



Date: 26th March 2026

Planning & Enforcement Department  
South Oxfordshire District Council  
Abbey House  
Abbey Close  
Abingdon  
OX14 3JE

Our Ref: 1420

Dear Planning Department

**Re: Objection to application ref: P25/S2784/FUL following submission of additional information Santannas Place, Watlington Road, Stadhampton, OX44 7UQ**

This further letter of objection has been prepared on behalf of Stadhampton Parish Council, who are statutory consultees in relation to planning application P25/S2784/FUL. This letter is submitted following amendments and additional information which has been provided by the Applicant. The application initially sought full planning permission for an additional 10 pitches for Gypsy and Traveller people in addition to associated parking, groundwork and landscaping, together with the erection of a garage associated with the existing development at the site. However, the application has now been revised and, as such, currently seeks consent for 6 pitches along with associated parking, groundworks and landscaping together the erection of a garage. The Parish Council wishes to continue to object to the application in the strongest possible terms, for all the reasons set out below. If the Local Planning Authority are minded to approve the application, the Parish Council would reiterate its previous request that the application be called to the Council's Planning Committee to be decided by Members, given the substantial impact the proposal will have on the village of Stadhampton.

#### **Existing Issues**

Whilst the revised application appears to have been revised to include some elements previously excluded, it has not been revised to include all the unlawful development which has occurred at the site. As referred previously, the site currently benefits from lawful permission for 2x caravan pitches along with consent for a stable block, day room, parking space for a single touring caravan, and a small area of hardstanding. Permission for such a use exists under reference P23/S1760/FUL, which altered the two previous approvals under P21/S3017/FUL and P16/S2987/FUL, the latter of which was allowed at appeal. In total, the site benefits from planning permission for 5 structures/buildings.

Unfortunately, the 'existing' site plan shown under Drawing No. SP140725 continues to identify substantial unauthorised development which is not identified as such on the drawings. This gives the clear impression that the site is significantly more cluttered and damaging to the landscape than has actually been granted.

Specifically, the site plan identifies the following, which are not included within the current application:

- A large unlawful stables building
- 5 unlawful sheds/garages/pergolas
- Several unlawful shipping containers

Although not identified within the site plan, the Parish Council understands that the site continues to be utilised in connection with a landscaping business operating under A Smith Landscaping Services<sup>1</sup>, which has been advertised on local Facebook pages. The 'proposed' site plan does not identify any of these unlawful structure/buildings or site uses as having ceased, but neither does it include all of these elements within the application.

If the current proposal cannot address the existing enforcement issues, any such approval will only serve to exacerbate the unlawful development which exists at the site. As a minimum, the proposed application should either be amended for a second time to include all the unlawful elements which continue to be ignored, or the drawings should be amended to show clearly that the existing unlawful development will be removed should any approval be granted.

### **Identified Need**

The Parish Council will not repeat its position regarding the issues it has with the Applicant's assertions relating to the *identified need* of pitches and would refer the Local Authority back to its previous comments, given the Applicant has not responded to any of the matters raised. The Parish Council would simply reiterate that it believes the Applicant's assertion that the GTAA vastly underestimates the number of pitches required in the Oxfordshire Area is entirely incorrect and that the application is, by its very nature, a speculative one. The only evidence provided to date by the Applicant that there is a genuine need for the pitches is to state in the most recent supporting statement:

*"All of the proposed occupants identify as Gypsy and Travellers and therefore the Equality Act 2010 and the Human Rights Act 1998 (Article 8) are relevant to the application"*

There is no evidence that the proposal has been designed in line with input from the gypsy and traveller community or that it is required in connection with, or for, family members of the existing occupiers of the site. If the Applicant's assertions were true, it would presumably be a very simple case of identifying those who would wish to live at the site, and receiving confirmation that they are not currently living in another location. Given this information continues to be absent, the only conclusion that can be drawn is that there is no evidence that any future occupiers meet the definition of a Gypsy or Traveller, or that there is any such need for this number of pitches in this location at all.

