

PLANNING & REGULATION COMMITTEE – 1 DECEMBER 2014

By: DEPUTY DIRECTOR (STRATEGY AND INFRASTRUCTURE PLANNING)

Development Proposed:

Construction of Residential Children's Home - New Assessment Centre building and associated external recreation areas, car parking and new vehicular entrance off the highway. Change of use from Farmland to Residential care provision

Division Affected: Thame and Chinnor

Contact Officer: Mary Thompson Tel: 01865 815901

Location: Glebe Land, Thame, Oxfordshire

Application No: R3.0086/14 P14/S2411/CC

Applicant: Oxfordshire County Council

District Council Area: South Oxfordshire District Council

Application Received: 16 July 2014

Consultation Period: 28 July 2014 – 18 August 2014

Contents

- Part 1- Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Assessment and Conclusions

Recommendation Summary: APPROVAL

• **Part 1- Facts and Background**

Site Location (see plan 1)

1. It is proposed to locate a residential children's home on a green field site currently used for agriculture on the outskirts of Thame. The site is 0.8 hectares in area.
2. The site is located approximately 1.5 km south east of the town centre on the western side of the B4445 Chinnor Road, immediately south west of the roundabout junction with the B4012. The Chinnor Road adjacent to the site is a national speed limit road with no pavement.
3. The site is surrounded by agricultural land which drops to the south west towards the Cuttle Brook. There is a residential property immediately to the west of the northern part of the site, approximately 40 metres from the site boundary. There is also a blood products business to the north and a British Oxygen Co. Ltd site to the north east on the opposite side of the B4445. A fuel pipeline runs across the northern section of the site.
4. The Thame Neighbourhood Plan identifies the land as having potential for development. The site itself does not have any specific designation in this plan, but the area to the west is identified as a reserve housing site.
5. The site is 130 metres south west of a Roman burial site. It is not in close proximity to any sites designated for biodiversity importance and is not in an area of flood risk.

Details of the Development

6. The proposed building would provide a total of 506 square metres of floorspace over two storeys, with a maximum roof height of 9 metres. It would include meeting/therapy rooms, games area, lounge, dining room, kitchen, storage, six children's bedrooms, two staff bedrooms and quiet rooms.
7. The lower part of the building would have buff brickwork and the upper floor would be clad in Siberian larch. There would be a south facing pitched roof so that photovoltaic cells could be used to generate electricity for the building and the roof would have grey roof tiles.
8. Outside the building the development includes a new kickabout area, a timber storage shed, a car park for 8 cars and 10 bicycles and a new pedestrian access path. A new footpath would link the site along the Chinnor Road to the roundabout, from where there are pavements along the roads into the town centre.

9. There would be a new vehicular access onto the Chinnor Road. Two possible options were initially proposed, but following the consultation period the proposal is for a new access into the site opposite an existing farm access. A section of the existing hedgerow would need to be removed to construct the access and visibility splays. An existing field gate access would remain for agricultural access through the southern corner of the site to an adjacent field. An existing gated access to the application site to the south of the new access would be stopped up.
10. External lighting is proposed to be mounted on the building and on bollards and lighting columns around the car park and access road.
11. The building would be used as a children's assessment centre. This is a residential home to provide short term accommodation for up to six young people aged between 12 and 17, who are at risk of entering into the care system. It is anticipated that children would only spend part of the week there and part of the week at home whilst assessment work was undertaken by Oxfordshire County Council to determine whether they can continue to live at home or whether an alternative arrangement (for example foster care) is needed.
12. The development would allow more 'looked after children' to be accommodated within the County. In the past a number of children and young people have been placed outside the County. Oxfordshire County Council's Cabinet has already agreed a commitment to keep its "most vulnerable young people closest". To address this a total of four new children's homes, two assessment centres and two moving-on homes, are proposed within Oxfordshire and this is one of the two assessment centres. An assessment of alternative sites has been carried out and submitted in support of the application.
13. The plans and details which comprise the application and supporting information can be viewed at <http://myeplanning.oxfordshire.gov.uk> using reference [R3.0086/14](#)

Part 2 – Other Viewpoints

Consultation Responses

14. South Oxfordshire District Council – Planning – On the basis of the information provided, the principle of developing the site is unacceptable. Significant concern about building on open farm land beyond the built confines of the town. No detail has been provided about alternative sites.

The proposal would encroach in to the countryside extending the built limits of the town, contrary to local development plan policies including South Oxfordshire Core Strategy (CSEN1), the saved policies within the South Oxfordshire Local Plan 2011 (G2, G4 and C6) and the Thame Neighbourhood Plan (ESDQ22 and ESDQ16).

15. South Oxfordshire District Council – Environmental Health – No objections.
16. Thame Town Council – Insufficient evidence has been submitted to justify a departure from the Thame Neighbourhood Plan and the South Oxfordshire Local Plan. In particular, additional evidence is required in relation to the range of options considered and the site selection process. Will object to this application if further evidence and justification is not forthcoming.

In particular, the development is contrary to policy CSS1 of the SOCS. The Town Council are mindful of an appeal decision at the neighbouring Diagnostic Reagents site. The form and scale of the development would negatively impact the character of the surroundings, contrary to policies CSEN1 and CSQ3 of the core strategy, because the character of the area is open countryside. The Thame Neighbourhood Plan does not identify the land as suitable for development. The application is a departure from the development plan which requires specific justification. This justification is not provided in the application documents.

