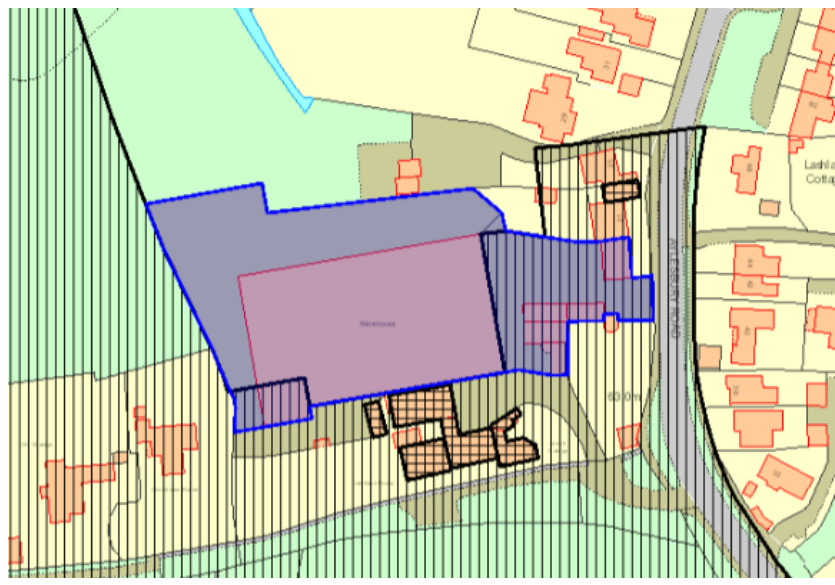


APPLICATION NO.	P22/S4155/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	23.11.2022
PARISH	THAME
WARD MEMBER(S)	Pieter-Paul Barker David Bretherton Kate Gregory
APPLICANT	Tamanend Estates LLP
SITE	H & C Pearce & Sons Ltd Aylesbury Road Thame, OX9 3AS
PROPOSAL	Full planning permission for the erection of 21 dwellings with associated parking, landscaping and open space (as amended by drawings and information received 1 March 2023).
OFFICER	Nicola Smith

1.0 INTRODUCTION AND PROPOSAL

- 1.1 The site, known as Pearces Yard is located to the north of Thame town centre and directly to the north of Thame Town Cricket Club. The site, which is accessed from Aylesbury Road is approximately 0.6 hectares and contains a large warehouse building, in use for storage and retail (Wynnstay Stores). At the front of the site are two smaller buildings, formerly containing a veterinary surgery and agricultural machinery business. The site location plan is included at **Appendix 1**.

- 1.2 The site is partly within the Thame Conservation Area and is within the setting of a number of listed buildings, the detail of these heritage assets is explored further below. The following plan shows the site (solid shading) together with the extent of the conservation area (vertical stripes) and the location of listed buildings (cross hatched):



1.3 The proposal in this case is for the redevelopment of the site to provide 21 homes together with landscaping and parking. A mixture of sizes, from 1 to 5 beds, and tenures of properties are proposed including First Homes, affordable rent, shared ownership and market homes are proposed. The site is laid out in a cul-de-sac, utilising the existing access and retaining and converting the locally important buildings (plots 1, 19, 20 and 21) at the front of the site. The site plan is included at **Appendix 2**, and the layout is extracted below, however, all plans associated with this application can be found on the Council’s website at:

<https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P22/S4155/FUL>



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

The below table give a summary of comments received, full responses can be viewed on the Council’s website:

<https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P22/S4155/FUL>

2.1

Consultee	Original plans	Revised Plans
Thame Town Council	<p>Objection</p> <ul style="list-style-type: none"> The proposal would not conserve or enhance the setting of the Thame Conservation Area and adjoining heritage assets The development would not make a positive contribution to local character and distinctiveness. The proposal would not respond to the specific character of the site and its local surroundings, 	<p>Objection</p> <ul style="list-style-type: none"> Poor amenity space for Plots 20 and 21, contrary to LP Policy CF5 and TNP Policy ESDQ28. Poor design that does not enhance the setting of the Conservation Area contrary to LP 2034 Policy ENV6 and TNP Policy ESDQ16 Flood risk Occupiers of the social housing would be unfairly disadvantaged due to

	<p>maintaining or enhancing its strengths and seeking to address its weaknesses.</p> <ul style="list-style-type: none"> • The failure to provide quality private amenity space for two dwellings and provide a quality play / open space is contrary to Local Plan Policy CF5 and TNP Policy ESDQ28 • In failing to provide adequate proof of secure bicycle parking and other design matters, and proper visitor bicycle parking, the proposal is contrary to TNP ESDQ 27 and SODC Local Plan Policy DES1 	<p>lack of amenity / play space and site layout</p>
Conservation Officer	<p>Comments and suggestions:</p> <ul style="list-style-type: none"> • The new boundary wall between the site and the yard should be brick all the way along • At present it is very urban scheme in this regard which is somewhat at odds with the more spacious character of the immediate surroundings • The rear elevation of plot 1 would have a domestic appearance 	<p>No objection</p> <ul style="list-style-type: none"> • The amended scheme has addressed previous comments and now proposes a brick wall to the southern boundary in the area of the listed woolstaplers yard as suggested.
Countryside Officer	<p>No objection subject to conditions:</p> <ul style="list-style-type: none"> • To secure biodiversity compensation and enchantments onsite • Requiring the measures in the Ecological Impact Assessment are implemented 	<p>No further comments</p>
Drainage Officer	<p>Holding objection:</p> <ul style="list-style-type: none"> • No objections on flood risk grounds • The applicant has not clarified why a tanked porous paved system cannot be installed • For a site of this size, a Type 2 pumping station will be required 	<p>No objections</p> <ul style="list-style-type: none"> • A tanked porous paved system can provide sufficient filtration and protection to reduce the risk of contaminants entering the below aquifer. • The pump station location has been adjusted, which is considered appropriate.
Forestry Officer	<p>Holding objection</p> <ul style="list-style-type: none"> • The proposed development as shown on the submitted plans, has not been 	<p>No objection</p> <ul style="list-style-type: none"> • The concerns raised in previous comments regarding shading from

