

## Full Council

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<b>Date:</b>	<b>15 November 2016</b>
<b>Title:</b>	<b>P16/S3525/FUL - Police Station Greyhound Lane</b>
<b>Contact Officer:</b>	<b>Graeme Markland, Neighbourhood Plan Continuity Officer</b>

### Purpose of Report

1. To provide background on this resubmitted application, P16/S3525/FUL - Redevelopment of Police Station to form 41 sheltered apartments for the elderly, including communal facilities, access, car parking and landscaping

### History

2. Members will recall the previous application for the demolition of the existing police station and redevelopment for 45 sheltered apartments and a police counter/offices as discussed at Council on 29 April 2014.
3. Thame Town Council made strong objections to the original planning application. These concerned:
  - the loss of employment space, and inadequate marketing of the property;
  - over-development of the site leading to a failure to preserve or enhance the character and appearance of the Thame Conservation Area;
  - insufficient detail of certain design elements;
  - an adverse effect on the amenity of 39 North Street;
  - a failure to provide an appropriate quality living environment for future occupiers in terms of amenity space, the single aspect for many of the dwellings, the size and arrangement of living accommodation, the outlook from dwellings on the ground floor of the south wing and the lack of legibility to the building layout and design;
  - an under provision of parking;
  - lack of affordable housing provision;
  - a lack of mitigation of the development on local services and facilities;
  - a lack of meaningful early public consultation or involvement prior to the submission of the application.
4. The application was refused by SODC's 25 June 2014 Planning Committee. The subsequent automatically called-in appeal was dismissed by the Inspector, a decision supported by the Secretary of State for Communities and Local Government on 20 January 2016. The reason for the appeal dismissal was based upon harm to the amenity of number 39 North Street and harm to the Thame Conservation Area.

### Selected Application Details

5. The planning permission as resubmitted comprises of 41 sheltered accommodation dwellings. There would be 27 one-bed flats and 14 two-bed flats. Once again, the building will be "L"-shaped, with the longest arm running parallel to the north-south part of Greyhound Lane. Most of the development will be 3 storeys high. The exceptions will be a 2 storey element at the junction of Greyhound Lane with North Street and a set back to the two storey element nearest 39 North

Street. The proposed style is terrace-like, featuring staggered frontages and ridgelines to provide design interest and break up the bulk of the structure.

6. The materials used are primarily a red, rough-hewn brick and a smooth, cream brick. The “blocks” suggested within the proposed development are also differentiated by a mix of clay and slate roof tiles. Reconstituted stone will be used for some cills; bay windows will be rendered, with stone cills and bandings.
7. The link element which sits above the vehicle access to the rear parking is ambiguous, with no defined roof treatment. Although the rear is shown composed of brick the front has been given a grey, square-panel finish. The purpose of these panels is not clear in relation to the rest of the proposed development. It is not clear if the architect is aiming to define the entrance to the site, which is at best poorly defined. This is contrary to the 2016 South Oxfordshire Design Guide. If the boards are deemed acceptable by SODC’s conservation officer then they must have coated treatments to shed contaminants; in any case, a problem may well arise from their use in shedding rain water in a cascade onto the site entrance below.
8. Viewed from the Waitrose car park (the east elevation), and from North Street a multitude of end gables will be visible. In seeking to prevent overlooking into 39 North Street those that can be seen from Waitrose car park are mostly windowless and lack any features.
9. Evidence has not been submitted regarding how much light will be received by the ground floor flats facing south (towards Waitrose and its access road). This was not brought up before and it might have been deemed sufficient by the original case officer. Due to its relatively sunken position there may be less light available in winter months.
10. In preparing the proposal, the applicants have had further pre-application discussions with SODC. In order to meet concerns, they have increased the buffer between the development and the edge of the site. The footprint of the building has been reduced to improve the provision of amenity space. To particularly address the concerns over the height of the development at North Street, and the harm to the amenity of number 39 North Street the scheme has been reduced in height at these points. At the Waitrose end, the applicant claims that the oblique angle of the windowed elevations means “reasonable privacy would be maintained”.
11. Some of the rooms do not meet the standard for a 1 bedroom, 2 person flat as required within Planning Practice Guidance (e.g., flats 12a and 12b). They may be short by around 2 sq metres; these would however make for generous 1 bedroom, single person flats. Others just meet the needs, such as flats 15 and 32. No special provision has been demonstrated for users of wheelchairs, either through wheelchair accessible or wheelchair adaptable units. Planning practice guidance states that local authorities cannot ask for such adaptations unless local need has been proved through evidenced studies.
12. The laundry room and well-being room are absent in this renewed scheme. The only communal area provided internally now is the “owner’s room”.

