

PLANNING

ELECTRONIC
VERSION

Planning Decision

P17/S1670/LB

Ms Jolande Bowater
c/o Rectory Homes Limited
Rectory House
Thame Road
Haddenham
Aylesbury
HP17 8DA

REFUSAL OF LISTED BUILDING CONSENT

Application No : **P17/S1670/LB**

Application proposal, including any amendments :

Works and alterations as follows: (i) partial demolition of the boundary wall along Elms Road and creation of vehicle entrance with erection of new plinth walls and painted metal railings with 2no. brick piers; (ii) the removal of wooden gates at site entrance on Upper High Street and repairs to 2no. existing piers; (iii) the erection of 2no. new stone piers and timber boarded electric gates at the private entrance to The Elms; (iv) new timber boarded gates at the entrance to the annex to The Elms (32a) with repairs to 2no. existing stone entrance piers; (v) erection of a new 2m high stone boundary wall to the annex to The Elms (32a); (vi) the erection of 2no. new bollards; (vii) the partial demolition of an existing brick wall and creation of a new footpath and cycleway; (viii) repairs and refurbishment of existing stone ha-ha and provision of new metal fencing.

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

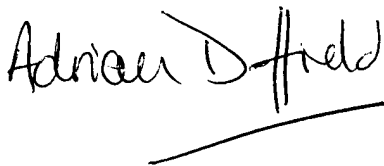
South Oxfordshire District Council hereby gives notice that **listed building consent is REFUSED** for the execution of the works referred to above for the following reason(s) :

1. The cumulative impact of the proposed works would harm the special historical and architectural qualities of the listed buildings (The Elms and Elms Barn) and their setting. This harm would constitute less than substantial harm with regard to the tests of paragraph 134 of the National Planning Policy Framework 2012. However, the harm is not outweighed by the public benefits of the revised



scheme for the extra care housing development within the site and is therefore not justified. As a result, the proposal is contrary to saved Policy CON3 of the adopted South Oxfordshire Local Plan 2011, Policy CSEN3 of the South Oxfordshire Core Strategy 2027, Policy HA4 of the Thame Neighbourhood Plan and the National Planning Policy Framework.

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

Head of Planning
16th February 2018

STATUTORY INFORMATIVE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 20 - 22 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within **six months** of the receipt of this notice. Appeals must be made on a form which is obtainable 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 has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

2. If listed building consent or conservation area consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district, or London Borough in which the land is situated (or, where appropriate on the Common Council of the City of London) a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) 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).