
SUBJECT	COMMITTEE SITE VISIT REPORTS	ITEM 7
	DATE OF COMMITTEE Attendance – Verbally updated at Committee	
REPORT OF	Head of Planning & Building Control	

APPLICATION NO.	P08/E0324/O
APPLICATION TYPE	OUTLINE
REGISTERED	12.03.2008
PARISH	THAME
WARD MEMBER(S)	Mr David Dodds Mrs Ann Midwinter
APPLICANT	J G Land & Estates
SITE	Former Thame United Football Club Ground Windmill Road Thame
PROPOSAL	Outline residential development.
AMENDMENTS	As amended by letter from Agent dated 26 March 2008 and clarified by Flood Risk Assessment received on 14 May 2008.
GRID REFERENCE	470553/205425
OFFICER	Mr M.Moore

1.0 INTRODUCTION

- 1.1 This application is referred to Planning Committee because the recommendation conflicts with the views of Thame Town Council. At its last meeting, Members were informed a site visit would be arranged.
- 1.2 The site, which extends to just under 2 hectares (1.97 hectares) is the site of the former Thame United Football Ground. Over the last year, it has been cleared of all buildings and a number of trees, mostly Cypressus, have been removed. The Thame United Football Club had a stand and extensive changing facilities. There was also a community building on the site which was run privately, together with two much smaller buildings which were used by a boxing club and a table tennis club.
- 1.3 The site adjoins the Phoenix Cycle Trail which is part of the Sustrans National Cycle Network, beyond which are allotments and fields. To the west of the site is Arnold Way, an estate of houses built on the former training pitch of the football club built in the early 1990s. To the north, is Holliers Close, which was mostly built in the 1970s, and Pearce Court, a complex of flats for the elderly around the same time. To the east of the site is a Kingdom Hall for Jehovahs Witnesses together with properties of a variety of ages and styles. Windmill Road on its eastern side comprises mostly inter-war housing.
- 1.4 The site is approximately 400 metres from Thame Town Centre. Currently access is taken from Windmill Road which is itself linked to the Town Centre by Nelson Street, Rooks Lane (one way) and Southern Road.
- 1.5 The site is generally level and now has no distinguishing features other than a group of trees which are the subject of a tree preservation order on its southern boundary.

2.0 **PROPOSAL**

2.1 The application is submitted in outline with all matters reserved for subsequent approval. It seeks permission for residential development and there is an indication that there will be no more than 99 dwellings which would represent a density of 50 dwellings per hectare. An indicative layout for 97 units accompanies the application which shows a variety of house styles and sizes and includes some 3 storey units. In addition, an area of open space is included to the northern part of the site together with open space around the TPO'd trees. It should be stressed however, that this layout plan is purely indicative and if approved, would not represent an approved layout for the site.

3.0 **CONSULTATIONS & REPRESENTATIONS**

- 3.1 Thame Town Council - Objection. They consider that the scheme represents an over development of the site, they have concerns over traffic generation, lack of sewerage capacity and drainage difficulties. In respect of community facilities to replace those on the existing site, they have indicated a variety of infrastructure projects which they consider could be part funded by this development, particularly having regard to the loss of community facility which would result from the development. This should not be taken to imply support for the scheme.
- OCC (Highways) - No objection. They have given a lengthy justification as to why and have requested funding towards a variety of highway improvements. A copy of their representations is **attached** to this report.
- OCC (Developer Funding) - Requires contribution towards education, libraries, waste management, museum services, and social and health care. They also require a planning condition concerning fire hydrants.
- Police Architectural Advisor - Has concerns about access to the cycle route, he accepts that this could be resolved by condition bearing in mind that it is an outline application.
- Sport England - No objection.
- Monson - They draw attention to a public foul sewer which runs along the northern part of the site and a surface water drain which also crosses the site. Requires conditions concerning foul and surface water drainage.
- SODC Countryside Officer - No objection.
- SODC Environmental Health - No objection, requires a contamination report.
- Thame Conservation Area Advisory Committee - Object. Three storeys not acceptable, it is out of character with the area, traffic problems and drains.