South Oxfordshire District Council – Planning Committee - 7 June 2023

	designed to reflect the arboricultural constraints of the protected trees surrounding the site.	adjacent trees has largely been addressed.
Air Quality	<p>Further information</p> <ul style="list-style-type: none"> Due to the location and the size of the proposed development and the sensitivities within the area, we would request an Air Quality Assessment to be carried out 	No objection subject to condition
Contaminated Land	<p>No objection subject to conditions:</p> <ul style="list-style-type: none"> requiring the applicant to investigate for contamination before the development commences 	No further comments
Env. Protection Team	Questions raised regarding the building outside the site	No objection
Housing Development	<p>No objection</p> <ul style="list-style-type: none"> Based on the vacant building credit calculation, this would result in a requirement for 33% affordable housing comprising 6 affordable dwellings on-site and a contribution for 0.85 dwellings off-site in line with Policy H9 	No further comments
Landscape Architect	<p>Holding objection</p> <p>Subject to the resolution of issues including:</p> <ul style="list-style-type: none"> The shared garden is in a poor location and is too small. Tree planting is indicated along the street, however these are only 2m from the buildings The gardens of plots 8-11 are very small and overhung by trees on the northern site boundary 	<p>Comments</p> <ul style="list-style-type: none"> The shared garden has been increased in size and is better integrated, a LAP has been included. I suggest that an offsite contribution is made to provide for the shortfall in open space and children's/youth provision. The location of street trees has not changed with those in front of the northern line of houses very close to the building Ensure boundaries visible from public areas are walls rather than close board fencing
Oxfordshire County Council Transport	Holding objection	No objection

South Oxfordshire District Council – Planning Committee - 7 June 2023

	<ul style="list-style-type: none"> • At the proposed site access a carriageway width of 5.5m for the first 15m is required • The site access is required to have a 2m footway on both the north and south sides. • A Stage 1 Road Safety Audit (RSA) audit for the proposed site access is required. • A long section of the site access is required. • Tracking is required to demonstrate that a 11.6m refuse vehicle can pass an on-coming car at the access for all manoeuvres from both directions. • The applicant is required to provide information on the provision of electrical vehicle and EV cycle charging. • The applicant is required to revise the level of cycle parking to ensure it is in line with standards. 	<ul style="list-style-type: none"> • The revised plans and information have overcome the previous concerns
Oxfordshire County Council Lead Local Flood Authority	<p>No objection</p> <ul style="list-style-type: none"> • The applicant has chosen to reduce the site's runoff to the greenfield runoff rate. This is excellent and the project looks fine 	No further comments
Oxfordshire County Council Education	<p>No objection subject to:</p> <ul style="list-style-type: none"> • S106 Contributions for early years and secondary education 	No further comments
Oxfordshire County Council Archaeology	<p>No objection subject to conditions</p> <ul style="list-style-type: none"> • To record any archaeological finds within the site 	No further comments
Oxfordshire County Council Waste Management	<p>No objection</p> <ul style="list-style-type: none"> • subject to S106 contributions towards Household waste and recycling 	No further comments
Urban Design Officer	<p>Comments</p> <ul style="list-style-type: none"> • The open space surrounded by parking should be better integrated into the site • Provide meaningful landscaping and consider boundary treatment • The gardens of plots 9-11 will be overshadowed 	<p>No objection</p> <p>The amendments overcome the previous concerns.</p>

Neighbours:

Original Plans:

Four responses have been received from neighbours of the site raising the following issues:

- Flood risk to plots 8,9,10,11 – this area floods on a regular basis; how is this being addressed without impacting the surrounding area?
- The boundaries from plots 2 –11 are currently bordered by huge mature trees full of wildlife and many bird species. If they are damaged or disturbed during works, we seek assurance that they will be replaced with equivalent mature trees of a similar stature
- Vehicle movements over the local junction with the already busy B4445 will be greatly increased
- Disturbance will be greatly increased to surrounding properties as Pearce's yard is currently only used within business hours.
- The Aylesbury Road pumping station backs up and fails most years causing major flooding on the Aylesbury Road corner by Pearce's entrance.
- Design/Appearance is not in keeping with the local area. These are large 3 storey townhouses with very limited parking
- There is a covenant which specifically covers the area drawn up as plots 8-11. This was put in place expressly to protect this area from building development outside of the existing building footprint.
- The windows on the east elevation of plots 19 and 20 will look directly into the private garden of Jasmine Cottage
- 2.5 storey buildings with modern proportions are not appropriate in this location, particularly when the second floor will create activity and the potential for overlooking.
- The proposal will result in overlooking of gardens of properties on Aylesbury Road.

Amended Plans:

Two additional responses have been received in respect of the revised plans. Raising the following additional points:

- The tree to be felled is not within the application site or ownership of the applicant
- A fence along the boundary with Lashlake House would not be appropriate.
- Concerns over the suburban nature of boundary treatments
- The provision for visitor parking seems inadequate
- Where will bins be collected from?

3.0 RELEVANT PLANNING HISTORY

3.1 [P22/S2005/PEJ](#) - Advice provided (26/07/2022)

Retention and change of use of the existing locally listed buildings to provide 3 dwellings and the redevelopment of the remainder of the site to provide a further 18 dwellings with associated access, parking, gardens and landscaping.

