

APPLICATION NO. [P17/S4415/FUL](#)
APPLICATION TYPE FULL APPLICATION
REGISTERED 19.12.2017
PARISH GREAT HASELEY
WARD MEMBER(S) Caroline Newton
APPLICANT Thame Farmers Auction Mart Ltd
SITE Land off Rycote Lane, Christmas Hill, Rycote Lane (near Moreton and Thame)

PROPOSAL Relocation of Thame Livestock Market with buildings to accommodate agricultural sales, lairage, administrative offices, welfare facilities, business units, and associated external works to include highway access, roadways, vehicle parking, vehicle washing and other ancillary works

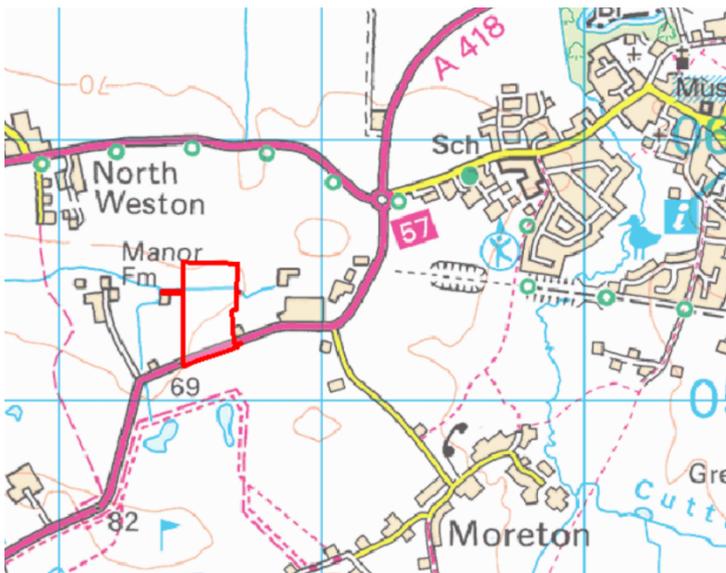
(as amplified by highways information received 25 April 2018, and ecological information received 9 August 2018, and additional drainage and highways information received 27 September 2018, and additional highways information received 26 November 2018)

OFFICER Katherine Canavan

1.0 **INTRODUCTION**

1.1 The application has been referred to Planning Committee at the Development Manager’s discretion, in light of the level of local interest, and the longstanding significance of the market within the district.

1.2 The application site is located within the parish of Great Haseley, and within 1km of the village of Moreton and the town of Thame. A site plan is **attached** at Appendix 1.



The site is undeveloped and located outside the built limits of Moreton or Thame. The parish boundaries of Tetsworth and Tiddington are also located close to the site.

To the east of the site, separated by an undeveloped area of agricultural land, is an industrial estate measuring 6.7ha. The site is accessed off Rycote Lane (A329); a 50mph rural road running between Thame and junction 7 of the M40.

1.3 **Area designations and site constraints:**

- The site is not located within an Area of Outstanding Natural Beauty or within the Oxford Green Belt or within a conservation area
- The site is not within a flood risk area and is therefore classified at Flood Zone 1.
- Area of archaeological interest: The North Weston Deserted Medieval Village with site of Pre-Reformation Chapel is located to the west of the site
- Listed building – The grade II listed building and outbuilding, and grade II* walled garden at Manor Farmhouse are located to the west of the site

2.0 **PROPOSAL**

2.1 Relocation of Thame Livestock Market with buildings to accommodate agricultural sales, lairage, administrative offices, welfare facilities, business units, and associated external works to include highway access, roadways, vehicle parking, vehicle washing and other ancillary works.

A detailed description of the proposal can be found in sections 4.1 – 4.15 of the Design and Access statement.

An overview of how the market would operate is set out in section 3.3 and Figures 4 and 5 of the Design and Access statement.

2.2 **Motivation for proposed relocation:**

Livestock markets have been held at Thame since the Middle Ages. The market was originally held on the High Street but moved to a purpose built facility in North Street in 1951.

The existing facilities in North Street are outdated in terms of equipment and buildings, with insufficient parking and circulation space causing traffic congestion. Much of the livestock penning is in the open with no protection for the animals from adverse weather. The layout of the site makes compliance with bio-security requirements difficult to implement. The current facilities are therefore a restraint on market operations and hence a challenge to the long-term viability of the market in the changing agricultural economy of the twenty-first century.

The new development is proposed to be located on the edge of Thame and will provide sufficient space for a new 'state of the art' market and associated facilities that will have good links to the national road network. It will act as a hub for the farming community providing a range of services and help to sustain a robust and diverse agricultural economy in the region. Animal welfare and the safety of users have been priorities in developing the proposals.

A previous planning application to relocate the market to the Showground site on the northern edge of town was granted planning permission in 2011 (ref P11/E0622) but is not deliverable by the applicants.

