

PLANNING

ELECTRONIC
VERSION

Planning Decision

P20/S1577/O

Manor Oak Homes
c/o Armstrong Rigg Planning (ARP)
The Exchange
Colworth Science Park
Sharnbrook
Bedfordshire
MK44 1LZ

REFUSAL OF OUTLINE PLANNING PERMISSION

Application No : **P20/S1577/O**

Application proposal, including any amendments :

Outline application for up to 176 dwellings including public open space comprising a country park, a LEAP and additional Green Infrastructure provision with all matters reserved other than access. (As per amended information received 19 May 2020 and 23 July 2020, and clarified by additional information received 17 June 2020, 13 July 2020, 27 August 2020 and 18 September 2020)

Site Location : **Land at Lady Grove Didcot OX11 9BP**

South Oxfordshire District Council hereby gives notice that **outline planning permission is REFUSED** for the carrying out of the development referred to above for the following reason(s) :

1. The proposed development fails to accord with the strategy for new housing set out in the development plan. The application site is not a site allocated for development and would not constitute infill development. As such, it does not fall within one of the categories where development is acceptable and is contrary to policies CSS1 and CSDID3 of the South Oxfordshire Core Strategy and policies STRAT1, STRAT3, H1 and H3 of the Emerging South Oxfordshire Local Plan 2034.
2. The proposed development would intrude into an area of open countryside beyond the edge of the built-up limits of Didcot and would harm the role the site performs as a transition between the existing edge of Didcot and the landscape



beyond. The proposal would fail to protect and enhance a valued landscape and would be harmful to the setting of this part of the North Wessex Downs Area of Outstanding Natural Beauty. As such, the development is contrary to the National Planning Policy Framework, particularly paragraph 170, and policy CSEN1 of the South Oxfordshire Core Strategy, policies G2 and G4 of the South Oxfordshire Local Plan 2011 and policy ENV1 of the Emerging South Oxfordshire Local Plan 2034.

3. It has not been demonstrated that the proposed development would not threaten the health and longevity of a large number of trees on the site that are protected by a Tree Preservation Order and are of significant arboricultural value. The trees on the site make a very positive contribution to the character of the landscape and are a significant constraint to development. The loss of these trees would be harmful to the character and appearance of the site and its surroundings and as such, the development is contrary to, policy CSEN1 of the South Oxfordshire Core Strategy, policies G2 and C9 of the South Oxfordshire Local Plan 2011 and policy ENV1 of the Emerging South Oxfordshire Local Plan 2034.
4. It has not been demonstrated that a proposal of appropriate design quality could be delivered on the site, and the council is not satisfied that the concept masterplan and the parameter plans are appropriate to inform a Reserved Matters application for the delivery of up to 176 homes. The proposal has failed to demonstrate how it would positively contribute to the Didcot Garden Town Masterplan Principles and enhance the character of the site and surrounding area. As such, the proposal is contrary to policy CSQ3 of the South Oxfordshire Core Strategy, policy D1 of the South Oxfordshire Local Plan 2011 and policies STRAT3, DES1, DES2, DES3 and DES4 of the Emerging South Oxfordshire Local Plan 2034. As stated at paragraph 130 of the National Planning Policy Framework, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
5. Insufficient information has been submitted to make an informed and reasoned decision on the impact of the development on archaeology. Based on the information submitted, it is not possible to define the character and extent of archaeological remains at the application site or identify potential options for minimising or avoiding damage to archaeology. As such, the proposal is contrary to the National Planning Policy Framework, particularly paragraph 189, and policy CSEN3 of the South Oxfordshire Core Strategy, policies CON12 and CON13 of the South Oxfordshire Local Plan 2011 and policy ENV9 of the Emerging South Oxfordshire Local Plan 2034.
6. The proposed development would not be served by an access of an appropriate design and it would not be satisfactory in terms of highway safety. As such, the proposal is contrary to paragraph 109 of the National Planning Policy Guidance, policy T1 of the South Oxfordshire Local Plan 2011 and policy

TRANS5 of the Emerging South Oxfordshire Local Plan 2034.

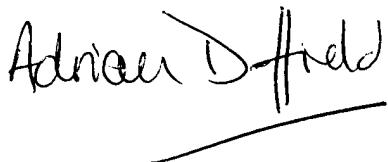
7. The proposed development would result in the generation of vehicular trips through a sensitive part of the highway network at the Culham bridge and Clifton Hampden bridge river crossings. The local highway authority has confirmed that the road network cannot accommodate the traffic arising from the development and will therefore cause safety, congestion and environmental problems. Any new trips would create traffic congestion during peak periods. As such, the traffic impact of this development would be unacceptable and would meet the NPPF criteria of 'severe harm' and therefore justify refusal of planning permission.

As such, the proposal is contrary to paragraph 109 of the National Planning Policy Framework, policy 02 of the Oxfordshire Local Transport Plan, policy CSM2 of the South Oxfordshire Core Strategy, policy T1 of the South Oxfordshire Local Plan 2011 and policy TRANS5 of the Emerging South Oxfordshire Local Plan 2034.

8. In the absence of a completed Section 106 legal agreement, the proposal fails to secure affordable housing to meet the needs of the district. As such, the development is contrary to the NPPF, policy CSH3 of the South Oxfordshire Core Strategy and policy H9 of the Emerging South Oxfordshire Local Plan 2034.
9. In the absence of a completed Section 106 legal agreement, the proposal fails to secure infrastructure necessary to meet the needs of the development. As such, the development is contrary to the NPPF, policies CSI1 and CSM2 of the South Oxfordshire Core Strategy, policies T1, D10, D12, R2 and R6 of the South Oxfordshire Local Plan 2011 and policies INF1, TRANS1b, TRANS2, ENV5 and CF5 of the Emerging South Oxfordshire Local Plan 2034.

In accordance with paragraph 38 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals. The Planning Service works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and by advising applicants/agents of issues that arise during the processing of their application and where possible suggesting solutions to problems.

Note : A more detailed explanation is available in the officer's report, available in the application case file.



Head of Planning
6th October 2020

STATUTORY INFORMATIVE

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate
 Customer Support Unit
 Temple Quay House
 2 The Square
 Temple Quay
 Bristol
 BS1 6PN
 Telephone : 0303 444 5000
www.planningportal.gov.uk
 email: enquiries@pins.gsi.gov.uk.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants its subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

OTHER INFORMATION

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website (www.planningportal.gov.uk).