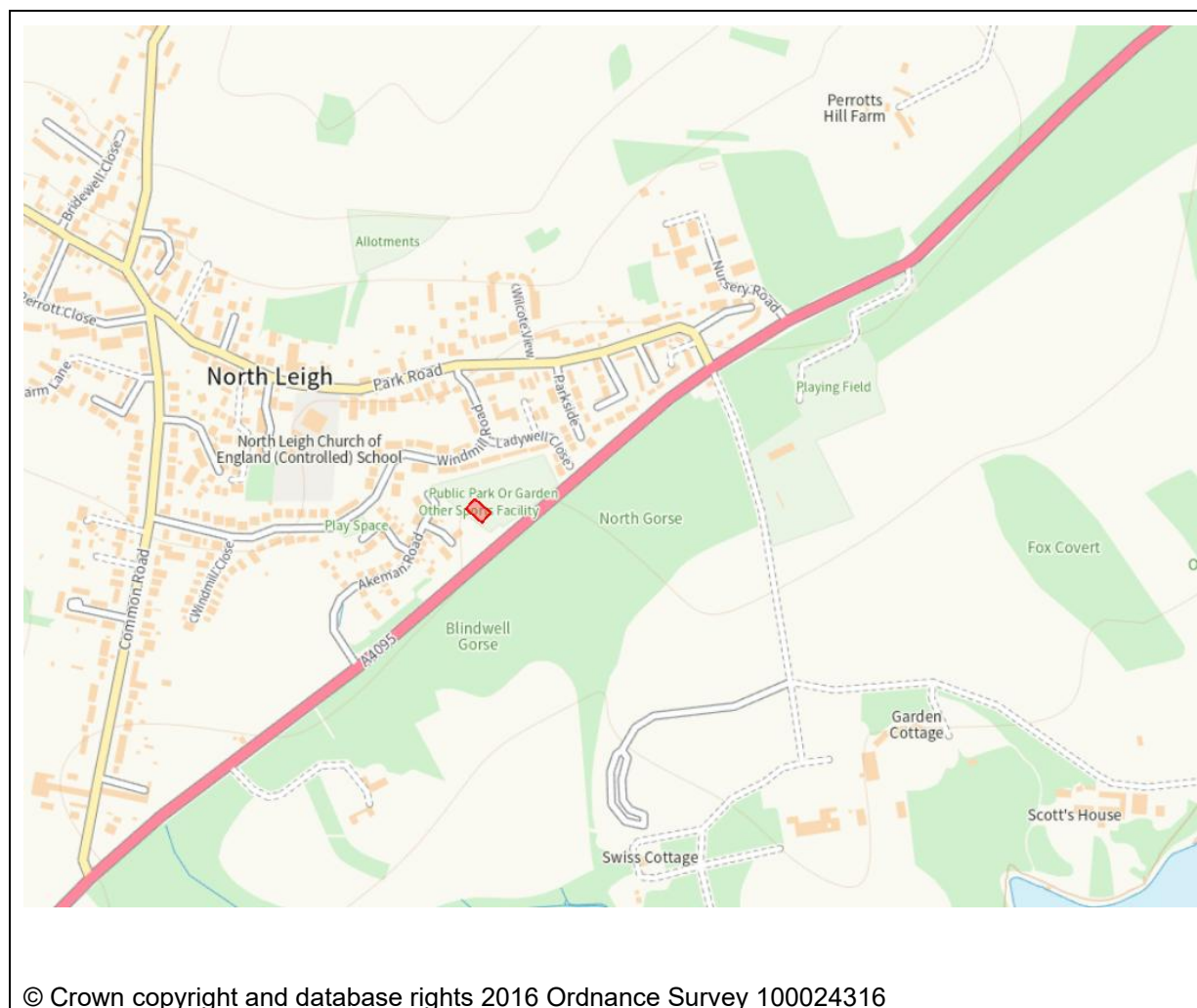
**Contact Officer:** Fern Lynch

**Telephone Number:**

**Date:** 27th May 2026

Application Number	26/00390/FUL
Site Address	Play Area Windmill Road North Leigh Oxfordshire
Date	27th May 2026
Officer	Clare Anscombe
Officer Recommendations	Approve
Parish	North Leigh Parish Council
Grid Reference	439061 E 212728 N
Committee Date	8th June 2026

### Location Map



### Application Details:

Replacement of existing hard surfaced play ground with new fenced Multi use Games Area

**Applicant Details:**

North Leigh Parish Council Allison Leigh  
26 Eaton Village  
Eaton  
ABINGDON  
Oxfordshire  
OX13 5PR

**I CONSULTATIONS**

District Ecologist	Acceptable subject to conditions and informative.
WODC - Sports	No objection.
Parish Council	No comment.

**2 REPRESENTATIONS**

2.1 None received.

**3 APPLICANT'S CASE**

3.1 This is a simple application to carry out engineering operations on a very small part of the Parish Field involving excavation and removal of the existing tarmac sports area on the field in its south western corner and its replacement with a community MUGA of similar proportions. The need for the MUGA is to compensate all residents of the village for the planning disruption not just the residents of the adjacent site.

**4 PLANNING POLICIES**

OS1NEW Presumption in favour of sustainable development  
OS2NEW Locating development in the right places  
OS4NEW High quality design  
T2NEW Highway improvement schemes  
T4NEW Parking provision  
EH3 Biodiversity and Geodiversity  
EH4 Public realm and green infrastructure  
EH5 Sport, recreation and childrens play  
EH8 Environmental protection  
DESGUI West Oxfordshire Design Guide  
NPPF 2024  
WIT6NE Witney sub-area strategy  
The National Planning Policy framework (NPPF) is also a material planning consideration.

**5 PLANNING ASSESSMENT****5 Background Information**

5.1 This planning application is for the replacement of existing hard surfaced play ground with new fenced Multi use Games Area at the area of public open space adjoining the A4095 on the south side of North Leigh.

5.2 The works were agreed to be carried out as part of a previous planning permission for residential development on adjoining land, which is now completed. The developer of that land agreed to fund the replacement facility for the use by the wider community under the terms of a S106 Agreement. The application is to be determined by members because WODC own the site.

5.3 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
- Design
- Ecology
- Amenity
- Flood risk

### **Principle**

5.4 In terms of the principle of the development, the principle of the use in this location is already established. The proposal will not result in the loss of open space, sports and recreational buildings and land. Therefore, the proposed development is supported in principle.

### **Design**

5.5 In terms of design, a 3m high Twin wire fencing system in powder coated green is proposed around the perimeter of the site. The mesh fencing allows visibility through the fence whilst ensuring security. No external lighting is proposed. The proposed surface will be painted green. Given the existing and proposed use of the site, and separation distance from neighbouring properties, Officers consider that the design of the proposed development is acceptable and would respect the visual amenity of the area.

### **Ecology**

5.6 This development is subject to the de minimis exemption (development below the threshold) and is therefore exempt from Biodiversity Net Gain. Habitat enhancements are recommended for the development to meet Local Plan Policy EH3. Therefore, the proposed development would conserve and enhance biodiversity, subject to conditions and an informative.

### **Residential Amenities**

5.7 In terms of impact on neighbouring amenity, subject to a condition requiring the submission and approval of details of external lighting prior to installation and due to the existing use of the site, Officers consider that the proposal would be unlikely to harm the amenity of neighbouring residents by way light and/or noise.

### **Flood risk**

5.8 The new MUGA surface is to be constructed of porous materials with surface water directed to a nearby watercourse. There would be a very small increase in the area of hard surface. Therefore

Officers consider that the proposed development would be unlikely to increase floodrisk onsite and elsewhere in accordance with policy EH7 of the adopted WOLP.

### **Other matters**

5.9 This development is not liable for CIL because it is less than 100sqm of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42

5.10 Officers note that the Grade II Listed Eynsham Park and Garden is located in relative proximity on the southern side of the A4095 but it is considered that due to the modest scale and nature of the proposal, as well as separation distance, no material impact would result upon its setting.

### **Conclusion**

5.11 In conclusion, taking into account planning policy, other material considerations and the comments of interested parties, the proposed development is considered to comply with the key policies of the adopted WOLP and relevant paragraphs of the NPPF 2024, and so the application is recommended for approval, subject to conditions and informatives.

