

SUBJECT **DEVELOPMENT APPLICATION REPORTS** **ITEM 7**
REPORT OF Head of Planning & Building Control

APPLICATION NO. [P07/E1400/O](#)
APPLICATION TYPE OUTLINE
REGISTERED 24.10.2007
PARISH THAME
WARD MEMBER(S) Mr David Bretherton
 Mr Richard Walker
APPLICANT R G Williams Ltd
SITE Land at the showground Thame
PROPOSAL Relocation of Thame cattle market & development of a new single storey cattle market, car parking, new access and ancillary activities.
AMENDMENTS As amplified by traffic report which accompanied the letter from the agent dated 11 December 2007.
GRID REFERENCE 471823/206364
OFFICER Mr M.Moore

1.0 INTRODUCTION

1.1 The application is referred to Planning Committee because the recommendation conflicts with the views of the Thame Town Council.

2.0 THE SITE

- 2.1 The site comprises a total area of some 4.1 hectares of agricultural land to the north-west of Thame. The bulk of the site lies in open countryside some 220 metres away from the Thame by-pass. Other than the access, the site is a rectangle some 120 metres by 200 metres. The western and southern boundaries have a field hedge whilst the other two boundaries are presently open.
- 2.2 From the Thame by-pass, the land slopes upwards towards the site which is just over a slight ridge. From there, the land then falls away again. The area generally is gently undulating with large fields.

2.3 To the south of the present application site, is the site of the Thame Show. During most of the year there is no evidence of the show and it has the appearance of a fenced paddock. Also to the south but adjoining the by-pass is Chinnor Rugby Football Club with its pitches and clubhouse.

2.4 A location plan is **attached** to this report.

3.0 THE APPLICATION

3.1 The application seeks outline planning permission for the relocation of Thame Cattle Market. The operators of the existing cattle market, located in the centre of Thame, are not the applicants. The application makes clear however that it is proposed that the Thame Cattle Market operators will be the occupiers.

3.2 The application is submitted in outline but, the access is not reserved for subsequent approval. Access is proposed to be taken off the Thame by-pass in the approximate location of the existing access to the Thame Show. This is presently a simple T Junction. The application proposes the construction of an off-set roundabout having a 32 metre internal circulation diameter. This would be a 3 legged roundabout with a roadway, some 7.3 metres carriageway width, with an additional 2 metre wide footway, running from the new roundabout up to the proposed building and parking areas for the new cattle market. An indicative layout plan which accompanied the application, shows a building some 116 metres long and 28 metres wide (3248 sq.m.) and 73 parking spaces with 43 lorry parking bays. An indicative hedge around the site is also shown. A landscape appraisal was submitted with the application which suggests a 10 – 15 metre wide planting along the site boundary with other new planting at the entrance. Although no detailed elevations have been submitted, a design statement which accompanied the application suggests that it will be a single storey structure with large spans to accommodate the primary use of livestock penning and handling. In such circumstances, space is normally required for ventilation etc and it is considered a comparison can be made to the height of the existing buildings currently used in the middle of Thame. The design statement suggests that it will be either brick or fair faced blocks for the walls with a profiled steel sheet roof.

3.3 Documents submitted in support of the proposal include:

- An appraisal of the existing cattle market in Thame
- A planning statement
- A design statement
- A flood risk assessment
- A drainage and waste management statement
- A transportation and traffic assessment
- A landscape appraisal
- A report on the future of the Thame Cattle Market

The documents may be inspected on the Council's website. The detailed access plan and indicative layout are **attached** to this report.

3.4 The application does not require an environmental impact assessment. It has recently been advertised as a departure from the Local Plan policies.

4.0 RELEVANT PLANNING HISTORY

4.1 Application P07/E0597/O, which proposed a relocation of the Cattle Market to a site some 100 metres to the east of the present site, was refused planning permission, following a Members site visit, at the meeting of Planning Committee on 8 August 2007. The reason for refusing planning permission was:

1. That, having regard to its location, in an attractive area of countryside, beyond the existing built development at Thame, the proposed buildings, and hardstandings and access way, would detract from the rural landscape character and visual amenity of the locality, and the setting of Thame, contrary to Policies G2, G4 and C1 of the adopted South Oxfordshire Local Plan. Insufficient justification exists to justify overriding the policies.