Ref. Design and Access Statement: Introduction 1.1

2.3 Reduced copies of the plans accompanying the application are **attached** at Appendices 2a-e. Full copies of the plans are available for inspection on the Council's website at www.southoxon.gov.uk.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Consultation responses received in response to the original and revised consultations are summarised below. Full consultation responses are available for inspection on the Council’s website at www.southoxon.gov.uk

<p>Great Haseley Parish Council</p>	<p>Support, but make the following recommendations:</p> <ul style="list-style-type: none"> • Sustainable design measures / renewable technology • Assessment of water course between site and Thames to determine condition and ability to deal with increased flow from market particularly if foul effluent • Condition that the grass lairage between building and Rycote Lane cannot be used for any other purpose • Shuttle bus between site and Thame on market days • That vehicles leaving the site are prohibited from turning right to alleviate potential traffic build-up.
<p>Thame Town Council</p>	<p>The application falls outside the parish of Thame the Town Council – the following comments have been put forward:</p> <ul style="list-style-type: none"> • Highway safety concerns, in relation to junction with Moreton Road and the entrance to Manor Farm • The Road Safety Audit sets out that 50 vehicles could be expected over a 4 hour period on market dates, equating to 2 vehicle per minute. • Current experience shows that vehicles tend to arrive at the market in clusters, causing queues on the local road network • Concern raised that, in reality, market traffic is likely to queue back beyond the ghost island.
<p>Moreton Residents Association</p>	<p>Broadly in support of the Cattle Market but have concerns over the site:</p> <ul style="list-style-type: none"> • Unplanned development, with no policy backing in the Thame Neighbourhood Plan or the District Local Plan • Insufficient consideration around drainage of effluent from the site • Increased traffic as a result of proposed commercial units outside market days • The Accident and Traffic Survey only reflects a small section of A329. The A329 is a dangerous road, with blind bends and the scene of 2-3 accidents per year. • Lorries currently back-up from the established industrial area. • Consideration needs to be given to lighting to avoid further light pollution caused by the industrial estate.

Technical advisors:

<p>Conservation Officer</p>	<p>No objection</p> <ul style="list-style-type: none"> • Satisfied that proposal has appropriately considered the impact on heritage assets and there would be no impact on them.
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<p>Countryside Officer</p>	<p>No objection</p> <ul style="list-style-type: none"> Existing habitat mainly dominated by arable field of low ecological value. Main impact on proposal is loss of roadside hedgerow and one mature oak tree – to be replaced elsewhere on-site. No protected species on site. However, a meta-population of great crested newts (GCN) has been recorded in ponds on the nearby golf course. The biodiversity calculations indicate the scheme could deliver a net gain for biodiversity. No objections on the basis of ecology, as long as a number of conditions are met in order to protect the GCNs – through the district GCN licence scheme.
<p>Drainage Engineer</p>	<p>Holding objection</p> <ul style="list-style-type: none"> Further information required on flood storage calculations and discharge of surface water <p>No objection</p> <ul style="list-style-type: none"> The additional information has overcome previous concerns Additional information provided in the Rolton Group Limited Flood Risk Report Vol 2, and Rolton Group Limited Foul and Effluent strategy Vol 3 Surface and foul water conditions recommended
<p>Economic Development Officer</p>	<p>Support</p> <ul style="list-style-type: none"> Present site is no longer suitable for needs and therefore the new site is essential. Due to unique nature of livestock this site is the only suitable site. The livestock market brings significant economic benefit and should be retained within the Thames area. Support the inclusion of an “agri-centre” as part of the development.
<p>Forestry Officer</p>	<p>No strong views</p> <ul style="list-style-type: none"> Trees on the site and northern side of A329 are not of significant arboricultural merit, and replacement planting is proposed for the trees being removed. Clarification required as to whether the highway works would affect important trees on the southern side of A329.
	<p>No strong views</p> <ul style="list-style-type: none"> Clarification received that the trees on the southern side would not be affected.
<p>Health & Housing – Environmental Protection Team</p>	<p>No strong views</p>
<p>Highways Officer (Oxfordshire County Council)</p>	<p>Holding objection</p> <ul style="list-style-type: none"> Insufficient information provided to demonstrate that visibility splays and sufficient length of ghost island can be implemented and retained. <p>No strong views</p>

	<ul style="list-style-type: none"> Additional information received which addresses previous concerns – Access works to be secured through s278 agreement.
Landscape Consultant on behalf of SODC	<ul style="list-style-type: none"> Some impact on the landscape identified – the Landscape Visual Impact Assessment relies heavily on providing an appropriate landscaping scheme to mitigate the impact. By developing on a previously undeveloped site, there would be encroachment into the countryside. The acceptability or otherwise of the proposals in landscape terms depends on the relationship between harm and enhancement, which is essentially a matter of judgement.
Landscape Officer	<p>Holding objection</p> <ul style="list-style-type: none"> The development would introduce an intensive farm-related use into the countryside, which will be more compatible with the rural setting if the building and site design details relate well to the landscape character of the area. The site layout utilises the available site area extremely well, with little room to spare. The site uses are logical and well thought out, which should help the site function well. The building’s design is driven by function and more could be done to ensure that it will sit well visually within the larger area. The following conditions are recommended: schedule of materials to integrate the building more effectively into the landscape; details of landscaping scheme; details of lighting across the scheme
Public Arts Officer	<p>No objections</p> <ul style="list-style-type: none"> The type of development triggers the need for an on-site public art scheme – to be drawn up in conjunction with the Public Art Officer.
Public Rights of Way Officer	<p>No strong views</p>

