
APPLICATION NO.	P09/E0846
APPLICATION TYPE	Full
REGISTERED	19.08.2009
PARISH	Thame
WARD MEMBERS	Mr David Dodds Mrs Ann Midwinter
APPLICANT	Mrs Marita Ford
SITE	Corporation Yard, Park Terrace, Thame
PROPOSALS	Construction of 6 two bed dwellings with associated car parking and landscaping.
AMENDMENTS	As amended by drawing numbers 025B, 026B, 027A and 0284 and clarified by drawing numbers 0294 and E/2676/99 P3 accompanying agent's letter dated 29th September and e-mail dated 23 October 2009.
GRID REFERENCE	471148/205359
OFFICER	Mr T Wyatt

1.0 INTRODUCTION

- 1.1 This application is referred to Committee as the Officer's recommendations conflict with the views of the Town Council and because the site is currently owned by South Oxfordshire District Council. The application was deferred at the meeting of the Planning Committee on 18 November 2009 in order to allow Members to visit the site.
- 1.2 The application site, which is shown on the OS extract **attached** as Appendix A, is located in a long established residential area approximately 750 metres from the centre of Thame (Town Hall). The site is outside but on the edge of the Thame Conservation Area. The site has historically been used as a materials storage depot by South Oxfordshire District Council and is still under the Council's ownership. However, planning permission was granted in 1985 for the change of use of the land for the parking of vehicles by residents in Park Terrace and this remains the current use of the majority of the site. One third of the site is currently being used for the storage or parking of vehicles by Thame Service Station, the main part of which adjoins the site to the north west.

2.0 THE PROPOSAL

- 2.1 Oxford Citizens Housing Association is seeking planning permission for the construction of a terrace of six two bedroom units of affordable housing. The layout of the dwellings is such that they would be parallel to and directly opposite the existing terraced dwellings in Park Terrace. A separation distance of 14.5 metres would exist between the front elevations of the existing and proposed development. One parking space would be provided to the front of each dwelling whilst six further parking spaces for the dwellings would be provided on the north eastern part of the site. Nine parking spaces would also be provided on this area for residents of Park Terrace.
- 2.2 The proposed terrace would measure approximately 32 metres in length, 8.5 metres in depth and 8 metres in height. Individual garden areas with minimum dimensions of 5.5 metres in width and 7 metres in width would be provided for each dwelling.

2.3 A copy of the proposed plans is **attached** at Appendix B whilst other documents relating to the application can be found on the Council's website, www.southoxon.gov.uk.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Thame Town Council** – The application should be refused due to:

1. Traffic generation, parking and safety
2. Over-development
3. Noise generation
4. Potential loss of employment at Thame Service Station

3.2 **OCC Highway Authority** – No objections. Following the receipt of the amended plans, vehicles will now be able to access and egress the parking spaces to the front of each dwelling without displacing the vehicles that park along Park Terrace.

The junction geometry (Park Terrace/Park Street) and visibility is acceptable as it currently exists and the junction can accommodate the additional vehicular traffic associated with the development.

The parking provision for the new dwellings is to maximum standards (two spaces per dwelling) and nine spaces are being retained for existing residents of Park Terrace despite there being no obligation to do so.

3.3 **OCC Developer Funding Officer** – Financial contributions have been requested towards infrastructure and services.

3.4 **OCC Archaeologist** – No objections, however, the County Archaeologist should be notified of any finds.

3.5 **Housing Development & Regeneration Manager** - Fully supports the application which will provide much needed 2 bedroom houses in an area of affordable housing shortage.

3.6 **Thames Water** – No objection with regard to sewerage. A water main crosses the site and may need to be diverted.

3.7 **Crime Prevention Design Officer** – No objections to the amended plans but lighting should be uniformly positioned to reduce the opportunity and fear of crime.

3.8 **Conservation Officer** – The scale and design of the dwellings is acceptable but concern raised regarding the intrusive appearance of the parking areas to the front of the dwellings.

3.9 **Environmental Health Officer** – Conditions on working hours and lighting are advised to protect the amenities of local residents.

3.10 **Contaminated Land Officer** – Conditions to investigate for, and if necessary, remediate any contamination on the site are recommended.