[P21/S0644/FUL](#) - Refused (22/03/2022)

Full planning permission for the erection of a 70-bed care home development (Use Class C2), including communal space, landscaping and associated development (amplified by energy statement received 13 April 2021)

Refused for the following reason: The proposal by reason of its scale, bulk and massing would fail to respect the special historic character of the adjacent conservation area and have an adverse effect on the setting of a number of heritage assets including Thame Conservation Area and Grade II and II* listed buildings. The harm to the designated heritage assets is not outweighed by the public benefits of the proposal. The proposal would also involve the total loss of a non-designated heritage asset, which makes an important contribution to the significance of the Conservation Area. The proposal is therefore contrary to policies ENV6, ENV7 and ENV8 of the South Oxfordshire Local Plan 2035, policies ESDQ16 and ESDQ20 of the Thame Neighbourhood Plan 2013 and the NPPF, particularly paragraphs 199, 200, 202 and 203.

[P19/S3289/PEJ](#) - Advice provided (04/02/2021)

Erection of 70 bed care home development, including communal space, landscaping and associated development. (Additional Information Received 23 July & 13 October 2020)

[P13/S3314/FUL](#) - Approved (17/12/2013)

Change of Use of The Old Shop Building from B1 Offices to form a Veterinary Centre, D1, application relates to the ground floor area only as indicated together with external alterations to doorways (As amended by drawing numbers NC564-11A & 12 A accompanying additional information & email from Agent dated 14 November 2013).

[SE13/098](#) - (16/07/2013)

Change of use of building from B8 use to B2 use.

[P09/E0444](#) - Approved (23/06/2009)

Subdivide warehouse into two separate units. Create new retail area within the main warehouse area. New glazed entrance screens. New cladding to north and east elevations. New cladding to roof incorporating rooflights.

[P82/N0363/CU](#) - Approved (13/10/1982)

CHANGE OF USE OF PART OF THE PADDOCK TO WAREHOUSE CLASS (PRIOR TO SALE TO ADJACENT WOOL-STAPLERS FOR USE AS AN ACCESS ROAD AND LORRY PARK).

[P63/M0090](#) - Approved (20/03/1963)

EXTENSION TO INDUSTRIAL WAREHOUSE.

[P56/M0106](#) - Approved (09/02/1956)

WOOL STORAGE BUILDING (120' X 22')

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 This proposal does not constitute Schedule 1 or 2 development and therefore an Environmental Impact Assessment is not required.

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises:

- The South Oxfordshire Local Plan 2035 adopted December 2020, and
- Thame Neighbourhood Plan made (adopted) 18 July 2013.

5.2 The South Oxfordshire Local Plan 2035 (SOLP) policies:

STRAT1 - The Overall Strategy

STRAT5 - Residential Densities

TH1 - The strategy for Thame

H1 - Delivering New Homes

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

H9 - Affordable Housing

H11 - Housing Mix

H16 - Backland and Infill Development and Redevelopment

EMP3 - Retention of employment land

INF1 - Infrastructure Provision

INF4 - Water Resources

TRANS2 – Promoting Sustainable Transport and Accessibility

TRANS4 – Transport Assessment, Transport Statements and Travel Plans

TRANS5 – Consideration of Development Proposals

ENV1 - Landscape and Countryside

ENV3 - Biodiversity

ENV5 - Green Infrastructure in New Developments

ENV6 - Historic Environment

ENV7 - Listed Buildings

ENV8 - Conservation Areas

EP1 - Air Quality

EP3 - Waste collection and Recycling

EP4 - Flood Risk

DES1 - Delivering High Quality Development

DES2 - Enhancing Local Character

DES3 - Design and Access Statements

DES5 - Outdoor Amenity Space

DES6 - Residential Amenity

DES7 - Efficient Use of Resources

DES8 - Promoting Sustainable Design

DES10 - Carbon Reduction

CF5 - Open Space, Sport and Recreation in New Residential Development

5.3 Thame Neighbourhood Plan (TNP) policies:

H5 – Integrate windfall sites

H6 – Design new development to be of a high quality

H7 – Provide new facilities

H8 – Provide affordable housing

H9 – Provide a mix of housing types

H10 – Provide a Thame specific affordable housing and dwelling mix strategy

WS12 – Retain existing employment land in employment use

GA1 – New development to provide good pedestrian and cycle connections to the town centre and other local destinations

GA2 – Strategy for improving pedestrian and cycle connections related to new development.

GA6 – Parking on site for occupants & visitors

ESDQ4 – Provide public open space on windfall sites

ESDQ11 – Incorporate Sustainable Urban Drainage into new development

ESDQ12 – Applications for new development to provide a drainage strategy

ESDQ15 – Demonstrate in a Design and Access Statement how the proposed development reinforces Thame’s character

ESDQ16 – Development must relate well to its site and its surroundings

ESDQ17 – Positive contribution to the distinctive character of the town as a whole

ESDQ18 – Contribute to local character by creating a sense of place

ESDQ19 – Design and Access Statements

ESDQ20 – Building style must be appropriate to the historic context

ESDQ21 – Maintain visual connections with the countryside

ESDQ22 – The visual impact on views from the countryside must be minimised

ESDQ23 – Streets within new development must be designed as pleasant places to be

ESDQ26 – New buildings to reflect the three-dimensional qualities of traditional buildings

ESDQ27 – Design in the ‘forgotten’ elements

ESDQ28 – Provide good quality outdoor space

ESDQ29 – Design car parking so it fits with the character of the proposed development

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

Developer Contributions SPD 2023

Community Infrastructure Levy (CIL) Schedule 2023

5.5 National Planning Policy Framework and Planning Practice Guidance

5.6 Other Relevant Legislation

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- **Current policy**
- **Impact on heritage assets and archaeology**
- **Design, layout and appearance**

- **Residential amenity**
- **Access, parking and impact on the highway network**
- **Affordable housing and Housing mix**
- **Other material planning considerations, including Landscape and Trees, Biodiversity, Drainage, Carbon reduction.**