Objections from interested parties are summarised as follows:

Traffic congestion and highway safety	<ul style="list-style-type: none"> The proposal would result in increased traffic movement along the A329, including heavy lorries, vans and cars. The A329 is already a busy, dangerous road with a number of dangerous bends. The width of the A329 reduces in places making it difficult for large lorries traveling in opposite directions to pass. Particular attention should be given to the safety of traffic accessing and egressing the proposed site, turning right onto the A329 and the effect on the junction to Moreton village which is on a bend not far from the entrance to Gregory's site. The traffic density at busy times can make it difficult to turn out of the village road – an additional large-scale business on the road will only exacerbate the problem.
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	<ul style="list-style-type: none"> • The traffic assessment does not factor in the commercial growth of the site and increased traders over time. • Concern over lack of parking and risk over verges becoming cluttered with vehicles
Drainage	<ul style="list-style-type: none"> • Insufficient clarification from Thames Water as to whether the applicants can discharge water through sewer - Abbey Farm is already full of water from Rycote Industrial Estate. • Details of future maintenance and management of SUDS features should be provided. • A second ditch to accommodate more water would be needed at the very least to allow more water to flow through.
Assessment of alternative sites	<ul style="list-style-type: none"> • Others sites should be given greater scrutiny, particularly as the majority of traffic accesses the market from the north of Thame, so a northern or eastern site would be most appropriate • There are other sites with much better road access.
Lighting	<ul style="list-style-type: none"> • Light pollution is already an issue from the existing industrial units on Rycote Lane. The development will result in increased light and noise pollution in a rural location, particularly impacting on Moreton.
Landscaping	<ul style="list-style-type: none"> • Effective integration is dependent on the retention and maintenance of screening along the front boundary – this is lacking in nearby developments and should not be overlooked. • Poor maintenance of willows on Northern Boundary - The willows should undergo pollarding as they are regularly splitting and falling over.
Continued expansion	<ul style="list-style-type: none"> • There is a risk of gradual expansion over time, and the addition of other types of markets, the impact of which haven't been assessed under the application. • Risk of the commercial units being units on a day-to-day basis, separate from the market, thereby introducing greater traffic impact.
Thame Market Charter	<ul style="list-style-type: none"> • Implications of moving the market from Thame to Great Haseley in respect of the Market Charter. • I believe that Thame's market charter specifically prohibits the establishment of a market outside of the town.

Comments of support from interested parties are summarised as follows:

Connectivity and accessibility	<ul style="list-style-type: none"> • Well located out of town and close to the M40 • Moving to the outskirts of town is logical and will free up space and parking in the centre. • The current site is no longer fit for purpose and this site is a viable alternative whilst close to the town for visitors.
Retention of livestock market	<ul style="list-style-type: none"> • The market has a good reputation and should be looked after – it puts Thame on the map.

	<ul style="list-style-type: none"> • It is imperative that a viable market is kept for the agricultural community and future generations, not only as an agricultural and commercial facility to be preserved, but also allowed to flourish. • The market plays an important role in establishing a fair price for the stock we buy and sell. • In a competitive national / international market, it provides a hub for the sharing of farming knowledge and to discuss approaches to maintain resilience in the market • As buyers and vendors, our family have been trading at the market for decades • Retention of the historic presence of the market in the local area – it is a key part of the rural farming community in this area. • There is an urgent need for relocation of the market, particularly as the approved site has delivered.
Design and landscaping	<ul style="list-style-type: none"> • The site appears carefully and sensitively designed with a grass and hedge buffer between the buildings and the A329. • The new site would be purpose-built to overcome existing issues, such as space to accommodate increasing numbers of livestock farmers visiting the market, space to park cattle trucks, washing facilities, scope for turning, stock handling capabilities.
Economic benefits	<ul style="list-style-type: none"> • The market brings with it economic benefits to the area • A new agri-centre would enhance the locality whilst supporting the farming industry.

4.0 RELEVANT PLANNING HISTORY

4.1 **P18/S0084/FUL** Land South of Rycote Lane THAME OX9 2HH
 Closure of existing access on to Rycote Lane and formation of new access together with access track
 Planning Permission on 30th May 2018

P17/S4441/O Land north of Rycote Lane near Thame OX9 2BY
 The erection of up to 180,000 square feet (up to 16,722 square metres) of B2/B8 with ancillary B1(a) and B1(c) together with parking, drainage, landscaping (structural and incidental) and highway works
 Under consideration – yet to be determined

P11/E1037/EX Land at Thame Showground, Thame OX9 3JL
 Extension of time for implementation to planning permission P07/E0597/O (Relocation of Thame Cattle Market & associated buildings, car parking, new access and ancillary activities)
 Planning Permission on 9th September 2011

P11/E0622 Land at Thame Showground, Thame OX9 3JL
 Relocation of Thame Cattle Market, with associated buildings, parking, access and ancillary activities. (As amplified by plans accompanying email from agent dated 25 October 2011).
 Planning Permission on 12th December 2011