## **6 CONDITIONS/REASONS FOR REFUSAL**

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 No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

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

5 The development shall be carried out in accordance with the following biodiversity mitigation measures and enhancement features. All the measures and features listed below shall be implemented in full before the development hereby approved is first brought into use, unless otherwise agreed in writing

by the local planning authority, and all the features shall thereafter be permanently retained and maintained for the stated purpose of biodiversity conservation.

- i. The installation of at least 1 x bird box in a mature tree on-site. This will be installed in accordance with the West Oxfordshire District Council's Biodiversity Specification #3.
- ii. The installation of least 2 x bat boxes in mature trees to mitigate for this disruption.

These are to be installed in accordance with the West Oxfordshire District Council's Biodiversity Specification #4.

REASON: In the interests of biodiversity conservation and enhancement.

### **Notes to applicant**

- 1       **IMPORTANT:** The statutory Biodiversity Gain Plan deemed planning condition does NOT apply to this planning permission. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. There are statutory exemptions and transitional arrangements that mean that the biodiversity gain condition does not always apply. Based on the information available, this permission is considered to be one that will not require the approval of a biodiversity gain plan before development is begun because it is for development which is subject to the de minimis exemption (development below the threshold) within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 2       Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100sqm of new build that does not result in the creation of a dwelling and therefore benefits from Minor Development Exemption under CIL Regulation 42.

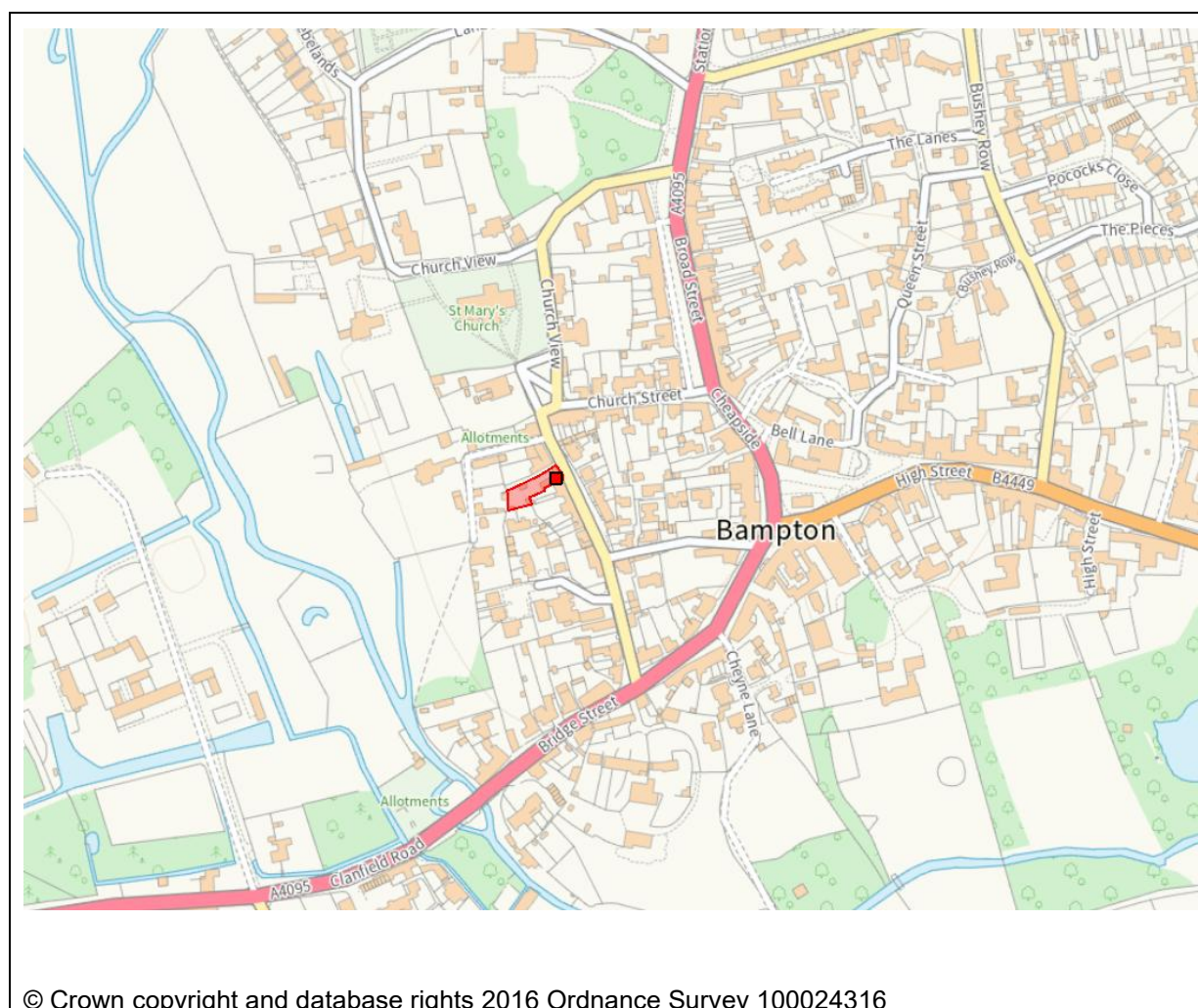
**Contact Officer:** Clare Anscombe

**Telephone Number:**

**Date:** 27th May 2026

Application Number	26/00396/LBC
Site Address	3 Church View Bampton Oxfordshire OX18 2NE
Date	27th May 2026
Officer	George Matthews
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431310 E 203203 N
Committee Date	8th June 2026

### Location Map



### Application Details:

Internal alterations to create a new loft access opening in the first floor bedroom with integrated ladder access.

**Applicant Details:**

Mr Alistair Wray  
The Old Bakehouse  
3 Church View  
Bampton  
Oxfordshire  
OX18 2NE

**I CONSULTATIONS**

Conservation And Design  
Officer

No objections.

Parish Council

BAMPTON PARISH COUNCIL has NO OBJECTION to this application.

Historic England

Thank you for your letter dated 11 March 2026 regarding the above application for Listed Building Consent. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions.

**3 2 REPRESENTATIONS**

2.1 No third party comments received.

**3 APPLICANT'S CASE**

3.1 The Design and Access Statement submitted in support of the application is summarised as follows:

Proposed is to replace the existing opening to the existing loft space to allow for improved access for storage purposes. The existing trapdoor opening is 550 x 1150mm from a small landing space which is close to the corner of the eaves with very limited headroom and has no integrated ladder.

In contrast, the existing loft space is spacious, fully boarded with an existing gable window and electricity. The proposal is to create a new loft access opening in the first floor bedroom immediately below the loft space of a similar size (550 x 1150mm) with an integrated ladder access and full headroom on entry (see plans).

This proposal addresses the current access constraints, with a new opening that provides safe entry, allowing full headroom and integrates a secure retractable ladder for access. There are no changes to the external appearance of the building, and internally the focus is on improving ease of access and storage.

**4 PLANNING POLICIES**

EH9 Historic environment  
EH10 Conservation Areas  
EH11 Listed Buildings

NPPF 2024

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 Listed Building Consent for internal alterations to create a new loft access opening in the first floor bedroom with integrated ladder access at 3 Church View, Bampton. The application site relates to a Grade II listed building located in west Bampton, lying within the Bampton Conservation Area.

5.2 The application has been brought before Members of the Committee as the applicant is an elected member of West Oxfordshire District Council as a District Councillor.

### **Description of Works**

5.3 The proposal is for internal alterations to create a new loft access opening in the first floor bedroom with integrated ladder access. The proposed loft access opening will be 550 by 1150 millimetres in size with an integrated ladder access which allows for full headroom on entry. This is in comparison to the existing access which is of a similar size but has no integrated ladder and limited headroom. The proposal will allow for a new opening which provides safe entry to the loft space and does not propose any alterations to the exterior of the designated heritage asset.

### **Impact on the Listed Building**

5.4 Officers are required to take account of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.

5.5 Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 213). Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.

5.6 With regard to the impact on the listed building, given the modest nature of the proposals which will help to maintain the building's long term use, it is considered that the works do not negatively impact the fabric of the listed building. The proposal 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 proposal would therefore conform to policies EH9, EH10 and EH11 of the Local Plan.

### **Community Infrastructure Levy (CIL)**

5.7 This development is not liable for CIL because it is less than 100sqm of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

### **Conclusion**

5.8 The Local Planning Authority has had special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, and to the desirability of preserving or enhancing the character or appearance of the area.