3.11 **Neighbours** – Seventeen letters of objection have been received including correspondence from the Park Terrace Residents Association, which represents 42 residents in 23 dwellings:
- concerns over access due to the nature of the junction and restricted road width
- impact on highway safety

- increase in traffic
- loss of parking provision for existing residents and cost of proposed parking is prohibitive
- insufficient access for emergency vehicles
- inaccuracies and questionable survey data in the submitted Transportation Statement
- not in keeping with the existing built form
- loss of green space
- overdevelopment of the site
- lack of need for the development bearing in mind the proposed expansion of Thame
- overlooking to existing properties
- overbearing impacts and loss of light
- noise and dust disturbance from construction
- loss of property value
- possible flood risk
- concern over drainage provision
- erosion of community
- impact on the viability of Thame Service Station with the possible loss of employment

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P89/N0519 - Change of use of existing building for furniture restoration with parking facilities. Parking for Park Terrace residents. Planning permission granted on 20th September 1989.
- 4.2 P85/N0387/DC - Change of use from materials storage depot to parking for local residents private vehicles. Deemed permission SODC Development on 21st October 1985.
- 4.3 P69/M0427 - Building of restroom & toilets for direct labour force. Planning Permission on 23rd July 1969.

5.0 **POLICY AND GUIDANCE**

- 5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):
 - G1, G2, G6, CON7, EP2, EP8, D1, D2, D3, D4, D6, D8, D10, D11, H4, H5, H7, H8, H9, H14, E6, T1, T2, T3
- 5.3 Government Guidance:
 - PPS1 – Delivering Sustainable Development
 - PPS3 - Housing
 - PPG13 – Transport
 - PPG15 – Planning and the Historic Environment
 - PPS23 – Planning and Pollution Control
- 5.4 Supplementary Planning Guidance
 - South Oxfordshire Design Guide July 2008 (SODG)
 - Thame Conservation Area Character Appraisal

6.0 **PLANNING ISSUES**

- 6.1 The planning issues that are relevant to this application are:
 1. The principle of the development
 - i) Housing Mix
 - ii) Housing Density
 2. The impact on the character and appearance of the surrounding area
 3. The impact on the amenity of neighbouring occupiers

4. Loss of employment use
5. Highway considerations
6. Other material considerations

The Principle of the Development

- 6.2 The site lies within a central location within the main built up area of Thame where the principle of new residential development is broadly acceptable having regard to Policy H4 of the SOLP. However, Policy H4 outlines several criteria, which a development proposal should meet and a broad assessment of the proposal against these criteria is outlined below.

Housing Mix

- 6.3 The proposal comprises solely two bedroom units. This does not reflect the general thrust of PPS3 guidance and Policy H7 in relation to creating socially mixed and inclusive communities. However, across the District the greatest need is for two bedroom units, and there is a good mix of housing in the area surrounding the application site. The creation of only six homogenous dwellings will not result in a significant area of uniform housing and, given that the proposal will help to address a shortfall of affordable housing as well as two bedroom accommodation, I consider that the proposal is acceptable in relation to housing mix.

Housing Density

- 6.4 The proposal would represent a density of approximately 50 dwellings per hectare, which would make efficient use of this area of previously developed land having regard to Policy H8 of the SOLP and guidance contained within PPS3. A minimum density of 40 dwellings per hectare would usually be required close to a sustainable town centre location.

The Impact on the Character and Appearance of the Surrounding Area

- 6.5 Policy H4 outlines five criteria against which new proposals for residential development are judged. Criterion (i) requires that an important open space of public, environmental or ecological value is not lost not an important public view spoilt. The site is not an important open space as outlined above and does not interfere with any important public views.
- 6.6 Criterion (ii) requires that the design, height, scale and materials of the proposed development are in keeping with the surroundings. The proposal is for a terrace of two storey dwellings. This form of development is prevalent in the surrounding area, particularly having regard to the existing terraces in Park Terrace and Park Street. As such the form of the development is in keeping with the character and appearance of much of the surrounding built form. The dwellings are of a simple design and modest proportions and would complement rather than detract from the existing terraces within Park Terrace. The scale, height and materials of the development would be in keeping with the existing built form.
- 6.7 Criterion (iii) requires that the character of the area is not adversely affected. The site is accessed off Park Street via a relatively narrow access and the screening effects of the existing development within Park Street help to ensure that the development would not be visually prominent in any public views from the heavily trafficked Park Street. Indeed, the site is physically and visually well contained and would only be prominent in public views from Park Terrace and private views from adjoining land.

