

PLANNING

ELECTRONIC
VERSION

Planning Decision

P24/S1651/FUL

W E Black Ltd
c/o Nik Lyzba MRTPI
Mr Nikolas Lyzba
New Barn,
Tucks Lane
Longworth
OX13 5ET

REFUSAL OF PLANNING PERMISSION

Application No : **P24/S1651/FUL**

Application proposal, including any amendments :

Demolition of 44 Queens Road and the outbuildings to Nos. 42. Proposed erection of 22 dwellinghouses (including 8 affordable homes) with gardens, car parking, garages, bin stores, and new estate road access. Closure of access onto Queens Road serving 46 Queens Road and re-arranged access off new estate road. Provision of garden area to 46 Queens Road. Re-arranged access to 42 Queens Road off new estate road and erection of new garage for No. 42.

Site Location : **42 to 48 Queens Road Thame**

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

1. The mix of dwelling sizes proposed in both market and affordable housing sectors would not meet identified local need and would be contrary to policies H9 and H11 of the South Oxfordshire Local Plan 2035.
2. Due to the site layout and the design of the proposed affordable units, including in respect of car parking and outdoor amenity provision, the affordable units would be clearly indistinguishable from market housing, and would not be distributed through the site, and as such the proposed development would fail to create mixed and balanced communities contrary to policies H9 and DES1 of



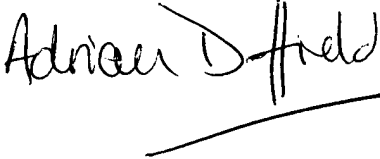
the South Oxfordshire Local Plan 2035.

3. The proposed development is not considered to be an appropriate response to the site character, constraints and context and would fail to make efficient use of the site; would be out of keeping with the surrounding grain and character of development; and would fail to retain and provide appropriate green infrastructure necessary to ensure a high quality development, contrary to policies DES1, DES2, DES3, DES4, ENV1 and ENV5 of the South Oxfordshire Local Plan and the Joint Design Guide.
4. The proposals would fail to provide sufficient public open space to serve the development and would conflict with Policy CF5 of the South Oxfordshire Local Plan, the Joint Design Guide and the South Oxfordshire Developer Contribution SPD.
5. The proposed access to serve the site, and the amount and layout of car parking, would fail to provide an environment that would be safe for all users, with particular detriment to pedestrians, and would fail to encourage walking and cycling and be detrimental to highway safety, contrary to policies TRANS2 and TRANS5 of the South Oxfordshire Local Plan 2035.
6. The site is at medium risk of surface water flooding, but has not been subject to the sequential test, so fails to demonstrate that there are no alternative sites in areas with a lower risk of flooding. As such the proposal could not be considered to direct development to areas with the lowest probability of flooding and would be contrary to Policy EP4 of the South Oxfordshire Local Plan 2035 and paragraph 168 of the NPPF.
7. In the absence of a completed S106 legal agreement, the proposal fails to secure affordable housing to meet the needs of the District. As such, the development would be contrary to the National Planning Policy Framework and policies H9 and H11 of the South Oxfordshire Local Plan 2035.
8. In the absence of a completed S106 legal agreement, the proposal fails to secure infrastructure necessary to meet the needs of the development. As such, the development would be contrary to the National Planning Policy Framework and policies INF1 and CF5 of the South Oxfordshire Local Plan 2035.

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.

A handwritten signature in black ink that reads "Adrian D. Field". The signature is written in a cursive style with a long horizontal line underneath it.

Head of Planning
18th September 2024

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 it 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).

BUILDING OVER GAS MAINS AND SERVICES

Please note before you plan to dig, or carry out building work within the SGN gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact the SGN Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone SGN with general plant protection queries. See SGN details below: Phone 0800 912 1722 or email plantlocation@sgn.co.uk

For further information please refer to:

<https://www.sgn.co.uk/damage-prevention>

<https://www.sgn.co.uk/help-and-advice/digging-safely>