### **Response to Applicant's supporting statement**

The presumption in favour of sustainable development lies at the very heart of government guidance contained in the NPPF. Paragraph 8 identifies three overarching and interdependent objectives that need to be pursued in a mutually supportive way in order to achieve sustainability – these are economic, social and environmental objectives. Paragraph 90 of the NPPF requires local planning authorities to define a network of town centres and settlements in which new development for mixed purposes (housing, commercial, leisure and other uses) can be encouraged to grow in order to build a strong and sustainable economy.

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<sup>1</sup> <https://www.facebook.com/asmithlandscapes>

There is no intention to repeat that which was stated previously, only certain matters of considerable importance will be referred to again. It is noted that the Applicant has failed to respond to a number of matters previously raised by the Parish Council, and the Parish Council wishes to reiterate that those matters remain highly concerning to the point that they justify refusal of the application, even if not in respect of the limits below.

Paragraph 13 of the PPTS emphasises the importance of ensuring that traveller sites are sustainable economically, socially and environmentally; and paragraph 2 states that local planning authorities should:

*very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan*

The application site remains outside the built-up limits of the nearby small village of Stadhampton and is, therefore, in the open countryside. The Applicant asserts that:

*“The site occupies a sustainable location as an extension to an existing site and is within close proximity to the village of Stadhampton where access to some services and facilities are provided, albeit with some services and facilities located further afield, and therefore, I am of the view that in providing additional pitches in this location would be a sustainable option.”*

The suggestion that extending development into open countryside in an objectively unsustainable location constitutes sustainable development is contrary not only to the core thrust of the NPPF, but the entirety of its policy framework, particularly Section 2, Section 5, Section 9, Section 11, Section 14 and Section 15. The Applicant’s position is wholly implausible. The existing pitches are already located outside of the settlement boundary of Stadhampton, which is considered a *smaller village* under the SODC Local Plan and where only back land and infill development for homes is permitted. To further develop greenfield land into the open countryside, with no sustainable link to any services, is the antithesis of sustainable development. The Applicant’s assertion that the future residents of the site would utilise the bus services within Stadhampton is again considered to be highly unlikely, given the lack of footpath or lighting between the application site and Stadhampton. That is notwithstanding the fact that the bus service to Oxford, which arrives between every hour and 2 hours 20 minutes, can hardly be described as consistent or reliable.

The Parish Council remains of the view that the site is physically separate and remote from the settlement and is therefore in an isolated location within the meaning of paragraph 84 of the NPPF. The proposed development does not benefit from any exception under either the NPPF or development plan that would justify its provision in this isolated and unsustainable location in the countryside.

The Parish Council is pleased to see that the Council’s Highway Team has raised substantial concerns on this matter, and endorses the Highway Team’s proposed reason for refusal particularly with reference to the second reason for refusal:

*“Due to the location of the site, and the lack of surrounding transport infrastructure, the proposed development would not be accessible by sustainable or active travel modes, walking, cycling, or public transport. Future residents would be reliant on the private car and as such the proposal conflicts with the Local Transport and Connectivity Plan, which seeks to prioritise sustainable travel and reduce vehicle trips along the highway network, and is contrary to policies TRANS2 and TRANS5 of the South Oxfordshire Local Plan 2035 and policies 1 and 2 of Local Transport and Connectivity Plan.”*

The Applicant goes on to state in their supporting document, that:

*“Alternative uses for the land are limited having no viable use other than as an extension to the existing gypsy and traveller site for the purposes of providing additional permanent residential accommodation. There remains sufficient paddock land to the rear of the proposed site to provide for the grazing of horses if required.”*

Such a statement is pure conjecture and should be afforded no weight in the decision-making process by the Council. The land is suitable for its current use as a paddock and, in addition, could be easily returned to traditional agricultural use; the land is identified as being Grade 3 Agricultural Land<sup>2</sup>, demonstrating its viable use as agricultural/grazing land. Just because the Applicant and site owner does not wish to use the land for anything other than an extension to the gypsy and traveller site, it does not mean that the site has no other viable use.