P07/E1400/O Land at Thame Showground, Thame OX9 3JL
Relocation of Thame cattle market & development of a new single storey cattle market, car parking, new access and ancillary activities. (As amplified by traffic report which accompanied the letter from the agent dated 11 December 2007).
Refusal of Outline Planning Permission on 23rd January 2008

P07/E0597/O Land at Thame Showground, Thame OX9 3JL
Relocation of Thame Cattle Market & associated buildings, car parking, new access and ancillary activities. (As amplified by plan accompanying letter from Agent dated 18 July 2007).
Appeal Allowed on 24 June 2008

P06/E0896/O Land at Thame Showground, Thame OX9 3JL
Relocation of The Thame Cattle Market and associated buildings, development of an agricultural business centre, car parking and new access.
Withdrawn prior to determination

[Series of applications between 1950 and 2010 to expand cattle market]

P49/M0029 North Street THAME
New cattle market
Planning Permission on 18th January 1949

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy (SOCS) Policies 2027 (Adopted 2012)**

CS1 - Presumption in favour of sustainable development
CSS1 - Overall strategy
CSB1 - Conservation and improvement of biodiversity
CSEM1 - Supporting a successful economy
CSEM2 - The amount and distribution of employment
CSEM4 - Supporting economic development
CSM2 - Transport Assessment
CSM2 - Transport Assessments and Travel Plans
CSEN1 - Landscape
CSEN3 - Historic environment
CSQ2 - Sustainable Design and Construction
CSQ3 - Design
CSR2 - Employment in rural areas
CSG1 - Green infrastructure
CSB1 - Conservation and improvement of biodiversity
CSI1 - Infrastructure provision

5.2 **South Oxfordshire Local Plan saved policies (2011)**

G2 - Protect district from adverse development
G3 - Traffic generation in rural locations
G4 - Safeguarding of the countryside
C4 - Safeguarding the landscaping setting of settlements
C6 - Maintain & enhance biodiversity
C8 - Adverse affect on protected species
C9 - Loss of landscape features
CON5 - Setting of a listed building

EP1 - Adverse affect on people and environment
EP2 - Noise and vibrations
EP3 - Floodlighting
EP4 - Impact on water resources
EP6 - Sustainable drainage
EP7 - Surface and ground water protection
EP8 - Contaminated land
D1 - Principles of good design
D2 - Safe and secure parking for vehicles and cycles
D7 - Access to public buildings
D10 - Waste management
D12 - Public art contribution
E5 - Business Use
T1 - Safe, convenient and adequate highway network for all users
T2 - Unloading, turning and parking for all highway users
TC7 - Shops and town centre uses
THA1 - Thame Cattle Market
SOLP, Appendix 5 - Parking and cycle standards

5.3 Neighbourhood Plan policies - Neighbourhood Development Plan Policies

Great Haseley Parish are not currently preparing a neighbourhood plan; the site is not located within an neighbourhood plan area.

The Thame Neighbourhood Plan (relating to the adjacent settlement) was formally made part of the council's development plan by South Oxfordshire District Council on 18 July 2013. The following policy is relevant to the current proposal, and is considered in section 6.4 of the report:

WS14: Redevelop the Cattle Market site for mixed-use

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)
South Oxfordshire District Council's Corporate Plan for 2016 to 2020

5.5 National Planning Policy Framework (NPPF) National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 PLANNING CONSIDERATIONS

6.1 The key planning considerations in determining the application are:

- Principle of development
- Weight afforded to economic and community benefits
- Sustainability, highways and transport
- Environmental impact and residential amenity
- Impact on rural setting, and design
- Ecological impact and biodiversity
- Historic environment
- Financial contributions and legal agreements
- Environmental Impact Assessment

6.2 Principle of development

6.2i The National Framework and Development Plan policies steer development towards towns, larger villages and sustainable locations in the first instance, with limited

development being appropriate in the smaller villages. Outside of settlements, development will only be appropriate where it meets very specific needs.

As set out in policy CSS1 of the South Oxfordshire Core Strategy:

Outside the towns and villages, and other major developed sites, any change will need to relate to very specific needs such as those of the agricultural industry or enhancement of the environment.

Policy CSR2 of the SOCS allows for:

Proposals which support the economy of the rural areas through:

- *schemes which support agricultural production and the retention of functioning farm units; and*
- *schemes which support tourism based on the character of the area.*

Paragraph 84 of the revised NPPF clarifies that:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

6.2ii While the site is located outside any settlement, and in an area that would not usually accommodate development of this scale, there are material planning considerations which afford great weight to the proposal, subject to meeting other Development Plan policies.

- The proposal continues a long-established and important agricultural and business function for the district, and serving areas further afield, and meets a specific agricultural need, which would in all likelihood be lost from the district if the market could not be relocated.
- The revised NPPF recognises that there may be instances where development proposals in rural areas may need to be located outside settlements in order to meet specific business and community needs – this is the case with the current proposal.
- There are strong economic reasons to support the relocation of the livestock market, which are considered in greater detail in section 6.3.