Current Policy

Principle of housing development

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Policy STRAT1 of the South Oxfordshire Local Plan 2035 sets out the overall strategy for the District. It seeks to focus most major new development at the growth point of Didcot as well as the Strategic Allocations. The towns of Henley, Thame and Wallingford are also focus points for development and regeneration.
- 6.3 The application site is previously developed land, the development of which is supported by policy H1 Part 4 of the South Oxfordshire Local Plan which states “The residential development of previously developed land will be permitted within and adjacent to the existing built up areas of towns, larger villages and smaller villages” Furthermore, the NPPF, at paragraph 120 requires policies and decisions to “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs”. The principle of residential development on this brownfield site is therefore supported by policy.
- 6.4 Policy TH1 sets the strategy for Thame, specifying that the Council will support development proposals that deliver homes in accordance with policy H3, which requires that Neighbourhood Development Plans for the market towns should seek to meet demonstrable local needs. Policy H3 requires at least 1,518 homes to be delivered in the plan period.
- 6.5 Part 4 of Policy H3 requires neighbourhood plans to make adequate progress to meet the requirements of Parts 1 and 2 of Policy H3 within 12 months from the adoption of the Local Plan (10 December 2020). If a neighbourhood plan has not made adequate progress within 12 months, Part 4 provides the contingency that planning applications for housing in that market town will be supported provided that proposals comply with the remainder of the policies in the Development Plan. The Local Plan defines adequate progress as having reached submission stage and allocated sufficient housing sites.
- 6.6 The neighbourhood plan review for Thame has not been submitted within the deadline set by the Local Plan. Therefore the contingency in Part of Policy H3 applies to the town of Thame. This means that planning applications for housing in Thame should be supported provided that proposals comply with the remainder of the policies in the Development Plan.

- 6.7 Policy H1 part 3 identifies the situations where new residential development on non-allocated sites is acceptable. Criterion iii) of this policy states “it is development within the existing built up areas of towns and larger villages ... provided an important open space of public, environmental, historical or ecological value is not lost, nor an important public view harmed”. Furthermore criterion vii) states “it would bring redundant or disused buildings into residential use and would enhance its immediate surroundings”. Both of these criterion are met in this case and the site is therefore considered appropriate for residential development when considered against policies H1 and H3. However, the site is currently in employment use and that aspect is considered below.

Loss of Employment Land

- 6.8 The site is currently in a retail use, and warehousing use. The buildings at the front of the site are now vacant, but these were previously occupied by Oak Garden Machinery (retail sales and servicing) and a veterinary practice. Whilst the uses on the site are varied, and two of the units are now vacant, the site is considered to be in an employment use in planning terms.
- 6.9 Policy EMP3 of the South Oxfordshire Local Plan seeks to protect and retain existing employment sites in order to promote and grow a balanced, sustainable economy and local services. As such the applicant must demonstrate that the requirements of policy EMP3 are met as proposals for the redevelopment or change of use of employment land to non-employment uses will only be permitted if:
- i) the applicants can demonstrate that any employment use is no longer viable; or
 - ii) it is evidenced that there is no market interest in the site following one year of active and effective marketing; or
 - iii) the development would bring about significant improvements to the living conditions of nearby residents, or to the environment. In assessing this, the Council will consider whether there is a realistic prospect of mitigating the detrimental effects of continuing employment use.

Policy EMP3 requires only one of the criteria to be satisfied listed in the policy set out above. In addition to these requirements, the policy goes on to state “where there is no reasonable prospect of land or premises being used for continued employment use, a mixed use enabling development which incorporates employment space should first be considered.”

- 6.10 In addition to the Local Plan policy, Thame Neighbourhood Plan includes policy WS12 which states “*Existing employment sites outside the town centre boundary must remain in employment use*”
- 6.11 In order to show compliance with the requirements of policy EMP3 the applicants have submitted an Economic Development Report dated November 2022.

- 6.12 Criterion i) of policy EMP3 of the South Oxfordshire Local Plan 2035 requires applicants to 'demonstrate that any employment use is no longer viable'. The submitted Economic Development Report covers a range of alternative employment uses on the site, it discounts a number of uses due to the size of the site and its location, for example large scale retail. In general terms I would agree that the methodology of the report is appropriate and the conclusions that have been drawn are reasonable. The report assesses each use in planning terms and on viability to demonstrate that no other employment use would be viable. I consider this element of the policy to be met.
- 6.13 Furthermore, as examined in other sections of this report the site is surrounded by a number of heritage assets and residential properties. In planning terms any redevelopment of this site would be required to comply with policies in respect of heritage and residential amenity. A modern industrial building on this site would be unlikely to be considered acceptable for these reasons.
- 6.14 Criterion ii) is in respect of marketing. The applicants have not marketed the site so have not demonstrated that there is no market interest in the site for employment use. The corresponding policy in the Thame Neighbourhood Plan, WS12, states "*Existing employment sites outside the town centre boundary must remain in employment use*". The supporting text of that policy goes on to advise that proposals for redevelopment to a non-employment use should show that the employment use is not economically viable and the site has been marketed for at least a year. It is noted that this requirement is not within the text of the policy itself and, whilst marketing of the site would have given a clearer picture of the other opportunities for development of the site for an employment use, in the light of the criteria in the local plan policy EMP3, it is not considered necessary that marketing take place.
- 6.15 Criterion iii) of policy EMP3 indicates that loss of employment land may be acceptable if its change of use results in an improvement of the living conditions of the surrounding residents. The applicants have indicated that the proposals would fulfil this criterion on account of the complaints the current landowner has received regarding the current uses. However, it is also noted that the surrounding residents raised objections to the previously proposed care home on the grounds of impact to their amenity. It is therefore my opinion that criterion iii) is not met in this case.
- 6.16 In assessing the proposal against EMP3, the redevelopment of this site for alternative employment uses would be difficult to achieve in terms of viability and compliance with planning policy, as this brownfield site is no longer particularly suited to employment use. It is surrounded by residential uses and heritage assets which could be adversely affected by more intense employment uses. This will limit any employment opportunities on the site. The principle of a residential use on the site, is therefore considered acceptable, subject to compliance with other policies in the South Oxfordshire Local Plan and the Thame Neighbourhood Plan. This was established through the previous application, which was not refused on the basis of the need to retain the employment land.

