

South Oxfordshire District Council – Planning Committee – 22 July 2015

ADDENDUM REPORT

APPLICATION NO.	P14/S2176/FUL
APPLICATION TYPE	Major
REGISTERED	30 July 2014
PARISH	Thame
WARD MEMBERS	Nigel Champken-Woods David Dodds Jeannette Matelot
APPLICANT	Rectory Homes
SITE	The Elms, Thame
PROPOSAL	The erection of 37 dwellings and creation of new public open space, provision of new vehicle access from Elms Road and a new pedestrian/ cycle link onto Upper High Street with associated infrastructure works and landscaping.
AMENDMENTS	Landscaping plans
GRID REFERENCE	470832/205574
OFFICER	Emily Hamerton

1.0 **Introduction**

1.1 This addendum report provides an update following the withdrawal of planning application reference P14/S2176/FUL from Planning Committee agenda on 22 April 2015. This should be read in addition to the original report dated 22 April 2015 which is **attached** at **Appendix 1**. **Attached** at **Appendix 2** are a copy of the OS site plan, layout plan and elevations and floorplans. A full set of all the plans can be viewed online at www.southoxon.gov.uk.

1.2 The Head of Planning withdrew this application from the agenda for the following reasons:

- There were incorrect and/ or insufficient plans attached to the report issued to Planning Committee members
- Planning Committee members requested further clarification on comments from English Heritage (now Historic England).
- Following the site visit on 21 April 2015, Planning Committee members requested an additional site visit with access to neighbouring properties in order to assess the development from these properties.

1.3 In response to the above this report includes:

- The correct plans
- A full copy of the response from English Heritage

In addition this report provides an update on:

- The public consultation in relation to Elms Park
- Financial contributions as set out on the draft S106 agreement
- The revised landscaping details
- Conditions

1.4 The table below lists the most recent amended plans and the documents that these replace.

Revised documents (now forming part of the planning application)	Documents that are replaced
Landscape Plan RG-L04-1E Detailed layout. Hard 1 of 4	RG-L04-1D
Landscape Plan RG-L04-2E Detailed layout. Hard 2 of 4	RG-L04-2D
Landscape Plan RG-L04-3F Detailed layout. Hard 3 of 4	RG-L04-3E
Landscape Plan RG-L04-4E Detailed layout. Hard 4 of 4	RG-L04-4D
Landscape Plan RG-L04-5E Detailed layout. Soft 1 of 4	RG-L04-5D
Landscape Plan RG-L04-6E Detailed layout. Soft 2 of 4	RG-L04-6D
Landscape Plan RG-L04-7F Detailed layout. Soft 3 of 4	RG-L04-7E
Landscape Plan RG-L04-8E Detailed layout. Soft 4 of 4	RG-L04-8D
Landscape Masterplan RG-L04F	RG-L04-8D
Landscape Management Plan Rev G	Rev F
DAS Landscape Character Rev G	Rev F
Site Plan with Proposed Services 1771-110-01(Rectory)	P.504.01.620
Proposed Site Plan 1771-110 Rev D (Yiangou)	1771-110 Rev C

1.5 The table below summarises the responses to the latest set of amended plans. A full copy of the response can be viewed on the Council's website at www.southoxon.gov.uk

Consultee	Response
Thame Town Council	<ul style="list-style-type: none"> • Refused • Overdevelopment • Development too close to the listed building • Three storey as opposed to 2.5 storey • Traffic generation, parking and safety – particularly during construction phase • Level of harm to the

	<ul style="list-style-type: none"> conservation area Insufficient affordable housing
Neighbours	<ul style="list-style-type: none"> 20 letters of objection Original objections still stand, amended plans have no overcome these Development still contravenes the Thame Neighbourhood Plan and where housing is permitted on the site Protection of trees in the conservation area has been ignored Object to the three storey design of the houses which is no in accordance with the Thame Neighbourhood Plan Concern about traffic on Nelson Street – there have not been sufficient traffic studies undertaken to consider the volume of development holistically
Environmental Health (contaminated land)	<ul style="list-style-type: none"> No objection. Based on the information submitted the site is suitable for residential development with respect to contaminated land.
Countryside Officer	<ul style="list-style-type: none"> No further comments
Forestry Officer	<ul style="list-style-type: none"> The landscape management is acceptable however a condition recommending tree protection is recommended which should cover the following points: <ul style="list-style-type: none"> Identifying and inspecting the trees before pruning Tree protection measures Servicing details
Conservation Officer	<ul style="list-style-type: none"> No additional comments in relation to amended plans
Oxfordshire County Council Footpaths	<ul style="list-style-type: none"> No additional comments
Oxfordshire County Council Highways	<ul style="list-style-type: none"> No additional comments Contributions requested through S106 agreement Conditions recommended
Oxfordshire County Council Education	<ul style="list-style-type: none"> Due to S106 pooling restrictions, money is now being collected for primary education only

1.6 Public consultation – Elms Park

In addition to the amended plans referred to above Thame Town Council (TTC) have also clarified their position in relation to the public consultation on Elms Park. TTC have confirmed through a letter dated 8 June 2015 (**attached at Appendix 3**) that in the interest of the residents of Thame, TTC should undertake the consultation in relation to the improvements of Elms Park.

