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<b>APPLICATION NO.</b>	<a href="#">P19/S2914/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	18.9.2019
<b>PARISH</b>	THAME
<b>WARD MEMBERS</b>	Pieter-Paul Barker Kate Gregory David Bretherton
<b>APPLICANT</b>	Mrs Angie Menary
<b>SITE</b>	25 Windmill Road and Pearce Court Thame, OX9 2DJ
<b>PROPOSAL</b>	Conversion of 25 Windmill Road to form three flats, and erection of a two storey building comprising two flats and associated parking. Alteration to existing office entrance.
<b>OFFICER</b>	Victoria Clarke

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1.0 **INTRODUCTION**

- 1.1 The application is referred to the planning committee at the Planning Manager’s discretion. Officers recommend that planning permission be granted for the reasons outlined in this report.
- 1.2 The application site is shown at **Appendix 1** and is located in a residential area to the south of Thame town centre.
- 1.3 The site is made up of two distinct parts that form part of a complex managed and maintained by Thame and District Housing Association, a registered provider of social housing providing rented accommodation for independent people aged over 60. It is equipped to help residents remain independent, whilst providing a communal feel (including some organised social activities).
- 1.4 The building “17-20 Pearce Court” currently accommodates a site office and flats that form part of the wider housing association complex of Pearce Court/ Summersbee Court. The site at 25 Windmill Road consists of a former Jehovah Witnesses Hall (Kingdom Hall), its parking forecourt and existing flats 21 to 24 Pearce Court, and their access and parking area.
- 1.5 The site does not lie within any areas of special designation.

2.0 **PROPOSAL**

2.1 The application seeks planning permission for:

- Conversion of the hall at 25 Windmill Road into three one-bedroom flats and provision of associated parking and landscaping. Adding render to two sides of the building.
- Erection of a two-storey building (an extension to the side of 21 - 24 Pearce Court) to accommodate two one-bedroom flats. This would be built over the existing vehicular access to the hall at 25 Windmill Road.

- Vehicular access and parking for the five proposed flats will be provided via the existing vehicular access from Windmill Road that runs between 29 Windmill Road and 21 - 24 Pearce Court.
- Alterations to the existing building at 17 to 20 Pearce Court consisting of internal alterations to the office layout, formation of a new entrance door and erection of an entrance canopy to serve the office.

The plans are shown at **Appendix 2**.

### **3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

#### **3.1 Thame Town Council - Object**

- Vehicular access to all five proposed flats is poor via the existing narrow driveway through Pearce Court that lacks a separate footpath.
- Built form enclosing the staircase of the proposed two storey building would be unique to Windmill Road.
- Would result in a triangle of land adjacent to 24 Windmill Road which would not make a positive contribution to the street scene.
- Proposed design of two-storey building matches existing buildings which currently detract from the character of Windmill Road.
- The proposed amenity space fronting Windmill Road has no direct connection to the adjoining flats.
- Window to window distance between proposed converted flats and neighbouring property 24 Windmill Road is less than 25 metres sought by the SODC Design Guide 2016.
- Proposed flats fail to respond to the site and surroundings and fail to make a positive contribution to the character of the town as a whole and are contrary to policies ESDQ16 and ESDQ17 of the Thame Neighbourhood Plan (TNP).
- External amenity space for the converted flats would be minimal, a paved area fronting a path and parking spaces. No amenity space is shown for the two flats in the proposed two-storey building contrary to TNP policy ESDQ17.
- New entrance to the administration office is a welcome improvement.
- Loss of community facility contrary to SOLP Policy CF1. The Town Council's 2017 survey of local community groups indicated that many groups require alternative or better facilities and the hall would meet these requirements. Were the hall to be offered for use as a community hall it is likely there would be significant interest in its use. The applicant has not proved the facility is no longer required and there is clearly demand from within the community for such venues.

#### **3.2 Highways Liaison Officer (Oxfordshire County Council) - No strong views, subject to condition:**

- Parking and manoeuvring areas to be provided and retained.

3.3 **Southern Gas Network Plant Protection Team - No strong views**

- Maps and dig safely advice provided (It the responsibility of the applicant to ensure that this information is provided to all relevant people (direct labour or contractors) working for them on or near gas pipes).

3.4 **Contaminated Land - No strong views**

- Based on the information submitted there do not appear to be any potential sources of contaminated land that could impact the development site.

3.5 **Waste Team - No strong views**

- The application will need to identify how additional capacity will be provided in the existing bin stores

3.6 **Neighbours**

**Two letters have been received expressing “No Strong Views”:**

- Existing housing association has too much outdoor lighting causing light pollution. This should be limited with the new buildings.
- Boundary fence adjacent to 24 Windmill Road needs updating.
- Conversion should avoid loss of sunlight to 24 Windmill Road.

