

WEST OXFORDSHIRE DISTRICT COUNCIL

DEVELOPMENT MANAGEMENT PLANNING SUB-COMMITTEE

Date: 7th September 2026

REPORT OF THE HEAD OF PLANNING



Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Business Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

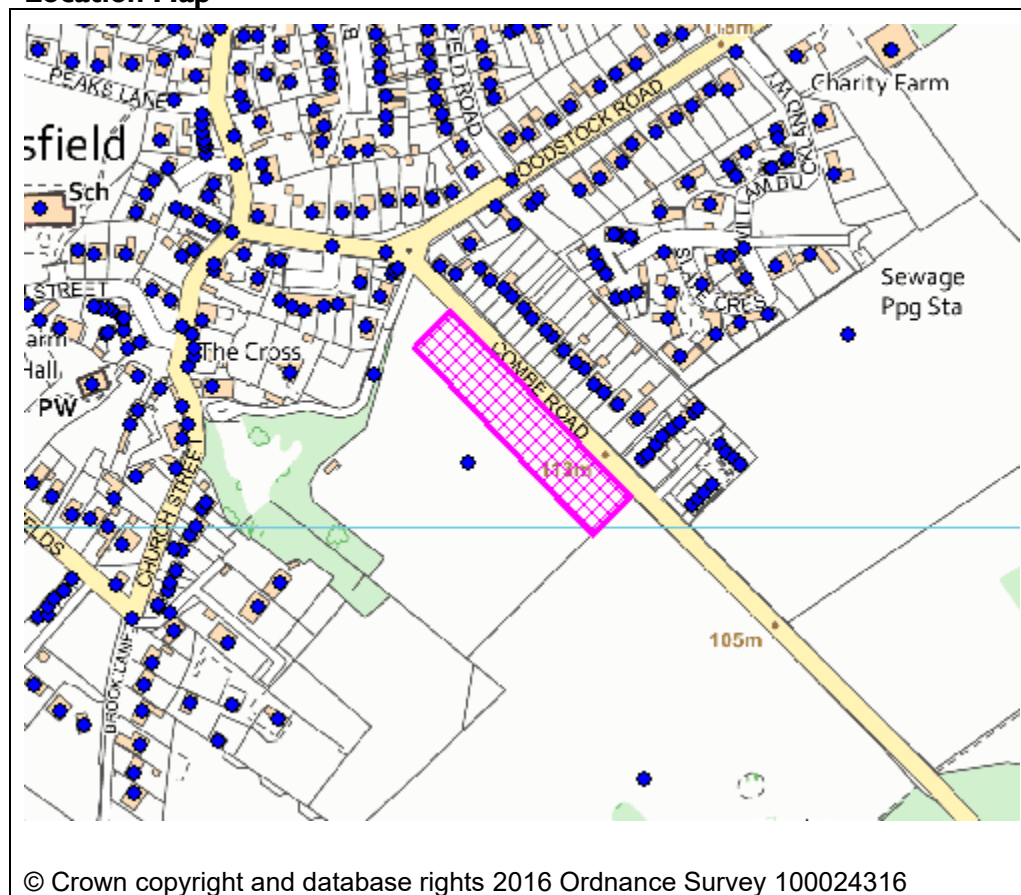
Please note that:

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

Item	Application Number	Address	Officer
1	<u>25/01897/OUT</u>	Land West Of Combe Road	Mike Cassidy
2	<u>25/02635/FUL</u>	53 Swinbrook Road Carterton	Clare Anscombe
3	<u>25/02765/FUL</u>	Land South Of Glebe Cottage Lew Road	Fern Lynch
4	<u>26/00428/OUT</u>	The Wood Store Shilton	Clare Anscombe
5	<u>26/01592/FUL</u>	80 Eton Close Witney	Ella Charles

Application Number	25/01897/OUT
Site Address	Land West Of Combe Road Stonesfield Oxfordshire
Date	25th August 2026
Officer	Mike Cassidy
Officer Recommendations	Approve subject to Legal Agreement
Parish	Stonesfield Parish Council
Grid Reference	439596 E 217043 N
Committee Date	7th September 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

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 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 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 objection to the proposal. The affordable housing provided will make an important contribution to affordable housing need.
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.
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.
Oxford Clinical Commissioning Group NHS	No objection subject to a s106 legal agreement being entered into securing a Primary Health Care Contribution (£17,280).

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

4.1 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

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS3NEW Prudent use of natural resources

OS4NEW High quality design

OS5NEW Supporting infrastructure

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H3NEW Affordable Housing

H4NEW Type and mix of new homes

H5NEW Custom and self-build housing

T1NEW Sustainable transport

T2NEW Highway improvement schemes

T3NEW Public transport, walking, and cycling

T4NEW Parking provision

EH1 Cotswolds AONB

EH2 Landscape Character

EH3 Biodiversity and Geodiversity

EH4 Public realm and green infrastructure

EH5 Sport, recreation and childrens play

EH7 Flood risk

EH8 Environmental protection

EH9 Historic environment

EH10 Conservation Areas

EH13 Historic landscape character

BC1 Burford - Charlbury sub-area strategy

The Cotswolds National Landscape Management Plan 2023-2025

National Planning Policy Framework (NPPF), August 2026

National Design Guide

West Oxfordshire Design Guide

Stonesfield Neighbourhood Plan - this has now proceeded through independent examination and the examiner's report has been published. The examiner recommends that the Plan, including Policy SEL4 (Protecting Stonesfield's Local Green Spaces) and the LGS2 designation, proceed to referendum. The Plan has not yet been formally 'made' and does not yet form part of the statutory development plan, but in accordance with policy DM4(1) of the NPPF it now carries significantly increased material weight. Policy SEL4 has been taken into account in this assessment - see paragraphs 5.21 to 5.30 below.

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:

- o Stage 1 Road Safety Audit;
- o Arboricultural Impact Assessment;

- o Drainage Report;
- o Surface Water Drainage Strategy; and
- o 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:

- o Principle of Development
- o Affordable Housing/Housing Mix
- o Layout, Design and Scale
- o Impact on Landscape/Setting of Cotswolds National Landscape (formally AONB)
- o Impact on Heritage Assets
- o Highway Impact and Pedestrian Accessibility
- o Residential Amenity/Noise/Air Quality
- o Flood Risk/Drainage/Water Supply
- o Ancient Woodland/Trees/Biodiversity
- o Sustainability/Climate Change
- o 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 BC1 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 Policy DP3 of the NPPF (2026) is clear that development proposals should respond to their context, the history, character and features of the site and its setting, so that they integrate with and enhance their surroundings, and should reflect the key principles for well-designed places, including supporting healthy, well-functioning communities and providing safe, inclusive and accessible public space.

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:

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

Emerging Stonesfield Neighbourhood Plan

5.21 The Stonesfield Neighbourhood Plan is in preparation. At the time this report was originally drafted it had not proceeded to independent examination. The Neighbourhood Plan examiner's report has since been published, and the description of the Plan in Section 5 of this report is corrected accordingly.

5.22 Policy SEL4 (Protecting Stonesfield's Local Green Spaces) proposes to designate a number of parcels of land within the parish as Local Green Space (LGS). Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. This includes LGS2, described as the paddock between Stonesfield Manor House and Combe Road. As shown on the Neighbourhood Plan's submission map, the LGS2 designation covers both the application site, where the 20 dwellings are proposed, and the wider field to the south, outside the application's red line boundary, which the applicant proposes to retain, nature enhance and make publicly accessible as part of this scheme.

5.23 The examiner's report confirms that the examiner is satisfied LGS2 meets the designation criteria, finding it "demonstrably special to a local community", providing "a high degree of landscape and recreational value" and forming "a crucial part of the AONB setting of Stonesfield". The examiner records that the site "plays an important role in the setting of the village and provides a context for the Manor House", and is satisfied that the designation has had regard to paragraph 106 of the NPPF (examiner's report, paragraphs 7.132-7.140).

5.24 The examiner notes that there is a current planning application for residential development on the site and that, should the Council grant planning permission, that decision would render the proposed LGS designation unrealistic in respect of the developed part of the site, having regard to Planning Practice Guidance (ID: 37-008 20140306). The examiner nonetheless confirms he is satisfied the designation criteria are met for the site as a whole, having taken this application into account.

5.25 Under Policy SEL4, development would not be permitted on a designated Local Green Space "except in very exceptional circumstances", reflecting the approach set out at Policy HC8 of the NPPF, whereby decisions affecting Local Green Space are to be treated consistently with national policy for Green Belt, excluding provisions relating to grey belt and previously developed land.

5.26 The Neighbourhood Plan has not yet been formally made and Policy SEL4 does not yet form part of the statutory development plan. However, it has now passed independent examination, the examiner has found no outstanding objection preventing the Plan proceeding to referendum, and the examiner's findings on LGS2 are supportive of designation. In accordance with policy DM4(1) of the NPPF, this is a material change in circumstances since the report was originally drafted, and it significantly increases the weight that can be attached to Policy SEL4 and the LGS2 designation as material consideration in the determination of this application.

5.27 Under Policy SEL4, development will not be permitted on Local Green Spaces (including LGS2) except in very exceptional circumstances. This reflects Policy HC8 of the NPPF (2026) which states that 'development proposals for land which has been designated as Local Green Space should be determined

in a manner consistent with the relevant national decision-making policies for land in the Green Belt, excluding provisions relating to grey belt and previously developed land.

5.28 Following further correspondence with the applicant's agent, the applicant has confirmed its willingness to secure, by way of a planning obligation under section 106 of the Town and Country Planning Act 1990, the permanent retention, nature enhancement and full public accessibility of the 2.02ha (approximately 76%) of the wider field lying outside the application's red line boundary. This land is currently in private ownership and is not subject to any public right of access.

5.29 Whilst, local green spaces do not need to be publicly accessible, Officers consider that securing this land permanently as accessible, nature-enhanced open space directly delivers the substantive planning objectives that Policy SEL4 and the LGS2 designation seek to achieve for it, namely its protection from further development and its retention as an accessible, locally valued landscape and recreational asset in the setting of the village, Stonesfield Manor and the Cotswolds National Landscape.

5.30 The residential development proposed on the frontage part of the site is what makes delivery of this benefit achievable in practice. The wider field is currently in private ownership with no public access rights, and officers are not aware of any other identified mechanism, policy requirement or funding route by which its permanent protection and public accessibility could be secured. In this respect, the housing element of the scheme facilitates the delivery of a public benefit that would not otherwise come forward, and this is a material consideration which officers weigh in the planning balance below, in addition to and separate from the affordable housing benefit identified elsewhere in this report. This is not reliance on the specific 'enabling development' test applied to heritage assets under Historic England guidance, which requires evidence of viability need; it is an ordinary material planning benefit falling to be weighed in the overall planning balance under policy S5(1) of the NPPF (2026).

5.31 Officers therefore consider that, notwithstanding the loss of part of the LGS2 area to residential development, the scheme substantially advances the underlying purposes of Policy SEL4 in respect of the great majority of the land under consideration for designation. This is addressed further in the Conclusion and Planning Balance section below.

National Policy/Guidance

5.32 The National Planning Policy Framework (NPPF) (2026) 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.

NPPF 2026 and the Presumption in Favour of Sustainable Development

5.33 The Council accepts that it cannot currently demonstrate a five-year supply of deliverable housing land.

5.34 Under the previous NPPF (December 2024) the effect of this would have been to engage the 'tilted balance' set out in paragraph 11(d), whereby there was a presumption that planning permission should

be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

5.35 Under the new NPPF (published 17 August 2026) this issue is dealt with in a different manner, under three new national decision-making policies (S3, S4 and S5).

5.36 Policy S3 states that decisions on development proposals should apply a presumption in favour of sustainable development. For development proposals within settlements, this takes effect through Policy S4, and for proposals outside settlements, through Policy S5.

5.37 Stonesfield is defined as a 'village' in the West Oxfordshire Local Plan 2031 and is therefore classed as a 'settlement' under the NPPF 2026.

5.38 The Local Plan 2031 does not include defined settlement boundaries, but in the opinion of Officers, the application site, an undeveloped paddock/field land forming part of the transition between the built form of the village and the surrounding countryside (and the Cotswolds National Landscape), must be classed as a settlement edge location. Policy S5 of the NPPF 2026 therefore applies.

5.39 Policy S5 stipulates that only certain forms of development should be approved outside settlements, and that these should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

5.40 This includes 'limited infilling within groups of houses'; however, Officers do not consider that the application site can reasonably be regarded as an infill plot, given its location beyond the established built-up area edge.

5.41 It also includes 'development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would: i. be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or ii. comprise major development for freight and logistics purposes which accords with Policy E3'.

5.42 In this instance, although the Council scores above 75% in its most recent Housing Delivery Test, it cannot demonstrate a five-year supply of deliverable housing sites. Officers also accept that development in this location would be physically related to existing residential development and would be unlikely to present any significant burden on existing infrastructure capacity.

5.43 As such, under Policy S5, there is a presumption that development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. The benefits and potential effects of the proposed development are further explored below, including within the context of the West Oxfordshire Local Plan 2031.

5.46 The Site is within the CNL. Policy N4(2) of the NPPF (2026) requires that proposals for major development within Protected Landscapes should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. This is a national

decision-making policy of the type engaged by policy S5(2) and must be considered as a potential reason for refusal.

5.47 Policy N4(1) of the NPPF (2026) provides that substantial weight should be placed on conserving and enhancing the natural beauty of Protected Landscapes such as the CNL. Policy N4(2) provides that major development within Protected Landscapes should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

5.48 This matter will be considered further in the relevant sections of this report.

Five Year Housing Land Supply and Housing Need

5.49 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 cited a similar figure.

5.50 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 the site qualifies for assessment under policy S5(l)(j) of the NPPF (2026), engaging the test at policy S5(l).

5.51 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 policy S5(l)(j) of the NPPF (2026). The Local Plan identifies no housing allocations in Stonesfield 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.

5.52 As such, it is clear that the decision-making process for the determination of this application is therefore to assess whether the benefits of granting planning permission would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, including whether the proposal would fail to comply with a national decision-making policy which requires refusal in specific circumstances (policy S5(1) and (2)). This issue is considered in more detail below.

