

APPLICATION P25/S2747/FUL: Change of use of land to a Gypsy/Traveller site comprising 12 mobile homes, 12 touring caravans and 12 utility rooms; Land south-west of London Road near Tetsworth Oxfordshire OX9 7AZ

TETSWORTH PARISH COUNCIL REPRESENTATION

- **Introduction**

Tetsworth Parish Council (TPC) **objects** in the strongest terms to Planning Application P25/S2747/FUL for the following reasons:

- Appeal Decisions APP/Q3115/W/16/3156409 and APP/Q3115/W/18/3205628 dismissed earlier proposals for a 12-pitch Traveller site at this location and continue to demonstrate that this site remains wholly unsuitable for the type of development retrospectively proposed in this application.
- TPC also considers that the applicant's submission of a flawed retrospective planning application for such a major development following its unauthorised implementation should have been rejected by the LPA at the validation stage.

This consultation response covers the planning history of the site, sets out detailed arguments exposing the shortcomings of P25/S2747/FUL and provides factual evidence to demonstrate that the LPA should refuse planning permission and pursue enforcement action for this unauthorised development.

- **Site Planning History**

Since 2015, the site has been subject to a series of development proposals, including 3 near-identical planning applications for a 12-pitch domestic accommodation Traveller site.

- In 2015 the owner of this agricultural field submitted to SODC his first planning application, P15/S3936/FUL, for a 12-pitch Traveller site development. Planning permission was refused by the LPA on 29 February 2016. An appeal against this decision was lodged on 12 August of that year. A second, almost identical planning application, P18/S0970/FUL, was registered on 20 March 2018. The LPA failed to make a decision on this proposal within the prescribed timescale and the applicant lodged a second appeal on 22 June 2018.
- Both appeals, APP/Q3115/W/3156409 and APP/Q3115/W/3205628, were heard at a con-joint inquiry which opened in Tetsworth on 18 June 2019. TPC, village resident donations and the LPA funded legal and professional representation. In reporting his decision on 13 January 2020, the inspector dismissed both appeals and refused planning permission for the second application. Costs were awarded to TPC and the LPA, but have not been recovered, at least by TPC.
- A seemingly less contentious planning application, P22/S3350/FUL, was registered on 25 January 2023 for erection of a modest stable building comprising 2 stable boxes, a tack room and feed store, and limited external works at the eastern end of

the field. The application was supported by a Preliminary Ecological Appraisal. Planning permission was granted on 21 December 2023 with the land use designation of the whole field changing from Agricultural to Equestrian. There is, to date, no evidence that the approved plans have been implemented.

- Over the recent August Bank Holiday period, the site was occupied by Travellers who, without notice or authorisation, converted the field to a 12-pitch Traveller site over a period of just a few days. A fleet of HGVs started delivering hard-core on 21 August and almost all of the field had been covered over the next couple of days. SODC Planning and Enforcement staff, and Tetsworth's District Councillor were alerted by TPC and village residents to the situation on 22 August. With commendable speed, SODC served a Temporary Stop Notice on 23 August. Despite this, location of static caravans and construction of site infrastructure continued over the following days. TPC has no visibility of any action that SODC Enforcement staff continued to take in response to this failure to comply with the Temporary Stop Notice.
- The third, and now current retrospective application for a 12-pitch Traveller site development was validated by the LPA and registered on 17 September 2025. TPC's concerns over the shortcomings of this application are addressed later.

- **Site Noise Receptor Levels**

The 2020 appeal decisions confirmed that the impact of noise on the site, principally from the M40 motorway, exceeded national thresholds and was therefore unacceptable. Subsequent Increased motorway traffic volumes and road surface degradation have served only to make the noise signature worse. The shortcomings of the applicant's previous and current noise surveys and impracticality and ineffectiveness of his previous and proposed noise mitigation measures demonstrate that the site is totally unsuitable for domestic occupation.