5.9 Taking into account the above matters the works proposed will preserve the special architectural and historic interest of the listed building in accordance with Section 16(2) of the 1990 Act. The significance of the designated heritage asset will be sustained, in accordance with Section 16 of the NPPF.

## **6 CONDITIONS/REASONS FOR REFUSAL**

1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 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.

3 No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.

REASON: To preserve internal features of the Listed Building.

4 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.

REASON: To preserve the architectural integrity of the Listed Building.

### **Notes to applicant**

1 The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.

- 2 Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100sqm of new build that does not result in the creation of a dwelling and therefore benefits from Minor Development Exemption under CIL Regulation 42.

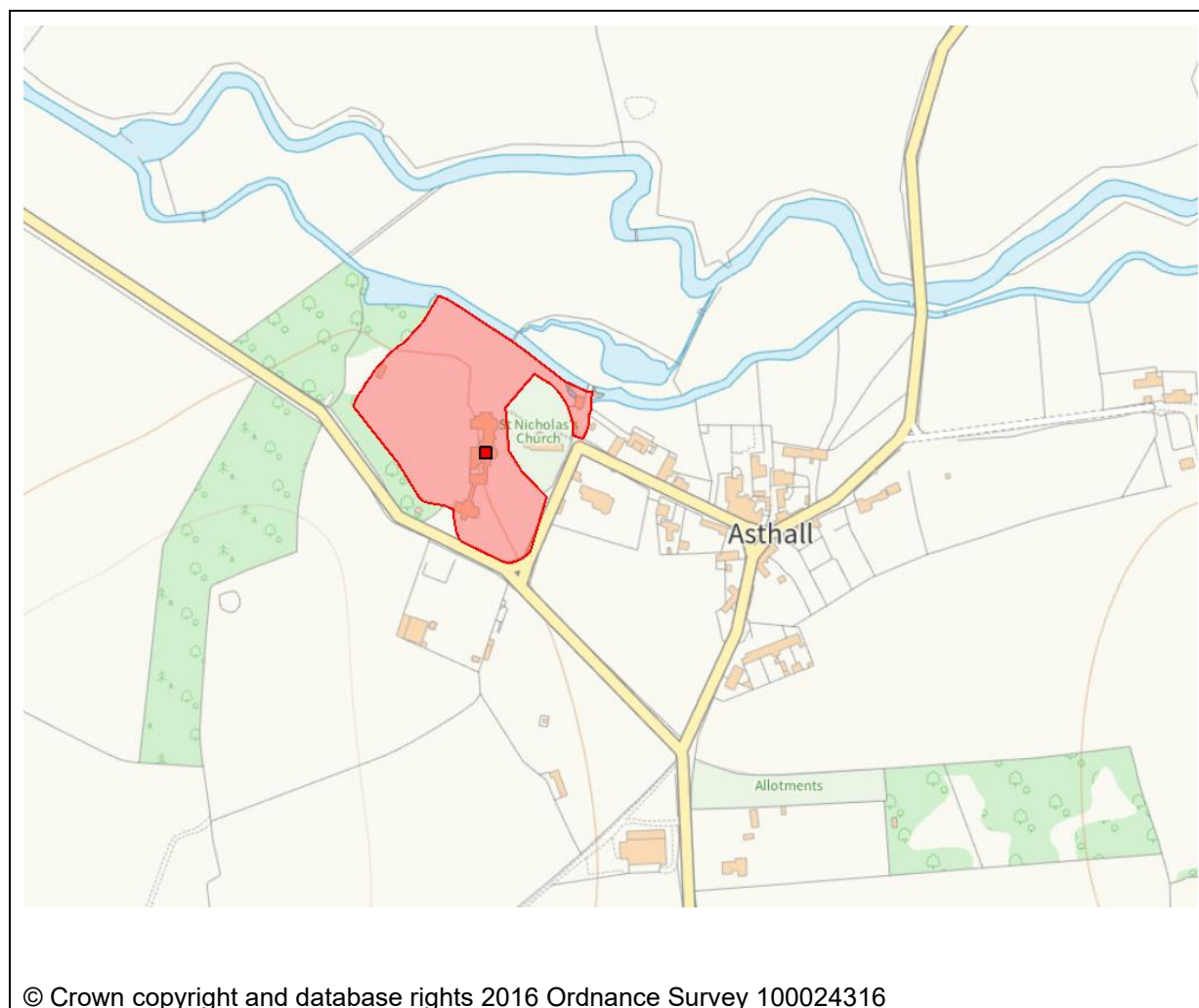
**Contact Officer:** George Matthews

**Telephone Number:**

**Date:** 27th May 2026

Application Number	26/00638/LBC
Site Address	Asthal Manor Asthal Burford Oxfordshire OX18 4HW
Date	27th May 2026
Officer	Chris Mitchell
Officer Recommendations	Approve
Parish	Asthal Parish Council
Grid Reference	428674 E 211382 N
Committee Date	8th June 2026

### Location Map



### Application Details:

Internal alterations to include installation of internal wall insulation to improve thermal performance

**Applicant Details:**

Rosanna Pearson  
Asthall Manor  
Asthall  
Burford  
Oxfordshire  
OX18 4HW

**I CONSULTATIONS**

Conservation And Design  
Officer

In summary, these measures have been very well considered, and whilst relatively recent technology is proposed, the system is vapour-open, and should not create any issues with interstitial condensation, etc - whilst giving a very significant reduction in heat loss. We also note that the system is relatively thin, and should make no major impact upon internal joinery, skirtings, architrave, etc.

So, this has my support. However, it would be helpful if the applicant could pick out the walls to be treated on the floor plans with a coloured line - rather than identifying whole rooms, and relying on the accompanying text.

Conditions A13, E12 and E17

Parish Council

No Comment Received.

Historic England

Does not wish to make comment.

**3 2 REPRESENTATIONS**

2.1 No third party comments received.

**3 APPLICANT'S CASE**

3.1 A Statement of heritage significance and Heritage Impact Assessment is provided in support of the application and makes the following points.

3.2 The primary proposal is for internal wall insulation for gable-end walls in second-story bedrooms at Asthall Manor house, including the linked Ballroom Annex- Flat bedroom gables and the interior walls of the north ground-floor office room in the main building.

3.3 The Proposal and materials use are analysed and contextualised in the separate document. The thickness criteria and the amount of space to be taken from the rooms are major factors with respect to thermal gains, and for this reason, a thin, breathable Aerogel quilt of 10 mm thickness is proposed as a constituent of a permeable masonry and lime-plastered envelope wall. Wall contained moisture management is considered, and a proprietary application methodology is endorsed as a sustainable, suitable approach for listed buildings with the same wall type in similar wind-driven rain exposure zones. The vapour-open thermal layer does not upset the proportional dynamics of the walls, and it accounts

for the implications to historic timber joinery components, which are mitigated by its thin, high-performing qualities. Furthermore, when the existing wall coverings are faithfully reproduced with breathable, matching, coloured finishes, the result is not envisaged to affect the cultural significance.

3.4 The thermal gains represent a nearly threefold reduction in heat loss for walls, and the reduction in operational carbon will outweighs perceived impact associated with non-tangible factors. It is considered that long-term sustainability is linked to the proposal, which can also be reversible.

