

## WEST OXFORDSHIRE DISTRICT COUNCIL

### Minutes of the meeting of the **Development Management Sub-Committee**

Held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB  
at 2.00 pm on **Monday, 15 June 2026**

#### PRESENT

Councillors: Andy Goodwin, Mark Walker, Andy Goodwin, Tammy Abaro, Andrew Beaney, Dan Levy, Genny Early, Jack Treloar, David Melvin, David Jackson, Elizabeth Poskitt, Sarah Veasey and Mark Walker

Officers: James Nelson (Principal Planner), Mike Cassidy (Principal Planner), Lorna McShane (Planning Solicitor), Sophie Drew (Lead Lawyer, property), Ana Prelici (Senior Democratic Services Officer), Mathew Taylor (Democratic Services Officer) and Anne Learmonth (Democratic Services Officer)

Other Councillors in attendance: None

#### **17 Apologies for Absence**

Apologies for absence were received from Councillor Faulker, Councillor Godfrey, Councillor Cosier and Councillor Andrew Lyon.

Councillor Jack Treloar substituted for Councillor Faulkner.

Councillor David Melvin substituted for Councillor Godfrey

Councillor Dan Levy substitutes for Councillor Steve Cosier

#### **18 Declarations of Interest**

There were no declarations of interest.

#### **19 Minutes of the Previous meeting**

The agenda was published before the meeting of 8 June 2026. The minutes of the meetings for 8 June 2026 and 15 June 2026 would be considered at the next meeting on Monday 6 July 2026.

#### **20 Applications for Development**

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

Mike Cassidy, Principal Planner, presented the full planning application for the erection of thirty-seven dwellings including an access road, landscaping and associated works.

The Principal Planner gave an overview of the planning history of the site and the application, which was originally reported to the Uplands Area Planning Sub-Committee on 28 May 2025 and was deferred to the meeting of 21 July 2025. The Sub-Committee resolved to approve the application on 21 July 2025 in line with officer recommendations subject to an additional

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informative. The planning permission was issued on 29 January 2026. During the judicial review period, the Council received a pre-action protocol letter from solicitors acting on behalf of a third party which raised a number of matters. After taking legal advice, the Council voluntarily agreed to consent to the quashing of the planning permission in order to ensure that the Public Sector Equality Duty was fully and explicitly considered. The effect of that quashing is that the previous permission is treated as though it had not been granted, and the application is therefore before members once again for determination on a fresh basis. The application was subsequently reported to the sub-committee on the 20th of April 2026, where members resolved to defer the application pending a site visit. That site visit took place on the 4th of June 2026, and the application is before members again for determination.

The Principal Planner brought members attention to the Additional Representations Report, which included both support and objection comments on the application. Since publication, 29 additional objections have been received, which do not raise any new issues.

Friends of West Oxfordshire Cotswolds have also submitted further comments maintaining their objection. They questioned the validity of some of the public support submissions, suggesting some may be anonymous or solicited by a paid campaigner; however, it was confirmed that all support comments included names and addresses. They also reiterated concerns about compliance with neighbourhood and local plans, raised by their solicitor's, Leighday, in the letter summarised in the Additional Representations report, which have already been addressed in the committee report and introduced no new planning considerations.

A letter has also been received from the applicant's solicitors, Gowling WLG, submitted in response to the objections raised by Leighday solicitors. It argues that there were no errors in the officer's report and that the issues raised related to planning judgement. The letter disputed concerns about Great Western Railway representations, the public sector equality duty, and the interpretation of local plan policies H2 and OS2. It concluded that the committee could rely on the officer report and grant planning permission. Overall, there were now 211 objections and 223 supporting representations.

The Principal Planner gave an overview of the application and highlighted the following points:

- The site was located west of Charlbury Town, outside the defined built -up area, and was identified as open countryside in planning policy terms. The site was in the Cotswold National Landscape (CNL).
- The Site is situated adjacent to an existing development enclave behind a railway station, Rushy Bank Ancient Woodland lay to the west and Charlbury Conservation Area was located to the east. The railway line separated the site from the conservation area.
- The site was a 2.4-hectare open grass paddock with defined boundaries including roads, woodland, and infrastructure, and had vehicle access from Forest Road. On the eastern boundary there was an access track to the Thames Water sewage plant with

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an industrial estate and Charlbury Station, a Grade II listed building, beyond approximately 350 metres from the site.

- Historically planning permission had been granted in January 2020 for a residential development of 25 residential dwellings (C3) & a 12-bed supported living facility (sui generis). As part of this now lapsed permission, a 5-metre-deep ecology buffer zone was agreed between the proposed development and the ancient woodland to the west. All the buildings proposed in that permission were two-storey and located in much closer proximity to the Ancient Woodland. The current proposal was a lower form of development than previously approved.
- The application now proposed 37 dwellings with a layout arranged around a central access road and comprised of a mixture of one and two storey buildings. All existing trees were to be retained with additional woodland planting near Forest Road. A 5-metre landscape buffer would be maintained alongside the Ancient Woodland and included an additional 10 metre buffer where permitted development rights for built development would be removed. The footpath would be improved along Forest Road and additional woodland was also proposed.
- The proposed housing included a mixture of one to four-bedroom dwellings, with a total of 37 units including 21 affordable housing units which made up 57% of the site, 7 assisted living bungalows and 12 self-built units. There would be 66 allocated parking spaces and 12 garages which complied with Oxfordshire County Council (OCC) parking standards. The site also proposed an integrated, well-designed landscape scheme. The proposal would go towards meeting the housing need in the area.
- The Principal Planner confirmed that there had been no objections from the ecology officer and there was a long-term ecology plan in place. There were no material changes to the application since last reported to Committee, no objections from OCC Highways and the technical consultees views had remained the same. There was a long-term landscape and ecology management plan secured, a 5-metre ecological buffer next to the Ancient Woodland proposed, and the harms to the CNL had been identified and weighed in the planning balance. The officer recommended the application be approved in line with the report and subject to legal agreement.

