

WHIZZKIDZ LTD, 2-6 JEFFERSON WAY – ADDITIONAL INFORMATION

Change of use of existing building, Children`s indoor playground E(d) to part retail unit E(a) and part Children`s Nursery E(f). Single storey extension. Recladding of building including new windows and roof. (Planning Statement received 20 September 2023).

1. Officer Recommendation:**OBJECTS:**

- Fails to provide EV charging for cars and bicycles, contrary to Local Plan Policy TRANS5
- Proposes a main town centre use in a location that is contrary to the NPPF, and fails to provide a retail sequential test
- Inadequate detail regarding the lighting scheme
- Proposes a use that cannot be implemented, contrary to Local Plan Policies LP 2035 DES1 and DES7.

2. Key Issues:

- This application was considered by Thame`s Planning and Environment Committee on 11 July 2023. The Council decided to object to the application, on the following grounds:
 - Fails to provide EV charging for cars and bicycles, contrary to Local Plan Policy TRANS5
 - Proposes a main town centre use in a location that is contrary to the NPPF, and fails to provide a retail sequential test
 - Inadequate detail regarding the lighting scheme
 - Inadequate details of access for HGVs
 - Proposes a use that cannot be implemented, contrary to Local Plan Policies LP 2035 DES1 and DES7.
- The applicant has submitted further information in the form of a Planning Statement (September 2023). The following report looks at how the matters raised by the Town Council have been addressed by the applicant and formal consultees.
- TTC Objection: Fails to provide EV charging for cars and bicycles, contrary to Local Plan Policy TRANS5

The applicant has not provided any further information regarding either parking or EV charging. The County has stated that 18 bicycle spaces will be required for the retail unit and 13 for the proposed nursery.

- TTC Objection: Proposes a main town centre use in a location that is contrary to the NPPF and fails to provide a retail sequential test.

As noted within the officer report for 11 July 2023, the shop unit would fall below the 500 sq.m. threshold required to trigger a Retail Impact Assessment, as per Local Plan 2035 Policy TC2. The National Planning Policy Framework requires that planning applications for main town centre uses that are not made within an existing town centre or in accordance with an

up-to-date plan (such as this application) are subject to a sequential test. This requirement is aimed at ensuring the viability and vitality of Town Centres.

Within their Planning Statement, the applicant states they are proposing a “small” convenience food store. Within paragraph 3.11 of their Statement they note national guidance indicates that certain main town centre uses have particular market and locational requirements “...which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide a justification” (National Planning Practice Guidance, Paragraph 012 Reference ID:2b-012-20190722).

The applicant has now looked at 10 other sites as part of the sequential test. Of these:

- Three are occupied, having been off the market for up to 4 years
- One is not in Thame (it is in Chinnor)
- The 6 remaining sites are believed to be available and offer between 1 tenth and 3.6 times the floorspace sought
- One unit, the former Co-op store is able to offer flexible accommodation between 339 and 1,400 sq.m.

Guidance expects that the applicant should be flexible in the format and scale of their proposed use when undertaking the sequential test in order to establish the contribution more central sites could make to accommodate the proposal. The above findings demonstrate that several sequentially preferable sites could accommodate some, most, or all of the proposed development.

Having found sites, the applicant has attempted to provide justification for their proposal. The applicant states that their unit would be a local convenience store, and it is appropriate to place those outside of an existing town centre.

- The applicant has provided a “crow-fly” isochrone map set at 400 and 800 distances, showing their site will offer alternative provision for most of the new southern estates and some existing housing areas, too. The applicant has chosen 800 metres as being roughly equivalent to a 10-minute walk.
- The applicant notes that the sites they have assessed are all outside their 800 metre isochrone. They incorrectly state these are all town centre based and so they would not fulfil the roles of a local neighbourhood store, nor be sequentially more acceptable in that respect.
- The applicant notes the convenience store at the Park Street BP / M&S store, but states this only provides a limited range of goods and “...is part of a petrol filling station with cars entering and leaving”.
- The applicant correctly recognises many of the new estate homes are easily within 800m of the BP /M&S store.
- It is also correctly stated that many new homes would be beyond this distance.

In response to these comments:

- The proposed site would similarly be served by a car park with cars entering and leaving and have the added complexity of multiple vehicle and HGV movements along Jefferson Way. This is not adopted highway (and it is believed, not built to adopted standards).

