

PLANNING

ELECTRONIC
VERSION

Planning Decision

P24/S2464/FUL

XP 8 Development Ltd
Mr Ben Richards
The Old Bakery
12-14 Hart St
Henley-on-Thames
RG9 2AU

REFUSAL OF PLANNING PERMISSION

Application No : **P24/S2464/FUL**

Application proposal, including any amendments :

Two proposed 3-bedroom new-build dwellings and associated car parking and amenity including bike and bin stores (updated and additional supporting documents received 9th August 2024).

Site Location : **St Andrews Court Wellington Street Thame OX9 3WT**

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 proposed development, by reason of its location and subdivision required to form the plots, would be contrary to the grain of development, which forms an important element of the character of the Thame Conservation Area. In addition, the scale, massing and design of the proposed dwellings would appear incongruous in this location, failing to respond to the surrounding character. The proposal would therefore result in less than substantial harm to the setting of the adjacent Thame Conservation Area and the nearby Grade II listed buildings and there are insufficient public benefits to outweigh this harm, in conflict with the aims and objectives of Policies ENV6, ENV7, ENV8, DES1 and DES2 of the South Oxfordshire Local Plan 2035 and Policies ESDQ16 and ESDQ20 of the Thame Neighbourhood Plan and advice contained within Section 5 of the Joint Design Guide 2022 and advice contained within the NPPF.
2. Insufficient information has been submitted to demonstrate that the proposed

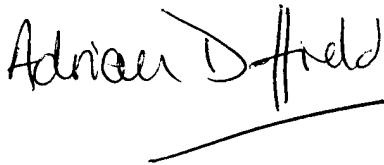


development would not be at risk from land contamination. As such, the proposed development would conflict with the aims and objectives of Policy ENV11 of the South Oxfordshire Local Plan 2035.

NB: The development to which this refusal relates is liable to pay the Community Infrastructure Levy (CIL) as set out in the South Oxfordshire Charging Schedule. Please refer to the CIL Regulations 2010 (as amended). If planning permission is granted following a successful appeal against this refusal a Liability Notice will be issued to the relevant person following the issue of the appeal decision. Detailed guidance and the CIL process is available on the planning portal website <http://www.planningportal.co.uk/cil> or our website <http://www.southoxon.gov.uk/cil>

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, appearing to read 'Adrian D. Field', with a horizontal line underneath it.

Head of Planning
26th 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>