Jim Clements, Friends of the West Oxfordshire Cotswolds, spoke in objection to the application and raised the following points:

- the site did not adjoin Charlbury but was 400 metres away across the valley;
- the statement that housing did not meet genuine rural need was not true;
- the application was contrary to policy OS2 principles including lack of safe pedestrian access and the site did not fit logically with existing developments;
- the application predated the neighbourhood plan;
- the development would result in a potential loss of parking for the railway station.
- to approve the application would create an isolated “satellite” development and would harm the ancient woodland.

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Councillor Philippa Phelan, Charlbury Town Council addressed the sub-committee and raised the following points:

- the Town Council reassessed its position following the judicial review and now considered the proposal non-compliant with the neighbourhood plan;
- the site; station complex and Rushy Bank was not part of the built-up area;
- evidence suggested housing need could be met at Woodstock Road and other emerging local plan sites;
- development would harm key views from Grammar School Hill;
- for the Ancient Woodland the proposed 5 metre buffer would be insufficient protection for sensitive habitat;
- the footpath in places was less than 1 metre wide and would be particularly unsuitable for assisted living residents;
- the Town Council formally objected on policy, accessibility, landscape, and sustainability grounds.

Laura Bisbey, Harper Crewe and Ian Cox a local resident spoke in support of the application and raised the following points:

- The cost of the private housing market resulted in the loss of younger residents in Charlbury due to being priced out of the area. The numbers of people on the housing waiting list and the lack of self-build and custom build plots had been identified by the Council.
- The fall of student numbers at the local primary school due to families moving away from the area.
- The Long-standing community involvement and advocacy, a desire to maintain a mixed and balanced community, the existing interest list of 35 households for the site.
- The site does not meet neighbourhood plan requirement for station parking location.
- The proposal was considered a proportionate development and supporters argued benefits outweigh perceived harm.

The Chair invited the members of the sub-committee to debate the application. The following points were raised:

- Members asked for clarification about planning law and how far they should or should not disregard the history of the site including the fact that a permission had been given which was then quashed. The Principal Planner advised that there were no significant changes to the proposal, the decision was voluntarily quashed by the Council to clearly address the public sector equality duty and to reduce the risk a future judicial review. The application was the same scheme with clearer justification. The legal officer advised the sub-committee that the application before them was to be considered afresh.

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- Members asked for clarification on the consideration of the neighbourhood plan when an application was made. The Principal Planner confirmed that the proposal has been assessed against all relevant local planning policies, including those required under the NPPF. While the neighbourhood plan was a material planning consideration, it is now over five years old. It was considered that the scheme complies with it overall.
- Members asked about the risk of flooding and what had been done to mitigate this risk. The principal planner confirmed that the site was in Flood Zone I, no risks had been identified and conditions within the report covered these matters.
- Members asked about the risk of flooding and what had been done to mitigate this risk. The principal planner confirmed that the site was in Flood Zone I, and no risks had been identified that could not be mitigated. Conditions were set out within the report that covered these matters.
- Members raised concerns about the safety of the footpath regarding the access to platforms at the station. The Principal Planner explained that there was no direct access to the station due to the location of the stream, landscaping etc. Further concerns were raised regarding the footpath which could not be widened due to the railway line and road bridge crossing.
- Members asked for more information on the Ancient Woodland management plan. The Principal Planner explained that ecology and planning conditions were proposed to protect the adjacent Ancient Woodland, which included restrictions on site boundaries and future development within garden areas. These points were set out in the report and covered by conditions.
- Members asked for clarification on parking arrangements due to the highlighted shortage of parking at the train station. It was suggested that an informative could be added to include exploring the possibility of residents parking permits on the site which would mitigate any future parking problems on the site.
- Members asked for clarification on the housing need in the area and what the Housing Needs Survey was based on. The principal planner explained that affordable housing delivery would be secured through a Section 106 agreement, prioritising local residents before offering homes more widely if needed. This would include a cascade mechanism for allocation with priority given to local residents, and if the houses were not taken up then they would be offered to wider areas however high demand locally suggested that take up would be likely within the initial period.

Councillor David Jackson proposed that the application be approved in line with officer recommendations with the addition of a 7<sup>th</sup> informative to include exploring the possibility of having resident's parking permits on the site. This was seconded by Councillor Mark Walker and put to the vote.

Voting Record: For 4; Against 3; Abstentions 3; The vote was carried.

The Development Management Sub-Committee Resolved to:

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- I. Approve the application in line with officer recommendations with a 7<sup>th</sup> informative to suggest including residents parking permits on the site.

**21 Applications Determined under Delegated Powers**

There were no delegated powers reports to note.

**22 Appeal Decisions**

There were no appeal decisions report to note.

The Chair reminded Members of the next site visit on 2 July 2026 at 9.30am for the application - 25/01897/OUT Land West of Combe Road

The Meeting closed at 3.43pm

CHAIR