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<b>APPLICATION NO.</b>	<a href="#">P17/S2210/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	21.6.2017
<b>PARISH</b>	Thame
<b>WARD MEMBERS</b>	David Dodds, Nigel Champken-Woods & Jeannette Matelot
<b>APPLICANT</b>	Cantay Estates Ltd
<b>SITE</b>	Land adjacent to Park Meadow Cottage, Thame Park Road, Thame
<b>PROPOSAL</b>	The erection of 4 x 3 bedroom houses and 5 x 2 bedroom houses, car and cycle parking, bin stores, access, and landscaping (layout altered to accommodate revised waste vehicle tracking as shown on amended plans received 1st September 2017).
<b>OFFICER</b>	Paul Lucas

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1.0 **INTRODUCTION**

1.1 The application is referred to the Planning Committee due to Thame Town Council's objection. Officers recommend that planning permission should be granted. This report explains how officers have reached this conclusion.

1.2 The site is identified at **Appendix A** and comprises a parcel of land of about 0.29 hectares formerly in agricultural use at the southern edge of Thame. The site is bordered to the north by a strip of undeveloped land and then recently constructed three-storey housing and to the west by a two-storey residential development. These boundaries are mainly post and rail fencing. There is a single residential plot occupied by Park Meadow Cottage, of chalet bungalow proportions, adjacent to the site to the south with hedging and small trees on the boundary. The eastern site boundary comprising hedging with an occasional small tree is with Thame Park Road, beyond which is another recent two-storey residential development. Along with Park Meadow Cottage, the site forms part of an allocated residential site (Identified as Site 3 on the allocation map) of 0.6 hectares under Policy HA3 of the Thame Neighbourhood Plan, which is allocated for 12 dwellings. With the loss of Park Meadow Cottage, this would be a net gain of 11 dwellings. This would contribute to a total of 205 dwellings allocated under Policy HA3, 175 of which are provided by Site D to the west of the site. There are no other special designations on this site.

2.0 **PROPOSAL**

2.1 The application seeks full planning permission for the erection of seven dwellings on the site, as shown on the plans and supporting documents submitted with the application. Amended plans were supplied during the application process to provide additional space for waste collection vehicles to turn within the site.

2.2 Copies of the current plans are provided at **Appendix B** whilst other documentation associated with the application can be viewed on the Council's website: <http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P17/S2210/FUL>.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Thame Town Council** – The application should be refused due to the following:  
The site is contrary to Policy HA3 of the Thame Neighbourhood Plan (TNP) and is likely to have a negative impact on highway safety:

- Arguments that the applicant should be permitted to build at a higher density are without merit
- References to the lack of a 5-year land supply are not relevant
- The applicant could be seeking to avoid affordable housing contributions and higher build costs
- The junction that adjoins the site is frequently the site of “near miss” incidents. The Town Council believes the access to this development will exacerbate an existing problem.

3.2 **Drainage Engineer (South Oxfordshire - MONSON)** - No objection subject to conditions

3.3 **Urban Design Officer (South Oxon & Vale of White Horse DC)** – No objection subject to details of external materials being secured through planning conditions

3.4 **Waste Management Officer (District Council)** – Some concern about amended swept path analysis for collection vehicle

3.5 **Health & Housing - Contaminated Land** - No objection

3.6 **Highways Liaison Officer (Oxfordshire County Council)** - No objection subject to conditions

3.7 **Countryside Officer (South Oxfordshire & Vale of White Horse)** - No objection subject to condition

3.8 **Forestry Officer (South Oxfordshire District Council)** - No objection

3.9 **Neighbours** – three representations of objection and concern, summarised as follows:

- Additional vehicular access adding to congestion and safety risk close to existing junction
- Insufficient visitor parking resulting in on-street parking in the vicinity
- Density of development
- Refuse collection point should be provided
- Restrictive covenant exists on the land [not a planning matter]

3.10 The representations can be read in full on the Council’s website:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P17/S2210/FUL>.

4.0 **RELEVANT PLANNING HISTORY**

4.1 On the application site:

[P17/S0732/PEM](#) – Advice provided (27/04/2017)

Proposed erection of 9 dwellings, new access, landscaping and car parking.

[P15/S2823/FUL](#) - Withdrawn (16/08/2016) following officers’ concerns about the layout and appearance of the proposed development and lack of affordable housing.

Erection of 9 two storey dwellings (4x2-bedroom, 2x3-bedroom 2x4-bedroom & 1x5-bedroom) and garages and formation of access and driveway.