1.7 Policy ESDQ6 (para 11.5) of the Thame Neighbourhood Plan states that the developer should consult local people to agree the improvements to Elms Park, and therefore in my previous report (para 6.23) I stated that there had not been any public engagement event to date however TTC would undertake this. Thame Town Council have provided written confirmation that they will undertake the public consultation and the S106 agreement secures financial contributions for this. Thame Town Council agreed a total sum of £300,000 for the public consultation and improvement works. **Attached at Appendix 4** is a copy of the letter received from the town council and the details of the financial contribution they agreed with the applicant.

1.8 English Heritage

English Heritage have objected to this application. **Attached at Appendix 5** is a copy of their response. A full copy of their response was not originally provided in my report dated 22 April 2015.

1.9 S106 – Financial contributions

Since April 2015, the Community Infrastructure Levy Regulations (CIL), has restricted the use of pooled contributions towards items that may be funded by the levy. Therefore no more may be collected in respect of a specific infrastructure project or type of infrastructure through a S106 agreement if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010.

1.10 When my previous report was written in April, the pooling restriction applied, however we had not received confirmation at this point from OCC and TTC in relation to the items which could no longer be collected. The table below identifies the items that are required to mitigate the impact of the development but which due to Regulation 123 of the CIL Regulations 210 cannot be required as a S106 obligation.

Request by	Item	Amount
Oxfordshire County Council	Education - expansion of permanent secondary school capacity in the area by a total of 10.09 pupil places. The site lies in the Lord William's (Academy) School's designated catchment area	£177,628
Oxfordshire County Council	Education - a proportionate contribution to expansion of Special Educational Needs (SEN) provision in the area by a total of 0.26 pupil places. This site is	£7,755

	served by John Watson, which is a special school in Wheatley.	
Oxfordshire County Council	Library – provision of library infrastructure and supplementary core book stock	£2,098.20
Oxfordshire County Council	Central library – remodelling of the central library in Oxford	£1,799.21
Oxfordshire County Council	Waste management – various household waste and recycling centres provisions in Oxfordshire	£6,714.24
Oxfordshire County Council	Museum Resource Centre – an extended facility to provide additional storage space and allow for increased public access to the facility	£524.55
Oxfordshire County Council	Adult day care – to meet the additional pressures in day care provision the County Council is looking to expand and improve the adult day care facility in Oxford.	£9,592.00
Oxfordshire County Council	Cycle route provision	£12,617
Thame Neighbourhood Plan	Green link contribution -	£954.82
Thame Neighbourhood Plan	Sports Strategy contribution	£572.88
Thame Neighbourhood Plan	Cemetery suitability testing – in relation to site C, where the TNP identifies a new burial ground.	£119.14
SODC	Police	£6,678.48

- 1.11 **Attached at Appendix 6** is a summary of the financial contributions being requested.
- 1.12 Since the original report was written, additional information in relation to landscaping and trees has been submitted and the S106 agreement includes a requirement and timetable for the public consultation work in relation to Elms Park and triggers for the improvement works to take place. For these reasons conditions 3, 20, 21, 22 and 19 have been removed. The Forestry Officer has requested a condition requiring an arboricultural method statement is submitted which should include tree protection details and an annual inspection of existing trees by a suitably qualified arboriculturalist, no dig methods and soakaway details.

2.0 **Conclusion**

The Town Council have objected to this development and there have been a large number of objections from members of the public. English Heritage and the Conservation Officer object to this application. They consider that there is less than substantial harm identified as set out in the NPPF. The Conservation Officer recognises that some of the harm identified is outweighed by public benefit as the existing private space will be opened to the

public. However, because the housing could be accommodated elsewhere as identified in the TNP, and as there is no need to develop the site in order to open it up to the public, the harm to the setting of the listed building and character of the conservation area is not outweighed the provision of housing on this site. However the site is allocated in the TNP for up to 45 dwellings. It lies in a sustainable location within the town centre and proposes a high quality contemporary design. In addition this development will deliver 40% affordable housing and improvements to the park. Therefore balancing all these issues I am recommending that planning permission is approved.

3.0 Recommendation

It is recommended that full planning permission be delegated to the Head of Planning subject to:

i) Prior completion of the S106 agreements with the County Council and District Council requiring provisions for the terms listed in Appendix 6 and

ii) Detailed conditions in accordance with the summary set out below:

- 1. Commencement three years.**
- 2. Approved plans.**
- 3. Sample materials.**
- 4. Removal of permitted development rights A, B, C, D, E.**
- 5. New vehicle access.**
- 6. Vision splay details.**
- 7. New estate road.**
- 8. Estate access –driveway and turning areas.**
- 9. Plan of car parking provision.**
- 10. Cycle parking facilities.**
- 11. Construction traffic management.**
- 12. No surface water to drain onto highway.**
- 13. Resident information pack – travel plan.**
- 14. Archaeology.**
- 15. Signposting.**
- 16. Air quality.**
- 17. Tree pit details.**
- 18. Arboricultural Method Statement.**

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