5.53 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 Stonesfield 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.

5.54 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 Stonesfield. Of these, 11 households already live in Stonesfield. 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.

5.55 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

5.56 The site is located within the CNL along with the totality of the Charlbury and Burford Sub Area. In this regard, policy EH1 of the Local Plan and policy N4 of the NPPF (2026) 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

5.57 When considering applications for development within National Landscapes, policy N4(2) of the NPPF (2026) 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."

5.58 Footnote 59 to policy N4(2) of the NPPF (2026) advises, "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".

5.59 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)).

5.60 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.

5.61 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).

5.62 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.

5.63 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.

5.64 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.

5.65 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.

5.66 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."

5.67 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.

5.68 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

5.69 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

5.70 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 Estate lands 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.

5.71 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

5.72 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.

5.73 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.

5.74 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

5.75 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.

5.76 At district and county level, the development occupies only a very small proportion of the Semi-enclosed Limestone Wolds and Wooded Estate lands 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.

5.77 The most significant landscape effects are at the local level. Within the Cotswolds National Landscape Character Assessment area IIB (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.

5.78 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

5.79 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.

5.80 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

5.81 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

5.82 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.

5.83 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.

5.84 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 policy N4(2) of the NPPF (2026), Officers address the exceptional circumstances test in the Conclusion and Planning Balance section below.

Countryside and Rights of Way Act 2000

5.85 The Levelling-up and Regeneration Act 2023 (LURA), which came into force on 26 December 2023, strengthened the duty on relevant authorities exercising functions in relation to land within a National Landscape. Section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended by the LURA) now imposes a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. This duty, as it applies to National Landscapes, is limited to the conservation and enhancement of natural beauty; the additional purpose of promoting opportunities for the understanding and enjoyment of the special qualities of the area by the public applies to National Parks but does not form part of the statutory duty for National Landscapes.

5.86 Officers have had regard to the Cotswolds National Landscape Management Plan 2025-2030 in considering this duty. Officers acknowledge that the scheme will result in some harm to the natural beauty of the CNL, as set out above. The duty therefore requires the Council to consider whether, notwithstanding that harm, the grant of planning permission is nevertheless justified. Officers have weighed the harm identified against the significant public benefits of the scheme, in particular the delivery of affordable housing to meet an identified and evidenced local need which cannot readily be met elsewhere. It is considered that those benefits justify the grant of permission notwithstanding the harm identified, and that the Council has thereby discharged its duty under section 85 of the Countryside and Rights of Way Act 2000 (as amended).

Affordable Housing/Housing Mix

5.87 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 1,000m² 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 1,000m² 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.

5.88 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.

5.89 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.

5.90 The proposed development provides for affordable housing to meet the identified local housing need within the Stonesfield 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

5.91 Policy DP3 of the NPPF (2026) is clear that development proposals should respond to their context, the history, character and features of the site and its setting, so that they integrate with and enhance surroundings, and should reflect the key principles for well-designed places, including supporting healthy, well-functioning communities and providing safe, inclusive and accessible public space. 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.

5.92 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

5.93 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.

5.94 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.

5.95 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

5.96 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.

5.97 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.

5.98 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

5.99 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

5.100 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.

5.101 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

5.102 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.

5.103 Section 20 of the NPPF (2026) sets out guidance on conserving and enhancing the historic environment. Policy HE6(1) 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 Policy HE6(4)).

The Stonesfield Conservation Area

5.104 The application site lies 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.

5.105 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.

5.106 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)

5.107 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)

5.108 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)

5.109 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

5.110 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

5.111 In line with policy HE6(4) of the NPPF (2026), 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.

5.112 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. These are substantial and directly evidenced social benefits that go materially beyond the general case for housing delivery and attract significant weight in favour of the grant of permission. The applicant's stated intention to gift 10% of net development profits to the Trust is noted and commended; however, as this commitment is not capable of being secured as a planning obligation and has no basis in development plan policy, it cannot be treated as a material planning consideration and has not been taken into account in the planning balance.

5.113 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.

5.114 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 20 of the NPPF (2026), subject to appropriate conditions.

Highway Impact and Pedestrian Accessibility

5.115 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.

5.116 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 a regular daily connection six 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.

5.117 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.

5.118 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 1 Road Safety Audit to address these concerns. The swept path analysis was updated to track an 11.6m refuse vehicle, the Stage 1 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.

5.119 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.

5.120 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

5.121 Section 14 of the NPPF (2026) seeks to achieve well-designed places. Policy DP3(2)(a) provides that development should support healthy, mixed, vibrant and integrated communities which function well over the lifetime of the development. 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.

5.122 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.

5.123 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.

5.124 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.

5.125 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

5.126 The site is located within Flood Zone 1 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.

5.127 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.

5.128 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.

5.129 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.

5.130 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.

5.131 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.

5.132 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

5.133 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.

5.134 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.

5.135 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.

5.136 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.

5.137 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 250m²), 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.

5.138 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 understorey 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.

5.139 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

5.140 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. Policy N2(2) of the NPPF (2026) 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. Policy N2(1) of the NPPF (2026) 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.

5.141 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).

5.142 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.

5.143 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.

5.144 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.

5.145 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.

5.146 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.

5.147 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.

5.148 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

5.149 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.

5.150 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.

5.151 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.

5.152 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.

5.153 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.

5.154 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.

5.155 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.

SI06 Contributions

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

5.157 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.

5.158 Matters relating to the provision of green Infrastructure, biodiversity, and the creation of new, permanent public access to the field, which is not currently subject to any public right of access, 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:

- o 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.
- o 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.
- o Indoor sports provision contribution of £8,894 towards the provision, enhancement, or improvement of indoor sports provision in the catchment area.
- o Swimming pool provision of £11,601 towards the provision, enhancement, or improvement to swimming pool provision in the catchment area.
- o 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.
- o Primary health care contribution of £17,280 towards the creation of additional clinical capacity within Stonesfield or an identified primary care estates project in the local area to serve the development.

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

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

5.160 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

5.161 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

5.162 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.

5.163 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, the proposal qualifies for approval under policy S5(1)(j) of the NPPF (2026) as development addressing an evidenced unmet housing need. The test at policy S5(1) therefore applies: the proposal should be approved unless the benefits of doing so would be substantially

outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

5.164 Under policy S5(1) of the NPPF (2026), planning permission should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. Policy S5(2) confirms this includes situations where the proposal would fail to comply with a national decision-making policy which requires refusal in specific circumstances. As the site lies within the Cotswolds National Landscape, policy N4(2) is engaged, and must be considered as a potential reason for refusal.

Harms

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

5.166 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.

5.167 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 Policy HE6(1) of the NPPF (2026).

5.168 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.

5.169 Since the Sub-Committee on 6th July 2026, the Stonesfield Neighbourhood Plan examiner's report has been published, confirming the examiner's satisfaction that the paddock between Stonesfield Manor House and Combe Road, which the Neighbourhood Plan's submission map shows as covering both the application site and the wider retained field, meets the criteria for designation as Local Green Space (LGS2) under Policy SEL4. This now carries significantly increased material weight (see paragraphs 5.21 to 5.30 above). The development of the frontage part of the site would result in the loss of part of the area found suitable for LGS designation to residential development. This is a harm requiring great weight in the planning balance, consistent with the "very exceptional circumstances" approach at policy HC8 of the NPPF (2026). It must, however, be weighed against the benefit of securing permanent public access to, and protection of, the much larger remaining part of the field, addressed at paragraphs 5.21 to 5.30 above and in the Planning Balance below.

Benefits

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

5.171 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. Significant weight is attached to this benefit. The applicant's stated intention to gift 10% of net development profits to the Trust is noted and commended; however, as this commitment is not capable of being secured as a planning obligation and has no basis in development plan policy, it cannot be treated as a material planning consideration and has not been taken into account in this assessment.

5.172 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.

5.173 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.

5.174 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.

5.175 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

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

5.177 The landscape harm, whilst real and requiring great weight to be given to it in line with policy N4(1) of the NPPF (2026), 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 policy N4(2) of the NPPF (2026) 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 Policy N4(2) of the NPPF (2026).

5.178 Officers have also had regard to Policy SEL4 and the LGS2 designation as a material consideration, in light of the Neighbourhood Plan examiner's report. Whilst the Neighbourhood Plan has not yet been made and Policy SEL4 does not form part of the statutory development plan, it now carries significantly increased weight following the examiner's positive findings, and the "very exceptional circumstances" approach at policy HC8 of the NPPF (2026) is a relevant consideration, given that part of the application site falls within the area found suitable for LGS designation.

5.179 The applicant has confirmed its willingness to secure, via the s106 legal agreement, the permanent retention, nature enhancement and full public accessibility of the 2.02ha of the wider field outside the application's red line boundary, land which is currently in private ownership and has no public right of access. Whilst there is no requirement for Local Green Space to be publicly accessible, Officers consider that this delivers the substantive purposes that Policy SEL4 and the LGS2 designation seek to secure for that land, and that the residential development proposed is what makes delivery of this benefit achievable and enforceable, since officers are not aware of any other means by which permanent public access to, and protection of, this land could otherwise be secured.

5.180 Officers have therefore carried out a balancing exercise, weighing the loss of part of the LGS2 area to residential development, which attracts great weight as a harm, reflecting the very exceptional circumstances test now engaged, against, on the other hand: (i) the well-evidenced and significant need for affordable housing addressed at paragraphs 7.10 and 7.11 above; and (ii) the permanent, s106-secured delivery of public access to, and protection of, the substantial remainder of the site, which directly advances the underlying aims of Policy SEL4 for that land. Officers consider that the residential development, by securing this public benefit alongside meeting an identified and significant local housing need, can properly be described as facilitating development that delivers benefits which would not otherwise be achieved. On balance, officers remain of the view that the public benefits of the scheme continue to outweigh the harms identified, including the increased weight now attached to Policy SEL4 and the LGS2 designation.

5.181 The heritage harm, whilst also requiring great weight pursuant to the statutory duties under the 1990 Act and policy HE6(1) of the NPPF (2026), 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 policy HE6(4) of the NPPF (2026).

5.182 Taking all of the above into consideration, Officers are of the opinion that the benefits of granting planning permission would not be substantially outweighed by the adverse impacts, when accessed against the national decision-making policies in the Framework. 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.

5.183 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

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 (2026).

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 (2026).

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.

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 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.

21 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.

22 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.

23 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, policies N2(2) and N6(2) of the National Planning Policy Framework (2026), 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.

24 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:

- a) Technical description, design, or specification of external lighting to be installed including shields, cowls, or blinds where appropriate;
- b) A description of the luminosity of lights and their light colour;
- c) A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- d) Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)); and
- e) 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, policies N2(2) and N6(2) of the National Planning Policy Framework (2026), 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).

INFORMATIVES :-

- 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 <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 . Application forms should be completed on line via 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.
- 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

Contact Officer: Mike Cassidy

Telephone Number:

Date: 25th August 2026

OX4 ILT

I CONSULTATIONS

Parish Council

Objection.

- Loss of privacy to neighbouring residents from the access road and headlights from vehicles
- BNG shortfall

Reconsultation:- objects.

- Overdevelopment and density
- Overlooking and loss of privacy to neighbours
- Highway access arrangements and additional traffic
- No evidence that a bat survey has been completed

OCC Highways

No objections, subject to conditions securing parking as per the plan, the submission and approval of an access specification, and turning facility details.

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

Flood Risk Management Team

Reconsultation:- no objections.

WODC Tree Officer

If the protections are put in place and maintained to BS 5837, I have no objections.

Thames Water

No Comment Received.

Newt Officer

I am in agreement with the findings in the report 'Great Crested Newt eDNA Survey, Arbtech, 53 Swinbrook Road, Carterton, Oxfordshire, OX18 1DY, 02/06/2025', and that the proposed mitigation in the form of precautionary working outlined in section 4 will be adequate to reduce the risk of impacting on great crested newts.

District Ecologist

Original response - holding objection.

Conservation And Design Officer

Reconsultation:-

The volumes and heights are broadly acceptable, but the architecture is still very uneasy.

Units 1-2: Has an unresolved duality to the E entrance elevation. Has heavy cheeks to the dormers. Has a large flat roof to the rear - although somewhat disguised and possibly acceptable. PVs look like an untidy patchwork afterthought. If they are serious about these,

they need a design with a clean, unbroken rectilinear south roof slope.

Units 3-4: Has an unresolved duality to the S entrance elevation. Has heavy cheeks to the dormers - and a dominant run of them. Has an untidy/unresolved roof slope with both dormers, rooflights and patches of PVs.

2 REPRESENTATIONS

2.1 Nine neutral and objection comments have been received. Full details can be found on the online case file. In summary, the following concerns have been raised:

- Design and layout
- Neighbourliness
- The proposed height of the new dwellings will be higher than the existing dwelling unit 1-2
- Impact on privacy to Stoneleigh Drive through removal of existing garage
- Lack of visitor parking
- Impact on highway safety
- Inaccuracies in the application
- Contamination/asbestos
- Impact on neighbouring amenity such as noise and nuisance, light, privacy
- Impact on ecology and trees
- Does not reflect the existing character and appearance of the area
- Inadequate plot size
- Housing need in Carterton will be met by other larger sites in Carterton
- Contrary to policy H6
- Not in accordance with replacement dwelling policy
- Overdevelopment
- Overlooking from rear balcony
- Sufficient off road parking should be provided
- The existing property is vacant, dilapidated and currently attracts vermin, pests. Public safety and health concerns
- Loss of tree and grass verge

3 Applicant's Case

3.1 The agent has submitted a design and access statement which, in summary, makes the following points:

- Overall, the proposal would comply with the planning policies of the WOLP and the NPPF and the principle, visual impact, residential amenity, highways, Arboriculture and Ecology of the development are considered acceptable due to its compliance with the above policies.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design

OS5NEW Supporting infrastructure
H1NEW Amount and distribution of housing
H2NEW Delivery of new homes
H4NEW Type and mix of new homes
H6NEW Existing housing
T1NEW Sustainable transport
T2NEW Highway improvement schemes
T3NEW Public transport, walking and cycling
T4NEW Parking provision
EH2 Landscape character
EH3 Biodiversity and Geodiversity
EH7 Flood risk
EH8 Environmental protection
CA5 Carterton sub-area strategy
DESGUI West Oxfordshire Design Guide
NPPF 2026
NATDES National Design Guide

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

5 PLANNING ASSESSMENT

Background Information

5.1 The application seeks planning permission for the extension and conversion of the existing bungalow to create two dwellings, the sub-division of the residential garden, and the erection of two semi-detached dwellings with access and associated landscaping at 53 Swinbrook Road, Carterton. The application site relates to an existing 20th Century bungalow and garden.