- 6.17 The principle of residential development is accepted on this site, subject to other policies in the Development Plan.

Impact on heritage assets and archaeology

- 6.18 The application site is located partly within the Thame Conservation Area and there are a number of listed buildings surrounding the site as follows:
- Wool Warehouses adjoining Jasmine Cottage- grade II listed building
 - Jasmine Cottage- grade II listed building
 - Lashlake House- grade II* listed building
 - Barn north of Lashlake House- grade II listed building
 - Ash tree Cottage- grade II listed building
 - St Mary's Church- grade I listed building
 - The Prebendal – grade II* listed building
 - The Prebendal Chapel – grade I listed building
 - The Prebendal Solar and attached wall- grade II* listed building

In addition, one non-designated heritage asset (The Old Shop) lies within the site and is proposed to be retained. The proposals for the site are located within the setting for all of these heritage assets and will have an impact on all of them. The site is located within some key public views from the conservation area, including across the cricket pitch towards Lashlake House, and from the public right of way.

- 6.19 At present, the existing warehouse building, whilst not of any architectural or historic merit is architecturally low-key which allows the buildings which are of historic merit to remain the central features within their settings. In key public views of the site from the conservation area, the warehouse visually recedes, and the historic buildings are allowed to remain the prominent elements in these scenes. This is most notable in views from the Cricket Field looking towards Lashlake House (grade II* listed), the Wool Warehouses (grade II listed) and Jasmine Cottage (grade II listed), where the warehouse is really just glimpsed as an unobtrusive backdrop and blends in well with the greenery to the garden of Lashlake House.
- 6.20 In comparison to the previous scheme on the site, for a care home, which was refused, the scheme for redevelopment of this site is a great improvement in terms of the impact of development on the surrounding heritage assets. Importantly, it has demonstrated that a residential redevelopment scheme can achieve a finer grain of development that relates better to its surroundings. The scale of each building is more closely aligned with the historic buildings within the surroundings of the site to provide a more harmonious relationship between the historic environment and the new development. The use has also allowed more flexibility with density and site layout. Importantly, the buildings of local note can be retained in this scheme. The overall result is a scheme that is much more responsive to its context.
- 6.21 The submitted plans show that the interface between the historic wool stapling yard and the site has been preserved by the arrangement of new buildings on the application site, including the area of open space close to the southern

boundary has the benefit of allowing views between the site and the historic buildings, whilst also allowing for more space for the provision of meaningful planting which should help to soften the appearance of the new development given that there would no longer be an active physical connection between the two areas of land.

- 6.22 The scheme is urban in its density, which is somewhat at odds with the more spacious character of the immediate surroundings, however, the location within the urban area of Thame is acknowledged. In terms of scale, the proposed buildings, whilst on the upper limit of what can be accommodated here relative to the scale of buildings in the setting, would sit comfortably in this location and there are no objections on this account having regard to the relative eaves and ridge heights of listed buildings, and the relevant distances between the buildings.
- 6.23 Alterations to the retained building on Plot 1 are broadly acceptable. Although the rear elevation would have a domestic appearance contrary to its established agricultural character, the frontage to Aylesbury Road would be relatively unchanged in character. Similarly, the alterations to buildings on Plots 19-20 which are Buildings of Local Note are acceptable and work within the parameters of the character and appearance of the existing building thereby preserving its contribution to the special character of the conservation area.
- 6.24 Whilst the scheme changes the setting of the heritage assets identified, it would not harm their significance, presenting a neutral impact. To maintain the character of the buildings it is advised that permitted development rights for extensions are removed. The proposal is therefore in accordance with the NPPF, policies ENV6, ENV7 and ENV8 of the South Oxfordshire Local Plan, and policy ESDQ20 of the Thame Neighbourhood Plan.
- 6.25 In terms of archaeology, the site is located within an area of considerable archaeological potential dating from the prehistoric to post-medieval periods. The applicant has undertaken and submitted an Archaeological Desk-Based Assessment (Cotswold Archaeology, September 2022). This considers the effects of previous development and notes that the application site is unlikely to contain heritage assets of the highest significance or value. Whilst this conclusion is accepted, assessment does remain to identify that potentially significant archaeological deposits could survive within the area and these would be impacted by proposed development. Conditions are recommended to ensure the implementation of a staged programme of archaeological investigation to be maintained during the period of construction.

Design, layout and appearance

- 6.26 The proposed residential development is laid out around a road through the centre of the development taking access from the east, off Aylesbury Road. The layout shown on the plan below arranges detached and semi-detached properties either side of the road through the site, with a terrace of four dwellings located to the north west of the site. A green space is located between plots 18 and 19 and includes a local area of play (LAP) for children. The existing

buildings are retained and converted to dwellings comprising plots 1, 19, 20 and 21.



- 6.27 The majority of the properties have on-plot parking in a mixture of garages and parking spaces located to the front and sides of dwellings. Cycle parking is also provided for each property in a mixture of private cycle stores and on street cycle racks. The parking solutions are designed in accordance with the Council’s Design Guide which requires parking integrated to support attractive streets and spaces.
- 6.28 The Council’s Design Guide sets a requirement for minimum garden sizes, to ensure a scheme has an adequate amount of quality private amenity space provided for each residential unit. With the exception of plots 20 and 21, which are the converted retained buildings, garden sizes in this development meet or exceed the size requirements of the Design Guide. Plots 20 and 21 are located adjacent to the open space on site, which is labelled “residents shared garden” on the plans. It is advised that permitted development rights in respect of extensions are removed for plots 1, 19, 20 and 21.
- 6.29 The design of the buildings utilises a contemporary style, creating a character distinctive to the site rather than looking to replicate the design in the area around the site. The Design and Access statement explains that the general design aesthetic seeks to reflect, through architecture and materials, some of the existing agricultural / industrial buildings on site. The proposals tie the new development back to the existing buildings and previous historic development on the site. The design of the proposals are considered high quality and meet the requirements of the Design Guide and policy DES1 of the Local Plan. A condition is recommended to ensure the materials used are appropriate to the location and maintain the high quality of the proposals.