- The applicant's 2D Noise Impact Assessment was conducted from a single monitoring point in fair weather, over just 5 summer days, and with light variable winds. This is not representative of the overall annual noise signature perceived on the site and does not reflect the impact of its dominant exposure to the prevailing south-westerly winds.
- The current noise profile is now worse than the multi-point 3D noise survey conducted by TPC ahead of 2019 appeal inquiry and accepted by the appeal inspector.
- The applicant's recent survey demonstrates an expected breach of acceptable exterior amenity noise levels.
- The proposal to keep caravan windows shut and installing air-conditioning to mitigate internal noise to acceptable levels is impractical and unrealistic.
- Construction of 1.5m high fencing and shielding by caravans would be ineffective in mitigating external amenity noise to acceptable levels.
- The previous proposals included more significant noise mitigating structures (4m earth bunds & acoustic fencing) and noise was still a determining factor in their dismissal at appeal. The appeal Inspector concluded: *that noise would have a significant observed adverse effect on external amenity space on the proposed traveller site, resulting in*

unacceptable living conditions for the occupants. The proposal would thereby conflict with Policy EP2 of the Local Plan and paragraph 180(a) of the NPPF.

- **Flood Risk**

The site has a history of drainage issues. Unauthorised importation of multiple lorry-loads of hardcore raising the field's surface level and filling in the pond which was recognised in the Preliminary Ecological Appraisal submitted in support of P22/S3350/FUL, have both exacerbated the flood risk on and surrounding the site.

- No flood risk assessment or flood management proposals were submitted with the current application.
- There is an increased road safety risk from greater surface water flooding on the adjacent A40 carriageway.
- Surface water run-off from the imported hardcore into the adjacent Latchford Brook could have detrimental downstream impact at the nearby Spartan Fen SSSI.

- **Landscape and Ecology Harms**

In 2019, the LPA and appeal inspector judged the site to be of medium landscape sensitivity.

- In his report, the inspector found that: *The appeal proposals would represent localised but serious damage to the Undulating Semi-Enclosed Vale LCT, contrary to Policy CSEN1 of the Core Strategy and to Policy G4 of the Local Plan.*
- The Inspector continued: *The size and arrangement of the site, with 12 pitches extending in line alongside the road, would represent a discordant feature in the countryside between Milton Common and Tetsworth.*
- He concluded: *that the proposed developments would adversely affect the character and appearance of the area, and they would thereby conflict with Policy CSEN1 of the Core Strategy and Policy G4 of the Local Plan. There would be a serious adverse effect on the landscape of the site and the surrounding area which merits significant weight, and I attach moderate weight to the harm which the proposals would cause to visual amenity in the vicinity of the appeal site.*

The policies then applicable at the 2019 appeal inquiry were superseded in 2021 by the adoption of South Oxfordshire Local Plan (SOLP) 2035. The current Local Plan restate and, in some respects, reinforce the importance of landscape value and environmental protection and enhancement of the countryside.

- The development proposed by P25/S2747/FUL would be an incongruous urbanising intrusion in the countryside and inflict the same landscape harms as earlier applications.
- The unauthorised development of the site is visible from the M40 and A40 roads and from more distant PROW through deciduous hedgerows. It has clearly diminished the rural landscape amenity value of the area.
- The Preliminary Ecological Appraisal submitted with P25/S2747/FUL carefully sets out how the stable development would preserve the ecological richness of the field. That protection has been completely destroyed by the unauthorised establishment on the Traveller site development.

- **Planning Policy**

The policy for the provision of Traveller sites in SOLP 2035 is set out at Policy H14. The current application fails to satisfy it in several important aspects.

- The site is not one of the 3 locations identified for future planned Traveller site development.
- The application provides no evidence of a search for alternative sites within the South Oxfordshire District.
- The speculative development of this Traveller site in a stand-alone green-field location is not consistent with the policy preference to expand already established Traveller sites.

Tetsworth Neighbourhood Plan (TNP) 2035 was adopted in 2021 and incorporated into SOLP 2035. P25/S2747/FUL fails to comply with policies for domestic development outside the village settlement footprint.