5.2 The site does not fall within any areas of special designated control. 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 development
- Design and impact on visual amenity
- Residential amenity
- Highway safety and parking
- Ecology
- Flood risk
- Other matters

Planning history

W76/0420 Conversion of roofspace to form 2 bedrooms & toilet. 7th June 1976. Approved.
W78/0112 Change of use of double garage to domestic utility room and woodworking workshop in connection with applicant's trade of wood turner. Approved February 1978.
W79/1172 Construction of garage. Approved October 1979.
W97/1645 Erection of rear conservatory. Approved December 1997.

49 Swinbrook Road, Carterton - 06/0358/P/FP - Demolition of existing dwelling and outbuildings, erection of eight semi-detached dwellings with associated garages, alterations to existing vehicular accesses. Approved April 2006.

Principle of Development

5.3 Policy OS2 of the adopted West Oxfordshire Local Plan (WOLP, 2031) sets out the overall strategy on the location of development for the District. It adopts a hierarchical approach, with the majority of new development focused on the main service centres of Witney, Carterton and Chipping Norton, followed by the rural service centres of Bampton, Burford, Charlbury, Eynsham, Long Hanborough, Woodstock and the new Oxfordshire Cotswolds Garden Village (now referred to as Salt Cross). The site lies within Carterton, a main service centre.

5.4 Policy H2 of the WOLP states that new dwellings will be permitted in main service centres, including Carterton, 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.

5.5 In terms of the general principles set out in Policy OS2, these require, amongst other things, that 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;
- 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;
- Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.

5.6 Officers' concerns in relation to these particular General Principles will be discussed further below.

5.7 Policy S4 of the NPPF (2026) applies and this is explained below. The Carterton sub-area strategy policy CA5 states that the focus of new housing will be Carterton.

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

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

5.9 At the heart of the NPPF is a presumption in favour of sustainable development and Policy S4 advises that for development proposals within settlements, these should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

5.10 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 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.

5.11 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.

Conclusions on the principle of residential development

5.12 In view of the above, it is clear that the decision-making process for the determination of this application is therefore to assess whether the benefits of allowing the proposed development would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.

5.13 Paragraph 2 of Policy S4 states that 'in applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

a. Have a substantial adverse impact in relation to:

- i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or
- ii. The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).

b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or

c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.'

5.14 The site is not allocated or safeguarded for a particular use in the development plan. The development would be within a residential curtilage. Accordingly, the development is assessed against policy L2(1)(d) below.

5.15 The proposal would not involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground or for water storage or flood risk management.

5.16 In terms of the national decision-making policies which state that development proposals should be refused in specific circumstances, for this case this includes design, impact on the transport network, highway safety, whether the proposal would make efficient use of land, flood risk and impact on biodiversity. The application is assessed against these issues, below.

5.17 In terms of compliance with policy H2, the proposed development is supportable provided that the proposal is in accordance with the other policies in the WOLP and in particular the general principles in Policy OS2. This is considered below.

Design, Siting, Scale and Impact on Amenity

5.18 The site is surrounded by other residential dwellings. Policy L2 (1) of the NPPF (2026) states:

'1. Substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:

- a. Remediating despoiled, degraded, derelict, contaminated or unstable land;
- b. Making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required);
- c. Making effective use of previously developed land and buildings through temporary uses, in situations where alternative development is anticipated within a reasonable period (including as a result of the land being allocated for an alternative purpose in the development plan); or
- d. Creating additional homes or floorspace within settlements by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots (including, but not limited to, the addition of mansard roofs, proposals to fill gaps in the existing roof line, the introduction of higher buildings at street corners and additional units within residential curtilages).

Such proposals should:

- i. Be consistent with the overall street scene, other than where: it is appropriate to have larger buildings (such as at street corners, or where building upwards would not cause substantial harm to the character of a building and its surroundings); the development would not be visible from the street frontage; or where specific changes are provided for through a design code which forms part of the development plan;
- ii. Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space; and
- iii. Where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings³⁸; unless additional development can be accommodated without harm to the overall character of the area, and taking into

account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with policy TR3).'

5.19 The proposal makes use of vacant and underutilised land by bringing an empty home back into use. Further, it makes use of an existing plot within a residential curtilage for additional residential development. The proposed development occupies more than twice the footprint of existing buildings on the site.

5.20 The site lies in a suburban context consisting of 20th Century dwellings which are generally modest in proportions and scale, but with some taller two-storey properties. Dominant building materials include render and brick. Some 'backland' development has already taken place near the site, including at 49 Swinbrook Road, and plots are generally bounded to the front by existing vegetation. The housing density and architectural detailing in the surrounding area varies.

5.21 The proposed dwellings to the front of the site facing Swinbrook Road have a ridge height of circa 5.6m, an eaves height of circa 2.34m and a pitched roof form. The rear of the properties have a cat-slide roof with a flat roof element and Juliet balcony. The proposed dwellings to the rear have a ridge height of circa 6.4m and an eaves height of circa 2.62m. The roof form includes a cat-slide roof and dormer windows on the front elevation. The dwellings include painted render, concrete roof tiles, and uPVC windows and doors. The density of the proposed development is circa 26.67 units per hectare.

5.22 The proposed dwellings are considered to be of modest proportions and subject to conditions requiring details of the colour and texture of proposed render and roof tiles being submitted prior to the commissioning of these elements, the proposed materials are considered to be acceptable. Based on nearby housing densities, the proposal is not considered to constitute overdevelopment of the site.

5.23 The proposed design is modern with volumes and heights being broadly acceptable. The building materials reflect the surrounding area. Some existing vegetation at the front of the site (noting that some grass verge would need to be removed) is to be retained. Whilst the balcony and flat roof projection to the rear elevation of the two front plots is fussy and there would be some harm as a result of the design of plots 3-4 and the flat roof projection to plots 1 and 2, these would not be visible from the street scene. Subject to amendments to the parts of plots 1 & 2 that are visible from the street scene to address the Design Officer's comments, Officers consider that the proposed dwellings would, on the whole, be consistent with the overall street scene and respect the character and appearance of the area.

5.24 The proposal increases the density of the site, which is reiterated in policy L3 (2) of the NPPF (2026) as a requirement unless there is clear justification for not doing so.

5.25 Policy H6 of the local plan states that 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. Subject to the Design Officer's comments for the parts of plots 1 & 2 that are visible from the street scene being addressed, it is considered that the development would respect the character of the surrounding area. The proposal is not considered to unacceptably affect the environment of people living in or visiting the area.

5.26 Given the proposed internal layout and external amenity space provided, Officers consider that the proposed dwellings would provide an acceptable standard of amenity for future residents.

5.27 In terms of impact on neighbouring amenity, given the separation distance between the proposed dwellings and neighbouring properties, proposed height and window positionings, and subject to conditions restricting the use of the flat-roof of Units 1 and 2, Officers consider that the proposed development would be unlikely to harm the amenity of neighbouring residents by way of overlooking, overbearing, loss of privacy, loss of daylight/sunlight nor overshadowing. Whilst there may be some increased noise and disturbance from vehicle and pedestrian movements to and from the site, Officers consider that due to the number of dwellings proposed, this is unlikely to result in a level of harm that would warrant refusal of the application on amenity grounds.

Highway safety and Parking

5.28 Policy TR6 (4) of the NPPF (2026) states that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety. For dwellings with 3+ bedrooms in a town, Oxfordshire County Council's adopted parking standards for new developments require up to 2 spaces per dwelling to be provided within the development site. The adopted car parking standards also state that no special provision should be made for visitors where at least half of the parking provision associated with the development is unallocated.

5.29 The site would include eight unallocated car parking spaces with four spaces to the rear and four to the front of the site. 24 cycle spaces are proposed, which meets the requirements set out in the adopted parking standards. A new access is proposed from Swinbrook Road to access the parking for the plots to the front of the site. Oxfordshire County Council as the relevant local highway authority have been consulted and it is considered that the proposal, if permitted, will not have a significant detrimental impact (in terms of highway safety) on the adjacent highway network, subject to conditions securing the parking as per the plan, the submission and approval of an access specification and its construction, laying out, surfacing, lighting and drainage prior to first occupation of the dwellings, and no occupation of any dwellings until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear. Therefore, subject to conditions, the proposed development is considered to provide a safe access and sufficient parking in accordance with policies T2 and T4 of the adopted local plan.

Flood risk

5.30 The site lies in floodzone 1. The application form states that surface water is to be disposed of via mains sewer and sustainable drainage system. However, discharge of surface water to a foul sewer is no longer an option under the Non-statutory National standards for sustainable drainage systems (SuDS), published 19th June 2025 and there is no local watercourse to discharge into. Therefore, infiltration is the only option for disposing of surface water on the site. The Flood Risk Management Officer has no objection to this, subject to a condition securing the submission and approval of a full surface water drainage scheme prior to the commencement of development.

5.31 Foul water is to be disposed of via mains sewer. Given the small scale of the proposed development, it is considered unlikely that the proposed development would increase flooding and so it is considered to accord with policies OS2 and EH7 of the local plan.

Impact on ecology

5.32 The Council's biodiversity officer has been consulted, and a holding objection has been raised due to insufficient information on biodiversity. Outstanding concerns have been raised relating to the

recording of the creation of individual habitats in the private garden for biodiversity net gain (BNG) and clarification on the areas of the site that the occupants of the development are not responsible for (i.e. own or manage) and revised BNG documents that account for this are required. Amended documents have been received and updated biodiversity officer comments are pending. A bat survey has been submitted and the biodiversity officer considers that an informative highlighting the protection afforded to bats and a condition to secure the implementation of sensitively designed lighting is sufficient to comply with policy EH3 of the WOLP. Therefore, subject to the biodiversity officer's objection being resolved, Officers consider that the proposed development would comply with BNG requirements and be acceptable on biodiversity grounds.

The Overall Benefits of the Development

5.33 The proposed development will provide three additional three-bedroom homes to meet an identified housing need within an existing settlement and sustainable location. There would be economic benefits from the construction of the dwellings and social benefits by adding to the vitality of the community.

Policy S4 Planning Balance

5.34 Given the number of dwellings proposed, the sustainable location of the site in a main service centre and in the absence of a five year housing land supply, the economic and social benefits resulting from three additional dwellings in this location are considered to attract limited to moderate weight.

5.35 Policy L2 states that substantial weight should be given to the benefits where a development proposal would create additional homes within settlements through sensitive redevelopment or additional development within existing plots including additional units within residential curtilages. Such proposals should be consistent with the overall street scene, other than where the development would not be visible from the street frontage, maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space and where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, unless additional development can be accommodated without harm to the overall character of the area, and taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with policy TR3).

5.36 The proposed development would create additional homes within a settlement through redevelopment within an existing plot. Whilst the design of plots 3-4 and the rear of plots 1 and 2 is unacceptable, these elements would not be visible from the street frontage. Subject to amendments to the parts of plots 1 & 2 that are visible from the street scene to address the design officer's comments, it is considered that the proposal is likely to be consistent with the overall street scene. The proposed development maintains safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space. Whilst the proposed development occupies more than twice the footprint of all existing buildings on the site, it is considered that this has been planned in a way which would not harm the character of the area, taking into account the availability of infrastructure and the importance of locating development in sustainable locations. Therefore, in this case, subject to amendments being made to the parts of plots 1 & 2 that are visible from the street scene, the adverse design effects of the proposed development are not considered to outweigh the substantial benefits of the proposed development.

Other Matters

5.37 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.

5.38 Concern has been raised that the application contains inaccuracies. This includes inaccuracies about the site area, contamination status of the land, description of the existing property as a bungalow and the site as brownfield land, a skylight in the neighbouring property and trees on the site. Officers acknowledge these inaccuracies and can confirm that the area stated in the design and access statement is incorrect, however, the site area in the application form is the area that has been used to assess the application and so this does not affect the conclusions of this report. Regarding contamination, a precautionary condition can be included requiring the applicant to report contamination to the local planning authority if found at any time when carrying out the approved development.

5.39 Officers agree that the site cannot be described as brownfield land. In any case, Officers have assessed the proposed development as being on undeveloped land and so this has not affected the consideration of the application. Further, I can confirm that the skylight which is shown in the neighbouring property has not been considered as part of the application.

5.40 Six trees are to be removed and the Tree Officer has assessed the impact of the proposed development on trees and considers that if protections are put in place and maintained to BS 5837, then there would be no objections. Concern has been raised that trees have already been removed from the site which has resulted in the loss of onsite habitat(s) which cannot be replaced. Whilst their removal is regrettable, these trees were not protected and did not require planning permission or other consent to be removed, and so Officers have no objections as a result of this.

Conclusion

5.41 In conclusion, taking into account planning policies, other material considerations and the comments of interested parties, the adverse effects of the proposed development are not considered to substantially outweigh the benefits of the proposal when assessed against the policies in the NPPF (2026), subject to the biodiversity officer's comments being addressed and amendments being made to plots 1 & 2 to address the design officer's comments, as detailed above. Therefore, the proposed development is recommended for provisional approval, with authority sought for Officer's to resolve these matters and update the conditions and informatives as necessary using delegated powers.

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 window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

4 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

REASON: To protect the reasonable privacy of the occupants of adjoining properties.

