

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 10th November 2025

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.

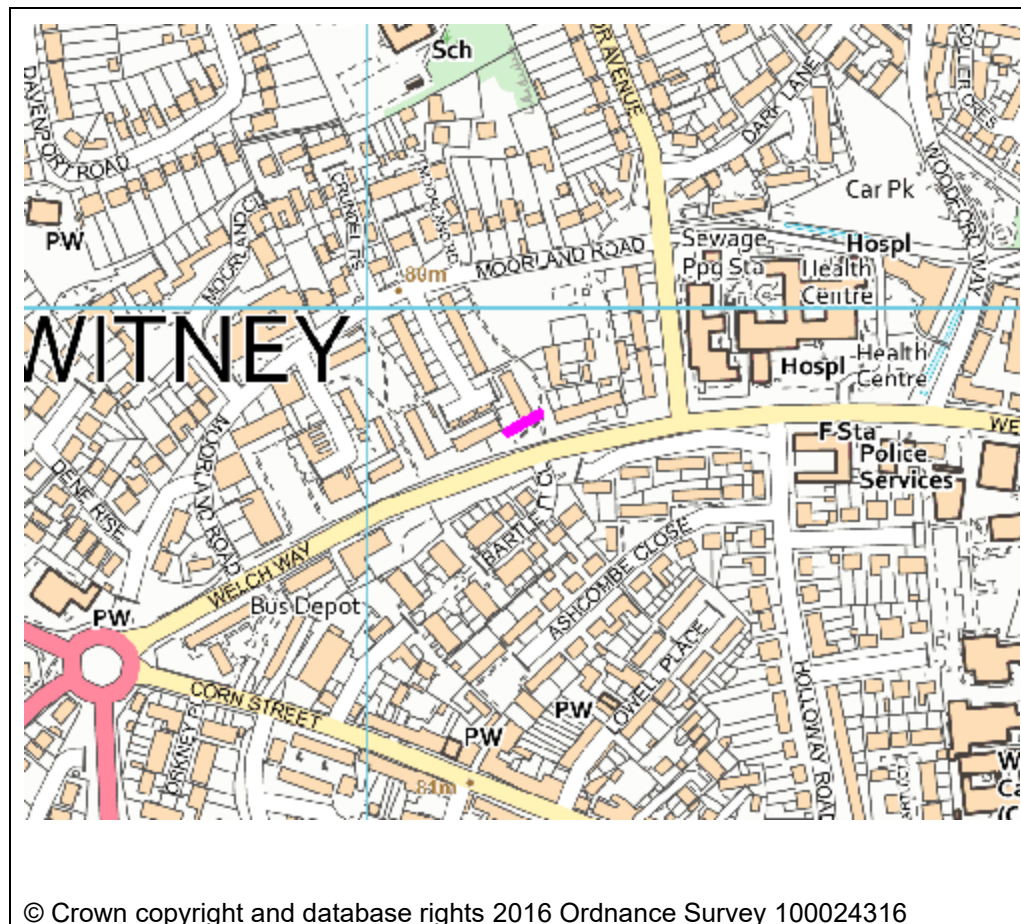
Please note that:

- I. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

Item	Application Number	Address	Officer
	25/00277/FUL	87 Moorland Road Witney	Clare Anscombe

Application Number	25/00277/FUL
Site Address	87 Moorland Road Witney Oxfordshire OX28 6LT
Date	29th October 2025
Officer	Clare Anscombe
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	435103 E 209929 N
Committee Date	10th November 2025

Location Map



Application Details:

Change of use of land to extend residential curtilage and erection of a fence

Applicant Details:

Mr Anthony Backhouse
87 Moorland Road
Witney
Oxfordshire
OX28 6LT

I CONSULTATIONS

Parish Council

Objection.

Contrary to policy OS2 of the WOLP as it would involve the loss of a prominent and highly visible pocket of open space that makes an important contribution to the visual character and appearance of the area. The grass aids drainage and helps mitigate against surface water flooding. It contributes to the visible, recreational and biodiverse landscape across the town.

WODC Drainage

If no construction work apart from the fence is proposed, I have no other comments to make on this application as there will be no flood risk implications.

District Ecologist

Original Consultation:-

Holding objection due to insufficient information on biodiversity.

District Ecologist

Reconsultation:-

Holding objection due to insufficient information on biodiversity.

District Ecologist

Reconsultation response dated 15th August 2025:- no objection, subject to informative.

WODC Tree Officer

Reconsultation comments dated 29th September 2025:-

No objections.