The applicant has exercised his right of appeal and the date for the public inquiry is awaited.

Principal Differences Between Current and Refused Scheme

4.2 The current scheme proposes the buildings and hardstandings to be 100 metres closer to the by-pass which is near the top of the ridge. The principal part of the site is slightly larger to permit additional planting around the site. The present application claims to be 'single storey'. The previous scheme did include a two storey element to accommodate the offices. However, the terms 'single storey' and 'two storey' are not strictly relevant, in that it is anticipated that the nature of the building is still likely to be of a similar height for either proposal. The refused scheme proposed a priority T junction with a widening of the Thame by-pass to provide a ghosted right turn lane. The present proposal now includes a 32 metre diameter roundabout, off-set from the by-pass and a 7.3 m wide carriageway.

5.0 CONSULTATIONS & REPRESENTATIONS

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| 5.1 Thame Town Council | - Approve. No comments have been submitted in support of that. |
| SODC Landscape Consultant | - Support refusal. He considers it is a poor site in landscape terms and the new access and roundabout represents a strident feature which would be a visual incursion into open countryside. |
| Monson (Drainage Consultants) | - Have concerns about the capacity of the foul drains and method of disposal but, on balance, consider that conditions regarding foul and surface water drainage should overcome these concerns. It should be noted that the development is likely to involve substantial lengths of new sewage pipes within the Thame by-pass highway boundaries. |
| OCC (Highways) | - Conditional no objection (copy attached). Attention is drawn to the further works which are likely to be required indicating a vertical realignment of the by-pass and the provision of footpath links. These works would be taking place within the highway boundaries. |

OCC (County Archaeologist)	- No objection.
Letters in support (44)	- They are generally from users of the existing cattle market in Thame. They consider that the market is an essential part of the existing farming enterprises in the area. They further comment that the existing facilities are on a cramped site in the town centre and beginning to have capacity and bio security problems. Other local markets have closed and to sell and buy animals would take place at ever increasing distances, which would not assist carbon footprints or animal health.
Neighbours (19)	- Objection. They express concerns about traffic, which is already a problem on the by-pass, drainage details, noise and the possibility of further development taking place once the buildings have been established.
Neighbours (1)	- Concern - that the roundabout should be made a painted low level roundabout which would assist in reducing carbon emissions.
Lea Park Residents Association	- Objection. They consider the by-pass is already heavily trafficked and is extremely difficult to access in the mornings. Additional traffic will make the situation worse and dangerous.
SEEDA	- Support. They support local markets and local produce.
National Farmers Union	- Support. They stress the importance of the market to the local farming community.
Thame & Oxfordshire County Agricultural Association	- Support. Good location, has addressed previous reasons and would assist in maintaining Thame Show.

6.0 POLICY & GUIDANCE

6.1 Planning Policy Statement 7 – Sustainable development in rural areas

6.2 Oxfordshire Structure Plan Policies: G2, G5 and EN1

6.3 South Oxfordshire Local Plan 2011 Policies:

G1 – Restraint of development

G2 – Protect district from adverse development

G3 – Development well served by facilities and transport

G4 – Protection of Countryside

G6 – Appropriateness of development to its site & surroundings

C1 – Development would have adverse impact on landscape character

C4 – Landscape setting of settlements

C5 – Loss of greenfield/agricultural land

C6 – Maintain & enhance biodiversity

EP1 – Adverse affect on people and environment

EP3 – Adverse affect by external lighting

EP7 – Impact on ground water resources

E3 – Employment generating development in the countryside

E5 – Business, industrial, warehousing and storage proposals

T1 – Safe, convenient and adequate highway network for all users

THA1 – Cattlemarket

6.4 South Oxfordshire Landscape Assessment

7.0 PLANNING CONSIDERATIONS

7.1 The main considerations are considered to be:

- i) Whether the development is acceptable in principle
- ii) Impact on the landscape
- iii) Highway safety and convenience
- iv) Drainage
- v) Impact on neighbours
- vi) Whether there are any other material considerations