- Neighbour objections (38) - The objections raised have included the following:- Does not have good vehicular linkage to the Town Centre nor the road network generally which will give rise to risk to pedestrians. Surface water difficulties, density too high and therefore out of character with the surroundings, three storey development would be out of keeping with the locality, disruption during construction, possible contamination, impact on local infrastructure, pre application public consultation was not undertaken properly, loss of community facilities and football club, not enough play space, foul drains insufficient, there is already sufficient housing land in Thame, the development would overlook adjoining property, noise, funding of the football club to return to Thame not a good enough reason to grant permission and finally other groups could benefit from the development.

4.0 RELEVANT PLANNING HISTORY

- 4.1 P02/N0632/O - Outline consent for a 60 bed care home on the site was refused on the basis of it being contrary to housing policy and involved the loss of a community facility.
- P07/E1669 - Planning permission was granted on the 4 June 2008 for a community football club at Church Farm, on the other side of Thame.

5.0 POLICY & GUIDANCE

5.1 Adopted SOLP Policies

- G1 - Restraint of development
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- G5 - Best use of land/buildings in built up areas
- C4 - Landscape setting of settlements
- C9 - Loss of landscape features
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP5 - Area at risk from flooding
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- EP8 - Contaminated land
- D1 - Principles of good design
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D6 - Community safety
- D8 - Conservation and efficient use of energy
- D10 - Waste Management
- D11 - Infrastructure and services secured
- D12 - Public art
- H4 - Housing sites in towns and larger villages outside Green Belt
- H7 - Mix of dwelling types and sizes to meet district need
- H8 - Density of housing development in and outside town centres
- H9 - Provision of affordable housing

- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- CF1 - Protection of recreational or essential community facilities
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide

- PPS1 - Delivering sustainable development
- PPS3 - Housing
- PPG13 - Transport
- PPS22 - Renewable Energy

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in this case are:

- Whether the principle of housing is acceptable
- Loss of facilities
- Density/impact on character of area
- Housing mix
- Affordable housing
- Highway issues
- Drainage
- Trees
- Play areas
- Public art
- Designing out crime
- Impact on neighbours
- Contamination
- Infrastructure Contributions
- Five Year Supply of Building Land

6.2 **Principle**

The site lies within the built up area of Thame. Policy H4 of the South Oxfordshire Local Plan therefore advises that there is no objection in principle to housing subject to:

- (i) an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt;
- (ii) the design, height, scale and materials of the proposed development are in keeping with its surroundings;
- (iii) the character of the area is not adversely affected;
- (iv) there are no overriding amenity, environmental or highway objections; and
- (v) if the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the build limits of the settlement.'

The site is not considered by officers to be an important open space. The site is surrounded on 3 sides by residential development and therefore residential use would be in keeping. The direct impact on the character of the area and amenity and environmental issues would be considered during the processing of the required Reserved Matters application. Officers do not consider that it represents backland development.

6.3 **Loss of facilities**

Policy CF1, seeks to retain community facilities. There were two separate facilities on the site, a football club and community hall. Although the facilities including the stand,

changing rooms and community buildings have now been demolished (for which consent was not required) the authorised use of the land remains for these uses.

Football Club

As noted in the history section, the Thame Football Partnership have indicated that there is a covenant on the sale of the land which gives the football club a substantial contribution towards an alternative facility. A draft section 106 agreement has been prepared which includes the requirement for the provision of these sums. The Council's Solicitor is currently awaiting copies of that covenant to ensure that the monies are paid towards the provision of alternative facilities. This is considered to be essential if planning permission is to be granted. The monies would be used to implement the planning permission for alternative facilities as set out in the history section. If that consent is not, for whatever reason, implemented, then the money would still need to be kept available for alternative football club facilities.