2 REPRESENTATIONS

2.1 None received.

3 APPLICANT'S CASE

3.1 The application is accompanied by a statement summarising changes to the application. This states that the application is for the change of use of land to residential for use as part of 87 Moorland Road in Witney. The area of land is 3m (Width) x 27.61 (Length) and extends the full length of the curtilage of the existing dwelling. The Land is to be used as part of the existing rear garden along which a 6ft fence will extend the length of the dwelling and rear garden. The fence shall be set back from the boundary and screened with native planting to enhance the aesthetic and improve biodiversity.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

H6NEW Existing housing

EH3 Biodiversity and Geodiversity

EH4 Public realm and green infrastructure

EH7 Flood risk

DESGUI West Oxfordshire Design Guide

EH2 Landscape character

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

5 PLANNING ASSESSMENT

- 5.1 The site relates to a strip of amenity land adjoining an existing dwelling in Witney known as 87 Moorland Road. The existing dwelling and garden is located to the north. There are existing footpaths located to the south and east of the site. The site comprises existing amenity grass and lies within Flood Zone 2.
- 5.2 There is no relevant planning history for the site. The application is before members because the Town Council's view is clearly contrary to the Planning Officer's.
- 5.3 The proposed development is for the change of use of land to residential use and the erection of a fence along the boundary as well as planting.
- 5.4 Taking into account planning policy, other material considerations and the comments of interested parties, Officers consider that the main considerations of this application are:
 - Principle of development
 - Impact on the character and appearance of the area and visual amenity
 - Impact on ecology
 - Impact on flood risk
 - Impact on trees
- 5.5 In terms of the principle of development, policy OS2 (Locating development in the right places) of the WOLP (2031) states (inter alia):

'All development should:

- Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;

- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- Conserve and enhance the natural, historic and built environment...'

5.6 Policy H6 (Existing housing) of the WOLP states: 'alterations, extensions or sub-division of existing dwellings will respect the character of the surrounding area and will not unacceptably affect the environment of people living in or visiting that area...'

5.7 Policy EH4 (Public realm and green infrastructure) states: 'New development should avoid the loss, fragmentation loss of functionality of the existing green infrastructure network, including within the built environment...'

5.8 In terms of the principle of the development and impact on the character, appearance and visual amenity of the area, the land is currently public amenity space which lies between a footpath and existing dwelling. The area of land proposed for residential use is relatively small, covering circa 3m in width and 27.6m in length. 1.8m high open board fencing panels will be erected within this area, set back from the front elevation of the existing property, with native planting along the length of the fence and in the area forward of the existing front elevation. Public amenity space would be retained to the south and the proposal would not compromise the use and functionality of the existing footpath. The site is well-screened from the main road by existing vegetation. Subject to conditions requiring the submission and approval of a landscaping scheme detailing the native planting species, planting heights, and a maintenance plan for the proposed planting prior to the commencement of development, to screen the fence, Officers consider that the proposed development would have an acceptable impact on the character, appearance and visual amenity of the area.

5.9 In terms of impact on flood risk, the site lies in floodzone 2. The Council's Flood Risk Management Officer has been consulted and has raised no objection on flood risk grounds on the basis that the proposed development only includes the change of use of the land and the erection of a fence. Therefore, the proposal is considered to comply with policy EH7 of the WOLP and is acceptable on flood risk grounds.

5.10 In terms of impact on ecology, the proposed development includes the planting of two small trees, 23 square metres of ornamental shrubs and 19m of native hedgerow. The Council's biodiversity officer has no objections to the revised plans, subject to a BNG informative.

5.11 In terms of impact on trees, existing trees fall outside the application site but are within reasonably close proximity of the proposed fence. The application was deferred from the last planning committee meeting partly to consult the Tree Officer. A Fencing Method Statement has since been submitted. The method statement describes how fencing works will be carried out to ensure no damage occurs to existing trees, including their trunks, branches, or root systems. This includes aligning fence posts to avoid trees and root protection zones, no mechanical excavation within root protection zones, and hand-digging where posts are required near or within root protection zones. The Council's Tree Officer has been consulted and has no objections to the proposed development. Therefore, Officers are satisfied that the proposed development would be unlikely to harm features that are important for their visual and amenity value.

- 5.12 At the previous committee meeting, members also asked whether the ownership of the neighbouring amenity land could be clarified. Whilst land ownership is not a material planning consideration, applicants are required to serve notice on any other owners of land that falls within the application site and confirm this in the application form. In this case, the applicant has confirmed that they are not the sole owner of the land to which the application relates and they have confirmed that notice has been served on all other owners, that being Cottsway Housing Association. Therefore, Officers have no concerns in this regard.
- 5.13 In conclusion, the proposed development is considered to comply with key policies OS2, OS3, OS4, H6, EH2, EH3, EH4 and EH7 of the adopted West Oxfordshire Local Plan 2031 and so the application is recommended for approval, subject to conditions.

6 CONDITIONS

- 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 Prior to the commencement of development, a scheme for the landscaping of the site, including the planting of additional trees and/or hedges along the boundaries of the site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.

REASON: To ensure the safeguarding of the character, appearance and visual amenity of the area during and post development.

- 5 Prior to the commencement of development, a schedule of landscape maintenance for a minimum period of 5 years should be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

- 6 The development shall be carried out in accordance with the submitted Fencing Method Statement

received on 26th September 2025.

REASON: To safeguard existing trees and the amenity of the area.

Notes to applicant

- I BNG INFORMATIVE: 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>.

Contact Officer: Clare Anscombe

Telephone Number:

Date: 29th October 2025