6.3 **Weight afforded to economic and community benefits**

6.3i **Consideration of alternative sites**

In considering the economic and community benefits brought forward by the proposal, advice was sought from the council's Economic Development Team, summarised as follows:

- In 2011, permission was granted for the relocation of the livestock market to the Thame Showground site, under permission P11/E0622. This application recognised the importance of the cattle market to the town of Thame and the surrounding area and the need to find a suitable site for relocation from their existing town centre site which is no longer fit for purpose in terms of modern operational needs.
- Thame Farmers Auction Mart (TFAM) have tried unsuccessfully for a number of years to move discussions forward with the landowner and lessee of the

approved site to enable delivery. The economic development team has tried to support these discussions but they have not come to fruition. As such, with limited time remaining on their existing lease and pressure for new facilities, TFAM undertook an exhaustive review of alternative locations both around Thame and outside the district.

- The unique nature of a livestock market means that it has particular needs and requirements for its site and as such this is the only suitable site that is viable for the livestock market to develop at this time.

A key element in considering a proposal outside the built limits of Thame was to ensure there were no other suitable sites, and to understand why the proposed site was well suited to meeting the specific requirements attached to the livestock market operation.

A detailed options appraisal was submitted with the application, titled 'Design & Access Statement Appendix A'. The conclusions of the appraisal were:

- The brownfield sites assessed and available in Thame are not affordable, and other greenfield sites assessed are either not deliverable and/or not affordable, eg. Safeguarded for residential expansion, at risk of flooding, would result in environmental disturbance to nearby residents;
- The preferred site is of an appropriate scale to deliver a tailored layout and building design to overcome the issues currently experienced with the market site that has evolved over time;
- The highways network could accommodate safe traffic flow to the site, subject to access improvements;
- The site is within appropriate distance of Thame in order to provide economic benefit whilst not impacting on existing development in terms of noise, traffic, odours etc.
- TFAM have approached a land owner willing to negotiate and agreed an option to purchase agreement – the site is therefore available and deliverable;
- There is local support for the principle of relocating the market, and the importance of keeping the market close to Thame is recognised;
- The relocation of TFAM to the preferred site will allow the redevelopment of the town market site to be redeveloped, in accordance with policies WS14 and WS15 of the Thame Neighbourhood Plan.

On the basis that a range of sites have been assessed and ruled out on sound grounds, there is scope to consider the application site, rather than insisting on an alternative site elsewhere in Thame. It is accepted that the approved site is very unlikely to come forward to the point of delivery (since approval in 2011), and to insist on alternative options that are not deliverable would not be reasonable. It would also prolong and put at risk the ambition to relocate the market in the local area. That being said, the principle of development on the site in planning terms, and the detail of the proposal, must still accord with Development Plan policies in order to be accepted as a policy compliant scheme.

6.3ii **Economic considerations**

The assessment carried out by the Economic Development Officers, and the supporting documents provided as part of the application process, identify the livestock market, as a key asset to the area, which provides significant economic benefit. The retention in the local area, and the relocation to a tailored site design contributes positively to the agricultural and business needs of the district.

- The livestock market brings significant economic benefit to the town and surrounding area and as such it is important that it is retained within South

Oxfordshire and indeed in the Thame area. The market covers a wide catchment comprising Oxfordshire, Berkshire, Buckinghamshire, Bedfordshire and Hertfordshire, all with significant proportions of grazing and mixed cropping land holdings. Without a market in this area, there is a wide reaching agricultural community that would suffer from the lack of a regular livestock marketing facility.

- Currently the market employs 13 staff (8 full time) and this is expected to grow with the new development. The inclusion of a small “agricentre” as part of the development is supported as it will provide associated supply-chain SME agricultural businesses with the opportunity to strengthen links with the cattle market and bring additional employment to the area.

As identified on dwgno AL(p)02 the site layout also includes two commercial units and two smaller commercial kiosks. The justification for this is to support the viability of the market on the site.

Policy TC7 states that:

Proposals for shops and other key town centre uses that attract many people will not be permitted in locations outside the town centre boundaries shown on the Proposals Map.

The key intention behind this policy is to avoid new retail centres away from established town centre areas, which would then draw consumers away from the high street and risk diluting the viability and vitality of town centres. In this instance the commercial units must strictly be used for commercial purposes associated with the livestock market and represent a supporting role to the market. This could include agricultural insurance, financial services, legal advice or the sale of agricultural goods and a retail use selling agricultural products.

Subject to the appropriate restrictions, the units are seen to provide economic benefit, rather than competition to the town centre, but are only acceptable in planning terms because of their tie to the livestock market use of the site. A condition is required to restrict the uses that can be accommodated in these units (A1 – shops, A2 – professional services, with no greater floorspace than indicated on dwgno AL(p)02, and directly connected to the agricultural purposes of the livestock market), but also to secure the detail (and any advertising) of the commercial units, once traders are known.

6.3iii **Implications of loss of livestock market from town centre**

In light of the longstanding presence of the livestock market in Thame, consideration must be given to the impact of the loss on the site and the impact on the local community.

The market moved to the site in the 1950s, and over time has seen a number of expansion projects on the site itself, and changes in how the agricultural community, and users of the town, access the market. In response to this, there are sound reasons for a new site to be considered, particularly if there is the opportunity for a purpose-built market and supporting services. A site outside the town centre also provides opportunities for improved access, and the reduction of congestion on market days.