## **4 PLANNING POLICIES**

EH9 Historic environment

EH10 Conservation Areas

EH11 Listed Buildings

DESGUI West Oxfordshire Design Guide

NPPF 2024

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

## **5 PLANNING ASSESSMENT**

### **Background Information**

5.1 The application is made on behalf of Cllr Pearson, this why it is being presented at Committee.

5.2 The application seeks Listed Building Consent for internal alterations, to include installation of internal wall insulation to improve thermal performance at Asthall Manor, Burford. The application site relates to Asthall Manor a Grade II\* property:

5.3 Manor house. Probably early C17, with alterations c.1916, by C. Bateman. Stone coursed rubble; complex stone slate roof; various stone stacks. 2 storeys and attic; 5-window main range, towards churchyard, with projecting end bays. Stone porch to centre, dated 1916 to gable of roof, having plank door. 4-light stone mullion and transom windows with hoodmoulds to left of centre and to right of centre. 2-storey angled bays to end bays with stone mullion and transom windows and battlemented parapets. 4-light stone mullion and transom windows with hoodmoulds to first floor left of centre, and to right of centre. 3-light stone mullion window to centre with hoodmould. Cross-gables to end bays

5.4 To left and right of centre, having 3-light stone mullion windows with floating cornices. Hipped full dormer to centre. Wing to left: early C20, possibly incorporating earlier structure. Stone coursed rubble; complex stone slate roofs. Single-storey, 4-bay range ('building in garden') linking to 3-bay entrance lodge range of 2 storey and attic. Irregular fenestration of windows and doors. Interior not inspected but likely to be of interest. History: built for Sir William Jones circa 1620. Bought by Lord Redesdale 1919. Home of the Mitford family 1919-1926. Nancy Mitford's childhood at Asthall was her inspiration for "Love in a Cold Climate" and "Pursuit of Love". (Buildings of England: Oxfordshire: 1979, pp. 425-6; Country Life: Vol XCVII, p1124; "The Mitford Family Album" Sophia Murphy, 1985)

5.5 The property is located to the west of the hamlet of Asthall, within the Asthall Conservation Area and Cotswold National Landscape.

### **Siting and Design**

5.6 The proposal seeks internal wall insulation for gable-end walls in second-story bedrooms at Asthall Manor house, including the linked Ballroom Annex- Flat bedroom gables and the interior walls of the north ground-floor office room in the main building. Internal wall insulation for gable-end walls in second-story bedrooms at Asthall Manor house, including the linked Ballroom Annex- Flat bedroom gables and the interior walls of the north ground-floor office room in the main building.

5.7 It is proposed to strip away the existing plaster to bare masonry and reapply a thermally insulating Parge/ Base levelling coat of Lime plaster, followed by a proprietary notch troweled-on adhesive, 10 mm breathable Aerogel board, over which a first layer of Lime plaster is applied, and a reinforcing mesh is bedded wet, over which the finish coat of Lime plaster is applied. The systematic use of a certified vapour-open lime-base interior- coloured wall finish will achieve the final inward appearance, colour-matched like-for-like to the original decor.

### **Impact on the Listed Building**

5.8 Officers are required to take account of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.

5.9 Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.

5.10 With regard to the impact on the listed building Conservation comments considered to be in keeping with the host building. The proposed development would maintain the appearance of the heritage asset given the nature of what is proposed and its location.

5.11 The Conservation officer has raised no objection though requested that the floor plans should detail each wall that will be treated. The agent has submitted a revised floor plan detailing the internal walls that are proposed to be treated and the recommended conditions will be placed on any permission granted.

### **Conclusion**

5.12 The Local Planning Authority has had special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, and to the desirability of preserving or enhancing the character or appearance of the area.

5.13 Taking into account the above matters the works proposed will preserve the special architectural and historic interest of the listed building in accordance with Section 16(2) of the 1990 Act. The

significance of the designated heritage assets will be sustained, in accordance with Section 16 of the NPPF.

## **6 CONDITIONS/REASONS FOR REFUSAL**

1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No demolitions, stripping out, removal of structural elements, replacement of original joinery or fittings and finishes shall be carried out except where shown and noted on the approved drawings.

REASON: To preserve internal features of the Listed Building.

3 All new works and works of making good shall be carried out in materials, and detailed, to match the adjoining original fabric except where shown otherwise on the approved drawings.

REASON: To preserve the architectural integrity of the Listed Building.

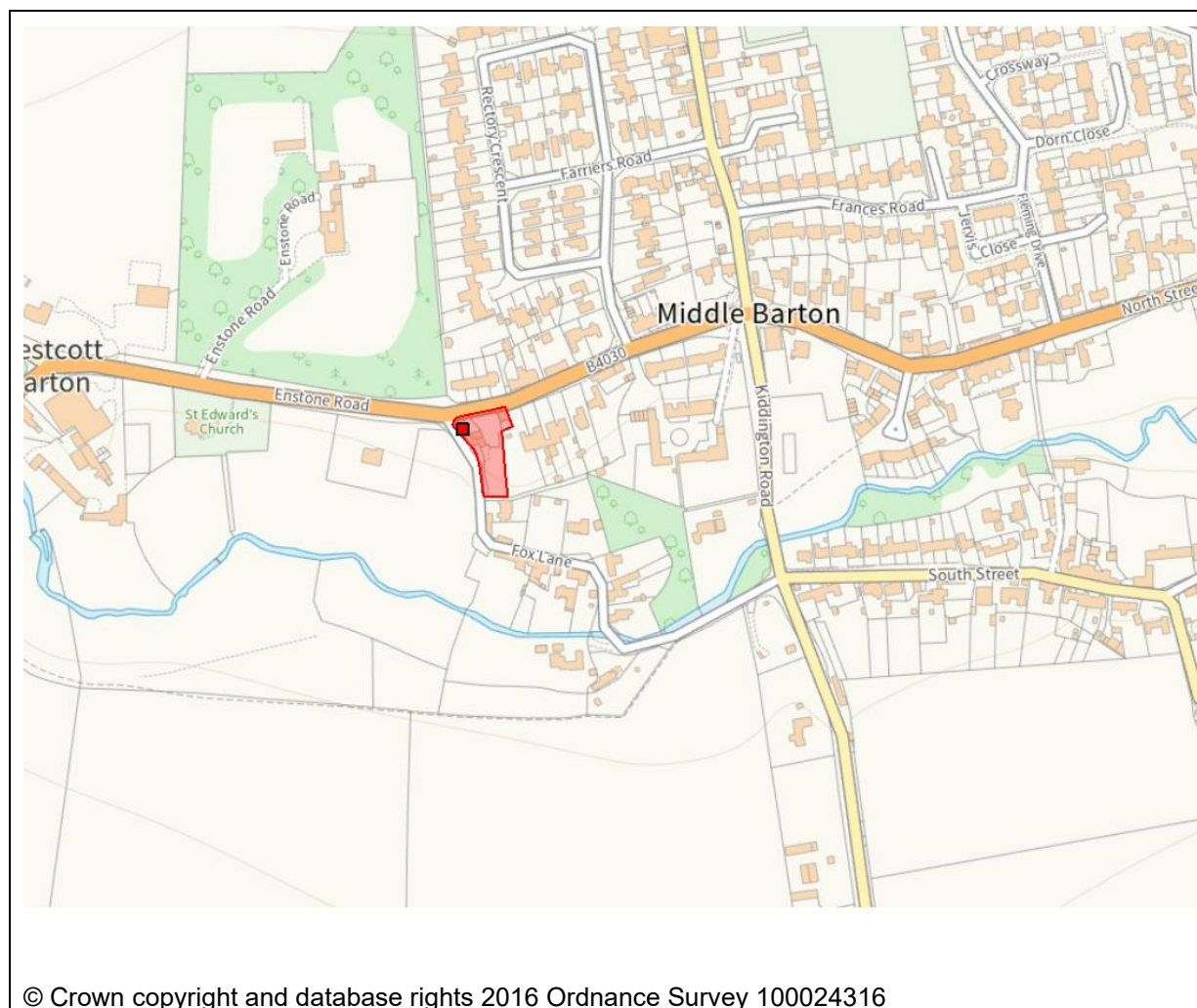
**Contact Officer:** Chris Mitchell

**Telephone Number:**

**Date:** 27th May 2026

Application Number	26/00774/LBC
Site Address	The Fox Inn 27 Enstone Road Middle Barton Chipping Norton Oxfordshire OX7 7BL
Date	27th May 2026
Officer	Rebekah Orriss
Officer Recommendations	Refuse
Parish	Westcot Barton Parish Council
Grid Reference	443279 E 225682 N
Committee Date	8th June 2026

### Location Map



### Application Details:

Internal alterations to include the opening up of existing doorway and works to the inglenook fireplace. (Retrospective).

**Applicant Details:**

Mr O'Sullivan  
Wellesley House  
Duke Of Wellington Avenue  
Royal Arsenal  
London  
SE18 6SS

**I CONSULTATIONS**

Conservation And Design  
Officer

The Inglenook at the Fox Inn is part of its historical and architectural development and character, it was not only a source of heat, but also, it has aesthetic appeal, and given the importance of open fireplaces within a public house - where people gather around the fireplace to warm themselves and 'feel the comfort of being at home', it also has an intangible / communal (social) aspect. The loss of the rear wall of this Inglenook as a formerly enclosed three-sided alcove has eroded the plan form of the building by losing any connectivity with the former compartmentalised aspects of the building (bar, snug, Inglenook, dining room), and has created a large lifeless gap eroding its legibility, and thereby harming its character, appearance, function as well as the loss of historic fabric; harming the historical (illustrative, evidential), architectural (aesthetic) and communal (social) significance.