Having referred to many of the NPPF sections without providing any substantial or evidential responses, the Applicant’s statement turns to the SODC Local Plan, stating:

*“Policy H1 supports development for new sites for Gypsies and Travellers who do not meet the 2015 definition. As this definition is out of date and there is a significant and demonstrable need for additional pitches to address an under provision, the proposed development is in accordance with policy requirements.”*

This matter has already been covered above; however, it is worth raising two further matters. Firstly, whether the definition is out of date or not does not make the policy out of date in its entirety.

Secondly, the Policy states at Point 6:

*The Council will support development which provides for the residential needs of all parts of our community, including Gypsies, Travellers, Travelling Showpeople, caravan dwellers and boat dwellers. Proposals for new residential caravan and mobile home sites to accommodate people who do not meet the planning definition for Gypsies and Travellers set out in Planning Policy for Traveller Sites 2015, or legacy definition, will be considered in accordance with this policy.*

No evidence has been provided that the development will accommodate people who meet the planning definition for Gypsies and Travellers. As such, the development must also be considered against Part 3, which states:

Residential development on sites not allocated in the Development Plan will only be permitted where:

- i) it is for affordable housing on a rural exception site or entry level housing scheme; or
- ii) it is for specialist housing for older people in locations with good access to public transport and local facilities; or
- iii) it is development within the existing built-up areas of Towns and Larger Villages as defined in the settlement hierarchy (shown in Appendix 7); provided an important open space of public, environmental, historical or ecological value is not lost, nor an important public view harmed; or
- iv) it is infilling, and brownfield sites within Smaller and Other Villages as defined in the settlement hierarchy; or
- v) it is brought forward through a Community Right to Build Order; or

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<sup>2</sup> <https://naturalengland-defra.opendata.arcgis.com/datasets/provisional-agricultural-land-classification-alc-england>

- vi) there are other specific exceptions/circumstances defined in a Neighbourhood Development Plan and/or Neighbourhood Development Orders; or
- vii) it would bring redundant or disused buildings into residential use and would enhance its immediate surroundings; or
- viii) the design is outstanding or innovative and of exceptional quality and would significantly enhance its immediate setting.

The proposal does not meet any of the sub-paragraph requirements of Part 3 and must therefore be considered unacceptable and contrary to Policy H1. The Applicant goes on to state:

*Policy H14 sets out seven criteria where applications for additional pitches are proposed not set out under Part 1 of the policy. The development proposed complies all seven of the listed criteria and is in accordance with policy requirements.*

In the first instance, the proposal cannot be considered against Policy H14; it is not relevant because there is no evidence that the proposal will accommodate people who meet the planning definition for Gypsies and Travellers set out in Planning Policy for Traveller Sites 2015. With Policy H14 confirming that such applications should instead be considered against Policy H1, the proposal cannot be considered compliant with it.

Even if H14 were to apply, the proposal would not be compliant with it either. Part 2 (i) requires that:

*the capacity of the site can be justified to meet needs for further Gypsy, Traveller and Travelling Showpeople sites, or extensions to existing sites;*

The site does not have capacity to meet further needs given it requires an extension into open countryside. The site is in an unsustainable location as previously discussed, and has no capacity for expansion.

(v) also requires that:

*the site has safe and satisfactory vehicular and pedestrian access to the surrounding principal highway network. The site will be large enough to enable vehicle movements, parking and servicing to take place, having regard to the number of pitches/plots on site;*

As confirmed by the Council's Highway Team, the site does not have a safe or satisfactory vehicular and pedestrian access, nor is the internal arrangement suitable for vehicle movements or parking. The proposal must be considered contrary to Policy H14, if it were to ever apply in the first instance. The Applicant, however, states:

*TRANS5 – The impact of the additional pitches and subsequent siting of mobile homes with vehicle parking comprising of two vehicles per pitch, would intensify the use of the site, however, given no changes are proposed to the existing vehicular access, it is considered unlikely to give rise to a significant increase in traffic movements or impact highway safety.*

The Applicant goes on to state that:

*The development site is not within a flood zone and there are no known surface water issues. Permeable gravel surfaces would be provided which allow for natural drainage. It is not anticipated that the development would impact on surface water levels to adjoining land. Foul drainage would be linked to an existing Kingspan Klargester BC BioDisc Sewage Treatment System providing for up to 18 persons and which has sufficient available capacity to accommodate the additional six units proposed.*

