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APPLICATION BY COMMERCIAL ESTATES GROUP, OLIVIA ANNE MCGUFFIE, ELIZABETH GERALDINE BATY AND TAYLOR WIMPEY LTD FOR A HYBRID PLANNING APPLICATION SEEKING RESIDENTIAL DEVELOPMENT FOR UP TO 187 NEW DWELLINGS (INCLUDING UP TO 40% AFFORDABLE HOUSING) WITH VEHICULAR ACCESS FROM WENMAN ROAD, STRUCTURAL PLANTING AND LANDSCAPING, INFORMAL AND FORMAL OPEN SPACE INCLUDING RETAINED AGRICULTURAL LAND, CHILDREN'S PLAY SPACE, ALLOTMENTS, SURFACE WATER ATTENUATION, BURIAL SPACE AND ANCILLARY WORKS ON LAND TO THE EAST OF THAME PARK ROAD, THAME, OXFORDSHIRE.

REPORT TO THAME TOWN COUNCIL

SEPTEMBER 2014

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1.0 Purpose of the Report

1.1 This Report relates to application P14/S1619 concerning residential development on land to the east of Thame Park Road, Thame (and known as Site C in the Thame Neighbourhood Plan). The application proposes:

'Residential development for up to 187 new dwellings (including up to 40% affordable housing) with vehicular access from Wenman Road, structural planting and landscaping, informal and formal open space including retained agricultural land, children's play space, allotments, surface water attenuation, burial space, and ancillary works'

and consisting of:

'a full planning application for Element A of 79 dwellings and Element B which seeks outline planning permission for up to 108 dwellings. In respect of the outline Element B, only principal access to the highway is sought for approval and all other matters are reserved for determination at a later date'.

1.2 This application was initially considered by Councillors at a meeting of the Full Council in June at which time it was resolved to raise objections in relation to housing mix and design-based issues, together with holding objections in relation to a number of other matters.

1.3 Full details of these objections are set out in italics below:

To object on the following grounds:

- *The proposed housing mix, that would fail to provide an appropriate mix of units, especially in respect of the private units, and does not demonstrably follow a Thame-specific study, contrary to the requirements of the TNP;*

- *That the layout, form and design of the proposed scheme fails to create a development that reinforces the locally distinctive layout and design qualities of Thame.*

To raise a holding objection until matters are resolved in respect of:

- *The routes to be provided through the controlled publicly accessible open space to the south of Element B;*
- *Further interpretative material demonstrating how building form, design, layout and enclosure on Element B will reinforce the distinctive design qualities of Thame;*
- *Pedestrian and cycleway improvements to Dormer Road/Chinnor Road;*
- *Biodiversity improvements along the fully accessible open space adjacent to Cuttlebrook;*
- *The provision of burial space on Site C; and*
- *Information in respect of ground conditions on Element B to ensure that strip foundations are suitable and that development is thus acceptable in terms of the relationship with the pipeline running through the site.*

1.4 Since the Council's resolution in June, there have been a number of meetings with the applicant that have sought to resolve these matters. Further information and amendments have now been submitted, as described in Section 2.0, and this Report reviews those amendments in the context of the previous grounds for objection/holding objection. For completeness, a copy of the Report to Full Council in June is attached at **Document 1.**

2.0 The Proposal

- 2.1 The description of the proposed development, as detailed in the report to the Town Council in June, is set out in italics below:

'As detailed previously, the proposals comprise a hybrid planning application comprising two elements:

Element A

A detailed planning application for the erection of 79 dwellings on the western section of the site; and

Element B

An outline application for the erection of up to 108 dwellings on the eastern section of the site.

Collectively, Elements A and B would provide for a development across the site of up to 187 new dwellings, with up to 40% affordable housing, together with vehicular access from Wenman Road, structural planting and landscaping, informal and form open space including retained agricultural land, children's play space, allotments, and surface water attenuation and ancillary works.

Element A

The detailed application (Element A) relates to the western section of the site that covers an area of approximately 10.15 hectares. The proposal involves developing the northern section of the site, that extends to an area of approximately 4.0 hectares, to provide 79 dwellings, with the southern section (circa 6.0 hectares) retained as publicly accessible open space of

which 4.49 hectares would be subject to controlled public access, with the remainder (circa 1.5 hectares, and located on the southern section of the site) fully accessible public open space.