And the works to widen the opening (that have also seen the loss of historic fabric and a historic lintel) have resulted in loss of character, harm to the plan form of this building affecting its historical (illustrative, evidential) and architectural character.

Had these alterations been submitted to us as a listed building consent application, we would not have supported them.

I do not consider that there is clear and convincing justification supporting the works, nor any discernible public benefits that outweighs the identified harm to the listed building. Therefore, I raise an objection to this works, they have not preserved the character of this listed building and are contrary to Legislation, NPPF (Section 16), and LP policies EH9 and EH11.

I recommend that the internal wall and the rear wall of the Inglenook is reinstated strictly like for like - undertaken via the listed building

consent process.

#### Parish Council

The Fox is noted as an Asset of Community Value as it is the only pub and community space within the Parish of Westcote Barton. It is a Grade 2 Listed Public House that has been maintained to the minimum standards by the previous owners and has deteriorated since it closed in 2023.

The applicant has applied for retrospective permission which in this case we feel is actually beneficial. The delay has allowed the applicant to strip back the 'enhancements' of the last century and expose the core structure and features of the original building. To protect the building we need to consider that its core purpose is to be a Pub and we must ensure that it is not only 'fit for purpose' in the 21st century but also remains a viable business.

The previous space was split into 3 distinct areas with narrow doorways between each. The widening of the doorway and removal of the wall behind the fireplace has created a far more open and inclusive space. This will improve the connection throughout the pub and will enhance the community aspect of the space.

Whilst there has been alterations to the fabric we feel that these are more than offset by the increased community value and purpose that has been created by the applicant.

The alterations have been completed with care and with a focus on stripping back the unnecessary enhancements and focusing on the core features of the building.

We would therefore strongly support the application on the basis that the community value in this case supports the changes that have been made.

#### Historic England

This application seeks to regularise what were harmful and unauthorised alterations that were carried out to this listed building. The unauthorised changes to this building has caused harm (less than substantial) to the significance of the listed building. Original structural walls form an essential part of understanding and appreciating the historic plan form and evolution of the building. Furthermore, fireplaces are an important aesthetic and structural element of a historic building, and both provide an understanding of the original use, character and plan form of traditional listed buildings.

The proposals have harmed the significance of the listed building and Historic England recommends there is scope to rectify the most harmful elements, rather than, as this application proposes, to regularise it.

...Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 208, 212, 213, 215 of the NPPF.

## **2 REPRESENTATIONS**

2. 126 letters of support were submitted, the full comments can be read on the WODC website but are summarised as follows:

- The pub has been closed for a long time and the village would benefit from the pub reopening;
- The works have been carried out with care and consideration;
- Opening up the dining room will make it more appealing and easier to move around;
- It will be good for local employment;
- The Fox is a valued community facility, and ensuring the building remains safe, functional and economically viable aligns with policy E5, which supports the retention and enhancement of rural services

## **3 APPLICANT'S CASE**

3.1 The applicant has submitted a heritage statement that presents their full case for the works, below is an extract from the conclusion at section 6.0 of the statement:

3.2 "This report has set out the historical development and significance of the Grade II listed Fox Inn on Enstone Road in Middle Barton. It has then gone on to consider the impact on the building's significance of two elements of unauthorised work to the building, including the enlargement of an existing internal opening and the removal of fabric from the back of an inglenook fireplace. Consent is now sought to regularise these works.

3.3 The rationale behind both elements of the works was to improve the experience of the public house for its future customers, and to enhance internal circulation, in support of the planned reopening of the inn later this year after more than two years of closure.

3.4 The significance of the building primarily derives from its age and survival of original fabric but also from its long-documented use as a public house and its value to the local community in this use. While its significance has been diminished to some degree by historical changes and additions, the building continues to merit its Grade II listing.

3.5 This assessment has concluded that the loss of a relatively small quantity of historic fabric arising from the enlargement of the opening made in 1990 has not had any appreciable impact on the building's significance or 'special interest'. It is, however, acknowledged that the removal of the back wall of the inglenook has resulted in some less than substantial harm to significance, which falls to be considered under the terms of paragraph 215 of the NPPF.

3.6 This harm should be set against the significant heritage and public benefits of the reinstatement of the public house and the securing of the future of the listed building in its optimum viable use after a long period of closure, and the corresponding investment into the general repair and upkeep of its fabric that this entails, both currently and in the future."

3.7 The covering letter lists the following as benefits of the works:

3.8 "The reopening of the public house will provide significant public benefits, these benefits include a social element, as a third space meeting point for the community within walking distance, offering diverse services, and the economic benefits, including job creation and supporting the local economy."

## **4 PLANNING POLICIES**

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

## **5 PLANNING ASSESSMENT**

### **Background**

- 5.1. This is an application for listed building consent for internal alterations to include the opening up of existing doorway and works to the inglenook fireplace at the Fox Inn, Middle Barton.
- 5.2. The Fox Inn is a grade II listed public House and is within the Bartons Conservation Area.
- 5.3. The works have already been completed without listed building consent.
- 5.4. The Fox Inn is designated an Asset of Community Value.
- 5.5. This application is before Members because the view of the Parish Council is contrary to the views of Officers.

### **Planning History**

5.6. The following are applications that have been determined, your Officers are unclear if the 2019 consents were implemented:

- o 26/00591/FUL - Erection of building for community café - approved
- o 26/00760/LBC - Demolition of outbuilding - approved
- o 26/00506/FUL - Refurbishment works to include replacement windows and front door (part retrospective).
- o 26/00507/LBC - Internal and external refurbishment works to include removal of front entrance porch, replacement windows and front door. (Part retrospective).
- o 19/01746/LBC - Internal alterations, change existing fire escape to window and change existing window to fire escape - approved
- o 19/02379/ADV - Erection of replacement illuminated signs. - approved
- o 19/02382/LBC - Erection of replacement illuminated signs and lighting. - approved

### **Design and impact on Heritage Assets**

#### **Listed Building**

5.7. As the property is Grade II listed, the Local Planning Authority are statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special

architectural or historic interest it may possess, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

5.8. Section 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset - such as a Listed Building, or Conservation Area - great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (paragraph 213).

5.9. The works that have been carried out without permission comprise two separate significant internal alterations to the floorplan of the building. The first is the removal of the rear wall in the inglenook fireplace that is located at the southern end of the main bar. The second is the widening and increase in height of an existing internal doorway, including the replacement of the lintel with an oak beam. In both cases original historic fabric including stone and a lintel has been removed.

5.10. The Fox Inn has been listed for its special architectural and historic (illustrative and evidential) significance. It also has social significance in the community as a public house. Listed building consent is required by law for internal works to listed buildings because the internal layout and structure of a listed building are an essential part of the history of a building and changes must be carefully assessed to ensure the protection and conservation of important features that contribute to the overall significance of the building.

#### *The Inglenook Fireplace*

5.11. The inglenook fireplace is referred to in the official listing for the building and it was clearly a characterful and significant feature of the ground floor layout. The Council's Conservation Officer has objected to the works and describes harm caused by the alteration as follows:

*The Inglenook at the Fox Inn is part of its historical and architectural development and character, it was not only a source of heat, but also, it has aesthetic appeal, and given the importance of open fireplaces within a public house - where people gather around the fireplace to warm themselves and 'feel the comfort of being at home', it also has an intangible / communal (social) aspect.*

*The loss of the rear wall of this Inglenook as a formerly enclosed three-sided alcove has eroded the plan form of the building by losing any connectivity with the former compartmentalised aspects of the building (bar, snug, Inglenook, dining room), and has created a lifeless opening eroding its legibility, and thereby harming its character, appearance, function as well as the loss of historic fabric; harming the historical (illustrative, evidential), architectural (aesthetic) and communal (social) significance.*

5.12. Historic England have objected to the works, identifying less than substantial harm and recommending that the inglenook is reinstated. Their full comments are visible on the public portal but are summarised as follows:

*Inglenooks traditionally are large open fireplaces designed to allow for occupants to gather around them for warmth, socialising and cooking. The term 'nook' means corner and originally these fireplaces were enclosed, usually on three sides.*

*By opening up the inglenook on both sides has impacted the enclosed nature of this fireplace and its contribution to the building's plan form. The change has also compromised the structural integrity of the fireplace. This changes how the inglenook was designed to draw air, ventilate itself and distribute heat. The works have therefore harmed the significance of the building through the changes it creates to the plan form and the ability to understand and appreciate the aesthetic and functional qualities of this inglenook.*

*The case for this element has been made as part of an overall scheme to bring the pub back into use. Whilst we support the return of this building as a pub, the form of the inglenook fireplace does not restrict that ambition. We do not think this element of the proposals should be permitted.*

5.13. In summary, the alteration to the fireplace has permanently changed the appearance and function of the inglenook as a distinctive and specific form of traditional fireplace which forms an important feature in the historic plan form of the building.