5 No development (including site works and demolition) shall commence until all existing trees which are shown to be retained on the submitted Tree Protection Plan have been protected in accordance with the submitted Tree Protection Plan by Arbtech dated July 2025. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

6 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

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

7 Prior to the commencement of development above ground level, the developer must submit details for agreement in writing by the Local Planning Authority of evidence that every premise in the development will be able to connect to and receive a superfast broadband service (>24Mbps). The connection will be to either an existing service in the vicinity (in which case evidence must be provided from the supplier that the network has sufficient capacity to serve the new premises as well as the means of connection being provided) or a new service (in which case full specification of the network, means of connection, and supplier details must be provided). The development shall only be undertaken in accordance with the said agreed details which shall be in place prior to first use of the development premises and retained in place thereafter.

REASON: In the interest of improving connectivity in the District.

NB Council will be able to advise developers of known network operators in the area.

8 No dwelling shall be occupied until a plan indicating the positions, design, materials, type and timing of provision of boundary treatment to be erected has been agreed in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and retained thereafter.

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

9 The roof(s) of the building(s) shall be covered with materials, a sample of which shall be submitted to and approved in writing by the Local Planning Authority before any roofing commences.

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

10 Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

11 The external walls of the dwellings proposed to be rendered shall be rendered, in accordance with a specification which shall be submitted to and approved in writing by the Local Planning Authority before any rendering commences.

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

12 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

13 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 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.

14 No dwelling shall be occupied until space has been laid out within the curtilage of that dwelling to enable vehicles to enter, turn round and leave the curtilage in forward gear.

REASON: In the interest of road safety.

15 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Land Contamination: Risk Management (LCRM), and where remediation is necessary a remediation scheme

must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent pollution of the environment in the interests of the amenity. Relevant Policies: West Oxfordshire District Council Local Planning Policy EH8 and Section 15 of the NPPF.

16 No external lighting shall be installed other than the maximum of one external LED downlighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K. Every such light shall be directed downwards with a 0-degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. Lighting shall be maintained thereafter in accordance with these details. 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 reduce light pollution and associated impacts on nocturnal wildlife, including bats in accordance with the Conservation of Habitats and Species and to safeguard the character and appearance of the area.

INFORMATIVES :-

Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council see Dropped kerbs | Oxfordshire County Council

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.

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Oxfordshire County Council's Local standards and guidance for surface water drainage on major development in Oxfordshire (V1.2 December 2021)
- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015

- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.

- Updated Planning Practice Guidance on Flood Risk and Coastal Change, published on 25th August 2022 by the Environment Agency - <https://www.gov.uk/guidance/flood-risk-and-coastal-change>.

- Non-statutory National standards for sustainable drainage systems (SuDS), published 19th June 2025.

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/>

The applicant is advised to consider the legislation surrounding roosting bats. Therefore, if at any time during the proposed works, bats, or signs of bats (e.g. droppings) are found then all works must stop and advice should be sought from Natural England before any further work proceeds. All bats and their roost sites are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation Habitats & Species Regulations 2017 (as amended) from disturbance and harm.

Contact Officer: Clare Anscombe

Telephone Number:

Date: 25th August 2026

Lew Road
Curbridge
Oxfordshire
OX29 7PD

I CONSULTATIONS

Env Health Contamination	The proposal is not situated on or near land that has been identified as being of potential concern with respect to land contamination. Therefore, I have no objection in relation to land contamination human health risks from this proposed development and will not be requesting planning conditions.
Env Health Noise And Amenity	No adverse comment from a noise perspective.
Thames Water	No Comment Received.
Parish Council	Curbridge and Lew Parish Council object to this planning application on the following grounds: 1. The development is considered disproportionate (too large); 2. The access to the site is considered inadequate. This is especially the case for construction traffic; 3. Concern expressed with the suitability of the land as it is prone to being waterlogged.
OCC Highways	No objection subject to inclusion of suggested condition.
District Ecologist	No objection subject to inclusion of suggested conditions.
Flood Risk Management Team	No objection subject to inclusion of suggested condition.

2 REPRESENTATIONS

2.1 At the time of writing eight objection comments have been received, some neighbours have commented multiple times in relation to the proposal. The comments noted the following key issues:

- Legal access uncertainty - whether the development site benefits from the necessary easement and rights of access.
- Flooding and drainage risk - whether the revised drainage scheme is technically sound, adequately specified, and capable of preventing runoff and flooding impacts on neighbouring land both now and in the future.
- The construction of a new dwelling in this location would be visually intrusive and highly disruptive to the occupiers of these properties, who have long benefitted from the open rural setting at the edge of the village.
- Agricultural Land Use, Livestock and Land-Use Compatibility. The introduction of a new dwelling in such close proximity to a farm is likely to result in unacceptable living conditions for future occupiers and an increased risk of complaints that could place pressure on established agricultural operations.

3 APPLICANT'S CASE

Due care and attention have been given to the location of the site and its context. The character and design of the existing buildings have been considered and whether the proposal is in scale and in keeping with the local surroundings.

We trust the attached demonstrates that an appropriate design process (in accordance with the West Oxfordshire Local Plan 2031) has been followed to reach the proposed design solution, taking into account the site context, characteristics and constraints, including Drainage, Biodiversity and Ecology assets.

We respectfully submit that the proposal is consistent with the proper planning and sustainable development of the area, and we hereby request that planning permission be granted for the development.

4 PLANNING POLICIES

DESGUI West Oxfordshire Design Guide

NPPF 2026

OS1NEW Presumption in favour of sustainable development

OS2NEW Locating development in the right places

OS4NEW High quality design

T4NEW Parking provision

H1NEW Amount and distribution of housing

H2NEW Delivery of new homes

H4NEW Type and mix of new homes

EH2 Landscape character

EH3 Biodiversity and Geodiversity

EH7 Flood risk

EH8 Environmental protection

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

5 PLANNING ASSESSMENT

5 Background Information

5.1 This application seeks permission for the 'Erection of single dwelling with garage and associated ancillary development' at Land South of Glebe Cottage, Lew Road, in Curbridge.

5.2 The site relates to an area of paddock land just south of Glebe Cottage which is surrounded by a small development of six houses and situated at the end of a private drive.

5.3 The application site lies at the very eastern edge of the built-up area in the southern part of Curbridge. It is outside of the built-up area of the village on open paddock land. The site is largely unrestricted and does not fall within any areas of special designation. However, the Grade II Listed Building 'Duttons Farm Barns' is located 140m to the south of the site.

5.4 Permission was previously granted for a stable building on the application site, for which foundations were laid, but it was never fully completed. The current proposals involve the erection of a new 5-bed dwelling, positioned centrally within the plot.

5.5 The application is before members at the sub-committee as the views of the officer are contrary to those of the Parish Council.

Planning History

21/02175/FUL Erection of four dwellings, with garaging and parking along with upgrading of the access onto the Lew Road and associated works. Approved

22/03314/S73|Variation of condition 2 of planning permission 21/02175/FUL to include solar PV on the roof slopes of the properties and to include an additional dormer window to Plot 3. Approved.

21/01603/FUL- Erection of a stable block and change of use of land from Agriculture to equestrian Use- Approved.

Principle of Development

5.6 The starting point for assessing new residential development proposals is the West Oxfordshire Local Plan 2031 (WOLP), which sets out the spatial strategy and policies for housing delivery across the district. Curbridge is designated as a village within the settlement hierarchy, where some residential development is supported in principle under Policies OS1, OS2 and H2, subject to compliance with other relevant policies.

5.7 Policy H2 states that the principle of new housing can be permitted '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.

5.8 The general principles of Policy OS2 are as follows. 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;
- Avoid the coalescence and loss of identity of separate settlements;
- Be compatible with adjoining uses and not have a harmful impact on the amenity of existing occupants;
- As far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s;
- Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- Be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
- Not be at risk of flooding or likely to increase the risk of flooding elsewhere;
- Conserve and enhance the natural, historic and built environment;
- Safeguard mineral resources;

- Be supported by all necessary infrastructure including that which is needed to enable access to superfast broadband.

5.9 The Council accepts that it cannot currently demonstrate a five-year supply of deliverable housing land. Under the National Planning Policy Framework (NPPF) published in August 2026, the former paragraph 11(d) "tilted balance" that would have been engaged under the NPPF 2024 no longer applies. Instead, proposals are assessed through the decision-making framework set out in Policies S3, S4 and S5 of the Framework.

5.10 NPPF Policy S3 states that decisions on development proposals should apply a presumption in favour of sustainable development. For development proposals within settlements, this presumption is applied through NPPF Policy S4, whilst development proposals outside settlements are assessed through NPPF Policy S5.

5.11 Curbridge is identified as a village within the settlement hierarchy of the West Oxfordshire Local Plan 2031 and therefore constitutes a settlement for the purposes of the NPPF 2026. Whilst the Local Plan does not define settlement boundaries, officers consider that the application site comprises an area of open paddock land which performs an important transitional function between the built form of the village and the surrounding countryside. As such, the site is considered to lie beyond the established settlement edge and is properly assessed as a location outside the settlement for the purposes of Policy S5.

5.12 The applicant contends that the site lies within the village envelope and represents an appropriate infill opportunity. Officers do not agree with this assessment. Additionally, whilst the planning history on this site is noted, officers would still consider it undeveloped land outside of a settlement. If local plan policies were explicitly applied would constitute a development type that is unacceptable in principle. However the site adjoins existing and approved residential development, an area of undeveloped paddock land which contributes to the transition between the built form of Curbridge and the surrounding countryside. Consequently, the site cannot reasonably be regarded as an infill plot.

5.13 In considering the NPPF, Policy S5 states that certain forms of development outside settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies of the Framework. This includes development which would address an evidenced unmet need, including housing proposals in circumstances where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, provided that the development is physically well-related to an existing settlement and is of a scale capable of being accommodated by existing or proposed infrastructure.

5.14 In this case, whilst the Council's most recent Housing Delivery Test result exceeds 75%, the Council cannot currently demonstrate a five-year supply of deliverable housing sites. Officers also accept that the proposed dwelling would be physically related to existing residential development nearby and would not place any significant burden on local infrastructure. The proposal would therefore contribute towards addressing an evidenced unmet housing need and attracts weight in favour of the development.

5.15 Bearing the above in mind, if Members are of the opinion that the development proposal constitutes a logical compliment to the existing pattern of development in the area, which integrates well with the existing development surrounding it, allowing an additional unit to help maintain the vitality of the village, can be considered compliant with existing and emerging Local Plan policies and the NPPF.

5.16. In light of the above, officers consider that the principle of residential development on this site is supportable, subject to further assessment of design and other material considerations in the following sections.

Siting, Design and Form

5.17 The application site measures approximately 0.10 hectares. The plot occupies a southern position within the existing plot of Glebe Cottage, accessed via the shared internal estate road from Lew Road. The site is currently an area of maintained grass and is bounded by residential properties to the north and west. The south-eastern boundaries are screened by trees outside of the paddock site boundary and these will be retained, together with two existing trees on the paddock Southern boundary. As such, Officers consider that the proposed building will not be visually intrusive to the visual character of the street scene due to it not being highly visible within the public domain.

5.18 Policy OS2 of the West Oxfordshire Local Plan 2031 states that all development should be "of a proportionate and appropriate scale to its context, form a logical complement to the existing scale and pattern of development and the character of the area, and avoid the coalescence and loss of identity of separate settlements." The proposed siting within an established residential enclave accords with this principle by complementing the existing pattern of development and maintaining the integrity of the settlement.

5.19 The siting allows for a generous curtilage, with garden areas to the front, side and rear, ensuring consistency with the prevailing character of the surrounding dwellings. The orientation of the dwelling responds to the geometry of the plot, with the principal elevation facing towards the shared access road and the older existing property Glebe Cottage, with secondary elevations addressing the side and rear garden spaces.

5.20 The building is designed as a two-storey detached house with a traditional form that complements the architectural language of the wider area. The main structure incorporates a symmetrical front elevation with a central entrance feature, flanked by balanced fenestration. The proposed materials comprise Cotswold stone walls and Cotswold slate roofing, consistent with the established palette within the wider development, thereby reinforcing local distinctiveness. This complies with Policy OS4, which requires new development to '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.'

5.21 The proposal also includes an attached double garage. The garage is proposed with a dual function, incorporating a fifth bedroom and ensuite at first floor level, and is designed to match the main dwelling in terms of materials and detailing.

5.22 Policy OS2 of the West Oxfordshire Local Plan requires development to "respect the form and character of the settlement" and to "form a logical complement to the existing scale and pattern of development." Similarly, Neighbourhood Plan Policy HE2 states that proposals should "positively enhance the character and appearance of its immediate locality" and "maintain and enhance the character and appearance of the town and contribute to local distinctiveness and enhance the character and quality of its surroundings."

5.23 While the proposal introduces a new dwelling on an open plot, reducing the openness of the site, this change is not considered harmful. The layout integrates logically with the existing street scene, reflects the established pattern of development, and uses locally distinctive materials and traditional

design features. In doing so, the proposal accords with the intent of OS2 and meets the requirements of HE2 by respecting scale, massing, and layout, and by contributing positively to the character and quality of its surroundings.

5.24 The overall form of the development is proportionate to the plot size and reflects the scale and character of adjacent properties. The arrangement is considered to ensure a coherent relationship with the established street scene with a logical infill of the plots with the built-up area of the development.

5.25 The proposal meets the requirements of OS2 by being located within the built-up area and forming a logical complement to the existing development pattern. It satisfies OS4 through high-quality design that respects local character and uses traditional materials. It also accords with Neighbourhood Plan Policy HE2, ensuring locally appropriate design, scale, and layout consistent with local character.

Amenity

5.26 Starting with the amenity for future occupiers of the dwelling, in regards to internal amenity space, the technical housing standards - nationally described space standards sets out the requirement for new development in regards to sufficient floor space for dwellings. The proposed dwelling would have 5 bedrooms and a dwelling of this size, as per the standards requires a minimum of 128 sqm of gross internal floor space. The proposed dwelling far exceeds this with floor space in excess of 340 sqm and as such the proposal is considered to provide sufficient internal amenity space for future occupiers.