The development would be served via a single point of access off Wenman Road, located centrally along the site frontage. The access road would 'split' within the site to, in effect, create four perimeter block developments comprising a mixture of two-storey detached, semi-detached and terraced dwellings. Development would be set in to the site, with a landscaped tree avenue along the northern boundary, surface water attenuation measures (swales) to the western boundary and with a landscaped corridor (linked to development on the remainder of Site C) to the eastern boundary. Additional landscaping would be provided within the development, including a central landscaped 'spine'.

The proposed dwellings would be a mixture of sizes (from 1 - 6 bedroom), but generally two-storey in scale and utilising a combination of brickwork, render, tile hanging and timber boarded external finishes under pitched, clay or slate tile roofs. Each dwelling would be provided with on-plot parking, either in the form detached or attached garages, or surface parking. Private amenity areas would generally be contained to the rear of the dwellings. The dwellings would all be accessed from Wenman Road, with a varied street hierarchy created within the development and distinguished through the use of differing external materials.

Pedestrian and cycle linkages would be created within the development to provide access to the surroundings, including along the main vehicular access and linking to a dedicated route extending through the tree avenue on the northern boundary of the site that would link (eastwards) to the remainder of Site C and (westwards) with Wenman Road close to its junction with Thame Park Road. In addition, linkages would be created (across Thame Park Road) to the pedestrian and cycle routes in Site D.

The publicly accessible open space would be contained to the south of the site, with the northern two-thirds retained in agricultural use through which public routes (pathways) would be created and contained by stock proof post and rail fencing. This would link with a fully accessible area of open space along the southern boundary of the site that would extend to approximately 1.5 hectares, and would comprise a 50-60m deep section of land extending adjacent to the Cuttlebrook, and along which a new riverside walk would be created with seating areas. A pumping station and attenuation pond are proposed in the northern section of the publicly accessible open space.

Element B

The outline application (Element B) relates to the eastern section of the site and extends to an area of approximately 12.0 hectares, with the proposed residential development contained to the northern field fronting Wenman Road that extends to approximately 5.35 hectares, with the southern field (of approximately 6.65 hectares) utilised as predominantly publicly accessible open space.

The application on Element B is submitted in outline, with only means of access for consideration. This is shown to be via a single entrance off Wenman Road located broadly centrally on the Wenman Road frontage. The application is accompanied by an illustrative Masterplan showing a potential layout for up to 108 dwellings, indicating a series of perimeter blocks (as Element A) containing a mixture of detached, semi-detached and terraced dwellings with a more formal layout in the northern half of the site, with a looser arrangement to the south.

Just over a hectare of public open space is proposed in the northern section of the site, comprising (i) a continuation of the tree avenue along the full

length of the northern site boundary, (ii) a landscaped corridor to the west (linking with the landscaped section along the eastern boundary of Element A) and (iii) additional, formal open space along the southern section of this part of the site.

Pedestrian and cycle links are proposed within the development area, including along the main vehicular access and linking with the route through the tree avenue and on in to Element A and northwards through Dormer Road. In addition, linkages would be provided through the open space of Element A to connect with the pedestrian and cycle opportunities within this part of the development. Furthermore, the illustrative layout indicates the provision of a road through in to the land to the east of the site, which is identified as a Reserve housing site in the TNP.

The southern section of the site would be provided as publicly accessible open space, including 0.33 hectares of allotments located immediately to the south of the development area on the eastern boundary of the site. This would link, southwards, with an area of fully accessible public open space (some 2.5 hectares in extent) that would run along the edge of the Cuttlebrook and connect to a similar tract of land to be provided as part of the Element A development, and would include provision of a riverside walk. The land to the north of this, and extending up to the development edge, would be retained in agricultural use and through which there would be controlled public access.

2.2 In broad terms, the amendments to the scheme involve the following:

Element A

- Re-alignment (eastwards) of the principal access in to the site off Wenman Road;

- Retention of the development block layout, but refinement and re-configuration of the layout of units within each block;
- Additional detail and information in respect of the elevational treatment, form and materials of the proposed dwellings;
- Re-consideration of the layout and form of the central section/streets of the site, introducing a contemporary external appearance to the dwellings;
- Minor changes to the roof form of the garage structures on the southern section of the site;
- The removal of first floor studies (of a size that could be used as bedroom accommodation);
- Re-location of the zebra crossing to Wenman Road;

Element B/Overall

Additional technical and supporting evidence as detailed in Section 4.0

3.0 Planning Policy Context

3.1 Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 there is a statutory obligation to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. This section of the Report therefore summarises the relevant Development Plan policies in the context of Section 38(6) of the Planning and Compulsory Purchase Act 2004, before going on to consider other material planning considerations, principally the policy context afforded by the National Planning Policy Framework.