No evidence of any infiltration testing of the site has been presented in support of the proposed development, or the demonstration of an alternative method of drainage. Failure to demonstrate an appropriate and feasible method of drainage constitutes grounds to refuse the application, for non-compliance with policies EP4 and H14 of the Local Plan. The Applicant states that:

*Policy ENV1 - seeks to support development where there is no harm to the landscape, countryside and rural areas. Although the application site lies outside of any settlement boundary, the development is positioned close to existing caravans on the site. This configuration and grouping would minimise the visual impact with the close spatial grouping of the proposed mobile homes secured by fencing off the land which would avoid the pitches spanning the full width of the application site. Therefore, no detrimental impact to the landscape setting is considered to arise from the development.*

*Policy ENV3 – The development seeks to retain the existing mature hedgerow to the west boundary and introduce native hedgerow planting within the site between each pitch. A green space has been provided for to the rear of the site and a wildflower island introduced to the centre of the site thereby increasing on-site biodiversity habitat which would deliver a measurable net gain.*

The Council's Landscape Officer has, however, confirmed that the proposed development would result in visual landscape harm, contrary to the above assertions by the Applicant. The Landscape Officer has also identified that the required planting in connection with the previous consent has not been carried out and, in fact, the construction of additional hardstanding now makes such planting impossible. Such behaviour, along with the other flagrant breaches of planning control, seriously brings into question the ability of planning conditions to be used to resolve outstanding matters here; it appears highly likely that such conditions will, again, simply be ignored by the Applicant.

Such concerns are particularly relevant in relation to BNG, which it is understood that the Applicant wishes to provide off-site. The Parish Council is at a loss as to why the Local Authority has calculated the Applicant's BNG requirements itself rather than compelling the Applicant to provide this information, as it does with all other Applicants. Such special treatment appears to be entirely unjustifiable, and the Parish Council asserts that the Local Authority should require the Applicant to provide his own, evidenced, BNG calculations in accordance with Policy ENV3; especially given the Council's Ecologist has not visited the site, and a BNG metric provided without a site visit would never be accepted by the Local Authority themselves. Given that the enhancements will be provided off-site, they cannot be secured through the use of a planning condition as the Local Authority cannot require financial payment via planning conditions. A Legal Agreement must therefore be entered into to ensure these enhancements can be secured, and this has simply not been provided.

In addition to the above no play area has been proposed, as recommended by paragraph 27 of Planning Policy for Traveller Sites.

Taken together the landscape harm, lack of play area, evidenced failure to comply with previous conditions (which remain outstanding) the lack of any reliable ecological information and the absence of a legal agreement to secure off-site financial contributions, the proposal must be considered contrary to Policies ENV1 and ENV3. The Applicant states:

*DS1 and DS2 – The development has been designed to a high quality and includes the effective use of the land, net gains in biodiversity, sustainability and respect for local character and context. The same aspect for local character is echoed by Policy DES2 which relates to local character. The siting of the development would be an extension of the existing site where the*

*additional pitches would be sited to the rear of existing caravans which would not be visually intrusive to the local landscape setting. In addition, the location, scale and design of the garage to the south of the parking spaces would offer little in the way of visual harm.*

Returning then to Paragraph 8 of the NPPF; in considering the Parish Council's previous comments and those above, it is considered that the development fails to achieve a satisfactory balance between the economic, environmental and social objectives necessary to achieve sustainable development.

Economically the Applicant has, despite having been given a second opportunity, again failed to make a case in support of the development, other than to suggest that the site will provide 6 additional pitches for unidentified occupiers.

Environmentally, the development is harmful to the character of the landscape and intrinsic value of the countryside; it is contrary to principles of good design and respect for local distinctiveness which is a key element of sustainability; it is contrary to the amenity of the area; it results in a net loss of biodiversity, and; it fails to mitigate and adapt to climate change by minimising the need to use private motor vehicles to access local services.

The specific personal circumstances of the Applicant, inasmuch as they have not been set out, do not present any social justification to outweigh the development's failure to achieve these other economic and environmental objectives.

