

PLANNING

ELECTRONIC
VERSION

Planning Decision

P18/S1522/O

Mr Sunny Nahal
c/o Hogarth Architects
186 Dawes Road
Fulham
London
SW6 7RQ

REFUSAL OF OUTLINE PLANNING PERMISSION

Application No : **P18/S1522/O**

Application proposal, including any amendments :

This application is submitted in Outline form to establish the principle for use of the site for Class C3 Residential occupation. Under this application, means of access from Highdown Hill and density of Class C3 residential on the site are submitted for determination, all other matters Reserved.

Site Location : **Land to Highdown Avenue Emmer Green Reading RG4 8QS**

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 rural character and appearance of the site and its surroundings. Whilst all matters relating to design and layout are reserved for future consideration, the submitted information fails to demonstrate that a high quality place can be created of good design. As such the proposal would not comprise sustainable development as defined by local and national legislation. The proposed development would be contrary to Policies CS1, CSS1, CSEN1 and CSQ3 of the South Oxfordshire Core Strategy, Policies G2, G4 and D1 of the South Oxfordshire Local Plan 2011 and Government Guidance within the National Planning Policy Framework.

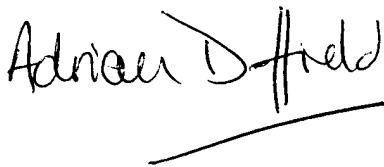


2. The sustainability profile of the site is poor through the predominance of substandard surfaces and lack of footway provision and excessive distance to the public transport services and the proposed development fails to provide for opportunities to promote sustainable transport modes. The intensification of the local highway network would be unsafe given the substandard width of Highdown Hill Road and restricted visibility at the junction of Highdown Avenue and Highdown Hill Road. As such, the proposed development would be in conflict with Policy CSM1 of the South Oxfordshire Core Strategy, Policy T1 of the South Oxfordshire Local Plan 2011 and Government Guidance within the National Planning Policy Framework.
 3. The proposed development would cause the loss of all the grassland and most other habitats on site. The proposals would therefore lead to a significant net loss of biodiversity when compared to the current site conditions. The proposed development also has the potential to cause harm to a number of protected species and insufficient evidence has been submitted to determine the impacts. The proposed development would therefore conflict with Policy CSB1 of the Core Strategy and Policies C6 and C8 of the South Oxfordshire Local Plan 2011 and Government Guidance within the National Planning Policy Framework.
 4. The proposed development would result in the loss of existing landscape features including two trees protected by a Tree Preservation Order which make an important contribution to the local scene and would provide limited space for any significant landscape planting to help mitigate the visual impact of the development. As such the proposed development would be contrary to Policies C9 and D1 of the South Oxfordshire Local Plan to 2011.
 5. Insufficient information has been submitted to demonstrate that a sustainable drainage strategy is achievable and no air quality assessment has been submitted in conflict with Policies CSQ2 of the South Oxfordshire Core Strategy and Policies EP1 and EP6 of the South Oxfordshire Local Plan 2011 and Government Guidance within the National Planning Policy Framework.
 6. 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.
 7. 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.
- NB: The development to which this refusal relates is liable to pay the Community Infrastructure Levy 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 long horizontal stroke underneath.

Head of Planning
28th September 2018

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).