On the adjacent Site D:

[P15/S2166/RM](#) - Approved (05/05/2016)

Approval of Reserved Matters for residential development of 175 dwellings, including, affordable housing, vehicular access including emergency access, pedestrian/cycle link, landscaping, play space and other open space including allotments, surface water attenuation and ancillary works.

[P13/S2330/O](#) - Approved (10/06/2014)

Residential development comprising up to 175 residential dwellings (including up to 40% affordable housing with vehicular and emergency access from Thame Park Rd, a pedestrian/cycle link to Jane Morbey Rd. structural planting & landscaping, informal & formal open space including retained agricultural land, children's play space, allotments, surface water attenuation and ancillary works.

## 5.0 **POLICY & GUIDANCE**

### 5.1 South Oxfordshire Core Strategy (SOCS) Policies

- CS1 - Presumption in favour of sustainable development
- CSEN1 - Landscape protection
- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CSM1 - Transport
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSS1 - The Overall Strategy

### 5.2 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C9 - Loss of landscape features
- D1 - Principles of good design
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- D10 - Waste Management
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G5 - Best use of land/buildings in built up areas
- H4 - Housing sites in towns and larger villages outside Green Belt
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

### 5.3 Thame Neighbourhood Plan (TNP) March 2013 policies;

- H1 – Allocate land for 775 new homes
- H8 – Provide affordable housing
- H9 – Provide a mix of housing types
- HA3 - Site D, Jane Morbey Road and Park Meadow Cottage - Allocation for 205 residential dwellings
- ESDQ18 - New development must contribute to local character by creating a sense of place appropriate to its location

ESDQ22 - The visual impact of new development on views from the countryside must be minimised

ESDQ26 - Design new buildings to reflect the three-dimensional qualities of traditional buildings

ESDQ28 - Provide good quality private outdoor space

ESDQ29 - Design car parking so that it fits in with the character of the proposed development

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016) – Section 7 – Plots and Buildings

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

The policies within the Core Strategy and SOLP 2011 of relevance to this application are considered to be in general conformity with the provisions of the NPPF and NPPG and therefore this application can be determined against these relevant policies.

6.0 **PLANNING CONSIDERATIONS**

6.1 The planning issues that are relevant to this application are whether the development would:

- be acceptable in principle in this location;
- result in the loss of an open space or view of public, environmental or ecological value;
- be in keeping with the character and appearance of the surrounding area;
- safeguard the living conditions of neighbouring residential occupiers and would provide suitable living conditions for future occupiers; and
- demonstrate an acceptable provision of off-street parking spaces for the resultant dwellings and avoid conditions prejudicial to highway safety;
- provide an appropriate mix of market housing; and
- give rise to any other material planning considerations

6.2 Principle of Development

The site forms part of allocated Site 3 in the Thame Neighbourhood Plan and therefore the principle of residential development is acceptable. Although Thame Town Council object to the proposal on the basis that it would only develop part of the site, TNP Policy HA3 does not prevent the partial development of Site 3. This means that the remainder of Site 3 could still be developed at a later date. If this application is granted planning permission and implemented and the remainder of Site 3 is not developed, Site 3 would then contain 10 dwellings. However, a shortfall of two dwellings from the total allocation of 775 dwellings for Thame set out in the SOCS would not be significant given that the total allocation does not include unallocated windfall sites that are nonetheless included as residential completions towards the District's supply of housing. A number of windfall sites have come forward in the form of planning applications, which have been granted for infill dwellings and redevelopment and prior approvals for residential conversions throughout Thame Neighbourhood Plan area since its adoption in March 2013 (approximately 160 residential units, a significant proportion of which have been implemented). Consequently the proposal falls to be assessed primarily against the criteria of Policy H4 of the South Oxfordshire Local Plan 2011 for new dwellings, which are addressed below.

6.3 Loss of Open Space

Criterion (i) of Policy H4 of the SOLP 2011 requires that an important open space of public, environmental or ecological value is not lost, nor an important public view spoilt. The site is not accessible to the public and the Council's Countryside Officer is satisfied that a planning condition could be imposed to secure biodiversity enhancement. The site is visible in public views from Thame Park Road to the east and Massey Road to the north, however from these vantage points the development of the site of the surrounding dwellings on either side and could not be said to result in the loss of an important public view. On this basis, the proposal would be in compliance with the above criterion.