Redevelopment of the site is reinforced through local policy and the council’s aspirations for the district in the form of the saved Local Plan policy THA1:

Proposals for mixed-use development at the Cattle Market, North Street, Thame will only be permitted where that development comprises part of a comprehensive scheme for the site [...]

And policy WS14 in the Thame Neighbourhood Plan:

Proposals for mixed-use development at the Cattle Market, (as defined in Figure 8.7 below) will be permitted provided that the principal use on the site is for retail.

South Oxfordshire District Council's Corporate Plan for 2016 to 2020 has as an objective to support '*Thame Farmers Auction Mart to relocate to an alternative site within the district thereby freeing up the Thame cattle market for redevelopment*'.

The proposal for the loss of the site is dependent on a replacement site being found, so the livestock market is secured locally and as a key community and economic hub within South Oxfordshire. The current application puts forward a site for a replacement livestock market, thereby achieving this objective, and would release the North Street site for redevelopment, in line with planning policy. In these respects the proposal remains in conformity with the Development Plan.

- 6.3iv For the reasons considered above, great weight should be afforded to the economic benefits provided by the livestock market. The development conforms with national and local policy as it constitutes of a type of development whose particular business and agricultural needs could be specifically met by development of the site for an established livestock market. Local policy supports the relocation of the livestock market away from the town centre of Thame, and there are further benefits to the agricultural community in bringing forward a site that can accommodate a tailor-made site layout and small-scale commercial units to boost the primary use as a livestock market. This approach has been underpinned by an options appraisal of nearby sites in and around Thame, and provides sufficient evidence to demonstrate that the Rycote Lane site is the most viable option, in terms of delivering a fit-for-purpose livestock market.

6.4 **Detailed assessment of the proposal**

- 6.4i Policy E5 of the SOLP identifies the specific requirements associated with proposals for business, industry, warehousing and storage:

[Developments of this type] will not be permitted which:

(i) conflict with the policies in the plan to protect the Green Belt and the countryside;
The site is not located within the Green Belt and the development's impact and integration with the countryside is addressed in section 6.7.

(ii) conflict with the policies in the plan to protect the built environment and to retain recreational uses and essential community facilities and services in accordance with Policies CF1 and CF3;

N/A

(iii) are of a scale and type of development inappropriate to the proposed site and its surroundings;

While a development of this scale would not usually be accommodated in a rural setting, section 6.3 sets out the specific needs and justification for why the principle of development is acceptable. The detail, in relation to its surroundings, is considered in section 6.7.

(iv) are not in keeping with the surrounding area in terms of design, layout and materials. Where appropriate, the site must be suitably landscaped, in accordance with Policies D1 and C1. In new developments the Council will normally require at least one-tenth of the gross developable area to be set aside for landscaping;
Also addressed in section 6.7.

A detailed landscaping scheme is required by condition to ensure the building and associated parking areas integrate into the open countryside setting.

(v) have inadequate access and car and lorry parking and manoeuvring facilities and/or would cause problems on the wider road network in accordance with Policies D2 and T1 to T3;

Addressed in section 6.5.

(vi) where appropriate, are in locations which are not accessible by public transport in accordance with Policy T2;

Addressed in section 6.5.

and/or

(vii) cause problems as a result of noise, smell, dust, loss of privacy or cause any other environmental problems in accordance with Policies EP1 to EP9.

Addressed in section 6.6

6.5 Sustainability, highways and transport

6.5i Policy T1 of the SOLP requires that developments provide for:

- a safe and convenient access to the highway network;
- be accessible by public transport and have a safe walking route to nearby bus stops (or new bus stops and appropriate infrastructure should be provided);
- and be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment.

6.5ii The site is accessed off Rycote Lane (A329); a 50mph rural road running between Thame and junction 7 of the M40. The site is outside any built settlement but is located within 1km of both Moreton and Thame.

An initial assessment by the county Highways Officer identified concerns over the location, in terms of its sustainability, and also in the practical implementation of visibility splays and the ghost island.

In policy terms there are material planning considerations to offset the concerns over the sustainability of the site, and benefits in locating the livestock market out of the town centre. It is noted that the revised Framework definition of sustainability considers economic, environmental and social factors, and it has been demonstrated that the livestock market would contribute positively to these in a number of ways.

Further to the receipt of additional highways information, there is sufficient detail to demonstrate that the development would not impact on the wider network or highway safety. A small portion of land has been acquired to demonstrate the required visibility splays can be implemented and retained in perpetuity. Sufficient on-site parking and waiting space for large vehicles (in the form of a 3-lorry ghost island) has been designed into the scheme and is to be secured by condition and legal agreement. On this basis the county Highways Officer has no objection to the scheme on highways grounds.

Note: Application P18/S0084/FUL to close up and relate a field gate on the opposite side of Rycote Lane has been considered by the county Highways Officers, and does not conflict with the livestock market access arrangements or introduce highway safety concerns.

6.5iii **Public Transport**

Paragraph 84 of the revised NPPF (July 2018) recognises that there may be instances where development proposals in rural areas may need to be located outside settlements in order to meet specific business and community needs, and may not necessarily be well connected by public transport.