- 6.30 The proposal includes existing trees around the boundaries of the site, and introduces new planting both in the public realm as well as private gardens. The trees on the boundary will be managed and any gaps filled with a mix of species such as holly, lime, hawthorn and hornbeam. Street trees are proposed throughout the site to soften the appearance of the development, the Landscape and Forestry Officers have raised concerns with regard to the proximity of the trees to the buildings on the northern side, together with a potential conflict with services. The applicants have specified that the tree species are appropriate for the location, and conditions are recommended to ensure that the trees are planted in tree pits suitable to their species. Larger species are proposed in locations where space allows. The proposed shared garden has been increased in size and is better integrated than initially proposed, and now includes a LAP. Detailed proposals for the play area can be subject to condition.
- 6.31 Policy CF5 of the South Oxfordshire Local Plan sets out requirements for new developments to provide or contribute towards open space and play facilities, referring to standards in the Open Spaces Study. In accordance with the standards this development of 21 houses would need to provide a total of 962 square metres of open space. The proposed layout provides a total of 180 square metres of open space on site, a short fall of 782 square metres. This development therefore does not provide sufficient open space on site required by the standards in the Open Spaces Study. Policy CF5 requires development to provide open space on site unless this is demonstrated not to be feasible. In this case the site is proposed to be developed at a density of 35 dwellings per hectare and provides sufficient on plot parking as well as adequate garden sizes. The proposals are efficiently and well laid out and there is no wasted or inefficient space within the site. This is a brownfield site with significant constraints and there is no opportunity for further open space within the site. In order to mitigate for the reduced open space on the site the applicant has agreed to provide an off-site contribution towards open space in the local area. A sum of £10,000 payable to the town council towards off site open space / play has been agreed, and will be secured in the S106 legal agreement. Accordingly the proposal is considered to comply with the requirements of policy CF5.
- 6.32 Through the materials palette, and landscaping scheme as well as the layout and design of the buildings the proposal complies with the requirements of Policy DES1: delivering high quality development as well as Thame Neighbourhood Plan policies ESDQ17 and 18, making a positive contribution to the character of the location and Thame.

Residential Amenity

- 6.33 Concerns have been raised regarding the potential impact of the proposal on the surrounding properties. This is largely in relation to the conversion of the existing building at the front of the site to a residential dwelling (plot 1). Whilst located in the urban area of Thame the properties on Aylesbury Road are not currently overlooked as a result of the commercial uses at the site. The proposal will introduce residential accommodation at first floor level where previously this was commercial storage space. It is noted that the building is angled slightly towards the neighbouring property, 21 Aylesbury Road,

however, the proposed conversion would not overlook any residential accommodation at the neighbouring property, only overlooking from the first floor to the garden, which is akin to usual residential arrangements. This situation is not dissimilar to the existing situation with the neighbour to the north, 25 Aylesbury Road, which also has first floor windows capable of overlooking the garden area of No.21 Aylesbury Road. The plans have been amended during the application process to reduce the full height glazing of the first floor windows on the western elevation of plot 1 to a more usual window size, in order to reduce overlooking potential and, as the proposals do not introduce an unacceptable level of overlooking not currently experienced from an existing property, the proposed conversion of this building to a residential dwelling is considered acceptable and not to give rise to an unacceptable level of impact on the amenity of the neighbouring property. Furthermore, the proposal is located at such a distance from number 25 Aylesbury Road that there would be no loss of amenity to that property as a result of the proposal.

- 6.34 Plot 2 is located such as its side elevation has the potential to overlook the garden of the existing property 21 Aylesbury Road. The side elevation of the dwelling on Plot 2 contains a window at second floor level which serves the master bedroom. Whilst this is 7 metres away from the boundary with 21 Aylesbury Road, and 30 metres from the rear elevation of the property a condition is recommended to ensure this window is obscure glazed to prevent the potential for overlooking. The proposal is considered to be in accordance with the requirements of DES6 of the South Oxfordshire Local Plan.

Access, parking and impact on the highway network

- 6.35 The existing access to the site is from B4445 Aylesbury Road with a further access from Priest End, which is a private road. The application proposes access from Aylesbury Road in the same location as the existing access and closing of the existing access from Priest End. The proposed bell mouth access junction into the site is designed to the satisfaction of the Local Highway Authority as the applicant has demonstrated that a 11.6m refuse vehicle can safely pass a stationary car at the site access and that a 2m footway is provided to the south and a 1.8m to the north. A Stage 1 Road Safety Audit (RSA) audit for the proposed site access has been submitted in support of the application. The RSA only raises minor issues that can be addressed at the S278 audit. The design of the access is considered acceptable from a highways safety perspective.
- 6.36 In respect of the layout of the internal road, this does not meet OCC requirements for adoption and as such will not be adopted by OCC. However, tracking to demonstrate that a 11.6m refuse vehicle can pass an on-coming car at the access has been submitted and is acceptable so there are no objections on highway safety.
- 6.37 Provision for vehicle, cycle and electric vehicle parking is provided on the site in accordance with OCC's standards. Footpath access to Aylesbury Road is provided from within the site and public transport is easily accessed from the site. It is considered that sustainable transport options are provided in accordance with policy TRANS5 of the South Oxfordshire Local Plan 2035.

- 6.38 In respect of the impact on the highway network, the applicant has provided information on the trip generation likely to be generated by the existing uses and by residential development. Based on the trip rates for the site, the vehicular trip generation for the proposed development of 21 dwellings is expected to be 10 trips during the AM Peak hour (08.00-09.00), 11 trips during the PM peak hour (17.00 – 18.00) and 100 daily trips (07.00-19.00).
- 6.39 The proposed residential development is expected to result in a significant reduction in vehicle trips when compared with the existing development. The impact of the highway network of the proposed development is therefore considered acceptable and in accordance with policy TRANS5 of the South Oxfordshire Local Plan 2035.