6.4 Visual Impact

Criterion (ii) of Policy H4 of the SOLP 2011 requires that the design, height, scale and materials of the proposed development are in keeping with its surroundings and criterion (iii) requires that the character of the area is not affected. Policy CSEN1 of the SOCS aims to protect the District's distinct landscape character from inappropriate development. Policies CSQ3 of the SOCS and D1 of the SOLP 2011 expand on this requirement in respect of ensuring good design. Policy CSH2 requires new residential development to have a minimum net density of 25 dwellings per hectare, unless this would have an adverse impact on the character of the area. The proposed development would have a density of 30 dwellings per hectare. Thame Town Council are concerned that this density would conflict with one of the aims of Policy HA3 to create a positive frontage to Thame Park Road that makes a transition from open land to the built up area of the town through a mix of buildings and landscape. The remainder of Site 3 would contain one dwelling and so would have a density of 3 dwellings per hectare. The overall density of Site 3 would be about 17 dwellings per hectare, which would achieve the desired transition through the retention of individual dwellings on spacious plots at Park Meadow Cottage and Park Meadow Farm providing a buffer between the rural land further to the south and the higher density of the application site. In the event of the remainder of Site 3 being developed in the future, the replacement of Park Meadow Cottage with three dwellings would still achieve the total number of twelve dwellings sought by Policy HA3. Site 3 would then have an overall density of 20 dwellings per hectare, with the lower density element of the scheme being closest to the rural land to the south.

6.5 The Council's Urban Design Officer is satisfied that the proposed layout with five of the dwellings facing towards Thame Park Road and that the design of the dwellings would be modest in scale and relate well to the context of the recent residential development on surrounding land. Pre-commencement planning conditions are recommended to secure appropriate external materials for the dwellings, hardsurfacing and boundary treatment to ensure local distinctiveness is achieved. As such, the proposal would be in accordance with the general principles set out in the SODG 2016. The Council's Forestry Officer is content that the proposed tree protection measures would safeguard important trees and hedges and that the proposed planting would achieve adequate softening of the proposed development. In the light of the above assessment, the proposed development would accord with the above policies. Officers also consider that the proposal would achieve the aims of Policies ESDQ18, ESDQ22 and ESDQ26 of the TNP.

6.6 Residential Amenity Impact

Criterion (iv) of Policy H4 of the SOLP 2011 requires that there are no overriding amenity objections. Policy D4 of the SOLP 2011 requires that all new dwellings should be designed and laid out so as to secure a reasonable degree of privacy for the occupiers.

- 6.7 The relationship to Park Meadow Cottage would be acceptable in terms of light, outlook and privacy. This is because the north facing dormer window of Park Meadow Cottage would face directly onto the side wall of Plot 8 rather than any of the proposed gardens. The first floor windows at Plot 8 serve a bathroom/en-suite and these windows could be subject to an obscure glazing condition. Plot 9 would be close to the rear boundary of the rear garden of Park Meadow Cottage, but as this particular dwelling would have no first floor windows facing the site and would be of chalet bungalow proportions, this would not result in any undue loss of residential amenity to the neighbours' garden. There would be sufficient separation of around 30 metres between the proposed dwellings and dwellings along the north side of Massey Road to prevent any undue loss of light, outlook or privacy from occurring.
- 6.8 The distance between the rear windows of Plots 1 and 2 and the rear rooflights of Plot 9 would be 22-24 metres apart, below the 25 metre recommended minimum distance as set out in Section 7 of the SODG 2016. However, as the rooflights could be subject to a planning condition to have a cill level above eye level, this would be an acceptable arrangement. This would be the only back to back relationship in the development. The back to side relationships from the rear of Plots 3-8 and the side of Plots 2 & 9 would achieve the recommended 12 metres minimum distance. The garden depths would also all be in excess of the recommended 10 metres minimum depth, which would be sufficient to ensure that first floor windows would not overlook adjoining gardens. The garden areas for most of the plots would be in compliance with the recommended minimum standards of 50 square metres for 2-bedroom dwellings and 100 square metres for 3-bedroom dwellings. However, the garden for Plot 3, a 3-bedroom dwelling would only have a 60 square metre garden. Given that this is a sustainable location with good access to public open space immediately to the north, this shortfall would not be so significant as to warrant refusal of planning permission. On the basis of this assessment, the proposed development would comply with the above policies and TNP Policy ESDQ28.
- 6.9 Access and Parking  
Criterion (iv) of Policy H4 of the SOLP 2011 also requires that there are no overriding highway objections. Policy T1 of the SOLP 2011 seeks to ensure that all new development would provide a safe and convenient access for all users of the highway. Thame Town Council and other neighbours are concerned that the proposed access would increase congestion and the risk of accidents at the nearby junction between Thame Park Road and Wenman Road. They are also concerned that there is a lack of visitor parking. However, the Highway Liaison Officer has raised no objections to the proposed access and parking arrangements, subject to the imposition of several highway-related conditions. The HLO is also satisfied that the application has demonstrated that there would be adequate space for waste collection vehicles to be able to turn within the site. As such, it would be difficult for officers to demonstrate that the proposal would result in the severe harm required by Paragraph 32 of the NPPF to justify a refusal of planning permission on highway safety grounds. On this basis the proposed development would be in accordance with the above criterion and TNP Policy ESDQ29.
- 6.10 Housing Mix  
Policy CSH4 of the SOCS seeks to secure an appropriate housing mix for market housing, having regard to the latest data in the Oxfordshire Strategic Housing Market Assessment (SHMA) April 2014. Policy H9 of the TNP aims to achieve a mix of dwelling types and sizes on schemes of more than six dwellings would be sought. Although the proposed development comprises only two and three-bedroom dwellings, the SHMA identifies the greatest proportion of the District need as being for these dwelling types (27% and 43%, respectively).