Given the nature of the livestock market, where the majority of users are transporting livestock to and from the site, and that the site is less than 1km from Thame, and that the market only operates 1-2 times a week, the number of users of public transport to reach the site is not sufficiently great to insist on the introduction of a new service, and the lack of service is not a strong enough reason to weigh negatively against the proposal.

6.6 **Environmental impact and residential amenity**

6.6i Policies EP1 – EP8 of the SOLP are concerned with the management of environmental factors and the safeguarding of the amenity of nearby occupants. Specific considerations include impact as a result of the development, or the construction process, which give rise to: noise, air quality, light spill, dust, odour or risk of contamination, or require careful management of surface / foul water.

6.6ii Effective odour control and waste management will be particularly important in terms of the proposed use of the site. While the council's environmental Health Team have raised no concerns, it is necessary to note that there is strict legislation outside the planning system that controls the environmental management of such uses - The Animal Welfare Act 2006, The Welfare of Animals at Markets Order (1990) and its amendments, Animal Gatherings Order 2010 (No. 460), The Welfare of Animals (Transport) Order 2006, The Transport of Animals (Cleansing and Disinfection) Order. For this reason, the appropriate measures for monitoring and compliance of such a specialist use are more appropriately regulated by Defra, The Environment Agency and The Animal and Plant Health Agency.

6.6iii In terms of noise management, the nearest dwellings are 250m from the livestock building and the proposed site is located in a significantly less noise sensitive area than the existing unenclosed market site in the centre of the town.

6.6iv Given the scale of the proposal on a greenfield site, drainage of the site is an important consideration, even though the site is not within a flood risk area. Further to the receipt of additional site testing data, the council's Drainage Engineer is satisfied that the development in its proposed form can be accommodated on the site without impacting on neighbouring sites or the wider drainage system.

This is subject to the submission of a detailed surface water drainage design, and soakage testing, (in conformity with the Rolton Group Limited Flood Risk Report Vol 2), and a detailed foul water drainage design (in conformity with the Rolton Group Limited Foul and Effluent strategy Vol 3), and a detailed SuDs scheme, to be secured by condition. These measures will need to be in place and functioning prior to the first use of the site.

6.7 **Impact on rural setting, and design**

6.7i Policy CSEN1 of the SOCS states that:

The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced.

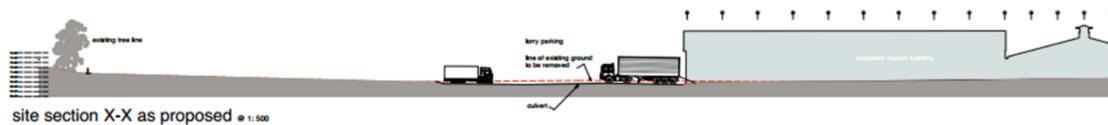
(i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.

The site is currently greenfield land, with open countryside to the north, south and west. Beyond the field to the east, which is currently under consideration for commercial development, is an industrial estate on the outskirts of Thame. While there are no landscape designations, such as AONB or Green Belt, the site is largely characterised by its rural setting, and is 1km from the nearest settlements.

Both the council's Landscape Officer and the Landscape Consultant acting on behalf of the council raised concerns over the potential impact of the livestock market on the rural landscape setting, and the risk of encroachment into the countryside. Their conclusions highlighted the need to make a careful judgement on whether the introduction of the livestock market would bring sufficient benefit and enhancement to offset development in landscaping terms. Having considered the planning merits as a whole, there are material planning benefits set out in section 6.2 and 6.3 of the report, that demonstrate why the principle of development on the site is acceptable, but only in this particular case as it meets a specific need that cannot be met elsewhere in the local area.

- 6.7ii The landscape advice also highlights the importance of creating a site that is well-designed, and buildings that are well-finished, to create an identity, rather than providing a functional, industrial warehouse. Enhancement of the site is essential in the form of an effective tree, planting and landscaping scheme, to assist in safeguarding the rural setting.

The topography of the site is relatively flat, but the entrance from the main road drops away into the site. For this reason, the low-level buildings proposed as part of the development are key to avoiding an overly prominent or incongruous addition into the landscape.



As indicated in the Landscape Officer's consultation response, the longterm integration of the development is dependent on an effective landscaping scheme, appropriate materials that bring interest to the building itself without jarring with the rural

landscape setting, and a sensitive lighting scheme – to be secured by condition.

While the floorspace and use of the site is more intense than an agricultural holding, the introduction of agricultural buildings is appropriate to the local area. With careful consideration of the detail - to be secured by condition -, the development responds appropriately with the landscape sensitivities of its rural location.

6.7iii **Sustainable Design**

The parking area includes 3 Electric Vehicle Charging Points – to be secured by condition.

The Design and Access Statement also confirms that a BREEAM ‘Excellent’ rating will be achieved throughout the development – certification on the completion of the project is required by condition to ensure it is achieved.

6.8 Ecological impact and biodiversity

Paragraph 170 of the Revised NPPF and Policy CSB1 of the South Oxfordshire Core Strategy call for planning proposals to minimise impacts on biodiversity and seek to achieve a net gain where possible. Although there are no populations of protected species on the site, a large metapopulation of great crested newts (GCN) were recorded in ponds on the Oxfordshire Golf Course in 2010 close to the application site.