#### *The Dining Room Doorway*

5.14. This opening has previously undergone changes, first existing as a window opening before an extension was added to the building in the 1990s, when the opening was turned into an internal doorway, it would appear that the original lintel was retained at the time. While this opening has seen change previously, it retained its charm and contributed to the understanding of the plan form and phases of change that are part of the buildings history and character. The increased opening has eroded the distinction between the separate spaces that form the layout of the ground floor.

5.15. The Applicant has stated (at 5.14 of the Heritage Statement) that this alteration was made to 'improve circulation and access through the ground floor of the building in order to support the reopening of the public house'. Your Officers consider that increasing the size of the doorway to the extent that has been carried out goes further than what would be necessary to improve circulation and that a less radical approach would have conserved the plan-form effectively without the harm caused by the current works.

#### *Planning Balance*

5.16. The Council's Conservation Officer and Historic England have both identified the works as harmful to the listed building and Historic England have specified that the harm is in the mid-range of less than substantial. In this case, paragraph 215 of the NPPF states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal including where appropriate securing its optimum viable use.

5.17. On this basis, alterations to listed buildings should only be supported where there is clear and convincing justification and only where clear public benefits outweigh any identified harm.

5.18. Your Officers recognise that pubs are an important part of the community and the Fox has remained shut for a long period. While historic buildings sometimes need alterations to work with modern business practices, internal changes must be made carefully with consideration given to the scale of changes needed to secure the viable use. In this case, your Officers do not consider that the alteration to the inglenook fireplace is necessary for bringing the pub back into use, the presence of the inglenook would not prevent the operation of the pub as a viable business and there are no identifiable public benefits of these works.

5.19. In the case of the internal doorway, while increasing the size of this opening may have some benefit to the function of the public house it is not necessary to secure the optimum viable use of the pub. Your Officers consider that the extent of the works and the removal of the previous lintel go beyond what is necessary to refurbish the pub and the harm is not outweighed by any potential benefit of the works. This application is seeking to regularise the works as carried out and has not proposed any remedial works to reduce the harm caused by this alteration.

5.20. Overall, your Officers do not consider the works to be necessary to secure the optimum viable use of the public house, and the very limited public benefits do not outweigh the identified less than substantial harm to the significance of the listed building.

5.21. For clarity, carrying out works to a listed building without listed building consent is an offence under section 9 of the Town and Country (Listed Buildings and Conservation Area) Act 1990.

5.22. Should this application be refused, your Officers would be expedient to take enforcement action against these unauthorised works.

## **Conclusion**

5.23. The Local Planning Authority has had special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, and to the desirability of preserving or enhancing the character or appearance of the area.

5.24. Taking into account the objections from both Historic England and the Conservation Officer and that there are no public benefits that outweigh the identified less than substantial harm, your officers consider the works have not preserved the special architectural and historic interest of the listed building in accordance with Section 16(2) of the 1990 Act. The significance of the designated heritage assets has not been sustained, in accordance with Section 16 of the NPPF and the proposal should be refused.

## **6 CONDITIONS/REASONS FOR REFUSAL**

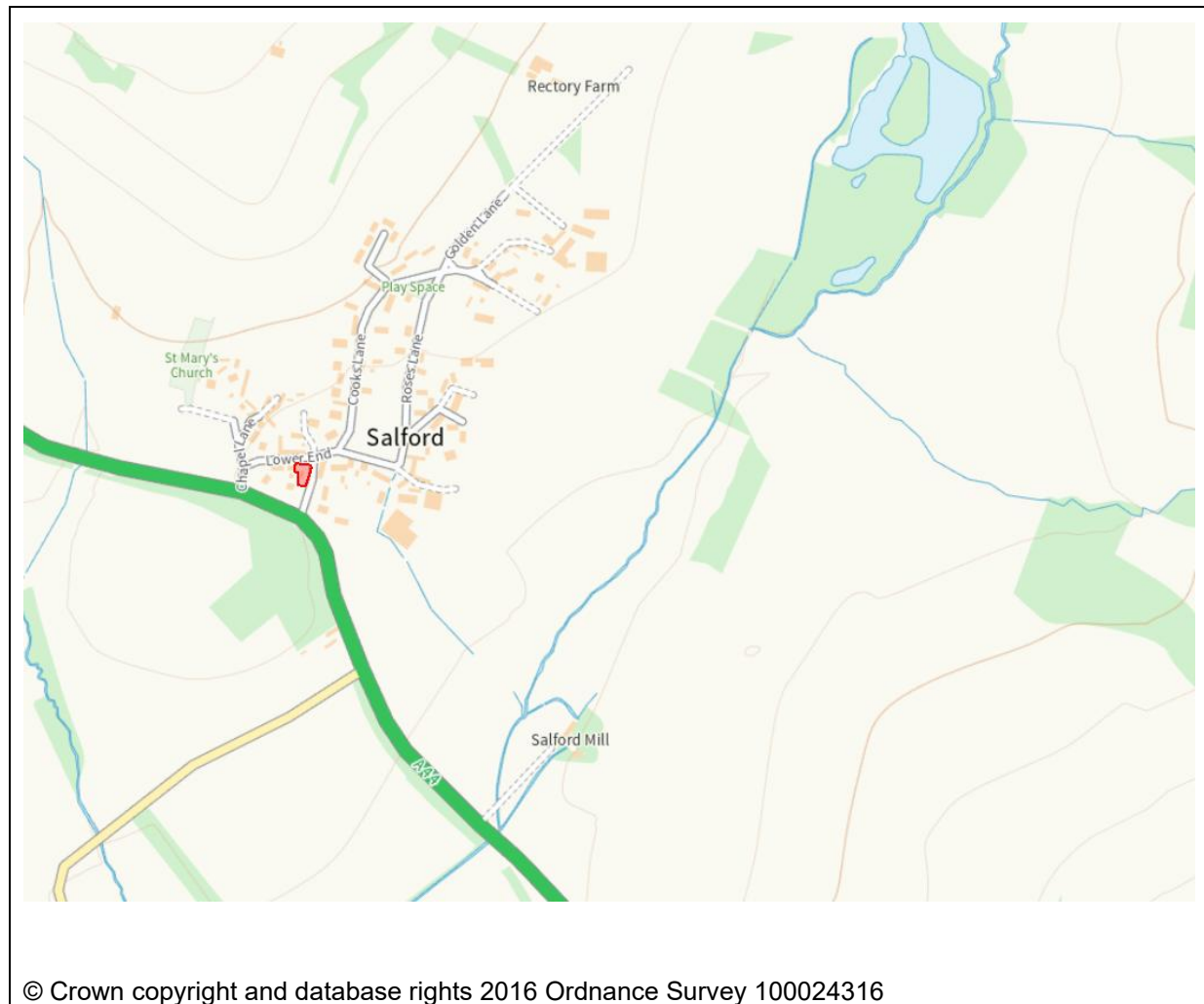
1 The proposed works by virtue of the loss of the inglenook fireplace, which is a characterful feature of the ground floor structure, and the dining room wall, both of which form significant parts of the historic plan form, obscures the historic plan-form in a manner that erodes the ability to understand and appreciate the historic interest of the buildings fabric, features, and character and do not conserve or enhance the significance of the listed building. The proposed works would therefore result in less than substantial harm to the listed building and there are no clear public benefits, including those which are necessary to secure its optimum viable use of the building, that would outweigh the less than substantial harms and as such the internal works are contrary to Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990, Paragraphs 212, 213, 215 of the NPPF 2024, West Oxfordshire Local Plan Policies EH9 and EH11 and the West Oxfordshire Design Guide.