The Development Plan

3.2 For the purposes of the Planning Application the relevant Development Plan framework is provided by:

- the South Oxfordshire Core Strategy (December 2012; SOCS)
- the Thame Neighbourhood Plan (July 2013; TNP)
- the saved policies of the South Oxfordshire Local Plan (January 2005; SOLP)

3.3 In the context of the Proposed Development, Tables 1, 2 and 3 set out in Document 1 of the June Report (**Document 1**) summarise the most relevant policies of each document.

3.4 Notwithstanding that each of the policies set out in the summary are of material relevance to the proposals, the following matters contained in the TNP are of particular significance:

- That the housing core objectives of the TNP include the need for a range of housing types and tenures, generous open spaces and development that is sympathetic to the character of Thame.
- That Design and Access Statements should demonstrate how proposals would reinforce the character of Thame (Policy ESDQ15)

- That development should contribute to the character of Thame as a whole, with design principles that reflect the most successful parts of the Town (Policy ESDQ17)
- That new development should create a sense of place appropriate to its location (Policy ESDQ18)
- That development proposals should maintain visual connections with the countryside (Policy ESDQ21)
- That the visual impact of development should be minimised through the design, layout and landscaping of buildings (Policy ESDQ22)
- That streets should be designed with an emphasis on all modes of transport (Policy ESDQ23)
- That buildings should be designed as a three-dimensional whole with a focus on the detailed design elements of buildings, in order to raise design quality (Policy ESDQ26)
- That the 'forgotten' elements of schemes (such as bin stores, cycle stores and lighting) should be designed in from the start (Policy ESDQ27)
- That all new dwellings should have private outdoor space (Policy ESDQ28)
- That parking should be designed to fit with the character of the proposed development (Policy ESDQ29)

3.5 Policy HA2 of the TNP sets out site-specific requirements in relation to Site C, confirming that the site is allocated for:

- 187 residential dwellings within the 9.35 hectares defined as the extent of the residential development area in Figure HA4 (reproduced below)
- 11.8 hectares of landscaped publicly accessible open space in the rear defined in Figure HA4.

3.6 Figure HA4 of the TNP is reproduced below.

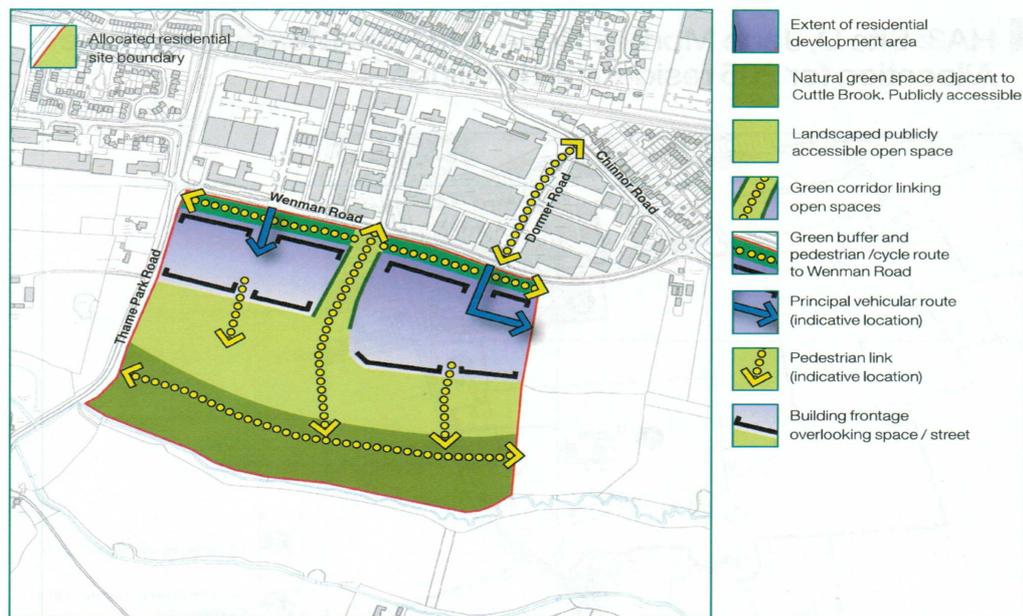


Fig HA4: Site allocation policy requirements

Figure 1: Fig HA4 of the Thame Neighbourhood Plan

3.7 HA2 goes on to require the provision of a Design Brief setting out the principles for the development, including the following:

- The retention of the southern fields as publicly accessible open space;
- The identification of a suitable area of the site (or Site D) for burial space;
- Incorporation of a network of pedestrian routes linking the open space with Thame Park Road and Wenman Road;
- Provide a positive frontage to Wenman Road, but with sufficient 'breathing space' to the employment buildings.
- Ensure provision of a pedestrian, cycle and vehicular link to Reserve Site C;

- Improve pedestrian and cycle links in to Thame;
- That the approach to built form, street layout and landscape and dwelling density minimises the visual impact of the development;
- Buildings not to exceed two-storey except along Wenman Road where up to three-storeys may be acceptable.

3.8 The principal other material consideration to be taken in to account is the advice in the National Planning Policy Framework (NPPF). However, given that both the SOCS and TNP have been prepared to be in general conformity with the NPPF it is not considered necessary to review the matters set out in the NPPF in detail in this Report.

3.9 Nevertheless, it is worth noting that sustainable development is at the heart of the NPPF, with the economic, social and environmental roles that the planning system makes in achieving sustainable development highlighted. This includes, *inter alia*, the provision of a supply of housing, the creation of a high quality built environment, and the contribution of the planning system to the protection and enhancement of our natural, built and historic environment.

3.10 In addition, twelve Core Planning Principles are identified in the NPPF including that planning should, *inter alia*

- Proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units that the country needs;
- Ensure high quality design and a good standard of amenity for existing and future occupants of land and buildings;
- Take account of the different roles and character of different areas;
- Contribute to the conservation and enhancement of the natural environment;
- Encourage the effective use of land; and
- Managing growth to make the fullest use of public transport, walking and cycling

4.0 Key Planning Considerations

4.1 The key planning considerations connected with the proposed development were assessed in detail in the Report to Council in June (**Document 1**) and, accordingly, this section of the Report reviews only those matters that formed the objection/holding objection at the time to assess whether these have now been fully and appropriately addressed.

4.2 As noted previously (paragraph 1.3) there were two matters that gave rise to the formal grounds of objection, which are considered in turn below:

- *The proposed housing mix, that would fail to provide an appropriate mix of units, especially in respect of the private units, and does not demonstrably follow a Thame-specific study, contrary to the requirements of the TNP;*

4.3 As noted in the Report attached at **Document 1**, the first ground for objection to the application concerned the private units in terms of (i) the mix of unit sizes proposed and (ii) the detail of those proposed units and whether the mix would be delivered.

4.4 In terms of (i), whilst there is always an inherent difficulty in retrospectively providing a convincing justification for a mix that should have formed the basis to the initial scheme development, further work has been undertaken and included within various updates to the Affordable Housing and Housing Mix Statement. This has included:

- A wider analysis of background information and planning policy;
- Empirical data of existing household composition/size in Thame;
- Local housing market intelligence data including sales by house size, and house size by speed of sale; and
- Site specific and localised housing market analysis and information.

- 4.5 In combination, it is considered that the additional information and evidence demonstrates that the proposed market housing mix, comprising eleven 2-bed, twenty 3-bed and seventeen 4+-bed dwellings, is acceptable.
- 4.6 The second part of the issue concerned the physical configuration of the units and whether the proposed mix would actually be delivered given that a number of the smaller units were shown with first floor dressing rooms and study space that could easily be occupied as bedrooms. The amendments to the scheme have removed the first floor study areas (save in circumstances where the room size is insufficient to be used as a bedroom) with no dressing room areas shown at first floor level to the smaller units.
- 4.7 Nevertheless, as originally amended the two bedroom units were shown with large bathrooms¹ with traditional window cill levels that could comfortably be used as a bedroom. Whilst, through discussion, it was suggested that this 'issue' could be designed-out by reducing the extent of the first floor accommodation, the applicant has instead chosen to revise the window design to incorporate a cill level consistent with any other bathroom, and has accepted conditions requiring these windows to be obscurely glazed and that the dwellings be constructed with an internal layout as approved.
- 4.8 Whilst this is not ideal, and the preference would have been to design-out the issue, the approach to ensuring the delivery of two-bedroom units is, on balance, considered acceptable and will require careful monitoring during the construction and marketing phase.
- 4.9 Given such, it is considered that the housing mix issues have been fully resolved and addressed.
- *That the layout, form and design of the proposed scheme fails to create a development that reinforces the locally distinctive layout and design qualities of Thame.*

¹ and separate en-suite facilities

4.10 Following the Town Council's resolution in June, a number of meetings were held with Taylor Wimpey to discuss the design, form and materials of the Element A development. These discussions resulted in a number of amendments to the scheme, as described in paragraph 1.3 above.