Community Facility

The Town Council have carefully considered whether it is better to replace the facilities on the site or to secure funding for alternative facilities elsewhere in Thame. The facility which was on the site was a private club and therefore its value to the community was arguably less than if it had been publicly administered. However, it is considered that it was a community facility and that therefore alternative provision should be made in accordance with Policy CF1. The applicant has discussed, at length, the issues with the Thame Town Council and a substantial payment towards a number of capital projects including the redevelopment of the Guide Headquarters in Southern Road, additional community facilities at the Town Hall, the provision of a building for the youth of the town and community facility on the site of the existing Cattle Market has been agreed. In the event that these projects do not go ahead then other similar facilities could be part funded.

6.4 **Density**

An inappropriate density could have an impact on the area generally. PPS3 – Housing suggests that developments, where acceptable in principle, should now be built to higher densities and Policy H8 seeks to achieve minimum densities. The application indicates a maximum density of 50 dph. Officers do not necessarily consider that the development should be at that density or that it can be achieved in a manner which would be in keeping with the surroundings. However, the site does lie close to the Thame Town Centre and given the rectangular nature of the site, with relatively few constraints, consider the development should be to a minimum density of 40 dwellings per hectare which is considered by officers to be achievable without compromising the character of the area. The scheme would thus accord with the requirement of Policy H8.

6.5 **Housing Mix**

Policy H7 requires an appropriate mix for private housing to accommodate the District's housing needs. The indicative layout submitted with the application contains too many three and four bed properties however the applicant has indicated a willingness to accept a condition requiring any Reserved Matters application to accord with the housing mix set out in Policy H7, unless otherwise agreed with the Local Planning Authority.

6.6 **Affordable Housing**

Policy H9 of the adopted South Oxfordshire Local Plan requires 40% of housing on sites such as this to be "affordable". Much discussion has taken place with the applicant and the principle of the provision of affordable housing has been agreed at the correct level. Hence the recommendation is that approval would be subject to the

prior completion of appropriate agreements to secure such provision.

6.7 **Highway Issues**

Nelson Street and Southern Road are the principal access points with Rooks Lane giving a third access to but not egress from, the site. These roads are narrow. However, given that they currently serve the whole of the southern part of Thame they would be a relatively small increase in the amount of traffic using them in percentage terms. The Highway Authority, in raising no objection, has made it a requirement that a variety of junction improvements and traffic calming measures are required which would be funded by this development. Provided these highway improvements are secured no objection is raised on the grounds of highway safety and convenience.

6.8 **Drainage**

Foul Water Drainage – Thames Water have advised that they require a “Grampian” style condition to ensure adequate works are undertaken to the existing foul drainage system to ensure that it can be dealt with properly. Initial survey work done by the applicants own drainage consultants have indicated that in the worst possible case, approximately £100,000 would need to be spent on sewage works to ensure sufficient capacity. Thames Water consider this to be satisfactory and are raising no objection provided the condition requires a capacity study to be undertaken and appropriate remediation made by the applicant to remedy any shortfall in capacity prior to the commencement of any works. The applicants have indicated their willingness to accept such a condition.

Surface Water – The Environment Agency initially raised a holding objection until a flood risk assessment was undertaken. At the time of writing this report, the applicant’s response to the further studies which have been undertaken is still awaited. It is probable that a good Sustainable Urban Drainage System scheme would actually improve the situation. An update will be provided at Committee.

6.9 **Trees**

There are protected trees on the site’s southern boundary. However they are close to boundaries and officers are satisfied that they can be accommodated with a layout which respects their root protection zones.

6.10 **Play Areas**

The indicative layout shows a play area which in terms of its size is a little above the area required by Policy R2 of the Local Plan. Negotiations are ongoing in respect of play areas and equipment and their maintenance as part of the required Section 106 agreement.