**Contact Officer:** Rebekah Orriss

**Telephone Number:**  
**Date:** 27th May 2026

Application Number	26/00806/FUL
Site Address	Cherry Tree Cottage Lower End Salford Chipping Norton Oxfordshire OX7 5YW
Date	27th May 2026
Officer	Nathan Harris
Officer Recommendations	Approve
Parish	Salford Parish Council
Grid Reference	428809 E 227926 N
Committee Date	8th June 2026

### Location Map



### Application Details:

Change of use from holiday let to dwelling

**Applicant Details:**

Mr And Mrs Ray And Cynthia Young  
Leylandii  
Lower End  
Salford  
Chipping Norton  
Oxfordshire  
OX7 5YW

**I CONSULTATIONS**

OCC Highways

No Objection

Parish Council

Salford parish council objects to this application. Their detailed response can be viewed online but a summary of the main points raised is:

1. The proposal would amount to incremental residential intensification and the creation of a separate independent dwelling in a village where new housing is strictly limited.
2. The proposal does not satisfy the relevant criteria of WODC Local Plan Policy H2.
3. No essential operational need or specific local housing need has been demonstrated.
4. The change of use would remove tourist accommodation capable of continuing in that use.
5. The site is not a sustainable location for a new unrestricted dwelling, having limited access to services and public transport.
6. The proposal would contribute to overdevelopment and domestic encroachment within the Cotswolds AONB/National Landscape.
7. Approval would create a harmful precedent for further infilling, rounding-off and residential creep within Salford.

**2 REPRESENTATIONS**

2.1 Two third party objection comments have been received in respect of the proposal which both raise concerns that the proposal represents incremental "development creep" from workshop/garage to annexe/holiday cottage and now to an unrestricted dwelling, that a dwelling would be car-dependent due to limited public transport in Salford, that approval could lead to further extension applications and potential overlooking or harm to neighbouring properties and that approval would set a precedent for further residential encroachment in the Cotswolds Natural Landscape.

**3 APPLICANT'S CASE**

3.1 This statement has been prepared to support the application:

- o Mr & Mrs Young both have medical conditions that mean they can no longer maintain their home and garden without significant levels of outside help and would like to downsize to accommodation that suits at this time of their lives.
- o Their holiday let known as Cherry Tree Cottage has registered a small profit in earlier years, but bookings have gradually declined.
- o To compete with other holiday accommodation, it would need a major investment of which is not worth the outlay.
- o The applicants would like to leave their existing 3-bedroom dwelling and the holiday let is no longer viable.
- o Only a small degree of upgrading to the holiday let is required in order to allow the applicants to remain in the village that has been their home for so long.
- o There will be no change to the character and appearance of the area, we are not asking to build a new dwelling, but to make better use of the existing property.
- o This reduces the issue of limitation of new homes in Salford under the current 2031 Local Plan.
- o Under the forthcoming 2041 Local Plan, I understand there is a likelihood that small scale developments may be permitted in limited circumstances, this may be one of those special cases that also has a list of planning benefits.
- o This consultancy gained permission in the much smaller settlement of Worsham under Ref.23/00365/FUL dated 10th August 2023 for the conversion of a workshop to a dwelling. That I believe was approved because it made best use of the redundant building, our current case is broadly the same.

#### **4 PLANNING POLICIES**

OS2NEW Locating development in the right places

OS4NEW High quality design

H2NEW Delivery of new homes

T4NEW Parking provision

EHI Cotswolds AONB

NPPF 2024

NATDES National Design Guide

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 seeks the change of use of an existing holiday let to a dwelling at Cherry Tree Cottage, Lower End, Salford.

5.2. The application site relates to an existing building located within a corner plot, located centrally within the village.

5.3. The site sits within the Cotswolds National Landscape (CNL), formerly known as the Cotswolds Area of Outstanding Natural Beauty (AONB).

5.4. There is currently another application under consideration on the site (ref: 26/00556/FUL) for the replacement of an existing ancillary outbuilding to serve the development. This will be determined under

delegated powers in accordance with the Council's constitution after this application has been decided by members.

5.5. The proposal is brought before Members of the Planning Committee due to the views of the Parish Council being opposed the recommendation of your officers.

### **Planning History**

5.6. 13/1320/P/FP - Conversion of garage to annex and erection of replacement garage/hobby workshop. (Approved)

5.7. 14/02217/FUL - Conversion of garage to annexe, and erection of garage/hobby workshop. (To allow revised garage/workshop position) (Retrospective) (Approved)

5.8. 16/03382/FUL - Conversion of outbuilding to holiday cottage. (Refused)

5.9. 22/02739/FUL - Erection of an entrance porch to existing holiday cottage.

5.10. It is also important to note that application 16/03382/FUL was refused under delegated powers, but was allowed at appeal.

5.11. 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:

- The Principle of Development
- Visual/Landscape Impact
- Residential Amenity
- Highways Impact

### **Principle**

5.12. 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. Accordingly, development proposals must be assessed against the West Oxfordshire Local Plan 2031 (WOLP) and any made Neighbourhood Plans.

5.13. The starting point in the assessment of the principle of development is WOLP Policy OS2, which sets out the general strategy for the location of new development within the District. Policy OS2 contains a settlement hierarchy (Table 4b) which lists and categorises larger settlements as either 'main service centres', 'rural service centres' or 'villages'. Table 4b then outlines that those settlements not listed should be categorised as 'small villages' or 'hamlets'. Salford is identified as a small village.

5.14. Policy OS2 states that:

"Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the area.."

5.15. Policy OS2 goes onto outline a series of general principles with which new development should accord. Those relevant in this case are that new development should:

- o "Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- o Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- o Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities; and
- o Conserve and enhance the natural, historic and built environment"

5.16. Policy H2 sets out that:

'New dwellings will only be permitted in the small villages, hamlets and open countryside where they comply with the general principles set out in Policy OS2 and in the following circumstances:

- o where there is an essential operational or other specific local need that cannot be met in any other way, including the use of existing buildings. Where appropriate, new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;
- o where residential development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset;
- o residential development of exceptional quality or innovative design;
- o new accommodation proposed in accordance with policies specifically for travelling communities;
- o accommodation which will remain ancillary to existing dwellings;
- o replacement dwellings on a one for one basis;
- o re-use of appropriate existing buildings which would lead to an enhancement of their immediate setting and where it has been demonstrated that the building is not capable of re-use for business, recreational or community uses, tourist accommodation or visitor facilities or where the proposal will address a specific local housing need which would otherwise not be met;
- o on sites that have been allocated for housing development within an adopted (made) neighbourhood plan.

*The Council's housing land supply position and the implications of the NPPF*

5.17. 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, your officers consider it

relevant to note that the recent changes to the NPPF are likely to increase the housing requirement for the following reasons:

5.18. 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').

5.19. 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.

5.20. 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).

5.21. For a combination of reasons relating to the changes identified above, your 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, your 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 development*

5.21. 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.

5.22. The outcome of this assessment, including the weighing of benefits and harms, will be addressed in the final planning balance at the conclusion of this report.

#### **Visual and Landscape Impact**

5.23 The application does not seek to change to the external appearance of the existing property, with only minor internal changes proposed. Therefore, there will be no visual impacts as a result of the development.

5.24 The existing building reflects the scale and character of adjacent properties. The arrangement is considered to ensure a coherent relationship with the established street scene within the built up area of the village. Given the residential context of the site, the change of use of the holiday let to an unfettered dwelling will conserve the character of this part of the village.

5.25 The site is located within the Cotswold National Landscape. Paragraph 189 of the NPPF and Policy EH1 of the WOLP requires great weight to be given to conserving and enhancing landscape beauty in National Landscapes. In this case, given the nature of the proposals and the built up residential context of the site, the proposed development will not have any visual impact beyond that which already exists and will therefore conserve the landscape and scenic beauty of the CNL.

5.26 As such, the proposed development is considered to be acceptable in regard to policies OS2, OS4 and EH1 of the West Oxfordshire Local Plan.

### **Residential Amenity**

5.27 The proposed development has been considered in relation to both the amenity of neighbouring properties and the future occupants of the site.