Affordable Housing

- 6.40 The National Planning Policy Framework states that affordable housing provision will be sought on major development schemes of 10 or more homes, or a site of 0.5 hectares. In accordance with Local Plan Policy H9, the affordable housing provision will be 40% on any site within the district of South Oxfordshire. Where the proportion is not a round figure a financial contribution is sought for the remainder.
- 6.41 As a brownfield site with some retained buildings the applicants have suggested that the proposed development should receive Vacant Building Credit (VBC). VBC is a national policy which provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. In this case the VBC applies to the buildings to be retained at the front of the site, formerly containing the vets practice and the farm machinery sales. VBC does not apply to the main warehouse building on site as this is not currently vacant. The calculation the applicant has provided has been reviewed and agreed in principle.
- 6.42 Based on the VBC calculation, this would result in a requirement for 33% affordable housing comprising 6 affordable dwellings on-site and a contribution for 0.85 dwellings off-site in line with Policy H9. The affordable dwellings on site will consist of 2 units of First Homes, two social rent, one affordable rent and one low cost home ownership. This mix accords with the requirements of policy H9 and will be secured in the S106 legal agreement.

Housing Mix

- 6.43 In terms of the mix of market housing, policy H11 of the South Oxfordshire Local Plan requires a mix of dwelling types and sizes to meet the needs of current a future households, having regard to the Council's latest evidence and Neighbourhood Plan evidence. The latest evidence is the 2014 Strategic Housing Market Assessment (SHMA). The table below compares the proposed market mix to the latest evidence:

	1 bed	2 bed	3 bed	4+ bed
SHMA mix	6%	27%	43%	24%
Application proposal	7% (1 unit)	7% (1 unit)	46% (7 units)	40% (three 4 bed units and three 5 bed units)

The proposal is in line with the SHMA in terms of the number of one and three bedroom properties on the site, however there is an imbalance of 2 and 4+ bedroom homes.

- 6.44 The evidence for Thame’s made Neighbourhood Plan is not as up to date as the Council’s SHMA, however, a Housing Needs Assessment (HNA) has been prepared for the emerging Neighbourhood Plan which currently finds that a focus should be maintained on providing 3 bed family homes, which should be a “*notable priority*”.
- 6.45 The proposed mix on this smaller site has taken into account the local needs and has had regard to the council’s evidence and emerging Neighbourhood Plan evidence, as some smaller units are included in the market mix and the bulk of properties are aimed at family sized 3 bed units to meet the needs of local people. For this particular development the housing mix is considered acceptable as it is a brownfield site that provides a mix of dwelling sizes. This proposal is therefore considered to be acceptable in terms of housing mix and meets the requirements of policies H9 and H11 as well as H9 and H10 of the Thame Neighbourhood Plan.

Other material planning considerations

Impact on Landscape and Trees

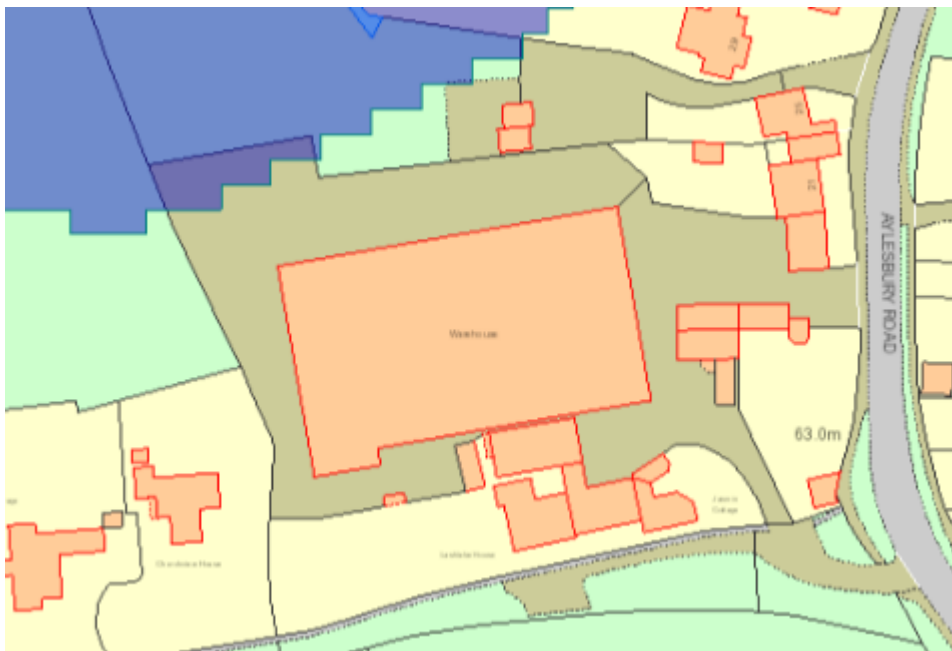
- 6.46 The site lies on the western edge of the northern part of Thame, between Aylesbury Road/ Priest End and the River Thame. A visual appraisal from three viewpoints has been submitted, and whilst the council’s Landscape Officer considers the benefits to be overstated, it is not considered that there will be significant adverse effects on these views. The proposal is considered to be in accordance with policy ENV1 in this respect.
- 6.47 The site is bounded to the north and west by significant vegetation, with the exception of the northern boundary the trees inside and outside the site are protected by the Conservation Area. An Arboricultural Impact Assessment has been submitted in support of the application and updated to take into account the Forestry Officer’s original comments. Works are proposed to a number of trees to address their poor condition, including the removal of one Leyland Cypress on the northern boundary. A mature horse chestnut, shown as T1 to the south of plot 15 is now shown to be removed. This tree was identified to be in poor condition and an application under the Town and Country Planning Act 1990 relating to Trees in Conservation Areas (section 211) to fell the tree raised no objections to its removal from the council. The proposals raise no concerns from a tree protection perspective and are considered to be in accordance with policy ENV 1 in this respect.

