

# PLANNING

ELECTRONIC  
VERSION

## Planning Decision

P14/S3443/O

Ross Healthcare Ltd  
c/o DWA Architects Ltd  
Rievaulx House  
1 St. Mary's Court  
YORK  
YO24 1AH

## REFUSAL OF OUTLINE PLANNING PERMISSION

Application No : **P14/S3443/O**

Application proposal, including any amendments :

**Demolition of existing care home. Construction of new care home and associated works.**

Site Location : **Eastfield House Eastfield Lane Whitchurch on Thames RG8 7EJ**

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) :

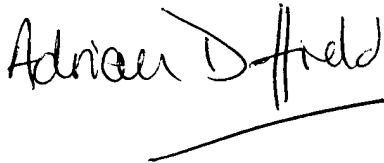
1. Eastfield House is a substantial late Victorian house, the original part of which is of high architectural quality. The building, particularly having regard to its front elevation, makes a positive contribution to the Whitchurch Conservation Area. The proposed demolition of the building would cause total loss of the historic fabric of this important non-designated heritage asset and would fail to preserve or enhance the character and appearance of the Whitchurch Conservation Area resulting in substantial harm to this designated heritage asset. There are no substantial public benefits of sufficient weight to outweigh the harm caused to the designated and non-designated heritage assets. As such the proposal is contrary to Policies CS1, CSEN3, and CSQ3 of the South Oxfordshire Core Strategy and Policies G2, D1, CON6, CON7 and CF2 of the South Oxfordshire Local Plan 2011 and guidance contained within the National Planning Policy Framework.
2. In comparison to the scheme approved under application P11/S0126, the proposed development, due to the siting, size and design of the north elevation



of the development, particularly with regard to the gable would cause overlooking to neighbouring properties, most notably Tanglewood to the west. Therefore, the proposal would be detrimental to the amenities of the occupiers of adjoining residential properties and would be contrary to Policies G6, and CF2 of the South Oxfordshire Local Plan 2011 and guidance contained within the South Oxfordshire Design Guide 2008.

3. The application site lies close to Flood Zone 3 of the River Thames and the local area has been subject to recent ground water and sewage flooding. Insufficient information has been submitted with the application to demonstrate that the proposal would not adversely affect flood risk in the local area. As such the proposal is contrary to Policies EP6 and EP7 of the South Oxfordshire Local Plan 2011 and guidance contained within 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.



Head of Planning  
**8th January 2015**

## 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)).