5.28 In terms of neighbouring amenity, there are no external changes proposed to the building so there will be no loss of light or privacy to the detriment of neighbours. Your officers are of the view that the proposed change of use from a holiday let to a single dwelling is likely to reduce levels of activity at the site, as permanent residential occupation generally involves a less frequent turnover of occupants and associated movements than that associated with short-term holiday let accommodation.

5.29 With regard to the amenity of future occupants, the plot is of a generous size and provides sufficient space for private outdoor amenity space. The layout allows for a well-proportioned residential curtilage, and the site benefits from a degree of enclosure and screening from surrounding vegetation, contributing to a private and comfortable living environment.

### **Highways**

5.30 The Local Highway Authority has been consulted on this proposal and has raised no objection to the proposal. As such the proposal is considered acceptable in this regard and complies with policy T4 of the WOLP.

### **Other Matters**

5.31 The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.

### **CIL**

5.32 This development is not liable for CIL because the conversion of the holiday let which is controlled by a condition to keep it ancillary, to a separate dwelling. For the purpose of CIL, liability would have arisen at the point the holiday let was created of which was prior to CIL being implemented. Therefore as no new floor space is being added, there is no liability.

### **Planning Balance and Conclusion**

5.33 As the Council cannot currently demonstrate a five-year supply of deliverable housing land, housing policy H2 of the Local Plan is out of date and the presumption in favour of sustainable development set out in paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged. This means that planning permission should be granted unless 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 the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

5.34 In this case, with regard to the first point, given the nature of the change of use and that there are no physical changes proposed there would be no impact on the landscape and scenic beauty of Cotswolds National Landscape so there is not a strong reason for refusing the development in that regard.

5.35 With regard to the second point, there are no other significant harms which have been identified in relation to visual impacts, amenity or highways safety. In fact, the use of building as a single dwelling may result in less disturbance to neighbours than a holiday let due to the turnovers and nature of the uses. While the proposal is only for a single dwelling, and only limited weight can be given to the contribution this single dwelling makes to the overall housing supply shortfall, it nonetheless does represent a benefit in the context of the current shortfall and short term economic benefits associated with the build process. Further, the site lies within the built up area of Salford and whilst the Local Plan takes a highly restricted approach to new residential development in small villages, it is recognised that the settlement does benefit from public transport connection to larger towns such as Chipping Norton, which lies in relatively close proximity. As such, when assessed against the policies of the NPPF as a whole, with particular regard to the footnote 9 policies, the adverse impacts are not considered to significantly and demonstrably outweigh the benefits of a new dwelling in this location.

5.36 Taking all relevant material considerations into account, and in the absence of identified harm, the proposal is considered to represent an acceptable form of development and is recommended for approval.

## **6 CONDITIONS/REASONS FOR REFUSAL**

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 No dwelling hereby approved shall be occupied until the means to ensure a maximum water consumption of 110 litres use per person per day, in accordance with policy OS3, has been complied with for that dwelling and retained in perpetuity thereafter.

REASON: To improve the sustainability of the dwellings in accordance with policy OS3 of the West Oxfordshire Local Plan 2031.

### **Notes to applicant**

1 The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.

- 2 Please note that the proposed development set out in this application would be liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), however, no CIL is payable as the West Oxfordshire CIL Charging Schedule gives this type of development a zero rate. However, if the nature of the development were to change, you are advised to contact the Council to discuss the requirement for planning permission and CIL liability.

**Contact Officer:** Nathan Harris

**Telephone Number:**

**Date:** 27th May 2026

Application Number	26/00853/HHD
Site Address	3 Church View Bampton Oxfordshire OX18 2NE
Date	27th May 2026
Officer	Sarah Weaver
Officer Recommendations	Approve
Parish	Bampton Parish Council
Grid Reference	431310 E 203203 N
Committee Date	8th June 2026

### Location Map



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**Application Details:**  
Erection of a detached garden studio.



## **Planning History**

25/00289/CND

Discharge of condition 2 (details of windows and doors) of Listed Building Consent. Approved.  
25.03.2025

24/01559/LBC

Internal and external alterations to include replacement of 5 existing windows of varying ages, 3 of which are double glazed, with matching higher thermal quality units and replacement of existing single glazed windows to house frontage with higher thermal quality single glazed windows. A  
Approved. 11.12.2024

16/02712/CND

Discharge of condition 3 (16/01617/HHD).  
Approved. 09.09.2016

16/01617/HHD

Erection of detached garage.  
Approved. 21.07.2016

W2001/0956

Internal & external alterations to include demolition of remainder of old, internal chimney and insertion of window in north gable.  
Approved. 07.09.2001

W92/0732

Construct new porch, side entrance & window, replace stone slates on rear elevation to bakehouse with imitation stone slates.  
Approved. 08.07.1992

26/00396/LBC

Internal alterations to create a new loft access opening in the first floor bedroom with integrated ladder access.  
Pending Determination

## **Impact on the Listed Building**

5.4 Officers are required to take account of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that in considering whether to grant planning permission for any works the local planning authority shall have special regard for the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses.

5.5 With regard to the impact on the listed building, the proposed is not considered to obscure the historical architecture of the existing listed building.

5.6 The proposed outbuilding is of a modest footprint and height, the proposed footprint is approximately 8.7sq.m, the roof is of a mono-pitch design with a slight slope the highest point of the roof is to the front and measures 2.52m. The materials include: Swedish Redwood Shiplap cladding, heavy duty felt roofing, Swedish Redwood door and window frames and hemlock doors. The front elevation is

predominately glazed, including patio doors and full length windows. To a lesser extent, full length windows are included on the side elevations and high level windows are proposed to the rear. The proposed outbuilding is located circa 16m from the listed building.

5.7 Due to the distance from the listed building and relatively small scale of the proposed development, it is considered that the outbuilding would not result in an unacceptable impact on the listed building. The proposed development would conform to policies EH9, EH10 and EH11 of the Local Plan.

### **Impact on the Conservation Area**

5.8 Within a Conservation Area, officers are required to take into account section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Further, the paragraphs of section 16 'Conserving and enhancing the historic environment' of the NPPF are relevant to the consideration of the application.

5.9 In this regard, officers consider that the proposal would respect the special qualities and historic context of the Conservation Area and would maintain the appearance of the heritage asset given the nature and modest size of what is proposed and its location within the plot. There are no conflict with policies EH9, EH10 and EH11 of the Local Plan.

### **Design and Sitting**

5.10 As detailed above, the proposed outbuilding is of a modest scale and design. The development will sit within the garden area of the existing dwelling and cause minimal visual impact. The outbuilding is appropriate in terms of design, location and use for the residential nature of the site.

5.11 It is noted that there are three existing outbuildings within the rear garden, the proposed creating a fourth. Any further development may result in an over development of the amenity space and detract from the listed building.

5.12 Officers are of the opinion that the scale and design of the proposal complies with Policy OS4 of the West Oxfordshire Local Plan 2031 which 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".

### **Neighbouring amenity**

5.13 Local Plan Policy OS2 states that new development should be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants. The importance of minimising adverse impacts upon the amenity of future and neighbouring occupiers is reiterated in Policy OS4 and the West Oxfordshire Design Guide. Given the modest nature of the proposals, officers are of the opinion that the development would not give rise to any adverse impacts in regards to neighbouring amenity in terms of overlooking, overbearing or loss of light.

### **Biodiversity Net Gain (BNG)**

5.14 The Local Planning Authority consider that the mandatory requirement of 10% Biodiversity Net Gain is not required for this proposal as submitted.

### **Community Infrastructure Levy (CIL)**

5.15 This development is not liable for CIL as it is less than 100sq.m of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

### **Conclusion**

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

## **6 CONDITIONS/REASONS FOR REFUSAL**

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 Demolition and construction works shall not take place outside 8am to 5pm Mondays to Fridays and 9am to 1pm on Saturdays and shall not take place at any time on Sundays and Bank Holidays.

REASON: To safeguard living conditions in nearby properties.

5 The development hereby approved shall only be used as incidental to the host dwelling.

REASON: To protect the residential and visual amenities of the locality and to ensure there is no interference with the circulation and manoeuvring of vehicles on the site.

### **Notes to applicant**

1 Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100sqm of new build that does not result in the creation of a dwelling and therefore benefits from Minor Development Exemption under CIL Regulation 42.

**Contact Officer:** Sarah Weaver

**Telephone Number:**

**Date:** 27th May 2026