

PLANNING

ELECTRONIC
VERSION

Planning Decision

P16/S3630/O

Gladman Developments Ltd
Gladman House
Alexandria Way
Congleton
CW12 1LB

REFUSAL OF OUTLINE PLANNING PERMISSION

Application No : **P16/S3630/O**

Application proposal, including any amendments :
Residential development of up to 245 residential dwellings (including up to 40% affordable housing), structural planning and landscaping, informal public open space and children's play areas, vehicular access from Peppard Road and Kiln Road and associated ancillary works. All matters reserved with the exception of the main vehicular access.

Site Location : **Land off Peppard Road Emmer Green**

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 application site lies in open countryside, outside any defined settlement boundary in the South Oxfordshire Core Strategy and the proposed development would represent a significant encroachment into the open countryside. As a result the proposal would detract from the undeveloped rural character and appearance of the site and its surroundings and the attractive landscape setting of the settlements in the district and would not comprise sustainable development as defined by local and national legislation. As such the proposal is contrary to policies CSS1, CSR1 and CSEN1 of the South Oxfordshire Core Strategy, policies C4, G2 and G4 of the South Oxfordshire Local Plan 2011 and Government Guidance within the National Planning Policy Framework.
2. 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 Policy CSH3 of the South Oxfordshire Core Strategy.

3. In the absence of a completed S106 legal agreement, the proposal fails to secure on and off site infrastructure necessary to meet the needs of the development. As such, the development would be contrary to the National Planning Policy Framework, Policy CSI1 of the South Oxfordshire Core Strategy and Policies T1, R2 and R6 of the South Oxfordshire Local Plan 2011.
4. In the absence of a completed S106 legal agreement, the proposal fails to secure funding to mitigate the potential adverse effects of the proposed development to local wildlife sites in conflict with Section 11 (Conserving and enhancing the natural environment) of the NPPF

A handwritten signature in black ink, appearing to read 'Adrian D. Field', with a horizontal line underneath.

Head of Planning

14th September 2017

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).