### **The Original Appeal**

13. In the run up to planning appeals it is common for the planning authority and the appellant to agree common ground on as many matters as can be resolved. This process expedites the appeal process. It is worth noting that at this stage both parties usually give ground on some matters of importance; it helps focus the appeal onto the most pertinent grounds for the refusal.

14. SODC and the appellant agreed no fewer than four separate Statements of Common Ground. This resolved that:
- the site was not a flexible employment site, being sui generis, and conversion to a normal employment use would be difficult;
  - the marketing of the site had been sufficient and the price sought realistic;
  - both this site and similar uses had not been included in employment land supply assessments. This meant that this use had not been included as part of the employment land supply/need calculations;
  - parking provision was adequate (a view later supported by the Inspector);
  - the scheme would bring significant benefits in the matter of housing and the redevelopment of an otherwise vacant site. The scheme would also enable the potential occupants to maintain a largely independent lifestyle that would reduce the demand on support services (supported by the Inspector);
15. A number of wider issues were examined in detail at the appeal. The most important of these include:
- the affordable housing contribution was a benefit. Limited weight was given to the argument that the scheme would benefit the local economy;
  - the Council had a five year supply of housing land (at the time);
  - that saved policies CON6 and 7 from the South Oxfordshire Local Plan (SOLP) contain a degree of consistency with the NPPF and due weight can be attached to them;
  - that the explicit reason for refusal was that the development would neither preserve nor enhance the character of the Thame Conservation Area, contrary to CON6 & 7 and ESDQ15 – 18 and ESDQ 20 of the Thame Neighbourhood Plan (TNP);
  - that the development would harm the significance of the conservation area, although the harm would be less than substantial. The Inspector was at pains to point out this did not mean there was a less than substantial objection. Paragraph 134 of the NPPF states a balanced judgement of the harm against the public benefits of the proposal must be made. Planning Policy Guidance states that even minor works have the potential to cause substantial harm. The Inspector also referred to other decisions where it was stated that the hypothetical scales in this balanced decision were to be considered pre-loaded in favour of the heritage asset;
  - that the location can be considered sustainable for the development proposed;
  - that number 9, New House and The Stables in Bell Lane would not be affected by the proposal;
  - SODC chose the correct interpretation that the site and its surroundings are highly significant in its supporting role of the Conservation Area. Any loss of significance within an immediate area would detract from the significance overall. This is in line with Paragraph 138 of the NPPF which states that even the loss of a single element or building from a conservation area can amount to harm that can be substantial in nature. The site's importance as one of the entrance points to the conservation area means the proposals would cause harm;
  - The Inspector believes that the police station site acts as a transition zone between the higher density area of the High Street and the lower density dwellings to the north;
  - The Inspector was therefore of the opinion that any building replacing the police station should provide "an effective transition from the scale of the Waitrose building to that of the residential properties" (in North Street and Bell Lane). He applauded elements that made it look more domestic in scale.

## **The New Decision**

16. As outlined above, certain aspects of this proposal will be constrained by what was agreed during the appeal process. This does not however preclude comments on topics judged to have been resolved where new evidence or a new understanding of evidence has arisen, if necessary.
17. No new evidence has arisen on parking, employment or housing need for the elderly. Thame Town Council can comment on these matters but without the benefit of new evidence, the comments are unlikely to carry weight with SODC.
18. It is my view that the overlooking aspects have been largely resolved.
19. It is my view that the conservation aspects have been largely resolved.
20. The Town Council would have appreciated greater involvement in the pre-application discussions, so that design issues could have been addressed and / or better understood.
21. The new decision therefore potentially rests on specific design elements of the scheme as raised in this report although Members can comment as they wish.

## **Recommendation**

22. It is recommended that the application is recommended for refusal due to:

- Featureless appearance of the gables
- Inadequate size of some of the rooms
- Inappropriate design / cladding / roof definition of the link element
- Poorly defined entrance
- Lack of light into some ground floor flats
- Lack of communal areas.

As such it contravenes design policies in the Local Plan which are an integral part of the Thame Neighbourhood Plan.