5.27 Whilst there are no similar standards for external amenity space the dwelling is set within a generous plot with sufficient private amenity space and is therefore considered acceptable in this regard.

5.28 Turning to residential amenity for surrounding properties, the proposed dwelling has been designed and positioned to avoid any adverse impacts. The front elevation would be located approximately 19 metres from Glebe Cottage, and the west side elevation would be 20 metres from the front elevations of Glebe House. These separation distances exceed minimum standards and ensure there will be no unacceptable overlooking, loss of light, or overbearing impact. The 45-degree line has also been demonstrated from the front elevation of the new dwelling and the front of glebe house. This will not be impacted. Furthermore, the proposed ridge height of the new dwelling will not exceed the height of both glebe cottage and glebe house. As such, the proposal is considered acceptable in terms of neighbouring amenity.

Highways

5.29 The site is accessed via a private road shared with neighbouring properties, which is tarmac for the first portion, closest to the junction with Lew Road, then gravel. The new dwelling location is set 20m away from Glebe Cottage.

5.30 Oxfordshire County Council Highways Officers have been consulted on this application and have raised no objection in regard to highways impacts subject to a condition requiring the parking shown to be retained as such. The proposal is therefore considered acceptable in this regard and complies with Policy T4 of the West Oxfordshire Local Plan.

Drainage/ Flood Risk

5.31 Objection comments from neighbours note concerns relating to a potential increase in localised flood risk owing to the development. It should be noted that the site lies outside of any formal

designated flood risk zone, additionally WODC Drainage Officers have been consulted on this application and have raised no objection subject to a condition requiring a full surface water drainage strategy to be submitted to the LPA prior to commencement of development. As such the proposal is considered acceptable in this regard and complies with Policy EH7 of the WOLP.

Trees

5.32 The site contains six trees within or adjacent to the development area. The submitted arboricultural impact assessment confirms that two trees and one group have been recorded within the site and three third party tree groups have also been recorded, all are to be retained.

5.33 The Tree Officer has reviewed the submission and has confirmed no objections to the proposal.

5.34 The applicant has also provided technical information, it is acknowledged within the report that the new access falls within the root protection areas of a group of GI Leyland cypress, the report demonstrates tree root protection zones during construction.

5.35 Given the above, officers consider the impacts on trees to be acceptable. The proposal complies with Policy EH2 of the West Oxfordshire Local Plan 2031, which seeks to ensure that development protects existing landscape features and incorporates suitable mitigation. Conditions are recommended to secure implementation of the approved tree protection measures for the duration of construction.

Ecology

5.36 Following further submission of information in relation to Great Crested Newts and BNG, the Council's Ecology Officer considers the proposal acceptable subject to the inclusion of suggested conditions in the decision. The Ecological Appraisal and Biodiversity Net Gain (BNG) assessment confirm that impacts are minimal. Mitigation and enhancements include precautionary working methods, integrated swift boxes, bat tube, bird box and hedgehog highway along with a soft landscaping scheme with native planting. 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. Subject to these measures being added to the decision, the development complies with Policy EH3 of the Local Plan and Section 19 of the NPPF (2026).

Other Matters

5.37 Eight objections were submitted by neighbouring residents and third parties. These raise concerns about Legal access uncertainty, Flood risk, visual impact and the proposed change of use so close to farmland. Whilst these matters have been noted, issues of land ownership and private covenants are not material planning considerations and cannot influence the determination of this application.

5.38 Curbridge & Lew Parish Council also object, citing the following reasons for objection: 1. The development is considered disproportionate (too large); 2. The access to the site is considered inadequate. This is especially the case for construction traffic; 3. Concern expressed with the suitability of the land as it is prone to being waterlogged. These matters have been addressed through recommended conditions requiring a detailed drainage strategy to be submitted to the LPA prior to commencement as well as a construction traffic management plan to be submitted prior to commencement.

5.39 West Oxfordshire District Council introduced the Community Infrastructure Levy in January 2026. As the proposal involves the creation of a new dwelling, it is CIL liable and may attract a charge.

Liability and any exemptions or reliefs will be confirmed upon submission and validation of the required CIL forms by the applicant.

Planning Balance and Conclusion

5.40 The application seeks permission for the erection of a single dwelling adjacent to the built up area of the village of Curbridge. The site lies outside of any areas of special designation.

5.41 The Council cannot currently demonstrate a five-year housing land supply. This introduces a presumption in favour of sustainable development unless the application of policies that protect areas or assets of particular importance provides a clear reason for refusal, or any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

5.42 In terms of benefits, the proposal would deliver:

- A high-quality dwelling with design that reflects local vernacular through traditional proportions and materials, reinforcing local distinctiveness.
- Efficient use of land within an established residential enclave, contributing to housing supply at a time of acknowledged shortfall.
- Ecological enhancements and compliance with the statutory 10% biodiversity net gain requirement.
- No technical objections from consultees on highways, drainage, or amenity grounds.

5.43 In terms of harm, the proposal would reduce the openness of the host plot. However, this change is considered limited and not harmful to the character or appearance of the wider landscape. The dwelling would be visually contained, with filtered views from Lew Road, and its scale and design would integrate logically with the existing pattern of development. Subject to conditions, the proposal would deliver a well-designed and logical addition to the street scene.

5.44 Therefore, officers conclude that the adverse impacts identified do not significantly and demonstrably outweigh the benefits of the scheme. The proposal accords with the relevant policies of the West Oxfordshire Local Plan 2031 and the NPPF when taken as a whole. Accordingly, the application is recommended for approval, subject to conditions and completion of a Biodiversity Gain Plan.

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. 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 I, 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 preserve neighbouring amenity

4. No development, including any works of site clearance, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- I The parking of vehicles for site operatives and visitors
- II The loading and unloading of plant and materials
- III The storage of plant and materials used in constructing the development
- IV The erection and maintenance of security hoarding including decorative displays
- V Wheel washing facilities
- VI Measures to control the emission of dust and dirt during construction
- VII A scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: To safeguard the means to ensure that the character and appearance of the area, living conditions and road safety are in place before work starts.

5. Prior to the commencement of development, groundwater readings taken in the location of the proposed soakage trench shall be submitted, to confirm that there is a minimum 1m clearance to the groundwater table. If this is not found to be the case, a modified drainage strategy would be required to be submitted and approved to take this into account.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

6. The development shall be carried out in accordance with the following biodiversity mitigation measures and enhancement features, (and as modified by a Protected Species Mitigation Licence issued by Natural England). 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. Sections 4 and 5 of the Preliminary Ecological Appraisal prepared by Cotswold Environmental dated April 2025;
- ii. At least 2 no. swift bricks to be integrate into the east elevation wall of the new dwelling at approximately 1 metre intervals and in accordance with the council's Biodiversity Specification #3;
- iii. Bird nest box and bat tube as shown on drawing 2443-MEB-XX-XX-DR-A-3-210 P01; and
- iv. Hedgehog gaps to be installed in new boundary fencing

REASON: In the interest of biodiversity protection, mitigation and enhancement.

7. The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

8. 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.

9. A scheme of hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground development commences. The scheme shall include details of boundary treatment materials and/ or species of hedgerow planting and 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 safeguard the character and landscape of the area.

10. No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction' has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.

REASON: To ensure the safeguard of features that contribute to the character and landscape of the area.

11. The detached garage with accommodation above hereby permitted shall be used as accommodation ancillary to the existing dwelling on the site and shall not be occupied as a separate dwelling.

REASON: A separate dwelling in this location would result in an intensified and poorly proportioned form of development that would fail to provide an acceptable standard of layout, amenity and site functionality. Ancillary use is necessary to ensure the building remains subordinate to the main dwelling and to prevent overdevelopment of the plot.

12. 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, B, C, D and E as well as Schedule 2, Part 2, Class A, shall be carried out other than that expressly authorised by this permission.

REASON: Control is needed to protect the character and appearance of the area.

13. 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.

14. Before above ground building work commences, a schedule of materials including samples to be used in the elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials.

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

15. Notwithstanding details contained in the application, detailed specifications and drawings of all external windows and doors to include elevations of each complete assembly at a minimum 1:20 scale and sections of each component at a minimum 1:5 scale and including details of all materials, finishes and colours shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure the architectural detailing of the buildings reflects the established character of the area.

16. The window and door frames shall be recessed a minimum distance of 75mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the architectural detailing of the building reflects the established character of the locality.

17. Before the erection of any external walls, details of the provision of integrated bat roosting features (e.g. bat boxes/tubes/bricks on south or southeast-facing elevations) and integrated nesting opportunities for birds (e.g. house sparrow terrace, starling box, swift brick or house martin nest cup on the north or east-facing elevations) within the walls of the new buildings, and hedgehog gaps/holes under/through walls and/or fences, shall be submitted to the local planning authority for approval. The details shall include a drawing/s showing the types of features, their locations within the site and their positions on the elevations of the buildings, and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.

REASON: To provide new features for roosting bats and nesting birds, and ensure permeability for hedgehogs, as biodiversity enhancements in accordance with section 19 of the National Planning Policy Framework (2026), Policy EH3 of the West Oxfordshire District Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

INFORMATIVES :-

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.

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-biodiversitygain-plan>. The hedgerow boundary and pond south of the site provide suitable commuting and foraging habitat for bats, a light sensitive group, and lighting of these habitat features should be avoided. Lighting should be downward facing warm white lights, of temperatures no more than 2700K and may include features such as timers and sensors. More information on suitable lighting can be found in sections 4.5 - 4.7 of the Preliminary Ecological Appraisal prepared by Cotswold Environmental dated April 2025. The relevant Biodiversity Specifications can be downloaded from the council's website at: <https://www.westoxon.gov.uk/planning-and-building/wildlife-andbiodiversity/biodiversity-specifications/>

There is a low risk that great crested newts may be present at the application site. However, the application site lies within the red impact zone as per the district licensing scheme modelled map, which indicates that there is suitable habitat for great crested newts within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that great crested newts and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a great crested newt is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence

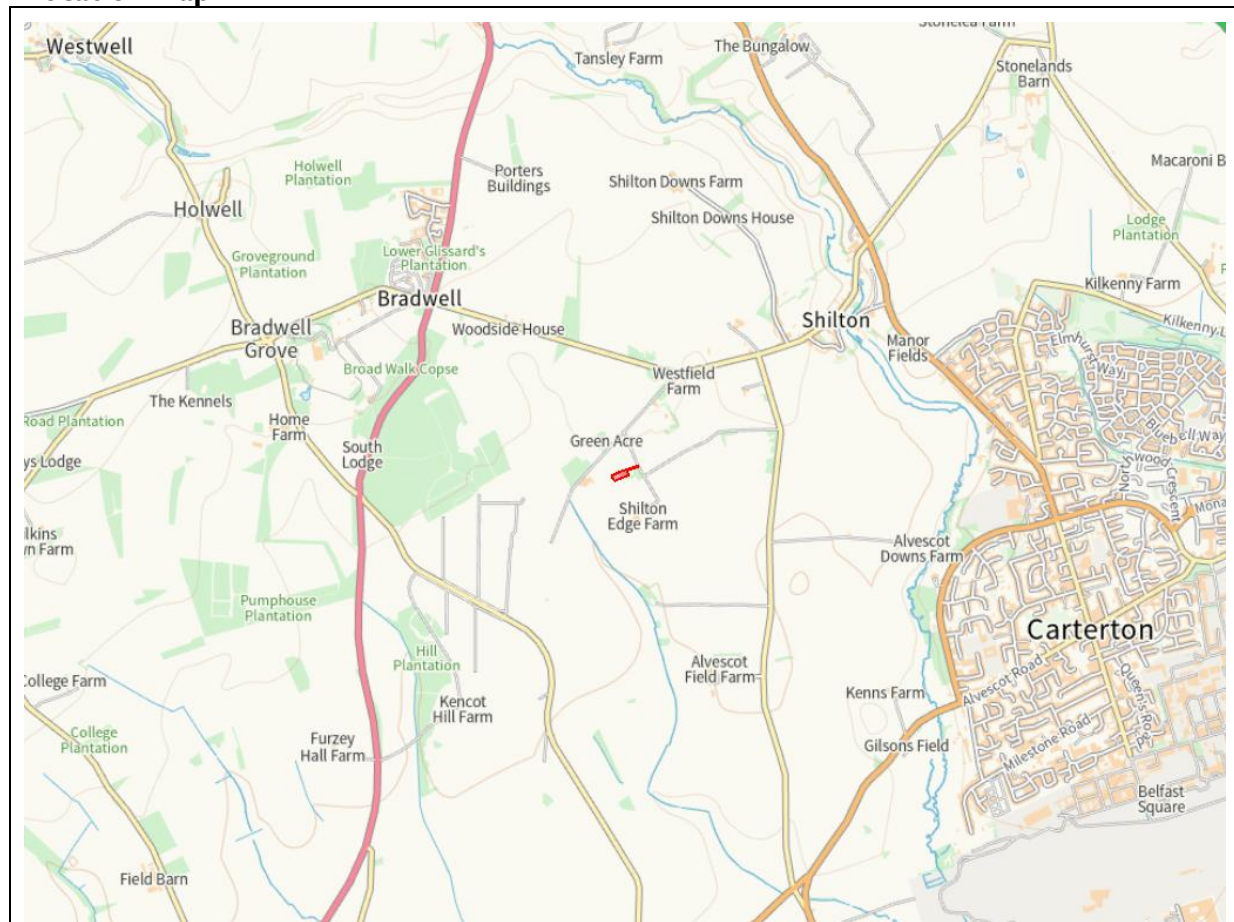
Contact Officer: Fern Lynch

Telephone Number:

Date: 25th August 2026

Application Number	26/00428/OUT
Site Address	The Wood Store Shilton Burford Oxfordshire OX18 4AP
Date	25th August 2026
Officer	Clare Anscombe
Officer Recommendations	Provisional Approval
Parish	Shilton Parish Council
Grid Reference	425564 E 207661 N
Committee Date	7th September 2026

Location Map



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Application Details:

Outline application for the erection of buildings to form datacentres with some matters reserved

Applicant Details:

Leach
J J Leach Firewood Ltd
The Wood Store
Shilton
Farringdon
Oxford
OX18 4AP

I CONSULTATIONS

Parish Council	Objection. Insufficient information on the effect on local water supply, electricity supply and noise pollution. Reconsultation - Object. The site is unsuitable for the proposed development and there is a lack of information on the day to day operation of the data centre
OCC Highways	No objection, subject to condition.
District Ecologist	Holding objection due to insufficient information on biodiversity. - No ecological assessment has been submitted with regard to the potential for nesting birds and roosting bats. The buildings must be assessed by a competent ecologist for their potential for birds (including barn owls) and bats to inform whether further surveys are required - The applicant should consider providing enhancements for biodiversity as part of the proposal in accordance with the National Planning Policy Framework and Local Plan policy EH3, including integrated wildlife boxes - I am not convinced that the de minimus exemption would apply to this application, as there is other habitat within the site around the southern building that needs to be taken into consideration. Further information about BNG is required before a positive determination of the application.
Thames Water	Waste: With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167, 168 & 169 in the National Planning Policy Framework. With regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Water: On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above

planning application.