The application has been supported by additional ecological information in the form of a NatureSpace LPA submission report to address concerns raised regarding great crested newts (GCN). The countryside officer has reviewed the assessment and is satisfied that the impacts on GCN are adequately addressed under the district licence, subject to conditions.

6.9 Historic environment

While there are no heritage assets or designations on the site, to the west of the site are the grade II listed building and outbuilding, and grade II* walled garden at Manor Farmhouse.

The conservation officer is satisfied that the applicant has appropriately considered the impact to designated and non-designated heritage assets in the wider site area, and this has been drawn through to the proposal design. For this reason, there would be no detrimental impact to their significance.

6.10 Financial contributions and legal agreements

6.10i Obligations

Highways works	Vehicular access onto Rycote Lane (A329) with ghost right turn lane, to be secured by s278 agreement
Travel Plan Monitoring	£2040
Public Art	On-site delivery of public art scheme, in accordance with D12 of the SOLP and SODC ‘S106 financial contributions and fees’, and in conjunction with the council’s Public Art Officer.

I consider that these contributions / obligations accord with policy CSI1 and CSR3 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. The requirements accord with the relevant tests in paragraph 56 of the revised NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development, and are fair and reasonably related in scale and kind to the development.

6.10ii Community Infrastructure Levy

The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. Based on the current Regulation 123 list, contributions towards education, health, sports / leisure, community and cultural facilities and general highways infrastructure would be collected through CIL. New-build, retail floor space is CIL liable at a rate of £79.67 per sqm (as per indexing figure January 2018). This specifically relates to retail warehouses, superstores or supermarkets that exceed 280 sqm and are classified as larger stores under the Sunday Trading Act 1994.

The two larger units, indicated as commercial units on Floor Plan Ground Proposed drwgn AL P 02c.pdf, fall within this category, but the two kiosk units with a much smaller floorspace do not. At the point the specific uses of the units are identified through the conditions process, CIL would be triggered for any large retail uses.

6.11 Environmental Impact Assessment

The proposed development is classified as schedule 2 development: 1(c) – Intensive livestock installations. The development exceeds the EIA threshold of having an area of development greater than 0.5ha. The local planning authority issued a screening opinion in December 2018 (reference P18/S3331/SCR) concluding that the development would not result in significant environmental impact or require an environmental impact assessment.

7.0 CONCLUSION

7.1 Your officer recommends that full planning permission is granted because the proposed development is considered to be acceptable for the following reasons:

7.1i While the site is located outside any settlement, and in an area that would not usually accommodate development of this scale, there are material planning considerations which afford great weight to the principle of development in this location. The revised NPPF recognises that there may be instances where development proposals in rural areas may need to be located outside settlements in order to meet specific business and community needs. The type of development brings with it specific economic and community benefits, that contribute to the wider agricultural industry, and the use has established, historic ties with the local area.

7.1ii The location has been justified through a site options appraisal, which identifies the application site as being the only viable site in the local area, which is both deliverable, accessible and well-suited to providing a purpose built livestock market and agri-centre.

7.1iii Subject to a series of highways improvements to the access, sufficient highways and transport information has been provided to demonstrate that the introduction of a livestock market would not adversely affect highway safety or put pressure on the highway network.

7.1iv By virtue of the low-level buildings and topography of the site, and the site layout and design, enhanced landscaping and a sensitive lighting scheme, the development will effectively integrate into the rural landscape. Subject to a drainage condition to secure drainage measures, sufficient information has been provided to demonstrate that the development can be accommodated in terms of surface and foul water management, without impacting on neighbouring sites or the wider drainage system.

7.1v On this basis, the development accords with the revised National Framework and the Development Plan, and officers recommend approval of the full planning permission.

8.0 RECOMMENDATION

To authorise the head of planning to grant planning permission subject to:

8.1 A. The completion of the relevant legal agreements to secure:

- Highways works (S278)
- Travel Plan Monitoring (S106 or Unilateral Undertaking)
- Public Art (S106 or Unilateral Undertaking)

8.2 B. Subject to the following conditions:

1. Work to commence within three years.
2. In accordance with approved plans.
3. Materials schedule.
4. Details of signage.
5. Details of hard and soft landscaping.
6. Contamination survey.
7. Contamination validation report.
8. BREEAM certification report – ‘Excellent’ rating.
9. Electric vehicle charging points.
10. Provision of cycle parking and shower facilities.
11. Parking areas – SuDs compliant.
12. New vehicular access.
13. Visibility splays.
14. Travel plan.
15. Construction traffic management plan.
16. Details of surface water drainage.
17. Details of foul water drainage.
18. Sustainable drainage scheme.
19. Details of external lighting.
20. Details of public art scheme.
21. In accordance with the local planning authority’s ecological licence.
22. Certificate for great crested newt compensation (licensing requirement).
23. All works to be carried out in accordance with great crested newt mitigation principles (licensing requirement).
24. Commercial units – only A1 or A2 uses, no greater than the floorspace indicated on drawing AL(p)02, and directly connected with the agricultural purposes of the livestock market.
25. Prior to occupation of the commercial units, submission of details of the occupying business and any advertising.
26. No change of use unless through the grant of planning permission.
27. No additional floors or mezzanine floors.

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