**One letter of objection has been received raising the following issues:**

- There is demand within Thame for buildings in Use Class D1 (non-residential institutions)
- Local nursery manager is looking for premises
- Evidence submitted from South Oxfordshire’s Sufficiency Team and the nursery manager’s current market research shows demand for such a building within Thame.
- These buildings rarely become available and to lose one would be a huge shame to the community.
- Thame has one day nursery providing care for children 8am to 5pm for 46 weeks of the year. It is at full capacity with 39 children and has a waiting list.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P16/S3934/FUL](#) - Approved (23/01/2017)

Alterations to existing entrances and boundary treatment to southern road, together with hard landscape variations.

[P12/S2101/FUL](#) - Approved (02/11/2012)

Provision of emergency service access drive to western facade of existing sheltered housing scheme including the incorporation of 7 no. additional car parking spaces (engineering works only). As amended by drawing number 6486/P02A, accompanying letter received from the Agent dated 11th October 2012).

[P93/N0413](#) – Approved (24/08/1993)

Demolition of existing building. Erection of new building. (Alterations to previous permission P92/N0053).

[P92/N0053](#) – Approved (05/03/1992)

Side and rear single storey extensions.

[P71/M0002](#) – Approved 19/01/1971

Proposed meeting hall for Jehovah’s Witnesses. Access.

[P70/M0286](#) – Approved (27/07/1970)

Demolition of two derelict cottages and erection of assembly hall for Jehovah's Witnesses. Access.

**5.0 POLICY & GUIDANCE**

**5.1 National Planning Policy Framework (NPPF)**

**National Planning Policy Framework Planning Practice Guidance**

**5.2 South Oxfordshire Core Strategy (SOCS) 2027**

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSQ3 - Design

CSTHA1 - The Strategy for Thame

**5.3 South Oxfordshire Local Plan (SOLP) 2011 saved policies**

CF1 - Protection of recreational or essential community facilities

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

D7 - Access for all

D10 - Waste Management

EP4 - Impact on water resources

EP6 - Sustainable drainage

EP7 - Impact on ground water resources

EP8 - Contaminated land

G2 - Protect district from adverse development

H4 - Housing on sites within the built up areas of towns and villages

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

T2 - Unloading, turning and parking for all highway users

**5.4 Emerging South Oxfordshire Local Plan 2034 (eSOLP)**

STRAT1: The overall strategy

STRAT2: Housing and employment requirements

TH1: The strategy for Thame

H1: Delivering new homes

H3: Housing in the towns of Henley-on-Thames, Thame and Wallingford

H13: Specialist accommodation for older people

H16: Infill development and redevelopment

DES1: Delivering high quality development

DES2: Enhancing local character

DES3: Design and Access Statements

DES5: Outdoor amenity space

DES6: Residential amenity

CF1: Safeguarding community facilities

**5.5 South Oxfordshire Design Guide (SODG) 2016**

Part 2, section 3 - Parking

Part 2, section 7 - Buildings and plots

Part 3 (Technical documents), section 7 – Building conversions

**5.6 Thame Neighbourhood Plan (TNP) 2013**

H5 - Integrate Windfall Sites

H6 - Design New Development to be of high quality

GA6 - New development to provide parking on site for occupants and visitors  
ESDQ11 - Incorporate Sustainable Urban Drainage into new development  
ESDQ12 - Applications for new development to provide a drainage strategy  
ESDQ15 - Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character  
ESDQ16 – Development must relate well to its surroundings  
ESDQ17 – Development must make a positive contribution towards the distinctive character of the town as a whole.  
ESDQ18 - New development must contribute to local character by creating a sense of place appropriate to its location  
ESDQ26 - Design new buildings to reflect the three-dimensional qualities of traditional buildings  
ESDQ27 – Design in the 'forgotten' elements form the start of the design process  
ESDQ28 – Provide good quality private outdoor space  
ESDQ29 - Design car parking so that it fits with the character of the proposed development.

## 6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations are

- The acceptability of the principle of new housing development
- The acceptability of the conversion of the former Jehovah's Witness Hall
- The impact on the character of the area
- The impact on residential amenity
- The impact on the highway

### 6.2 **The acceptability of the principle of new housing development**

SOLP Policy H4, SOCS Policy CSTHA1 and TNP Policy H5 allow for new infill housing development within Thame. The principle of new housing is therefore acceptable.

