

PLANNING

ELECTRONIC
VERSION

Planning Decision

P16/V1665/FUL

Linden Limited
c/o Dijkstra Planning (UK) LLP
35 Berkeley Road
Newbury
RG14 5JE

REFUSAL OF PLANNING PERMISSION

Application No : **P16/V1665/FUL**

Application proposal, including any amendments :
Erection of 46 dwellings with associated roads, parking, landscaping and public open space.

Site Location : **Land off the High Street to the North of Pembroke Lane Milton ABINGDON OX14 4EJ**

Vale of White Horse 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 site is an unallocated site outside the built up settlement of Milton. The proposal would represent a visually intrusive extension of development into open countryside at the village edge that would detract from the open and rural setting of Milton. The impact would result in adverse landscape and visual harm which significantly and demonstrably outweighs the scheme benefits. As such the proposal is considered contrary to policies GS1, GS2, H11 and DC1 of the adopted Vale of White Horse local plan, core policies 4 and 44(ii) of the draft Vale of White Horse Local Plan 2031 Part 1 and paragraph 17 of the National Planning Policy Framework.
2. The site is partly within and partly adjoins the Milton conservation area. There are listed buildings (Old Moor Grange and Stepstone Cottage) in close proximity to the north east corner of the site. The application site makes an important contribution to the open and rural settings of the conservation area and listed buildings. The proposal would unacceptably change and erode the open and rural settings of the conservation area, and Old Moor Grange and

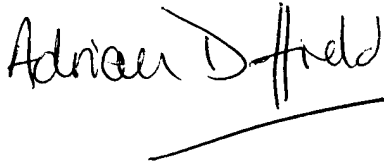


Stepstone Cottage and would significantly and demonstrably have an adverse impact on their settings. The benefits of the proposal are not considered to outweigh this less than substantial harm. The proposal is considered contrary to policies HE1 and HE4 of the adopted Vale of White Horse local plan, core policies 37(i), 39(i) and 44(iv) of the draft Vale of White Horse Local Plan 2031 Part 1 and paragraphs 17, 129, 131, 132 and 134 of the National Planning Policy Framework.

3. 3. The proposal is considered a poorly designed scheme that fails to reflect or respond to the established pattern of development in this part of the village, is highway and car parking dominated, lacks connectivity within the development, lacks appropriate focal points, lacks adequate suitable public open space, fails to integrate affordable housing into the scheme, proposes inappropriate house designs and appears cramped and congested. It will appear visually intrusive and detrimental to the open and rural character and appearance of the area including the settings of the Milton conservation area and Old Moor Grange and Stepstone Cottage. The adverse harm significantly and demonstrably outweighs the scheme benefits. As such the proposal is contrary to policies DC1, HE1 and HE4 of the adopted Vale of White Horse Local Plan, core policies 37, 39(1) and 44(ii and iv) of the draft Vale of White Horse Local Plan 2031 Part 1, the 2015 adopted Vale of White Horse Design Guide, and paragraphs 17(4), 56, 57, 58, 61 and 64 of the National Planning Policy Framework.
4. Part of the proposed development is within flood zone 3. The applicant has failed to apply the Sequential Test and if appropriate the Exception Test required by the National Planning Policy Framework. This authority considers development in the district can be accommodated on areas with the lowest probability of flooding. The proposal is therefore contrary to paragraphs 101 and 102 of the National Planning Policy Framework. As required by the guidance titled Flood risk assessment: local planning authorities (Department for Environment, Food & Rural Affairs and Environment Agency April 2015), this authority must refuse planning permission.
5. In the absence of a s.106 agreement relating to the provision of affordable housing and financial contributions towards community, leisure, recreation, open space and play area maintenance, public transport, education, and waste bin provision, the proposal would place increased pressure on these facilities and fail to provide the social, recreational, and cultural facilities and services the community needs. This is considered contrary to policy DC8 of the adopted Vale of White Horse local plan, core policies 7 and 24 of the draft Vale of White Horse Local Plan 2031 Part 1 and paragraphs 17 and 70 of 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, reading "Adrian D. Field". The signature is written in a cursive style with a long horizontal stroke underneath.

Head of Planning
26th September 2016

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).