Biodiversity

- 6.48 Ecological surveys have concluded that the site likely does not support protected species. Sensitive working methods are recommended to minimise the risk of impacts on nesting birds. The supporting biodiversity metric assessment has concluded that the proposed development can achieve a small gain for biodiversity, compliant with Policy ENV3 of the South Oxfordshire Local Plan. Conditions are recommended to ensure net gain in biodiversity is achieved.

Drainage

- 6.49 The site is generally at low risk of flooding with the north eastern corner located at higher risk as shown by the shading on the map below:



The gardens of plots 8 -11 are located in this area, with the buildings located outside of the flood extent, suitable mitigation in the form of raised floor levels is also proposed such that this risk is reduced to the affected proposed properties. There are therefore no objections on flood risk grounds from the council's drainage officer or the Lead Local Flood Authority. For a site of this size, a Type 2 pumping station will be required, this is provided to the satisfaction of the Drainage Officer, likewise the drainage strategy for the site is considered acceptable. The proposals therefore accord with policy EP4 of the South Oxfordshire Local Plan 2035.

Carbon Reduction and Sustainability

- 6.50 The South Oxfordshire Local Plan 2035 policies DES8 and DES10 seek to ensure that all new development minimises the carbon and energy impacts of their design and construction and should be designed to improve resilience to the anticipated effects of climate change. The supporting documents accompanying this planning application includes an energy statement setting out how the 40% reduction of carbon emissions as required by policy DES 10

would be met. For dwellings constructed after 31 March 2026 this requirement rises to at least a 50% reduction in carbon emissions.

- 6.51 The Energy Statement explains that “*By designing to rigorous energy standards, and employing air source heat pump (ASHP) technology, the application will respond directly to the Climate Emergency declared by the Council in April 2019. These measures combine to provide an approximate carbon dioxide emissions saving of 62.9%, compared to the Part L:2021 baseline, significantly exceeding the requirements of South Oxfordshire District Council.*” A condition is recommended to require post construction verification that the energy efficiency measures have been adhered to.

Infrastructure - S106 Agreement and Community Infrastructure Levy (CIL)

- 6.52 The development is CIL liable, however a number of contributions are also required to be secured via a 106 agreement. The applicant has agreed to the following contributions and obligations by way of a S106 agreement. All contributions to be index linked.

District Council’s financial contributions:

- Off site contributions to open space/play £10,000
- Street naming and numbering £229 per 10 houses = £458
- Provision of recycling / refuse bins £186 per property = £3,906
- Off site affordable housing contribution £148,946
- Monitoring and recording fees £820
- Affordable housing monitoring fee £94

County Council’s financial contributions (as set out in OCC consultation response):

- Public transport £23,793
- Early years education £37,756
- Secondary education £155,952
- Monitoring fee £3,750

Obligations (non financial):

- Affordable housing as specified in paragraph 6.36 above
- Management and maintenance of open space
- Provision of a new site access from Aylesbury Road

6.53 Pre-commencement conditions

The applicant has confirmed that they agree to the suggested pre-commencement conditions as detailed below.

7.0 CONCLUSION

- 7.1 The principle of residential development on this brownfield site is accepted, when considered against policies H1 and H3. The loss of the employment land is also considered acceptable when considered against policy EMP3. The scheme takes into consideration the surrounding heritage assets and the longer range views and results in a neutral impact on the listed buildings and conservation area in accordance with policies ENV6, ENV7 and ENV8 of the

South Oxfordshire Local Plan, and policy ESDQ20 of the Thame Neighbourhood Plan. The existing buildings of heritage value are retained and sensitively converted. The site is well designed and laid out taking into consideration the surrounding heritage assets and measures have been taken to reduce the impact on the amenity of the residential neighbours. On site constraints such as the area of flood risk and the need to retain trees on the boundary have been considered and are acceptable. Affordable housing is provided at a policy compliant level, taking into account the accepted Vacant Building Credit. The proposals are considered to be in accordance with policy DES10 and conditions are included to secure this compliance.

7.2 Finally, the approval of this site would make a small but important contribution to the Council's five year supply of housing land as the applicant has indicated that all 21 homes will be delivered within the next five years. The NPPF recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.

8.0 **RECOMMENDATION**

To authorise the head of planning in consultation with the chairman of Planning Committee to grant planning permission subject to:

A) Completion of S106 a legal agreement to
i) secure the affordable housing and
ii) financial contributions and infrastructure as outlined in the report

B) The following conditions:

1 : Commencement 3 yrs - Full Planning Permission

2 : Approved plans *

Prior to commencement:

3 : Levels (details required)

4 : Sample materials required (all)

5 : Cycle Parking Facilities

6 : Archaeology Submission of WSI

7 : Archaeology implementation

8 : Tree Protection (Detailed)

9 : Ecological compensation and enhancement measures

10 : Construction Traffic Management (details required)

11 : Construction Method Statement

12 : Drainage scheme

13 : Foul Drainage

14 : Contaminated Land - Linked Conditions (1)

15 : Children's Play Space

Prior to development above slab level

16 : Refuse & Recycling Storage (Details required)

17 : Landscaping including hard surfaces and boundaries

18 : Landscape Management Plan

Prior to occupation

19 : Parking & Manoeuvring Areas Retained

20 : New vehicular access

21 : Tree pits design

22 : Suds compliance report

23 : Contaminated Land - Linked Conditions (2)

24 : Energy Statement Verification

25 : Electric Vehicle Charging Points

Compliance

26 : Obscure glazing

27: Withdrawal of P.D. (Part 1 Class A) - no extensions etc

28: Hours of work

29 : Ecological Impact Assessment

30 : Unsuspected Contaminated Land Condition

31 : Vision splay protection

Author: Nicola Smith

E-mail : planning@southoxon.gov.uk

Contact No: 01235 422600

This page is intentionally left blank