i) Whether the development is acceptable in principle

7.2 The main thrust of the planning policies contained in the South Oxfordshire Local Plan, 2011, is to protect the countryside from adverse developments (Policies G2 and G4). In this case, officers consider that there is no doubt, that the construction of a large building, areas of hardstanding and parking, a new roundabout and formal access way is contrary to the policies of restraint in the rural parts of the district. Although policies in both the Structure Plan and the South Oxfordshire Local Plan (OSP Policy G5 and SOLP Policy G4) contain provisions for the construction of agricultural buildings in rural areas, it should be stressed that this proposal is not for an agricultural building. Rather, it is for a building and use

connected with agriculture. Farm buildings normally have to have a close relationship with the holding it is to serve. In this case, farmers come to the market over a considerable distance and the precise location is not governed by the needs of the land on which it is sited. Officers consider that the development is clearly contrary to policies for the restraint of development in the countryside. Whether there are any other material considerations, is considered below.

ii) Impact on the landscape

- 7.3 In the vicinity of the application, the Thame by-pass forms a very strong edge to the built up limits of Thame. The site lies close to the top of a slight ridge in countryside with little of the degradation which sometimes occurs on open fringes. In views from the nearby footpath and bridleway network, the site is distinctly rural. The building operations and provision of hardstandings, the parked vehicles etc would be visible from the Thame by-pass but, with the relationship between the site and the built up area of Thame, officers consider that the establishment of this large, functional commercial use would detract from the rural character of the area. A landscape appraisal has been submitted although officers disagree with its findings. The site is not part of a degrading urban fringe but is a functioning agricultural landscape and officers consider that this large development would represent an alien intrusion into the rural landscape. The landscape appraisal suggests that a 15 metre wide planting belt around the site would screen it from public views. It should be stressed that landscaping should be used to assist to assimilate development into its surroundings. Any landscaping undertaken would take sometime to mature and, could well result in an alien feature itself. With the constraints of the site, it is likely to be a very regular edge to the development.
- 7.4 As now submitted, the application includes a substantial roundabout which will require normal highway lighting. From this roundabout, there would be a 7.3 metre wide carriageway sufficient to take large volumes of heavy goods vehicles up towards the top of the ridge where the market would actually be sited. This would further emphasis the intrusion into the rural landscape of such a substantial development.

- 7.5 The site lies within an area of 'undulating open vale, within the landscape Area 3, Clay Vale as set out in the South Oxfordshire Landscape Assessment, which has the status of supplementary planning guidance. Such areas are considered to have 'high sensitivity to change'. Additionally, the assessment suggests that the landscapes on the fringe of settlements are particularly vulnerable to change and that strong edges of settlements are required. In the vicinity of the application site, the by-pass forms a very strong edge to development which would be diluted by the substantial roundabout and the new access which would emphasis the large development. If a case of overriding need is accepted, then in visual terms, it would be better to have such a development immediately adjacent to the built up limits of the town.

iii) Highway safety and convenience

- 7.6 There is no doubt that the development would involve an increase in traffic movements along the by-pass. Some traffic associated with the existing market would already use this section but, inevitably, if approved there would be more

traffic on this section of the by-pass. From the representations made, and observations of the officer on site, there is already some difficulty caused to existing residents of Lea Park attempting to access the by-pass. However, such increases in traffic, have to be judged against the total traffic using the by-pass and local road network. The speed limit is 50 mph and the road is narrow. The Oxfordshire County Council Highways Officer has raised no objection to the access provision, subject to conditions. His comments are **attached**. It should be recognised that the conditions suggested by the County Surveyor are likely to involve substantial realignment of the by-pass. These works would all be undertaken within the highway boundary.

iv) Drainage

7.7 The applicant has submitted a drainage strategy in relation to the application. In addition to the normal foul drainage associated with any development such as toilets, there are large areas for washing down and disinfecting lorries and trailers. This will produce large amounts of contaminated water. The drainage strategy appears satisfactory insofar as it relates to treatment on site. The procedure for processing waste water off-site has yet to be completed. The application has indicated that the treated water would be discharged to one of three or four locations which are still being discussed. Representations made from occupiers on Lea Park suggests that the most convenient way of accessing the public sewer, which would be into the Lea Park sewers, would result in an overload of the current system. Monson, the Council's Drainage Consultants, have indicated that other locations, which will involve longer drain runs which would need to be provided at the developers expense, would be available. Although there are likely to be substantial engineering works of some complexity, Monson are satisfied that they could be covered by a condition on any planning permission.

