

## Full Council

---

<b>Date:</b>	<b>18 July 2017</b>
<b>Title:</b>	<b>Land Adj. Park Meadow Cottage, Thame Park Road OX9 3PJ</b>
<b>Contact Officer:</b>	<b>Graeme Markland, Neighbourhood Plan Continuity Officer</b>

### Background

1. Members will recall Park Meadow Cottage is a site of 0.6 ha adopted as part of the greater housing allocation site described within Policy HA3 of the Thame Neighbourhood Plan (TNP). Members and Officers met with Cantay Developments for a pre-application discussion with the developers on 9<sup>th</sup> February, 2017. During that meeting, although some praise was expressed with regards to certain elements of the proposed scheme, guidance was given on design, and concern expressed over the proposal to develop just part of the allocation site.

### Proposed Development

2. Application P17/S2210/FUL – The erection of 4 x 3 bedroom houses and 5 x 2 bedroom houses, car and cycle parking, bin stores, access, and landscaping. The development is seeking conformity with the design principles of the TNP in terms of layout. Attempts have been made to provide frontages to both Thame Park Road, and the proposed pedestrian link to the north of the site. The design of the buildings is best described as rustic-executive; the developer has included wood cladding in pastel colours on all of the buildings. One building, plot 9, is designed to be barn-like.
3. The developer has chosen to propose houses of 2 and 3 bedrooms. Within paragraph 3.20 of the Planning Statement, it is stated this was because the 2014 Oxfordshire SHMA advises this is where the need lies. Members may recall that evidence suggests Thame has a higher proportion of smaller homes than the rest of the District. Local developers and agents state however that there remains a significant demand for 2 and 3 bedroom homes. This aspect of the proposal is therefore welcome.
4. The high standards of internal space the applicant has used are welcome. It is suggested by the applicant that one of the three bed houses may not meet the 100 sq m requirement, for amenity space, but all of the others exceed the required standard.
5. Parking standards, access and turning areas have been approved by Oxfordshire County Council Highways. The County's Waste Management Officer has objected to the submitted swept path analysis diagram as it does not show the size of vehicle the County use for waste collections (they are larger). An alternative approach of collection from the point nearest to the highway has been suggested.

### Discussion

6. The site is allocated for 12 dwellings within the TNP. Only half of the site area is included in this application (0.3 ha, not 0.13 as declared by the applicant in paragraph 1.1 of their Design & Access Statement) but there are no references to phasing, or mention of the other half of the allocation site. During the pre-application discussion the applicant claimed the owner of Park Meadow Cottage, and the adjacent paddock was no longer intending to develop the remainder of the site. We have no evidence before us that this is the case. This would leave

a portion of an allocation site, with the principle of development established at 25 dph available to bring forward at least another 6 units.

7. Nine dwellings are currently proposed. This is below the allocated number, but the density on just half the site is above that directed by the TNP which is calculated at 25 dph (net) at 30 dph. The quantum and density are contrary to Policy HA3 of the TNP.
8. It could be suggested that the applicant is seeking to avoid affordable housing contributions, required on sites of over 10 dwellings, and building to a higher energy conservation standard, as per CSQ2 of the District's Core Strategy. The rest of the site would remain a housing allocation within the TNP until the Plan is reviewed; many more dwellings could be provided, again without any contribution being made to affordable housing requirements.
9. The site was allocated in line with the vision and objectives of the TNP. The applicant is seeking to override the TNP in applying policies within the Core Strategy in order to justify their development proposals. As part of this they argue in paragraph 4.3 of their Planning Statement that the District's Core Strategy CSH2 requires a minimum of 25 dph; and that page 56 of the TNP makes it clear it intends to be consistent with this. It is; policy HA3 does provide for a net density of 25 dph. It must be emphasised though that the area identified as site 3 within the greater site area of HA3 was identified for 12 dwellings. For this 0.6 ha site, this represents a density of 20 per hectare; this lower density is explained by the fact this site is expected to deliver a transition from the adjacent open countryside to the built up area of the Town, under Policy HA3. The 3 areas that compose allocation site HA3 "broadly equate" to 25 dph – other specific policy issues apply across the area as a whole.
10. It is worth noting for example that the area identified as site 2 delivers homes at 40 dph, recognising its relationship with the existing built environment. Regardless of this, and the above paragraph, the quantum of development on site 3 cannot be argued by invoking the District's land use plans; it would be contrary to Section 38 (5) of the 2004 Planning Act. This clarifies the situation where two development plan policies conflict with one another. The most recently adopted plan is considered to have the definitive policy. The Thame Neighbourhood Plan, adopted in March 2013, supersedes any relevant policies within the District's Core Strategy and Local Plans.
11. It is therefore acceptable for policy HA3, in part or full, to ask for a lower density than that prescribed within the Core Strategy and the applicant's case for applying local and national policy over the TNP is false.
12. The applicant is similarly confused about the role of neighbourhood plans with regards to the housing land supply. In paragraphs 3.9, 4.2 and 5.3 of their Planning Statement the applicant states the proposal should be permitted due to the lack of a 5-year housing land supply. This would be contrary to the Written Ministerial Statement of December 2016; this states that relevant policies for the supply of housing should not be considered out of date where:
  - less than 2 years have lapsed from the date of the statement, or the neighbourhood plan is less than 2 years old;
  - the neighbourhood plan allocates sites for housing; and
  - the local planning authority can demonstrate a three-year supply of deliverable housing sites.
13. South Oxfordshire District Council can currently demonstrate a 4.1 year supply of deliverable housing sites and the other criteria are met. The discussion of the 5-year housing land supply issue is wholly out of place and unnecessary.

14. With regard to other matters, it is noted that site-specific issues are caused by constraints brought about by trying to introduce too many dwellings while trying to achieve required policy matters. For example, the applicant notes in paragraph 5.1 of their Design and Access Statement that there is a greater amount of hard-surfacing than would otherwise be required, due to the need to meet requirements from SODC's Design Guide, and those from policy HA3. Should the whole site have been available it is likely the layout would have been less compromised. In stating this, note should be made of the fact that Persimmon have retained a right of access to the southern part of the allocation site; potentially, not quite all of the remaining 0.3 ha would be available.
15. In not delivering the whole site the required allocation of 12 dwellings cannot be reached, while adhering to other TNP policy requirements. This leaves the planned delivery short of dwelling numbers. Thame's housing reserve sites cannot be opened up for just 3 dwellings and in any case they are required in their entirety, should Lord William Lower School not move by the date specified in the TNP.
16. The applicant may not be aware that NPs are inherently less flexible than their Local Plan counterparts with regards to allocations; this is because the Plan in its entirety is supported by the local community, and passed by a referendum. No other level of plan making has this scrutiny. It is therefore beyond the Town Council to recommend changes to allocation sites that go beyond the vision, objectives and policies of the TNP.
17. In recognition of this, it would be advisable for the Council to offer further contact with the developer. If the extent of the site that they can now bring forward has genuinely changed, they should understand that we are prepared to work with them in finding a suitable solution for their site.

**Recommendation:**

18. It is recommended that this planning application is recommended for refusal, as being contrary to Policy HA3 and the wider vision and objectives of the Thame Neighbourhood Plan.