6.11 **Public Art**

Policy T12 of the Local Plan requires applicants to make provision for public art. This requirement is currently still being considered by the applicant. Works of art have been provided along the Phoenix Trail and with a play area proposed, Officers consider that the issue can be covered by condition. Members will be updated at Planning Committee.

6.12 **Designing Out Crime**

The Police have concerns about too many access points onto the adjoining Phoenix Trail. There needs to be a balance between giving proper access to a local amenity whilst controlling anti-social behaviour. The issue would be properly considered at the reserved matters stage and officers consider that it can be covered by an informative on any decision notice.

6.13 Impact on Neighbours

The application is submitted in outline and therefore the principal issues of overshadowing, overlooking and general proximity will be considered during the Reserved Matters application. Many of the letters of representation against the development were based on highway issues which have been examined at paragraph 6.7. There undoubtedly will be disturbance caused during construction phases. However, appropriate conditions can ensure that such works and deliveries do not take place at unsociable hours.

6.14 Contamination

The Environmental Health Officer has recommended the imposition of precautionary conditions concerning contamination. There is no evidence that the site is contaminated but conditions would ensure compliance with the relevant regulations.

6.15 Infrastructure Contributions

The developer is currently in discussion with the Oxfordshire County Council who are seeking to secure sizeable contributions towards education, libraries, waste management, social and health care and a number of highway issues. A S106 Planning Obligation is being prepared to secure 40% affordable housing, the replacement of the community facility and football ground, and the provision of recreation facilities and ongoing maintenance. All the contributions sought are considered to be essential as the scheme which will impact on local infrastructure and requires appropriate mitigation.

6.16 Five Year Supply of Building Land

PPS3 requires Local Authorities to have a 5 year supply of deliverable housing land. In the event that there is a shortfall on the 5 year supply, local authorities should look favourably on applications for housing. At present, there is a shortfall in housing land which is being addressed through the Local Development Framework process. However, the Council should look favourably on this application unless there is good reason for not so doing.

7.0 CONCLUSION

7.1 The site lies within the well defined confines of Thame and there is no objection to the principle of development on the site. Reserved matters will determine the appropriate level of development and the impact on neighbours generally. Highway issues are considered to be resolvable and, with appropriate conditions and agreements, the development would be in accordance with other relevant policies in the Local Plan.

8.0 RECOMMENDATION

8.1 **It is recommended that the grant of outline planning permission be delegated to Head of Planning, subject to the completion of the appropriate agreements with:**

- a) **Oxfordshire County Council to secure financial contributions towards education, libraries, waste management, museum services, social and health care and highway improvements.**
- b) **South Oxfordshire District Council to provide for 40% affordable housing, payment of a recreation contribution and a community facilities contribution and alternative provision made for the Football Club.**

and subject to the views of Thames Water and the Environment Agency and the following conditions:-

- 1. Approval of Reserved Matters prior to commencement.**
- 2. Submission of reserved matters within 3 years.**

- 3. Commencement within 3 years or 2 years of final approval of reserved matters.**
- 4. Tree protection.**
- 5. That the reserved matters application shall propose a minimum density of 40 dwellings per hectare.**
- 6. That the reserved matters application shall demonstrate compliance with Policy H7 of the Local Plan.**
- 7. Restrict hours of work usage during construction.**
- 8. Reserved matters application shall include a scheme for the provision of public art.**
- 9. Surface water in accordance with a scheme to be agreed.**
- 10. That no development shall commence until a survey of existing foul water drainage provision has been made and it has been shown that the existing system can accommodate the additional foul drainage or that appropriate mitigation has been undertaken in accordance with a scheme to be agreed with the local planning authority in consultation with Thames Water prior to any works commencing.**
- 11. Fire Hydrant.**
- 12. Contamination Remediation.**
- 13. Green Travel plan.**
- 14. Access to Windmill Road only.**

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