The Parish Council does not consider that the Applicant's new information resolves any previous issues. The proposal is still considered to be contrary to policy STRAT1, EP4, DES1, DES 2, DES5, DES6, DES8, TRANS2, TRANS5, ENV1, ENV3, EVN12, H1 and, if it were to apply, H14 of the Local Plan, in addition to government guidance contained in the NPPF and the PPTS aimed at achieving sustainable development. Whilst the previous Inspector's decision is a material consideration it was, quite clearly, considered in light of an old Local Plan, and an entirely different proposal to that currently proposed by the Applicant.

#### **Deliberate unauthorised development and Biodiversity Net Gain**

As no explanation for the unauthorised work has been provided by the Applicant, the Parish Council again wishes to raise its concerns relating to deliberate unauthorised development, and encourages the Local Authority to take this matter further. In a letter dated 21<sup>st</sup> August 2015 the Chief Planning Officer in England issued a statement setting out changes to National Planning Policy. The government was concerned about the harm that is caused where the development of land has been undertaken in advance of obtaining planning permission and where, in such cases, there is no opportunity to appropriately limit or mitigate the harm that has already taken place. Such cases can involve Local Planning Authorities having to take expensive and time-consuming enforcement action. For these reasons, the Chief Planner's letter introduced a change that made intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals.

The application site, in addition to the surrounding land within the same ownership as the Applicant, has clearly been the subject of unauthorised development either through the failure to comply with existing planning conditions, alterations to existing surface materials, or simply through the construction of buildings and structures which do not benefit from planning permission. The effect of this unauthorised work has been to create a substantial change in the character of the application site. The Applicant continues to breach existing planning conditions in defiance of the Local Planning Authority and actually continues to undertake other unauthorised development; specifically, the levelling and clearance of the application site itself which previously existed as a pristine paddock, but

now appears as land covered by hardstanding (50%) and land artificially landscaped (50%) and the use of the site as the base for a Landscaping business.

In addition, it appears clear to the Parish Council that the Applicant has constructed the garage and included it within this application for the specific and targeted purpose of avoiding the legal requirement to provide BNG enhancements.

The Parish Council believes that this deliberate, unauthorised development adds weight to the reasons underpinning its request that the Local Planning Authority must refuse the current application. Furthermore, and despite claims within the application form to the contrary, it is evident that the proposal would result in a net-loss of biodiversity, contrary to Policy ENV3 of the Local Plan.

### **Conclusion**

The Applicant has failed to explain why the proposal is compliant with Paragraph 26 and 27 of the PPTS. He has also failed to identify or demonstrate that the future occupiers would be genuinely within the Gypsy Traveller status definition. The Parish Council believes that the proposed development is entirely non-compliant with a substantial number of Local Plan Policies (including the requirements of the PPTS) and NPPF requirements. It is considered to conflict with the development plan overall, and material considerations do not indicate that the application should be decided other than in accordance with it. The substantial number of policy objections are not outweighed in the planning balance by the lack of a 5-year supply of gypsy traveller sites in the Local Plan, or the personal circumstances of the Applicant, which are not made out within the application.

The Parish Council therefore reiterates its objection to the application in the strongest possible terms for all the reasons set out above. If for any reason the Local Planning Authority is minded to approve the application, the Parish Council requests that the application be called to the Council's Planning Committee to be decided by Members, given the substantial and significant impact that the proposal will have on the village of Stadhampton.

### **Other Matters**

Whilst the Parish Council appreciates that the following falls outside of the scope of the planning application, it wishes to impress upon the Local Authority that, in following up concerns raised regarding Council Tax, it is understood that the Council Tax Inspector was verbally abused and refused entry to the site. Although we understand that the Planning Team does not share information as a matter of course with the Council's Tax Team, in these instances the Parish Council is of the view that the Local Authority requires a more joined up approach, to ensure that all residents are paying their dues. It is only right that all residents of South Oxfordshire, whether in a home with planning permission or not, should contribute to the upkeep of services within their community.

Yours faithfully



**Jack Spence**  
**MRTPI MPIA**  
Chartered Town Planner