v) Impact on neighbours

- 7.8 The principal part of the site, in relation to the nearest residential property, lies some 400 metres away from the nearest residential property. Given its location, the principal works will be visible from the rear windows of some properties on Lea Park.
- 7.9 The revised access utilising a roundabout is likely to involve more traffic noise as cars will need to accelerate and decelerate to progress around the roundabout. Such impacts are difficult to quantify. However the relationship between existing properties and the new roundabout would be similar to other properties at other roundabouts on the Thame by-pass.

7.10 There would be some additional light pollution which would be apparent to occupiers of the nearest properties, but it would be possible to limit this impact through the use of appropriate conditions.

7.11 Officers consider, on balance, that there will be insufficient direct impact on neighbours to justify a refusal of planning permission.

vi) Whether there are any other material considerations

7.12 There has been a considerable volume of information submitted both with this application and previous application seeking to justify an approval of the submission. Yours officers have carefully examined all the evidence put forward.

- 7.13 It is accepted that the market is an important aspect of the local agricultural community. In its present location, it is a viable market and is not in imminent danger of closing. However, it is clearly in a constrained location surrounded by housing and other town centre uses. It can not expand and the increasing requirements for bio security will become more difficult to implement. If it is closed, it is recognised that there would be a serious impact on the local farming community.
- 7.14 This situation was examined during the Local Plan inquiry. The inspector's report in May 2005 made reference to the situation when considering objections to Policy THA1 which relates to the existing cattle market in the centre of Thame. The relevant section of his report is **attached**. He concluded that any proposal for a relocation of the cattle market would be contrary to existing planning policy and that it would be more appropriate to consider alternative sites through the Local Plan process. Work has now begun on assessing alternative sites. However, we have not yet had the results of technical consultations or undertaken any additional public consultation as the Local Plan Inspector recommended. It is anticipated doing this as part of the site allocation work on the Local Development Framework in the spring of 2008.
- 7.15 The applicant has advised that other sites around Thame would not have the benefit of allowing dual use of some of the facilities by the operators of the Thame One Day Show, who are the owners of the site. Apparently, the Thame Show has the distinction of being the largest one day agricultural show in the country. However, the operators are finding it more difficult to comply with bio security arrangements as regulations change. Washing and disinfecting vehicles on grass is much more difficult than on concrete. The wash down facilities of the cattle market would be available for use by the Thame Show in September each year. Such synergy would not be available on alternative sites.

8.0 CONCLUSION

- 8.1 The cattle market is recognised as a valuable local facility and the Council should support the principle of its retention in the Thame area. There would be benefits in relocation from its present site in the town centre. However, it is currently viable on its present site and there is no immediate need to relocate. The site, the subject of this application, is detached from the built up area. The building and associated developments required to operate a cattle market would be highly intrusive in the open countryside. In addition, the provision of such a large roundabout would further urbanise the fringe of Thame. There are some benefits in relocating the cattle market adjacent to the showground, but officers consider that these, together with the current case put forward for relocation, do not override the landscape objections to the proposal. The Local Plan Inspector who dealt with the specific objections seeking relocation of the cattle market, advised that the issues should be resolved through the Development Plan system and the comparative analysis of potential sites should be undertaken. This would allow full public involvement and scrutiny by all interested parties. As noted above, initial work has commenced on a comparative analysis of potential sites.

9.0 RECOMMENDATION

- 9.1 **The public notice in respect of the application being considered a departure**

from the Development Plan has yet to expire. It is therefore recommended that, subject to the receipt of no additional, substantive representations, planning permission should be refused for the following reason:

1. That, having regard to its location in an attractive area of countryside, beyond the existing built development of Thame, the proposed buildings, hardstandings and access way and substantial works to construct a new roundabout, would detract from the rural landscape character and visual amenity of the locality, and the setting of Thame, contrary to Policies G2, G4 and C1 of the adopted South Oxfordshire Local Plan. Insufficient justification exists to justify overriding these policies.

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