Flood Risk Management Team	Additional information required. In accordance with Policy F8 and Annex C of the August 2026 NPPF, a SUDS statement should be submitted at the initial planning application stage, outlining how the national SuDS standards have been achieved and that a viable surface water drainage strategy is possible for the site. This statement should include evidence that soakage testing has been carried out on the site, evidence that the SUDS hierarchy is being followed (and there is an appropriate discharge point if infiltration is not possible), calculations to confirm compliance with national SUDS standards and a SUDS management plan detailing long term maintenance and responsibilities of the drainage assets.
Scottish And Southern Energy	No Comment Received.
Env Health Contamination	No objection, subject to conditions.
Env Health Noise And Amenity	No objection, subject to a condition limiting noise levels and an assessment of compliance with noise levels prior to the commencement of development.

2 REPRESENTATIONS

2.1 Comments have been received from local residents objecting to the application. In summary, the following concerns have been raised:

- Principle / location: Objection to an industrial-scale data centre/B8 use in a rural location; repeated comments that it should be directed to existing industrial estates/brownfield land; concerns about precedent for further industrialisation and impact on the setting of Shilton and Conservation Area.
- Landscape / visual impact: Perceived harm to rural character, views, and the setting of the Cotswolds/AONB and Shilton's historic character; concern about scale/massing, fencing and lighting.
- Residential amenity: Concern regarding 24/7 operational noise (cooling plant, generators), including low frequency hum, night-time disturbance and health/wellbeing impacts, air pollution, light pollution and loss of tranquillity/dark skies.
- Highways / access: Concerns about construction and operational traffic, HGV suitability on narrow rural lanes, highway safety (including reference to constraints around the Shilton Dip and local junctions), access by emergency vehicles and cumulative traffic pressures.
- Drainage / flood risk: Concerns that hardstanding and incomplete drainage detail could increase surface water run-off and flooding locally, including links made to Shill Brook and existing flooding issues.

- Water supply / wastewater infrastructure: Concerns about water consumption for cooling and local water pressure/capacity; concerns about sewerage/wastewater capacity and lack of clarity on foul drainage.
- Ecology / biodiversity: Concerns about impacts on habitats and protected species (e.g. bats, barn owls), hedgerows/green corridors; doubts raised about ability to achieve 10% BNG, harm to SSSIs.
- Climate / energy: Objections on energy demand, carbon emissions, and reliance on grid capacity; concerns about diesel backup generators and associated emissions.
- Pollution / land and water contamination: Concerns about contaminated land and risks to aquifers/groundwater (including spill risks from fuels/chemicals, firewater, cooling water discharges).
- Information adequacy / process: Repeated assertions that submitted information is insufficient for proper scrutiny (e.g. requests for EIA, noise/light assessments, hydrogeological risk assessment/FRA-type work); planning conditions should not be used; concerns about the proposal being mis-described/misclassified as B8 "storage".
- Impact on property values, references to children's rights (UNCRC) and general dissatisfaction with the application process
- Impact on animal welfare
- Fire risk
- Waste storage and collection
- Impact on military communication signals
- Loss of agricultural land
- Limited local benefit
- The data centre should be decommissioned after its use
- Precedent
- Concern about scale, financial viability and future use when AI infrastructure is rapidly developing to become more compact
- Lack of employment opportunities to be created
- Impacts from the installation of the necessary infrastructure, cable routes etc. to connect the data centre
- Cumulative impacts should be assessed
- Construction impacts
- The impact of the laying of the underground electricity cable to connect the data centre should be considered

A representation has also been received from Thames Valley Police raising a holding objection. In summary, TVP have concerns that there is insufficient information within the application to assure them that sufficient crime prevention measures are in place.

Comments have also been received from the Council's Climate Change Manager. In summary, no objection has been raised, subject to conditions requiring the submission and approval of further information.

Full details can be found on the online case file.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development
 OS2NEW Locating development in the right places
 OS3NEW Prudent use of natural resources
 OS4NEW High quality design
 OS5NEW Supporting infrastructure
 E1NEW Land for employment
 E2NEW Supporting the rural economy
 T1NEW Sustainable transport
 T2NEW Highway improvement schemes
 T4NEW Parking provision
 EH2 Landscape character
 EH3 Biodiversity and Geodiversity
 EH7 Flood risk
 EH8 Environmental protection
 CA5 Carterton sub-area strategy
 SHILNP Shilton Neighbourhood Plan
 T4NEW Parking provision
 DESGUI West Oxfordshire Design Guide
 The National Planning Policy framework (NPPF) is also a material planning consideration.

4 **5 PLANNING ASSESSMENT**

5 Background Information

5.1 This application is for outline planning permission for the erection of buildings to form data centres with some matters reserved at The Wood Store, Shilton. The application site includes land used for the storage of timber and logs, permitted for B8 use, two existing structures and access.

5.2 The site is located to the Southeast of Shilton, in a relatively isolated countryside location adjacent to a lane leading to Shilton Edge Farm. The site lies in the Shilton Neighbourhood Plan (September 2019) area. Approval for access, appearance, layout and scale are sought with landscaping reserved. The proposed gross internal floorspace of the buildings is 840 sqm. The application is before members for determination because the Parish Council's view is clearly contrary to that of the Planning Officer's.

Relevant Planning History

5.3 The application site was granted planning permission on 24th August 1994 for the use of land for the storage of timber & logs (reference: W94/0829). The adjoining site has the following relevant planning history:

- 26/00280/OUT- Outline application for the erection of buildings to form data centre, previously approved as storage. Withdrawn.
- 25/01574/FUL- Erection of an office building. Approved. 21st November 2025.
- 25/00273/FUL- Erection of two storage buildings and a portacabin. Approved. 30th April 2025.
- 24/01472/FUL - Erection of single storey building and portacabin. Approved. 2nd October 2024.

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 development

- Design, scale and layout
- Impact on highway safety and parking
- Impact on flood risk
- Impact on ecology
- Landscape impact
- Contamination
- Impact on amenity
- Other matters
- Other material considerations

Principle of Development

5.4 The site is located within the Carterton sub-area in the open countryside. West Oxfordshire Local Plan (WOLP, 2018) policy OS2 supports development in the open countryside which requires and is appropriate for a rural location and which respects the intrinsic character of the area. Proposals for non-residential development that is regarded as appropriate will include proposals to support the effectiveness of existing businesses. Policy CA5 states that new development outside of Carterton will be limited to meeting local community and business needs and will be steered towards the rural service centres and larger villages.

5.5 Policy EI states that proposals to improve the effectiveness of employment operations on existing employment sites will be supported where commensurate with the scale of the town or village and the character of the area and may include the expansion of existing employment uses.

5.6 The NPPF (2026) states that outside settlements, policy S5 should be applied. This states that *'only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework*

d. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential)...

5.7 The proposed development includes the redevelopment of previously developed land and so falls within the list set out in policy S5. Paragraph 1a of Policy E2 (Meeting the need for business land and premises) of the NPPF (2026) states that:

'1. To support business growth, substantial weight should be given to:

a. The economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area, the implementation of the Industrial Strategy, support improvements in freight and logistics and/or reflect proposals for Industrial Strategy Zones and AI Growth Zones...'

5.8 The site would remain in employment use but would see the loss of the existing local business. The application explains that the proposal will be sovereign, UK-controlled data and AI infrastructure that directly supports local economic development, digital resilience and public-sector data protection. The application states that the proposed development will keep data, value and operational control within the local area where currently local businesses and service providers rely on foreign platforms, and that Oxfordshire has a strong knowledge-economy with the proposed development helping to

support the demand associated with that economy. Therefore, Officers consider that the proposal would address a local business need, support the effectiveness of an existing business and allow a business to invest and expand. Due to the nature of the use, the proposed commercial use is considered to respect the intrinsic character of the existing site. However, Officers are not convinced that the proposed development requires and is appropriate for a rural location and so the application is contrary to policy OS2 of the WOLP.

5.9 Paragraph 2 of policy S5 states in applying policy S5 'the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.'

5.10 In applying paragraph 2 of policy S5 of the NPPF 2026, the most relevant policies to this application include those relating to making efficient use of land, high-quality design, impact on the transport network and highway safety, flood risk and impact on biodiversity. Whether the proposed development is refusable taking into account these relevant policies, is considered below.

Design, Scale and Layout

5.11 Paragraph 1 of policy DP3 of the NPPF (2026) sets out key principles for well-designed places. It states that development should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. Paragraph 2 of policy DP3 sets out seven principles to create well-designed places taken from the Design and Placemaking planning practice guidance. The principles that are considered to be relevant to this proposal include climate, nature, movement, built form and identity. Policies OS2 and OS4 of the WOLP reflect this advice and encourage development of a high-quality design that responds positively to and respects the character of the site and its surroundings. The West Oxfordshire Design Guide (2016) is also relevant.

5.12 The site is located in a relatively isolated location away from existing settlements. The proposed site plan indicates that the site would accommodate four new buildings plus 11 car parking spaces. The development has been designed to appear agricultural in character, including box profile cladded steel sheeting for the walls and roof with roller shutter doors in Juniper Green. Green space is proposed around the edges of the site.

5.13 In terms of climate, based on the comments of our Climate Change Officer, it is not considered that the proposed development would contribute to climate change mitigation and adaptation and the transition to net zero without further information. This should be submitted prior to the application being approved because it could affect the layout.

5.14 In terms of nature, enhancements for biodiversity should be addressed prior to the application being approved. Enhancements to tree cover could be secured via a landscaping scheme to be secured by condition and at reserved matters stage.

5.15 In terms of movement, good transport connections can be provided to nearby settlements through cycle parking provision, which can be secured by condition.

5.16 Regarding built form, the site's potential has been optimised through a compact form of development.

5.17 Your officers note the response provided by the Thames Valley Police 'Designing Out Crime' officer and consider that the proposed development would not be sufficiently protected from the risk of crime. This should be addressed prior to the application being approved.

5.18 In terms of identity, the proposal is considered to make use of a coherent palette of materials, design features and planting to create a visually attractive development.

5.19 Policy L3 of the NPPF (2026) states that development proposals should make efficient use of land, taking into account the identified need for different types of housing and other development, local market conditions, the availability of infrastructure (including that supporting sustainable transport modes) and its scope for improvement, a site's connectivity and the importance of securing well-designed, attractive and healthy places. Outside settlements, development footprints should make the best use of a site's development potential, taking into account the policies in the NPPF (paragraph 2b, Policy L3). Development proposals that do not make efficient use of land in accordance with paragraph 2 of policy L3 should be refused.

5.20 The proposed development will secure 840sqm of additional floorspace for B8 storage use. Whilst this is a development in a relatively isolated location, your officers are satisfied that, subject to conditions to mitigate the associated planning impacts, the scale of the development is appropriate and proportionate to the surrounding area. The development is considered to make the best use of the site's development potential, taking into account design policies. Landscaping is a reserved matter and so would be considered at reserved matters stage.

5.21 In light of the above, your officers are satisfied that the proposed development would form a logical complement to the existing scale of development within the vicinity. However, the proposal fails to comprise a high-quality design which is safe, enhances biodiversity, and addresses climate change, contrary to policies OS2 and OS4 of the WOLP and national design policies, and these matters should be addressed prior to approval being granted.

Impact on highway safety and parking

5.22 In terms of highway safety, the proposed development retains the existing access and increases the onsite parking provision by 5 car parking spaces. The OCC Highways Officer has been consulted and considers that the proposal would not have a significant detrimental impact (in terms of highway safety and convenience) on the adjacent highway network, subject to a condition securing the laying out of the proposed car parking prior to occupation and retention thereafter. Therefore, subject to the proposed condition, the proposed development is considered to comply with policies T2 and T4 of the WOLP.

Impact on flood risk

5.23 The Council's flood risk management officer has been consulted and in accordance with the new NPPF 2026, a SUDS statement is required outlining how the national SuDs standards have been achieved and that a viable surface water drainage strategy is possible for the site. In terms of foul water drainage, Thames Water have been consulted, and no objection has been raised based on the information submitted. Therefore, the proposed development is considered to be contrary to policy F8 and Annex C of the NPPF (2026).

Impact on ecology

5.24 In terms of impact on ecology, the two existing buildings on-site are proposed for removal, but there are no photos of these in the Design and Access Statement, and no ecological assessment has been submitted with regard to the potential for nesting birds and roosting bats in particular. The buildings must be assessed by a competent ecologist for their potential for birds (including barn owls) and bats to inform whether further surveys are required - particularly the southernmost building, which would appear to have the most potential from the aerial photographs of the site.

5.25 In addition, the application form confirms that the applicant believes they are exempt from providing statutory BNG because the proposal does not impact a priority habitat and impacts less than 25 square metres of non-priority on-site habitat. No other evidence has been provided, and so Officers are not convinced that the de minimus exemption would apply to this application, as there is other habitat within the site around the southern building that needs to be taken into consideration. This equates to over 240 square metres. There are also trees within the red line boundary that must be accounted for (even if they will be retained) along the northern edge of the site below. Further information about BNG is therefore required before a positive determination of the application. Therefore, the application is currently contrary to policies OS2 and EH3 of the WOLP, the relevant paragraphs of the NPPF (2026), and the Environment Act 2021 (as amended).

