

# PLANNING

ELECTRONIC  
VERSION

## Planning Decision

P17/S1069/FUL

Ms J. Bowater  
Rectory Homes Limited  
Rectory House  
Thame Road  
Haddenham  
Aylesbury  
HP17 8DA

## REFUSAL OF PLANNING PERMISSION

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Application No : **P17/S1069/FUL**

Application proposal, including any amendments :

**The erection of an Extra Care housing development (Use Class C2) comprising apartments, houses and a communal residents' centre with basement parking and storage areas and creation of new public open space, provision of new vehicle access from Elms Road and a new pedestrian/cycle link onto Upper High Street with associated infrastructure works and landscaping.**

Site Location : **The Elms 32 Upper High Street THAME OX9 2DN**

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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 scale, siting and design of the proposed development would have a harmful impact on the setting of the Elms listed building and the appearance and character of this unique open space within the Thame Conservation Area. Therefore the proposal is contrary to policies CSEN1, CSEN3 and CSQ3 of the adopted South Oxfordshire Core Strategy, Policies G2, C9, D1, CON5 and CON7 of the adopted South Oxfordshire Local Plan 2011 and Policies HA4 and ESQD20 of the Thame Neighbourhood Plan.
2. The proposal for 85 open market extra care dwellings would comprise a large area of uniform type and size and the proposal does not include a Thame-specific affordable housing and dwellings mix strategy. Therefore the proposal is contrary to Policy CSH4 of the adopted South Oxfordshire Core Strategy and



Policies H9 and Policy H10 of the Thame Neighbourhood Plan.

3. In the absence of a completed S106 agreement the application fails to secure infrastructure necessary to meet the needs of the development, contrary to policy CSI1 of the South Oxfordshire Core Strategy.
4. In the absence of a completed S106 agreement the application fails to make provision for the implementation of improvement works to Elms Park contrary to Policy HA4 of the Thame Neighbourhood Plan.

In accordance with paragraphs 186 and 187 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. The applicant/agent was advised why the proposal does not accord with the development plan and that there are no other material considerations to outweigh those objections before the application was determined.

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

Head of Planning  
**16th February 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](http://www.planningportal.gov.uk)  
email: [enquiries@pins.gsi.gov.uk](mailto: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](http://www.planningportal.gov.uk)).