### 6.3 **The acceptability of the conversion of the former Jehovah Witness Hall**

SOLP Policy CF1 states that proposals that result in the loss of an essential community facility, through change of use or redevelopment, will not be permitted unless:

- (i) suitable alternative provision is made for the facility (or similar facilities of equivalent community value) on a site elsewhere in the locality, or
- (ii) in the case of recreational facilities, it is not needed, or
- (iii) in the case of commercial services, it is not economically viable.

6.4 There is a question over the status of 25 Windmill Road (the former Jehovah's Witness hall) and whether it should be considered a community facility and if so, whether it constitutes an essential community facility.

6.5 There is no specific definition of "essential community facility" in the local plan. Whether or not the hall is considered "essential" is a matter of planning judgement using the text provided in support of SOLP Policy CF1. The supporting text for the policy at paragraph 5.111 of the SOLP does provide some guidance: "A community facility or service may be essential, either because it is one of a limited number of that nature in a settlement or area, or is fundamental to the quality and convenience of everyday life in a settlement. Thus if suitable alternative provision already exists, a facility will not be considered essential. Essential community facilities and services may include general stores, post offices, public houses, community halls, libraries, primary health care services, garages and petrol stations, places of worship, schools, welfare and utility services, playing fields and other recreational facilities including allotments."

6.6 The supporting text to SOLP Policy CF1 at paragraph 5.112 states: “The Council will give priority, therefore, to the retention and enhancement of community uses on established sites. Any buildings or other land, currently or formerly in community use, will not normally be allowed to change to a different type of use, nor will other development be permitted on sites allocated for community use, unless it has been established that the community facility is no longer needed.”

6.7 Para 5.114 Where a proposal involves the loss of non-commercial facilities, such as village halls, the Council will determine whether the facility is not needed by evaluating the current usage of the facility, the provision of that type of facility elsewhere in the locality, local support for the facility and whether another community use can show a requirement for the site or buildings. For alternative provision to be acceptable, the replacement facility must at least be equivalent in accessibility and value to the local community as the previous facility.

6.8 Officers have therefore considered the proposal against the following criteria:

6.9 Whether the facility is needed - The current usage of the facility:

The existing hall, which replaced an earlier hall, was permitted in 1993 and the building was used solely as a meeting venue for Jehovah’s Witnesses. The hall was a place of worship not a community hall and it has never been used by the wider community. The building is now owned by the housing association and is currently unused. They do not let it out to third parties and it is not their intention to make it available to the wider community.

6.10 Whether the facility is no longer needed - Provision of that type of facility elsewhere:

The Planning Statement submitted in support of the current application states that the Jehovah’s Witnesses sold the building to the applicant in 2017 as part of their wider strategy to focus investment into a smaller number of (larger) Kingdom Halls across a wider geographic area. The implication is therefore that the needs of the Jehovah’s Witnesses are capable of, and are being, met elsewhere.

6.11 Whether the facility is no longer needed - Local support for the facility:

Thame Town Council has objected to the planning application on the grounds of the loss of the hall. However, only one objection has been received from the local community.

6.12 Whether the facility is no longer needed - Whether another community use can show a requirement for the site or buildings:

Thame Town Council state that in response to known calls from the community for a variety of meeting spaces, ranging from one, two-seat room all the way through to a 300+ auditorium, they commissioned a survey in 2017 of Thame’s community groups to try to establish the level of need for new community facilities (community halls, buildings and land). The results indicated that there was a desire by groups to use large halls and meeting rooms for up to 50 people. Thame Town Council also maintain that there is some demand for such halls because existing halls are generally fully booked. Thame Neighbourhood Plan is seeking provision of a large space for community use through Policy CLW1 but is not seeking the provision of small halls or spaces. One member of the local community has indicated they would like to use the building for a children’s day care nursery.