- The TNP ensured that quality pedestrian and bicycle links have been provided as part of these allocations.
- The proposed unit would be slightly larger (50+ sq.m.) than the typical “daily” convenience stores currently being launched by the major supermarkets, e.g., Tesco Express or Sainsbury’s Local. Such stores are placed within highly accessible or high density, walkable areas, open early and close late.
- The applicant’s own map demonstrates that a considerable proportion of the immediate, 400 metre walking catchment would be occupied by employment uses that close from 4pm onwards.
- The proposed location has permeability issues. Much of the 400 / 800 metre isochrone covers areas that are either unoccupied (farm and parkland) or inaccessible due to the former railway line / Station Road Industrial Estate.

The proposed location for the development is not a town centre and could not become one without being defined as such on either the Local Plan or Neighbourhood Plan policies maps. The most recent policy guide on this matter remains TNP Policy WS6, which directs small scale retail development to the housing allocation sites. While this policy may not have been superseded, the more recently adopted Local Plan Policies TC2, TC4 and TH1 follow the District’s town centre first strategy in directing development towards Thame’s Town Centre, in line with LP 2035 Policy STRAT1.

- Inadequate detail regarding the lighting scheme

No new information has been provided in relation to lighting, illuminated signage, etc.

- Inadequate details of access for HGVs

No new information has been provided in relation to HGV access. The County Council has not, however, objected to the retention of the existing access arrangements. It is recommended that the Town Council removes its objection.

- Proposes a use that cannot be implemented, contrary to Local Plan Policies LP 2035 DES1 and DES7.

As previously noted, the nursery unit would be required to provide outdoor space in order to comply with the conditions for Offsted registration, a statutory requirement. No new information has been provided by the applicant. To meet the requirements the business must provide outdoor space for the children within the nursery, or (if not possible) ensure that daily outdoor activities are planned and taken on a daily basis. The proposal does not provide an area that would be considered acceptable to Offsted. Practically, there is unlikely to be a public space nearby that could be used for the purpose; any area used would need to be secured.

The proposal presents a situation where permission could be granted for a development that cannot be implemented. This is an unsatisfactory position to be in as it would be possible for the intended works to be carried out and the unit remain unoccupied. This

would be contrary to Local Plan 2035 Policy DES1 and DES7, in failing to use land efficiently and ensuring that the land is of a suitable quality for development.

Outdoor play space adjacent was previously supplied in connection with the site's former use but that was on space that has been identified for car parking provision.

3. Planning History:

[P11/E1020](#) – Proposed part change of use to facilitate the operation of a takeaway food sales service.

TTC recommended approval

SODC granted planning permission

[P07/E1258/RET](#) – Provision of ancillary outdoor play area (retrospective). Relaxation of condition 3 (Childrens indoor adventure playground only) of planning permission P04/E1245. (As amended by letter and drawing SB/315/3 Rev A received from the Agent dated 1st November 2007).

TTC recommended approval

SODC granted planning permission

[P04/E1245](#) – Change of use from industrial to Childrens indoor play area.

SODC granted planning permission

[P03/E0086](#) – Change of Use to Childrens Play Centre(as amended by drawing no.2305/06A accompanying letter from Agent dated 7 July 2003).

SODC granted planning permission

4. Risk Appraisal

Dependent on the Town Council's recommendation to SODC is it likely that there would be a contrary decision by SODC? If so then a councillor should be nominated at the meeting to represent the views of the Town Council at the planning committee.

5. Policies Relevant to the Application

The following policies are of particular relevance when considering this application.

Thame Neighbourhood Plan

WS13	Support improvements to existing employment areas
ESDQ16	Development must relate well to its site and its surroundings
ESDQ19	The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood
ESDQ29	Design car parking so that it fits in with the character of the proposed development

SODC Local Plan 2035 Policies

DES1	Delivering high quality development
DES3	Design and access statements
DES6	Residential amenity
DES7	Efficient use of resources
DES8	Promoting sustainable design
EMP2	Range, size and mix of employment premises
EMP3	Retention of employment land

ENV12 Pollution – impact of development on human health, the non-strategic natural environment and/or local amenity (potential sources of pollution)
EP3 Waste collection and recycling
TH1 The strategy for Thame
TRANS2 Promoting sustainable transport and accessibility
TRANS4 Transport assessments, transport statements and travel plans
TRANS5 Consideration of development proposals