- Tetsworth is categorised as a Smaller Village in SOLP 2035. This status does not impose a requirement to allocate sites for additional domestic dwellings. The TNP has not allocated any such sites and states that expected housing growth had already been exceeded by recently built domestic dwellings as infill developments within the settlement footprint. Policy TET1 sets out that domestic developments should be limited to the village settlement and that development in the surrounding countryside would only be supported if it fulfils a function consistent with a countryside function. P25/S2747/FUL is clearly in conflict with this policy.
- Policy TET3 deals with development in Countryside Character Sectors outside the village footprint stating that developments: *should preserve or enhance the character and appearance in accordance with the positive features identified within that Sector in the Neighbourhood Plan Character Assessment and should also satisfy the design criteria set out in Policy TET2.* P25/S2747/FUL clearly fails to satisfy this policy.

- **Tetsworth's Sustainability**

Tetsworth's sustainability status was not accorded material weight at the 2019 appeals. However, the scope of available facilities and services in the village have been further eroded since that time. The one-hour-per-week mobile Post Office service was withdrawn in August 2024 and the Swan Antiques Centre's restaurant wing has not had a tenant for the past couple of years. The diminished sustainability status set out below demonstrates that Tetsworth is not a suitable location to support the additional 12 dwellings proposed by P25/S2747/FUL.

- The Traveller site is approximately 1km from the village settlement with pedestrian access along an unlit footpath alongside the A40 road.
- Tetsworth's public transport bus services are extremely limited: Service 275 provides just 3 daytime weekday-only return journeys between Chinnor and Oxford via Tetsworth, and a one-way only journey to Oxford at the start of the working day and its one-way return to High Wycombe at the end of the working day complete the schedule. Service 117 provides a single return journey to Thame on Tuesday and Thursday mornings only.

- Tetsworth Primary School is at or very close to capacity.
 - Tetsworth has no medical or dental facilities or services with the nearest GP and dental surgeries in Thame or Wheatley.
 - Tetsworth's threadbare retail offering is the small convenience store in a back room of the Old Red Lion, the village's sole remaining public house.
 - Tetsworth has no banking or postal services or ATM located in the village.
 - Tetsworth's parish church has not had a resident vicar since September 2024.
 - Tetsworth's Memorial Hall and Sports and Social Club are entirely volunteer-run without regular opening hours.
 - Tetsworth provides few employment opportunities, and those further afield require private car commuting.
 - Virtually all business, commercial and domestic needs require a car journey to Thame or other towns further afield.
- **Planning Application Validity**
In addition to the above considerations for refusal, TPC feels obliged to comment on the shortcomings of planning application P25/S2747/FUL.
 - The retrospective submission of P25/S2747/FUL is an egregious exploitation of the scope for such applications. TPC believes that the scope is intended for applicants seeking to correct inadvertent failure to seek planning permission for minor developments when it should have been applied for, or where there have been minor deviations from approved plans. It should not be available for major development proposals which have twice been refused by the LPA and appeals dismissed by a planning inspector.
 - P25/S2747/FUL has significant omissions and inaccuracies. The Application Form contains inaccurate and contradictory statements. There is no supporting Design and Access Statement as required by national application validation requirements for major developments. The submission includes no specialist reports other than a Noise Impact Assessment. Omissions such as ecology, landscape, transport and flood risk reports and materials specification documentation render proper assessment of the proposal by LPA specialist officers and others almost meaningless. On these grounds alone, TPC believes that the application should not have passed validation and been refused on that basis alone.
 - **Conclusions**
TPC Council considers that the retrospective submission of planning application P25/S2747/FUL following the unauthorised development of a 12-pitch Traveller site in a rural countryside location 1km from Tetsworth is without planning merit. The reasons for refusal of previous near-identical applications and their dismissal at appeal are still valid, while the severity of these and other potential harms have increased since these decisions were made.

The application, characterised by its inaccuracies and substantial omissions is clearly in conflict with SOLP 2035 and TNP 2035 policies. Despite validation by LPA and its publication

for assessment this is already leaving specialist and lay consultees with difficulty in making meaningful responses. However, the shortcomings and general lack of merit of P25/S2747/FUL has provided abundant evidence for refusal of planning permission, TPC therefore urges the LPA to refuse planning permission for this development.

TPC also urges SODC to pursue effective enforcement action to return the site to its authorised status. To do otherwise, risks it being seen as a precedent for acceptance of unauthorised development of domestic homes, whether houses or residential caravans, contrary to national and local planning law and regulation.