- 6.8 The site lies outside but immediately adjacent to the Thame Conservation Area to the north east. Policy CON7 of the SOLP seeks to ensure that the character and appearance of conservation areas is not harmed by inappropriate development. As stated above I consider that the proposed development would respect the form, design and scale of the existing development within Park Terrace, which is also outside of the Conservation Area. Due to the location of the site and the screening effects of surrounding development and that the visual contextual reference point for the development is generally restricted to the existing terraces within Park Terrace, the proposal would not affect important public views through and into and out of the Conservation Area and I consider that the character of the area would not be adversely affected by the proposal. Although the application site is currently open it does not have an attractive appearance. It is covered in hardcore, and used predominantly for the parking of cars. As such the retention of the site as an open area of land on visual amenity grounds cannot be justified.
- 6.9 Criteria (iv) and (v) of Policy H4 will be considered below as they require that there are no overriding amenity, environmental or highway objections and that the proposal would not create problems of privacy and access and would not extend the built up limits of the settlement.

The Impact on the Amenity of Neighbouring Occupiers

- 6.10 The land to the rear (north west) of the development is occupied by Thame Service Station. The rear elevations of the dwellings would be approximately 8 metres from the shared boundary and I do not consider that the development would have a detrimental impact on the amenity of the land occupied by Thame Service Station.
- 6.11 The rear gardens of the existing residential development within Park Street (Nos. 59 - 67) face towards the application site, however, the proposed development itself is located at least 30 metres from the main rear elevations of these adjacent properties and would not cause any significant overlooking, overshadowing or overbearing effects. The north east part of the site will be retained as a parking area and this situation, although formalised, remains the same as the current use of the land.
- 6.12 Number 12 Park Terrace lies immediately to the south west of the application site. The side elevation of Unit 6 would be set slightly over one metre from the shared boundary and would sit forward of a single storey garage associated with this neighbouring property. The main outlook from Number 12 is to the north west and south east and the main part of this neighbouring dwelling would be separated by approximately 13 metres from the proposed development. In light of these factors, I do not consider that the proposal would adversely affect the amenity of Number 12.
- 6.13 The proposed terrace would lie parallel with and immediately opposite the existing terraces comprising 9 dwellings. The gap between the respective front elevations of the existing and proposed dwellings would be approximately 14 metres. Whilst such a gap will allow for considerable overlooking between the elevations, this is not an unreasonably small gap between front elevations of properties and is typical of many streets, including those within close proximity of the site. Front elevations are generally open to public view from the street and I do not consider that overlooking between the existing and proposed development would cause any significant harm.

Loss of Employment Use

- 6.14 Approximately one third of the site is in use for the storage and parking of vehicles by Thame Service Station (TSS). Concern has been raised that the loss of this land would reduce the capacity of the business and the ability to carry out car servicing, vehicle repairs and MOTs to the current levels. A reduction in the amount of business would in turn affect the viability of the business and could result in staff being made redundant.
- 6.15 Policy E6 of the SOLP states that the change of use or redevelopment of redundant land or buildings in employment use or service trade use to non-employment uses such as housing will be permitted if the site is less than 0.25 hectares in area and in the towns of Didcot, Wallingford, Thame or Henley. The site used by TSS is under 0.25 hectares, however, the supporting text of Policy E6 seeks to help service trade uses, such as car repairers, and states that the size threshold in the towns on general employment sites does not apply to sites for service trades. However, even if the retention of the existing use of the land by TSS could be argued under Policy E6, it must be recognised that the land is not under the company's ownership. Therefore, TSS do not retain control of the land and their occupation is subject to a relatively short term lease.
- 6.16 It is also of note that TSS have recently been granted planning permission (June 2009) for the redevelopment of their site on the north side of Park Street to construct six starter homes. The supporting documentation accompanying this application states, 'the present owners run a car valeting and hire business from the site as part of Thame Service Station. This has been very successful and so they are seeking to relocate it to another site in Thame'. Therefore, the owner of TSS has proposed to dispose of a relatively large area of land near to the site with the stated intention to relocate. This appears to undermine the requirement to retain part of the current application site for employment purposes associated with this business.