Landscape Impact

5.26 In terms of impact on visual amenity and landscape character, the application site has planning permission to be used for the storage of timber and logs up to 2m in height. To the south of the site is Shilton Edge Farm and associated agricultural-style buildings and to the north-west is Manor Dairy Farm and beyond this, Kencot Hill Solar Farm. The buildings are to measure 18m x 18m and have a maximum eaves height of 4.6m. The buildings are to consist of box profile clad steel sheeting for the walls and roof with roller doors and guttering and downpipes which are all to be coloured Juniper Green (BS No. 12B29).

5.27 Policy EH2 of the WOLP states that the quality, character and distinctiveness of West Oxfordshire's natural environment will be conserved and enhanced.

5.28 The site is identified in the West Oxfordshire Landscape Assessment 1998 as lying within the Shilton Downs (Open Limestone Wolds) landscape character area. This particular area is described as being largely unspoilt but with occasional detracting influences, including the derelict disused airfield south of the Cotswold Wildlife Park (now largely redeveloped as a solar farm) and with noise from Brize Norton airfield a principal factor threatening landscape quality. This area is described as needing a particularly strong landscape structure to absorb development and enhancement priorities include introducing more hedgerow trees using native species typical of the area (e.g. ash, field maple).

5.29 Due to the permitted use of the site for storage, the height of the proposed buildings, proximity to existing, similar buildings associated with Shilton Edge Farm, and the location of the site within a relatively low sensitivity landscape setting close to the former airfield (now solar farm), Officers consider that, subject to landscaping details being submitted as reserved matters, the submission and approval of details of external lighting prior to installation for agreement, and noise conditions, the proposed development would conserve and enhance the intrinsic character and quality of the local landscape and would therefore comply with policy EH2 of the WOLP.

Contamination

5.30 The site lies on an area which has a historic use for engineering works and so may be subject to some contamination. As such, the Council's Environmental Health Officer has been consulted. No objection has been raised, subject to conditions securing the submission and approval of a desk study (including site walk over) to assess the nature and extent of any contamination, prior to the commencement of development, and the implementation of an agreed remediation scheme before the development is first occupied with a verification report to be submitted on completion of the works. Therefore, subject to conditions, the proposed development is considered to be unlikely to cause pollution or result in exposure to sources of pollution or risk to safety from land contamination.

Impact on Amenity

5.31 Whilst the site is located a distance from sensitive receptors, the Council's Environmental Health Officer considers that data centres can generate significant noise from servers, cooling systems, and backup generators so it is necessary to establish in this instance that these impacts are adequately controlled, principally to nearby residential property, but also to users of the land nearby. Further information has been requested to establish that the proposed development will not exceed a certain noise rating level. This can be included as part of an acoustic survey which can be secured as a pre-commencement condition. Concern has been raised about air pollution. The proposed development would not involve emissions generating operations. Therefore, Officers consider that due to the proposed use, there is unlikely to be an unacceptable impact on air quality. Therefore, the proposed development is considered to be acceptable on amenity grounds, subject to condition.

Other Matters

5.32 The Parish Council have raised concern about impact on the local electricity network. SSE have been consulted but no comments have been received.

5.33 Concern has also been raised about impact on local water supply and pressure and whether the current water supply will be adequate. Policy OS3 of the WOLP states that all development proposals will be required to show consideration of the efficient and prudent use and management of natural resources including maximising water efficiency. Policy EH8 of the WOLP states that proposals for development will only be acceptable provided there is no adverse impact on groundwater resources, in terms of their quantity, quality and important ecological features.

5.34 Thames Water have been consulted, and no objection has been raised. The applicant has clarified that local borehole abstraction will not take place and the scheme is not dependent on high-consumption water cooling. Therefore, Officers consider that water supply will be adequate to serve the proposed development and that the proposed development will make efficient and prudent use of natural resources.

5.35 Concern has been raised about impact on aircraft safety due to proximity to RAF Brize Norton. However, due to the proposed height of the premises, Officers consider that the proposed development would be unlikely to adversely affect the safety of RAF Brize Norton as a safeguarded airfield.

5.36 Concern has also been raised about carbon emissions, diesel generator emissions (Nox/PM) from testing/backup operation, waste storage and collection and trade effluent (water discharge as a by-product), fire risk, hazardous substances (e.g. fuels, batteries, coolants/chemicals) and containment.

5.37 The submission states that the building would be designed to be ultra-low energy demand with thermal comfort, overheating and passive design measures considered where appropriate. Further, it is stated that the intention is for the data centre to be fully electric in normal operation, with no routine use of gas or other fossil fuels for heating or cooling. Any requirement for emergency standby generation would be determined at the detailed design stage and would be subject to the relevant environmental, noise and emissions controls. The agent has also stated that battery-backed systems and other lower-carbon resilience technologies will also be considered along with the potential recovery and beneficial reuse of waste heat. The submission states that the intention is to prioritise air cooling, closed-loop systems or other low-water technologies available at the time of construction. The submission states that there is no proposal for routine abstraction of water from local watercourses, and no warm-water discharge into a river or riparian habitat. Low-embodied-carbon materials, efficient structural design and responsible procurement will be considered as part of the detailed design and where technically suitable, commercially reasonable and consistent with the necessary performance and security standards, locally or regionally sourced materials will be preferred. Our Climate Change Manager has been consulted, and no objection has been raised subject to conditions which would secure these commitments. However, Officers have asked that a detailed sustainability statement is submitted to the local planning authority and approved before consent is granted to address the issues raised because recommendations of the report could affect the layout.

5.38 In addition, a health impact assessment can be conditioned to ensure that the proposed development promotes and contributes to healthy place shaping in accordance with the NPPF (2026).

5.39 In terms of waste storage and collection, due to the site area, a pre-commencement condition securing a site waste management plan to ensure the effective management of waste on the site to protect the environment is considered necessary.

5.40 In terms of hazardous substances, separate hazardous substances consent is required for the presence of certain quantities of hazardous substances under the Planning (Hazardous Substances) Act 1990. The NPPF (2026) is clear that Local Planning Authorities should assume that separate regulatory regimes for the control of pollution will operate effectively and that planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed. In response to the concerns, the agent has stated that 'where any discharge requires consent or agreement from the relevant water undertaker or environmental regulator, this will be obtained before the relevant system becomes operational and that the final design will ensure that water discharge, drainage and containment arrangements are properly managed.' Further, the agent has explained that 'any hazardous substances associated with the site, such as generator fuel, batteries, coolants or maintenance chemicals, will be stored in controlled areas with suitable containment. Fuel storage, if required, will be bunded and protected against leakage, impact and unauthorised access. Battery systems, if included, will be specified and managed in accordance with manufacturer requirements and applicable fire safety guidance. The final design will include appropriate risk assessment, maintenance procedures and emergency response planning.'

5.41 In terms of the issue of precedent, each application is considered on its own planning merits. Any future planning applications would also be considered on its planning merits.

5.42 Concern has been raised about impact on the setting of Shilton, the Alvescot Meadows SSSI, the Cotswolds National Landscape, and the Shilton Conservation Area. Officers consider that due to separation distance, the proposed development would not harm the setting of the Shilton Conservation

Area, the setting of Shilton, the setting of the Cotswolds National Landscape nor the Alvescot Meadows SSSI.

5.43 In terms of the proposed use being B8 storage, case law has established that data centres can be classified as B8 storage use.

5.44 Local residents have referenced concern with impact on children's rights and animal welfare. Amenity impacts can be material planning considerations where evidenced. In this case, as set out above, Officers have assessed the amenity impacts of the proposal and the proposed development is considered to be acceptable on amenity grounds, subject to conditions. Impact on animal welfare has previously been confirmed in high court rulings to be a material consideration in planning decisions. In this case, due to the nature of the proposed development, Officers consider that the proposal would be unlikely to harm the welfare of animals.

5.45 In terms of loss of agricultural land, the proposed development would not directly lead to the loss of agricultural land by development on the site because it is not in agricultural use and if the proposal did lead to the indirect loss of agricultural land it is not considered that this would be of sufficient harm to outweigh the benefits of the scheme.

5.46 Concern has been raised about the scale of the proposed development when AI infrastructure is rapidly developing to become more compact and energy efficient, and that the proposed development may not be required in the long-term and as site restoration cannot be secured, planning consent cannot be sensibly granted. However, there is no policy requirement for an application to demonstrate that the proposed development will be financially viable in the long-term nor can we withhold consent on the premise that a proposed development may be more technologically advanced in the future.

5.47 Because the proposed development is permanent infrastructure, it would not be reasonable in this case to include a condition requiring the development to be decommissioned when its use ceases or after a certain time period.

5.48 In terms of whether the application should be subject to Environmental Impact Assessment, the proposed development is not a type of development listed in Schedule 1 or Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Therefore, an EIA is not considered to be required.

5.49 Paragraph e of Policy DM3 of the NPPF (2026) is clear that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.

5.50 Regarding concern about fire risk, this is subject to other regulatory regimes, such as building control. Paragraph 1 of policy DM7 states that 'development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively... Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).' Therefore, Officers consider that it is not necessary to consider fire risk as part of this outline planning application.

5.51 Concern has been raised about the impact of installing the necessary infrastructure to connect the data centre, such as cabling. However, there are permitted development rights for some of these upgrade works which would not require planning permission. Works that fall outside the scope of permitted development are not included in this application for consideration and the applicant would need to apply for separate planning permission for these, if necessary.

5.52 Regarding cumulative effects, policy OS2 of the local plan states that 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. The proposed development is relatively small scale and set a distance from other data centres, such as at Didcot. A cumulative effects assessment is not considered to be proportionate to the scale of the application and is not required as part of an EIA because the development is not EIA development. The main cumulative impacts are likely to be impact on water supply and energy/power. In terms of impact on water supply, Thames Water have raised no objection. SSEN have confirmed that network capacity is achievable with network upgrades. Therefore, it is considered that the development is of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality.

5.53 In terms of construction impacts, Officers consider that there is unlikely to be a detrimental impact on amenity or highway safety as a result of construction particularly as the construction phase will be temporary, that the previous permission for buildings on the site did not consider this to be an issue, and that Environmental Health and Highways Officers have raised no objection based on construction impacts.

5.54 The CIL rate for this type of development is zero and therefore no CIL is payable.

Other material considerations

5.55 Other benefits claimed by the applicant include the provision of infrastructure which will secure future data resilience, UK-only data security, reduce dependence on global providers, and support long-term digital and economic sustainability. In accordance with policy E2 of the NPPF (2026), substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area. As outlined above, it is considered that the proposed development would allow a business to invest and expand, helping to support the economic vision and strategy for Oxfordshire as a knowledge and innovation-rich economy.

5.56 Paragraph 2 of policy E4 of the NPPF (2026) states that 'Development proposals to meet business needs in rural areas may need to be located outside settlements, and in locations that are not well served by public transport. In these circumstances:

- a. Development proposals should take opportunities, where they exist, to use previously developed land, and sites that are physically well-related to existing development; and
- b. The siting and design of development should be appropriate having regard to the character of its surroundings.

5.57 Whilst Officers are not convinced that the proposed development requires a rural location and is appropriate in a rural location, contrary to policy OS2 of the WOLP, the site makes use of previously developed land and is unlikely to generate significant additional traffic movements. The development is an opportunity to remediate despoiled, degraded, contaminated land in accordance with policy L2 of the

NPPF (2026). Policy L2 states that substantial weight should be given to the benefits where a development would remediate despoiled, degraded and contaminated land.

Therefore, in this case, subject to the submission and approval of a detailed sustainability statement to address the Climate Change Manager's comments, the biodiversity officer's comments being addressed, a SUDS statement being submitted and approved to address the Flood Risk Officer's comments, and Thames Valley Police's comments being addressed, prior to consent being grant, it is considered that the harms associated with the proposed development would be substantially outweighed by the benefits.

Conclusion

5.58 In conclusion, for the reasons outlined above, the proposed development fails to comply with policies OS2, OS4 and EH3 of the WOLP and relevant sections of the NPPF (2026). In this case, taking into account planning policy, other material considerations and the comments of interested parties, subject to the conditions set out in section 6 of this report, and subject to the submission and approval of a detailed sustainability statement to address the Climate Change Manager's comments, the biodiversity officer's comments being addressed, a SUDS statement being submitted and approved to address the Flood Risk Officer's comments, and Thames Valley Police's comments being addressed, prior to consent being granted, it is considered that the benefits of the proposal would substantially outweigh the adverse effects. Therefore, the application is recommended for provisional approval with delegated authority being granted to Officers to resolve these matters and amend the conditions and informatives as necessary.

6 CONDITIONS

- I (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 landscaping, (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.

REASON: For the avoidance of doubt as to what is permitted.

- 4 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.

5 The proposed buildings shall only be used as a data centre (Use Class B8); and for no other purpose of the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: The site is only suitable for the uses specified because of the special circumstances and context of the site.

6 No development shall take place until a desk study, including site walk over, 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.

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and the NPPF.

7 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.

Relevant Policies: West Oxfordshire Local Planning Policy EH8 and the NPPF.

8 Prior to the commencement of development, a Health Impact Assessment prepared by a suitably qualified professional shall be submitted to and approved in writing by the Local Planning Authority. The HIA shall identify the health impacts of the proposed development and make recommendations to maximise positive health impacts and minimise negative health impacts. The development shall thereafter be carried out in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

REASON: To ensure that the proposed development promotes and contributes to healthy place shaping in accordance with the NPPF (2026).

9 The car parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed before occupation of the development and thereafter retained and used for no other purpose.

REASON: To ensure that adequate car parking facilities are provided in the interests of road safety.

10 Prior to the commencement of development, a site waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how opportunities for the re-use and recovery of materials has been explored and how off-site disposal of waste will be minimised and managed. The development shall thereafter be carried out in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

REASON: To ensure the effective management of waste on the site to protect the environment in accordance with policy OS3 of the West Oxfordshire Local Plan and the NPPF (2026).