- 6.13 The building is unused and not currently available for wider community use. The Jehovah's Witnesses no longer require the building as a place of worship. There is shown to be some need for general community space in the form of halls and larger meeting rooms with additional facilities such as a kitchen and parking, and one objector has expressed an interest in using the building as a day care nursery. However, despite this the council does not have any evidence to suggest that the existing building is an essential community facility.
- 6.14 Officers acknowledge the Town Council's assertion that the hall is a good-size with additional side rooms and a kitchen area that could potentially be well-utilised by community groups and that it could have wider community use for health and wellbeing groups, and toddler groups etc. However, the building is not one of a limited number of its nature in Thame and is not considered to be fundamental to the quality and convenience of everyday life in a settlement. In the opinion of officers, it cannot therefore be regarded as an essential community facility as required by the policy.
- 6.15 On balance, officers conclude that the conversion of the hall to residential units would be acceptable because it is not an essential community facility. The building has always been used specifically by Jehovah's Witnesses and has not been available for other community use. It's very specific use as a place of worship is no longer required and the proposal would increase the housing association's number of units by five which would contribute to meeting a community need for smaller housing units of this type.
- 6.16 The impact on the character of the area
- The proposed alterations to 17-20 Pearce Court would make it clear to residents and visitors where the office is located and would make it more easily accessible. The proposed porch would not, in the opinion of officers, harm the appearance of the character of the building or the surrounding area.
- 6.17 The scale and design of the proposed building attached to 21- 24 Windmill Road would be in keeping with that of the existing building. The existing buildings in the complex are quite plain in character. While officers do not consider the proposed building to be of exceptionally high design quality, we are of the opinion it is an appropriate design response to the site that relates well to its surroundings.
- 6.18 Residential amenity
- The proposed building would not harm the amenities of occupiers of neighbouring properties by being overbearing, or through loss of light or overlooking.
- 6.19 It is noted that the neighbouring residential property, 24 Windmill Road, does not have any side windows that would be obscured by the proposed building. The building would project beyond the rear extent of 24 Windmill Road by approximately 2.5 metres but at a point where it is set away from the boundary. The proposed building would also be sited to the north of this neighbouring property and would not therefore harmfully reduce light to the neighbour. The proposed building would also project forward of the existing flats at 21 and 23 Pearce Court but only by approximately 1.5 metres so that it would not result in a harmful loss of light to these properties.
- 6.20 With regard to overlooking, the conversion of the hall to flats would not introduce a harmful level of overlooking. The building exists within a close-knit urban environment where there is already an interrelationship between windows and the change of use of the building to a residential use would not in the opinion of officers result in a harmful

level of overlooking of 24 Windmill Road or 21 – 24 Pearce Court. The relationship of the flats in the hall with the flats in the proposed two storey building would be similar to a front to front relationship where standards are less defined. There would be a separation distance of approximately 19.5 metres between the proposed building and the hall, and this would be intercepted by parking areas and boundary treatment. The relationship would be acceptable.

6.21 Thame Neighbourhood Plan Policy ESDQ28 requires that a private outdoor garden amenity space or shared amenity area must be provided for all new dwellings. The South Oxfordshire Design Guide 2016 recommends that a one-bedroom dwelling should have 35 square metres of private amenity space.

6.22 Each of the proposed flats would have access to a small external area from their living space. This would be sufficient to sit outside and for modest planting in pots. This would clearly fall short of the space recommended in the Design Guide but officers consider the provision would be acceptable given the type of accommodation and its location close to publicly accessible open space.

6.23 Impact on the highway

The local Highway Authority has no objection to the proposed development. The use of the existing access would not be significantly intensified and an adequate level of parking is proposed.

6.24 Community Infrastructure Levy (CIL)

The proposed development would be liable for Community Infrastructure Levy (CIL). The CIL charge applied to new residential development in this case is £150 per square metre of additional floorspace (Zone 1) (index linked to April 2016). 25% of the CIL payment will go directly to Thame Town Council for spending towards local projects.

7.0 **CONCLUSION**

7.1 The application is recommended for approval because on balance the proposed development is considered acceptable. The loss of the hall is regrettable but officers do not consider that it is an essential community facility. Notwithstanding this, officers accept that the hall is no longer needed as a place of worship, and the benefits of the proposal would in the opinion of officers outweigh the harm from the loss of the hall. The proposal would provide living accommodation that would contribute towards meeting the needs of the housing association and would not harm the amenities of occupiers of neighbours and would provide an adequate level of amenity for the future occupiers of the proposed unit.

8.0 **RECOMMENDATION**

8.1 **Planning Permission**

- 1 : **Commence the development within 3 years of planning permission**
- 2 : **The development shall be completed in accordance with the approved plans**
- 3 : **A schedule and / or sample of materials (walls and roof) shall be submitted for approval**
- 4 : **The existing access to 25 Windmill Road must be closed off (i.e., the kerb shall be re-instated)**
- 5 : **The parking & manoeuvring areas shall be provided and retained**
- 6 : **A surface water drainage scheme shall be submitted for approval**
  
- 7 : **A landscaping scheme (including hardsurfacing and boundary treatment)**



shall be submitted for approval

**Informatives:**

- The development is liable for Community Infrastructure Levy
- The developer should note that there is a low-pressure gas pipeline running from the rear of 21 to 24 Pearce Court to the south of the building to Windmill Road. The applicant should contact Scotia Gas Networks prior to commencing development and to obtain safety advice.

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