6.11 In relation to the lack of any 4-bedroom dwellings, the reserved matters application for Site D included 40 4-bedroom dwellings, representing 38% of the dwellings on that site, greater than the 24% need set out in the SHMA. Officers consider that the lack of any 4-bedroom dwellings on the application site would be compensated for by assessing the housing mix of the sites listed under Policy HA3 as a whole. As such, the proposed housing mix would be in general conformity with the SHMA and in compliance with the above policies.

6.12 Other Material Planning Considerations

Thame Town Council suggest that Site 3 has been subdivided to avoid affordable housing. The threshold for affordable housing provision in this location is a net gain of 11 dwellings, as set out in the Written Ministerial Statement. This would be triggered if a proposal for 12 new dwellings on Site 3 had come forward, as envisaged by Policy HA3. The current proposal for 9 dwellings on the application site with a floor area of 920 square metres (also less than 1000 square metres threshold) does not trigger the need for affordable housing. However, the subtext to Policy CSH3 of the SOCS explains that “Where land which is above the threshold is subdivided to create separate development schemes, we will consider the site as a whole and seek affordable housing on each part.” Consequently, any future application on the adjoining site for three or more dwellings or resulting in a net gain of more than 1000 square metres of floor area on Site 3 would be liable for affordable housing provision at that time. Since the code for sustainable homes was abolished, energy conservation standards are secured through building regulations.

6.13 Officers agree with Thame Town Council that the existence of the adopted neighbourhood plan, which allocates housing sites, means that the Council currently only needs to demonstrate a 3 year supply of housing in order for the development plan policies concerned with the supply of housing to carry full weight in the neighbourhood plan area. As the Council presently has a 4.1 year deliverable supply of housing, the aforementioned policies carry full weight. However, it is officers’ assessment that the proposed development would comply with these policies.

6.14 A condition removing permitted development rights for various householder development is considered necessary to allow the Council to exercise control over any future additions to the new dwellings that might otherwise result in visual harm or loss of residential amenity.

6.15 Community Infrastructure Levy

The proposed dwellings are liable for the Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre (index linked) of additional floorspace (Zone 1). 25% of the CIL payment would go Thame Town Council due to the existence of the adopted Neighbourhood Plan.

7.0 **CONCLUSION**

7.1 The application proposal would comply with the relevant Development Plan Policies and Government guidance and therefore would be acceptable in principle and it is considered that, subject to the attached conditions, the proposed development would not materially harm the character and appearance of the area or the residential amenity of nearby residents and result in satisfactory living conditions for future occupiers of the development, nor would it result in conditions prejudicial to highway safety and would provide an appropriate mix of market housing.

8.0 **RECOMMENDATION**

To grant planning permission subject to the following conditions:

1. Commencement of development with three years.
2. Development to be in accordance with the approved drawings.
3. Levels details to be agreed prior to the commencement of development.
4. Schedule of materials to be agreed prior to the commencement of development.
5. Obscure glazing to Plot 8.
6. Rooflights (at specified cill level) to Plot 9.
7. Withdrawal of permitted development for extensions and outbuildings.
8. New vehicular access to be formed prior to occupation.
9. Vision splays to be provided prior to occupation.
10. Parking and turning areas to be provided in accordance with the approved drawings.
11. Construction traffic management plan to be agreed prior to the commencement of development.
12. Details of off-site highway works to be agreed prior to commencement of development.
13. Landscaping implementation prior to occupation.
14. Tree protection in accordance with agreed details.
15. Details of boundary walls & fences to be agreed prior to commencement of development.
16. Biodiversity mitigation and enhancement strategy to be agreed prior to commencement of development.
17. Foul drainage works to be implemented prior to occupation.
18. Surface water drainage works to be implemented prior to occupation.

**Author:** Paul Lucas  
**Contact No:** 01235 422600  
**Email:** [planning@southoxon.gov.uk](mailto:planning@southoxon.gov.uk)