Highway Considerations

- 6.17 The proposal will utilise the existing access into Park Terrace off Park Street. The Highway Liaison Officer has noted that the junction geometry and visibility at the junction are acceptable and that the junction can accommodate the additional vehicular movements associated with the proposed development. In this regard it should be remembered that the site was previously in use as a council maintenance depot, and in this regard the Highway Liaison Officer considers that the movements associated with the proposed use would be comparable to this historic use of the land.
- 6.18 The main part of the application site is currently being used for parking by the residents of Park Terrace. This is a long standing use as evidenced by the planning history of the site, however, the site has remained in the ownership of the council and residents do not have a right to park on the land. The council currently grant 14 licences for residents to park on the land, and all licences are subject to a three month notice period. Therefore, the council can withdraw the use of the land for residents' parking after a period of three months and the loss of this parking cannot justify the refusal of the application.
- 6.19 The proposal includes two parking spaces for each of the proposed dwellings, which represents maximum parking provision for two bedroom units. A total of nine parking spaces are being provided on the site for existing residents to use. This is at the discretion of the applicant as there is no requirement for such parking spaces to be provided. Existing residents will be able to continue to park on Park Terrace itself, however, again there is no given right to park on the public highway. The amended

plans have moved the proposed dwellings slightly further back from the public highway at the request of the Highway Liaison Officer. This would make turning and parking within the street easier for both the new occupants and existing residents.

- 6.20 I am aware of concerns about the accuracy of the survey data in the submitted Transportation Statement in relation to the parking provision and levels within Park Terrace. Given that the parking provision on Park Terrace will not be altered by the proposal and that there is no right for residents to park on the application site, I do not consider that any parking related inaccuracies in the Transportation Statement are material to the proper consideration of the proposal.

Other Material Considerations

- 6.21 Policy D8 of the SOLP seeks to ensure that all new development demonstrates high standards in the conservation and efficient use of energy, water and materials. A short pre-assessment against the Code for Sustainable Homes has been submitted with the application that indicates that Code Level 3 should comfortably be achieved. The attainment of Code Level 3 would accord with Policy D8 and guidance contained within the SODG.
- 6.22 The proposal includes sufficient storage for waste and recyclables to the front of each dwelling in accordance with Policy D10 of the SOLP. Policy D6 of the SOLP states that the design and layout of development will be encouraged in ways which will reduce the opportunity for crime. In this regard windows have been designed into the side elevation of Unit 1 to provide surveillance of the adjacent car parking. The Crime Prevention Design Officer is broadly satisfied with the scheme but has stated that uniformity of lighting levels should be provided, and this can be achieved through the use of the suitable condition.
- 6.23 Policy D11 of the SOLP seeks to secure necessary infrastructure and improvements to other services and facilities as part of new development. The County Council has requested financial contributions towards local infrastructure and services, and this would be secured by a Planning Obligation should planning permission be granted.
- 6.24 The garden areas of the proposed dwellings would vary between approximately 40m² and 60m². The majority of the gardens would be below 50m², which is the recommended garden size for a two bedroom dwelling as outlined in the SODG. The gardens would also be shorter than the 10 metres recommended in the SODG. Relatively short and small garden areas are typical of many terraced properties, and the garden areas proposed would not be at odds with many of the gardens associated with existing properties in the area. It should also be noted that there are public areas of open space within a short walk of the application site. As such I do not consider that the size of the garden areas would justify a recommendation of refusal.

7.0 **CONCLUSION**

- 7.1 The application proposal is in accordance with relevant development plan policies and national planning policy, as it is considered that, subject to conditions, the proposal would not cause any undue harm to the character and appearance of the site and surrounding area, the amenity of neighbouring occupiers and would not be prejudicial to highway safety.

8.0 **RECOMMENDATION**

8.1 **It is recommended that the grant of planning permission be delegated to the Head of Planning, subject to the prior completion of a Section 106 planning obligation with the County Council to ensure infrastructure payments are made towards education, transport, libraries, waste management, the museum resource centre and social and healthcare provision and the following conditions:**

- 1. Commencement – 3 years**
- 2. Samples of materials, including hardsurfacing, to be submitted and approved**
- 3. Windows and external doors to be timber construction**
- 4. Landscaping scheme to be submitted and approved**
- 5. Details of external lighting to be submitted and approved**
- 6. Details of finished floor levels against existing and proposed ground levels**
- 7. No windows on south west side elevation of Unit 6 without planning permission**
- 8. Permitted development rights for extensions removed**
- 9. Development to comply with at least Code Level 3 of the Code for Sustainable Homes**
- 10. Contamination land risk assessment to be submitted and approved**
- 11. Drainage details to be submitted and approved**
- 12. Parking to be provided and retained in accordance with the approved plans**
- 13. Fire hydrants to be provided in accordance with details to be submitted and approved**

Author: Mr T Wyatt
Contact no: 01491 823154
Email: planning.east@southoxon.gov.uk