4.11 Whilst these amendments do not fundamentally change the layout and configuration of the development, they provide additional layers of evidence and detail to the design of the dwellings that, subject to conditions, would better ensure the delivery of a development that more appropriately reflects some of the distinctive building design qualities of the town. Furthermore, through the central section of the site the proposed dwellings would have a more contemporary design that, although tempered to reflect the form, articulation and massing of the surrounding development, would provide some visual interest and a sense of delivering units that reflect modern Thame.

4.12 In combination, and whilst there are elements of the design/layout that could be improved/varied the amended scheme is considered, on balance, to be acceptable and appropriate in design terms subject to conditions in respect of:

- External materials (buildings and hardsurfaced areas);
- Fenestration and door detailing (including detailed sections);
- Eaves and Soffit detailing;
- Bay window detailing;
- Bin and Cycle Storage detailing;
- External lighting

4.13 In addition, there were a number of matters that gave rise to a holding objection as set out in paragraph 1.3. These are considered below.

- *The routes to be provided through the controlled publicly accessible open space to the south of Element B*

4.14 The applicant has provided written confirmation that all of the land to the south of Element B will be available as publicly accessible open space, in accordance with the Council's approved Guidance Note in relation to such. That being so, the applicant has suggested that the alignment of the routes through this space can be defined at the Reserved Matters stage. Subject to conditions/obligations to this effect, the holding objection is thus removed in this regard.

- *Further interpretative material demonstrating how building form, design, layout and enclosure on Element B will reinforce the distinctive design qualities of Thame;*

4.15 Whilst no additional material has been submitted in relation to this matter, discussions have taken place with the applicant. Full details of the proposals will come forward at the detailed stage and discussions have satisfactorily confirmed that there is sufficient scope and information within the masterplan and related documentation to ensure an approach that is reflective of the distinctive design qualities of the town.

- *Pedestrian and cycleway improvements to Dormer Road/Chinnor Road;*

4.16 Policy HA2 sets out a requirement for improvements to pedestrian and cycle links via Thame Park Road and Dormer Road/Chinnor Road. Whilst the former are included in the application, the latter are not. The Position Statement submitted by the applicant earlier this month states:

'Dormer Road already has pedestrian footpaths on both sides of the road and there is street lighting. There are therefore no identifiable pedestrian improvements that could be made to this route. Dormer Road is also not a sufficiently trafficked road to reasonably justify the provision of dedicated cycle lanes'.

4.17 One of the key issues raised by the District Council in respect of the inclusion of Site C as an allocated site in the Neighbourhood Plan was the ease with which it would be integrated/knitted with the rest of the town in sustainability terms. The requirement for

improvements to the Dormer Road/Chinnor Road route in to the town centre were thus included in the Neighbourhood Plan in order to improve that integration and the attractiveness of the routes to the town centre.

- 4.18 The applicants, as noted, are of the view that there are no identifiable improvements in pedestrian terms to Dormer Road/Chinnor Road and that the provision of dedicated cycle lanes is not justified. In this regard, the County Council, in responding to the application noted that:

'During scoping discussions, the Highway Authority identified that future occupiers of the site (particularly those of element B) may utilise Dormer Road and Chinnor Road/Park Street to access the town centre both on foot and by cycle. It was recommended that this route be reviewed and if appropriate, measures be identified to mitigate against this potential increase in use. It is disappointing that the TA refers to this route as being longer and less attractive than alternatives and therefore concludes that future residents should be encouraged to utilise Thame Park Road to access the town centre.'

- 4.19 Whilst the County Council have issued further comments subsequent to that noted above, the comments in the above paragraph are referenced as still being relevant. It does not appear that further evidence has been submitted to the County Council confirming that the route has been 'reviewed' nor justification provided as to why mitigation is not required. Whilst the outcome may be as described by the applicant, it is suggested that specific written confirmation be sought from County Council confirming they are satisfied that on this point.