11 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 and appearance of the area.

12 That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The West Oxfordshire Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

13 Prior to the commencement of development, an acoustic survey undertaken by a suitably qualified person using BS4142-2014 (as amended) shall be submitted to and approved in writing by the Local Planning Authority. The datacentres shall not be operated until the approved scheme has been fully implemented.

REASON: To safeguard living/working conditions in nearby properties.

14 The creation of new additional floorspace within the development other than into which people do not normally go or only go intermittently for the purposes of inspecting or maintaining the data centres shall not be undertaken without the prior written consent of the Local Planning Authority.

Reason: To prevent further intensification of the permitted use which could generate additional traffic movements that could have a severe impact on the local road network.

15 No development shall commence until details of cycle parking for the premises have been submitted to and approved in writing by the local planning authority. No premises shall be occupied until the cycle parking spaces required to serve the premises have been provided in accordance with the approved details. The cycle parking areas so approved shall thereafter be permanently retained and kept available for cycle parking.

REASON: In the interests of promoting sustainable transport.

INFORMATIVES :-

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](https://www.thameswater.co.uk/buildingwater). Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewerconnection-design>

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.

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with; -

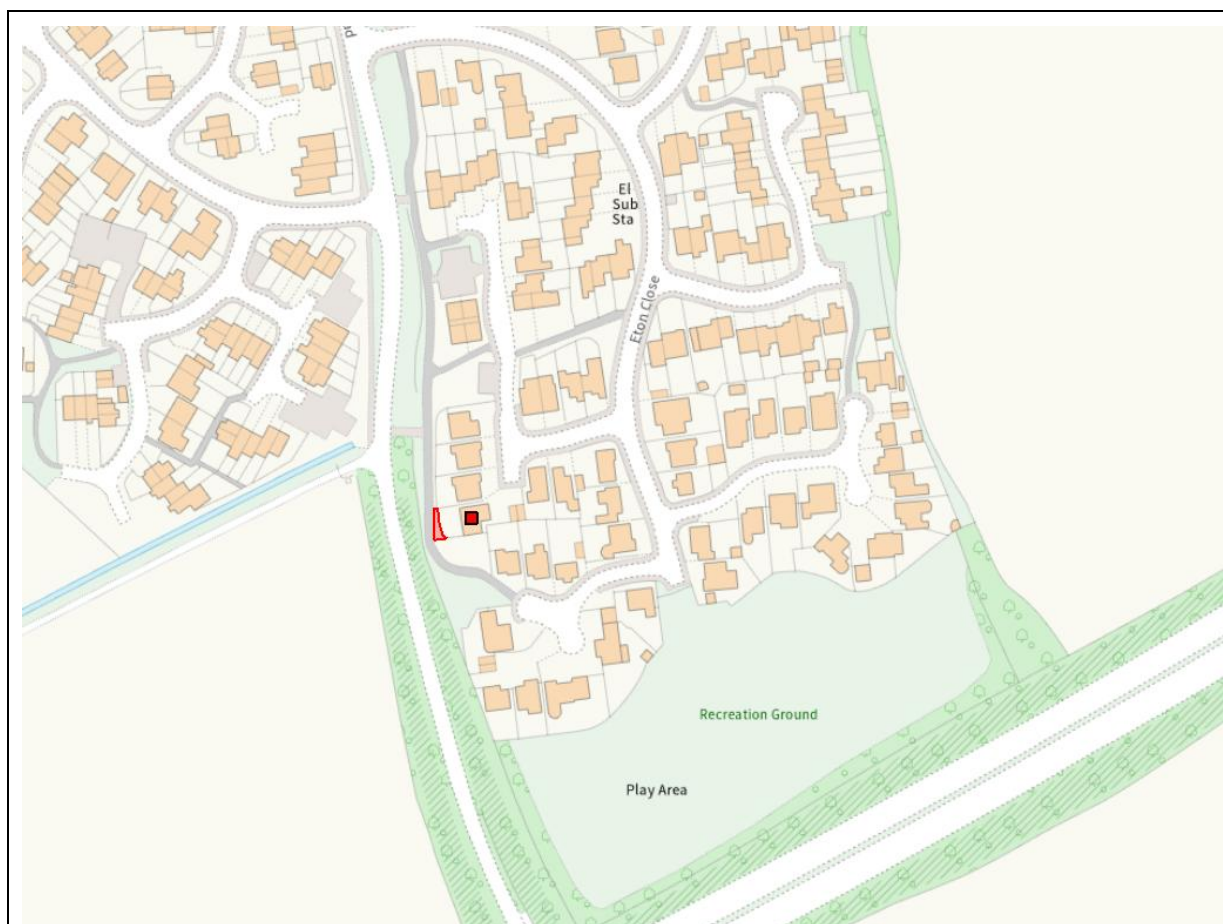
- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Oxfordshire County Council's Local standards and guidance for surface water drainage on major development in Oxfordshire (V1.2 December 2021)
- The local flood risk management strategy published by Oxfordshire County Council 2015 - 2020 as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.
- Updated Planning Practice Guidance on Flood Risk and Coastal Change, published on 25th August 2022 by the Environment Agency - <https://www.gov.uk/guidance/flood-risk-and-coastal-change>.
- Non-statutory National standards for sustainable drainage systems (SuDS), published 19th June 2025.

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: 25th August 2026

Application Number	26/01592/FUL
Site Address	80 Eton Close Witney Oxfordshire OX28 3GB
Date	25th August 2026
Officer	Ella Charles
Officer Recommendations	Approve
Parish	Witney Parish Council
Grid Reference	436670 E 209027 N
Committee Date	7th September 2026

Location Map



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Application Details:

Change of use of land to enlarge domestic garden and erection of boundary fencing and gate.
(Retrospective).

Applicant Details:

Mr David Phipps
80 Eton Close
Witney
Oxfordshire
OX28 3GB

I CONSULTATIONS

Parish Council

Witney Town Council Witney Town Council objects to this application.

Members are concerned that the proposal would result in the narrowing and increased restriction of an existing route used by pedestrians, cyclists and mobility scooter users, to the detriment of accessibility and active travel within the locality. The Council considers the retention of safe and convenient routes for non-motorised users to be an important consideration and is concerned that the proposal would diminish this.

Members are also concerned that approval of this application could set an undesirable precedent for similar proposals in the surrounding area, leading to the gradual erosion of these routes and the openness they contribute to the street scene.

The Council notes that the applicant declares that they own the land in question and acknowledges that, should this be confirmed and no public access rights be affected, this will be a matter for the Local Planning Authority to consider. However, Members consider that land ownership does not outweigh the planning concerns arising from the proposal.

Accordingly, Witney Town Council maintains its objection on the grounds of the impact on pedestrians, cyclists and mobility scooter users, together with the precedent that approval may establish within the locality.

OCC Highways

No objection to the proposal

No third party representation where received in relation to this application

4 PLANNING POLICIES

DESGUI West Oxfordshire Design Guide
NPPF 2026
OS2NEW Locating development in the right places
OS4NEW High quality design
T3NEW Public transport, walking and cycling

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

Applicants Case

2.1.The applicant would like to address points raised by the parish council

2.2Restriction of route and accessibility

The pathway behind the property is mainly used by residents of numbers 92 - 108 Eton Close as access to the Cogges shopping and wider area, or by dog walkers and families accessing the park. We have had double buggies, cyclists, walkers, runners, dog owners and the street sweeper use this pathway with no access issues.

2.3The applicants have always maintained this area - both the section that we have now enclosed with the fence, which was previously raised beds and gravel, as well as cutting back the stinging nettles and growth on the other side of the pathway. It is our understanding that this land should be maintained by Oxfordshire County Council, however this doesn't seem to happen that often as in the past charity gardening groups have occasionally come and cleared the rest of the pathway all the way along to the top of Oxford Hill. Our neighbour at 96 maintains the grass area to the south side of our property.

2.4You can see from the attached map and photographs (Document titled 'Planning Evidence' within the application file) how we maintain the area surrounding our property. Sadly, not everyone does the same and you can see the areas that are causing restrictions on the pathway. Behind our property the pathway is 2.7m wide, whereas only slightly further down the overgrowth causes it to narrow to 0.9m.

2.5We therefore do not believe that the erection of our fence has narrowed and restricted that route, and that we are actually helping the community keeping a safe and convenient route by maintaining the overgrowth on the areas surrounding our property.

2.6.Setting a precedent for similar proposals

Our property is very uniquely placed for this kind of development so we don't believe that there are any other properties in Eton Close that would be in a position to request the same approval. The only other property was 1, Eton Close (18/01795/FUL) who received approval in July 2018, to extend their garden wall to enclose their land outside it. This also runs alongside two pathways on the opposite side of Eton Close like ours. The Town Council did raise an objection to this application on the grounds "as it is concerned that the proposal will lead to a loss of amenity land and should not be subject to development". They did not mention that it may set a precedent. Other developments that have extended their domestic curtilage in the area are both number 63 and 65 Eton Close (23/02307/FUL and 23/02819/FUL) which took over agricultural land outside their boundaries and had no objections raised by the Town Council.

2.7. Whilst we recognise the concern, we do not believe that our application is establishing a precedent within the locality.

5 PLANNING ASSESSMENT

5 Background Information

5.1.This application is seeking retrospective planning permission for the change of use to enlarge domestic garden and erection of boundary fence and gate at 80 Eton Close, Witney.

5.2.The application site relates to a detached two-storey dwelling. The dwelling is a corner plot and benefits from offstreet parking to the front of the dwelling and a garden to the rear of the dwelling.

5.3.The site does not fall within any areas of special designated control and therefore the main considerations of this application are the impact of the proposed development on the visual amenity and the impact of the proposed development on the residential amenity.

5.4.The proposal is being brought before Members of the Planning Committee as the views of the Parish are contrary to those of your officers.

Planning History

5.510/0279/P/FP- Erection of single storey front and two storey side extensions - Approved

Principle of the development

5.5.The proposal seeks retrospective planning permission for the change of use of a small parcel of land to residential garden and the erection of associated boundary fencing and a gate. The enclosure and use of land as domestic curtilage and the provision of boundary treatments are forms of development commonly associated with the residential use of a dwellinghouse. The applicants have submitted compelling justification for the need of such enclosure. As such, officers consider that on this occasion, the principle of enlarging the residential curtilage is considered acceptable, following further assessment in regards to the design, form and impact of residential amenity.

Siting, Design and Form

5.6.Local plan policy OS2 (Locating development in the right place) states that 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; as far as is reasonably possible protect or enhance the local landscape and the setting of the settlement/s.

5.7.Local plan policy OS4 (High-quality design) ensures that new development should respect the character of the locality and not harm the use or enjoyment of land and buildings nearby including living conditions of residential properties.

5.8.Policy DP3 sets out the key principles for achieving well design places outlining development proposals should respond to their context, so they can integrate with and enhance their surroundings.

5.9.The existing strip of amenity land is located to the west of the dwelling and runs north to south behind number 74, 76, 78 and 80 Eton Close. The amenity land to the rear of the dwelling runs between the boundary walls and the existing footpath/cycle path.

5.10.The section of land being enclosed to the west of the dwelling measures approx. 2.5 metres to the south and 1 metre to the north and is 1.8 metres in height. The fencing is approx. 10.3 metres in total width mirroring the extent of the existing boundary wall.

5.11.Your officers consider the scale and extent of the enclosed area is limited and remains compatible with the establish residential character of the area. In addition, the use of natural timber provides a neutral appearance which will weather over time to help the fence integrate into the existing

surroundings and appear as a less visually dominate feature within the street scene to accord with policies OS2 and OS4 of the WOLP.

5.12. Officers note concerns raised by the parish regarding the narrowing and increased restriction of an existing active travel route. However, officers would like to emphasise that the proposal does not introduce any built form extending beyond the original boundary line of the dwelling and therefore does not result in any narrowing of the existing pathway nor would it introduce any new accessibility issues for pedestrians.

5.13. In addition, whilst officers also note the public comments raised in regards to the potential precedent that could be set, leading to gradual erosion of these routes and the openness they contribute to the street scene, It is important to note that planning does not set a precedent as each planning application must be assessed and determined on its own merits, whilst also having regard to the specific circumstances and context of the site along with the overarching requirements of the Development Plan.

5.14. In this instance, the enclosed strip of land is relatively small in its extent and immediately adjoins the existing residential curtilage of No. 80 Eton Close. The majority of the boundary line is already largely defined by existing enclosures, including the retained 1.8m high brick wall, such that the introduction of the timber fencing does not fundamentally alter the visual character of the area. Officers are therefore satisfied that the proposal would not result in material harm to the character and appearance of the area and any perceived precedent carries limited weight in this assessment.

5.15. Whilst the land is understood to be within the applicant's ownership, ownership is not determinative in planning terms. The relevant consideration is the contribution that the land makes to the character and appearance of the area. In this instance, officers consider that the parcel of land makes only a limited contribution to the openness of the wider street scene, being closely associated with the host dwelling and enclosed on several sides by existing boundary treatments. Its incorporation into the domestic curtilage is therefore not considered to result in material harm to the character of the area.

Impact on Neighbouring amenity

5.14. Given the nature and scale of the proposed fence and change of use of the land, officers are of the opinion that the proposed would not give rise to any adverse impacts in regard to neighbouring amenity and complies with local plan policies OS2 and OS4.

Highways

5.15 The OCC Highways officer was consulted on this application and raised no objection to the proposal. Therefore, the proposal is considered to comply with local plan policies T1, T3 and OS2.

Other Matters

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

5.17. 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

5.18. Taking into account the above matters the proposal is considered acceptable and complies with policies OS2 and OS4 of the West Oxfordshire Local Plan 2031, the relevant paragraphs of the NPPF (2026) and the West Oxfordshire Design Guide 2016.

6 CONDITIONS/REASONS FOR REFUSAL

I No conditions apply

INFORMATIVES :-

0. 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.

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

Notes to applicant

I 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.

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

Contact Officer: Ella Charles

Telephone Number:

Date: 25th August 2026