- *Biodiversity improvements along the fully accessible open space adjacent to Cuttlebrook;*

- 4.20 The applicant has indicated that the dedication of the strip of land adjacent to the Cuttlebrook as fully accessible open space would, by reason of the removal of sheep

grazing from this land, deliver biodiversity improvements. Those benefits, however, need to be tempered with the implications of full public access to this land, albeit a biodiversity action plan (that could be controlled by planning condition) linked to the applicant's own agreement to such in relation to additional biodiversity improvements on the site, would maximise the benefits to be derived from such.

4.21 In respect of these additional biodiversity improvements, the applicant has agreed that a 'biodiversity area' will be created around the attenuation pond proposed in the south-eastern corner of the Element B site. This would afford the potential for substantive biodiversity improvements on the site and could, as agreed by the applicant, be controlled by planning condition in respect of the need for a biodiversity action plan.

4.22 Accordingly, and subject to such a condition, the holding objection has been resolved in respect of this matter.

- *The provision of burial space on Site C;*

4.23 In the report to Council in June it was concluded that the details contained in the original application were *'insufficient for the reader to conclude with any certainty that the prospect of providing burial space in any location on the site is unacceptable'*.

4.24 In response to such, the applicant has confirmed that additional land suitability assessment work is to be carried out within the southern open space, and a further plan indicating the extent of such has now been submitted with the amended/additional information. The applicant has advised that, as a first stage, trial digging would be required to establish whether ground water is a minimum of 1.85m below ground level and, if so, then a second stage risk assessment would be required over a 12-month period. If, as a consequence of such, the assessments demonstrate that the site is suitable, then land capable of providing 200 burial spaces would be gifted to the Town Council. If not, then the applicant would provide a financial contribution towards the provision of burial space elsewhere. The applicant has suggested the mechanisms for

- such (i.e. the assessment process, and either land transfer or financial contributions) would be secured through a Section 106 Agreement.
- 4.25 It is unfortunate, given the known requirement for the provision of burial space on either Site C or D in the Neighbourhood Plan, that the assessment work has not been undertaken in sufficient detail in advance of the application in order that a known and definitive position can be reached. Further, whilst some comfort may be taken from the fact that the borehole analysis undertaken in respect of the geo-environmental matters (referred to below) did not encounter groundwater to a depth of 5.45m if, under a worst-case scenario, it is established that the site is unsuitable for burial space, Councillors should be aware that the financial contribution - taken on a pro-rata basis from that in the Section 106 Agreement in relation to Site D - would be of the order of £17,000. Unless land is to be gifted to the Town Council for the provision of burial space, the financial contributions secured in this manner are very unlikely to be sufficient to facilitate the purchase of land for such with additional sources of funding.
- 4.26 However, the lack of a definitive and known position in respect of the suitability of the site for burial space is not, in circumstances where a mechanism is proposed to enable such position to be reached, in itself ground for objection to the application. That being so, and subject to the S106 Agreement, it is recommended that the holding objection in this regard can be removed.
- *Information in respect of ground conditions on Element B to ensure that strip foundations are suitable and that development is thus acceptable in terms of the relationship with the pipeline running through the site.*
- 4.27 In respect of the request for additional information, the applicant has commissioned the Geo-Environmental Group to undertake a preliminary intrusive investigation of ground conditions along the length of the pipeline where it relates to the proposed Element B development. A total of six window sample boreholes were drilled along this length to a depth of 5.45m, with the results indicating that traditional strip/trench foundations would be suitable. That being so, and given that the submitted masterplan assumes a

- 6.0m 'buffer' to the pipeline based on traditional foundations, it follows that the technical constraints of such do not have a significant impact on the submitted masterplan layout.
- 4.28 Notwithstanding such matters, it is considered appropriate that the District Council verify the technical geo-environmental information contained in the report to confirm that traditional strip/trench foundations are appropriate.

6.0 Recommendation

6.1 For the reasons set out in detail above, it is recommended that the Town Council **Approve** the application subject to:

- Confirmation from the County Council that they are content the prospect of improvements to Dormer Road/Chinnor Road has been fully explored and justified;
- Review and consideration of all proposed planning conditions on any permission, including those set out in this Report; and
- Full involvement in the terms of the proposed Section 106 Agreement.

DOCUMENT 1

(SEE SEPARATE ATTACHMENT)