17. Environment Agency – No comments. This application is deemed to have a low environmental risk.
18. CPRE - This is a greenfield site on open land. We cannot see any justification for this development needing to be in this particular place and therefore object to the development. We can incidentally find no reference to land classification, which is necessary in order to consider whether it breaches NPPF constraints on use of BMV land.
19. Ecology – No objection. There are no protected species constraints, with the exception of the potential for nesting birds being present in the section of hedgerow proposed for removal. Therefore a nesting bird informative should be attached to any permission. The loss of the hedgerow should be compensated for by new native species planting elsewhere on the site. It does not appear that any landscaping scheme has been submitted, suggests a condition for this.
20. Arboricultural Officer – No objection.
21. Transport Development Control – First response – Holding Objection. Concerned about the visibility splays and access arrangements. A vehicle tracking diagram should be provided.

Final Response - No objection subject to condition. Initial concerns were addressed through the submission of amended drawings for the off-site highway works. The proposed new access and visibility splays are acceptable and should be secured by condition. The vehicle tracking drawing now shows that refuse and fire vehicles would be able to turn in the site and leave in a forward gear.

22. Archaeology - An archaeological evaluation has been undertaken which did not record any archaeological features. The proposals outlined would therefore not have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.
23. Drainage/Lead Local Flood Authority – The proposed drainage arrangements are acceptable.
24. HSE –The British Oxygen Co. Ltd site is classified as a hazardous installation and therefore the PADHI+ system was used to consult HSE. The building is outside the defined blast zone and therefore the response was ‘do not advise against.’
25. British Pipeline Agency – Confirmation that development does not affect pipeline.

Representations

26. No third party representations have been received.

Part 3 – Relevant Planning Documents

Relevant planning documents and legislation (see Policy Annex to the committee papers)

27. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
28. The relevant Development Plan policies include:
29. South Oxfordshire Core Strategy (SOCS):
 - CSS1- Overall strategy
 - CSQ3 - Design
 - CSM1 – Transport
 - CSTHA1 – Strategy for Thame
 - CSEN1 - Landscape
30. South Oxfordshire Local Plan 2011 (SOLP):
 - G2 - Protection and enhancement of the environment.
 - G4 – Development in the countryside and on the edge of settlements.
 - C6 – Biodiversity conservation.
 - T1 – Transport requirements for new developments.
 - T2 – More transport requirements for new developments.
31. Thame Neighbourhood Plan (TNP)
 - GA1: New development to provide good pedestrian and cycle connections to the town centre and other local destinations.
 - ESDQ16: Development must relate well to its site and surroundings.

ESDQ17: Development must make a positive contribution towards the distinctive character of the town as a whole.

ESDQ18: New development must contribute to local character by creating a sense of place appropriate to its location.

ESDQ21: Development proposals, particularly where sited on the edge of Thame or adjoining Cuttle Brook, must maintain visual connections with the countryside.

ESDQ22: The visual impact of new development on views from the countryside must be minimised.

32. The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions.

Part 4 – Assessment and Conclusions

Comments of the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

33. The key planning issues are:
- i) Location of the site in countryside
 - ii) Design
 - iii) Highways
34. Other important planning issues to consider include:
- i) Biodiversity
 - ii) Amenity
 - iii) Agricultural Land

Site Location

35. SOLP policy G4 states that the need to protect the countryside for its own sake is an important consideration when assessing proposals for development. The development of a non-agricultural building on farm land as proposed in this application would not be consistent with protecting the countryside and this must be taken into consideration in assessing the proposals.
36. SOCS policy CSS1 states that outside towns and villages and other major developed sites, any change will need to relate to very specific needs such as those of the agricultural industry or enhancement of the environment. Although this development does not fall under either of the two examples listed in this policy, there is a very specific need for additional provision for looked after children, which could be met by the proposed development. The application states the specific requirements of an assessment centre means that an edge of town location such as this is ideal. A location within an existing town is considered by the applicant to be less preferable due to the fact that residents are likely to be upset or disruptive at times and having a degree of isolation is seen as beneficial in managing this. Therefore, I consider that there is a specific need for this development and there

are some advantages to location on this site. However, this needs to be weighed against potential harm to the countryside.

37. SOCS policy CSTHA1 states that proposals for development in Thame should be consistent with the strategy which includes improving accessibility, enhancing the quality of the town's environment and supporting schools, health and other service providers to meet their accommodation needs. This policy provides some support for proposals which help meet the accommodation needs of service providers. However, although the principle of a development such as this is supported, the policy does not provide details of acceptable locations and so it cannot be taken that this policy supports the proposed location.
38. SOCS policy CSEN1 states that the district's landscape character and key features will be protected against inappropriate development. Where development is acceptable in principle, measures will be sought to integrate it into the area. A landscape and visual assessment has been submitted with the application and includes proposals for enhancing the landscape through tree planting. It states that there are no key views from Thame into the wider landscape which would be affected by the development. Notwithstanding this, it is clear that there would be an impact on the landscape character of the immediate area, due to the urbanising influence of a new building.
39. Full details of the landscaping proposals have not been provided with the application and it is considered that these should be submitted prior to a decision being made. This is reflected in the recommendation and progress with this will be reported at the meeting.
40. This site is located in the open countryside on a green field site beyond the settlement limits of Thame. Paragraph 111 of the NPPF encourages the effective use of land by re-using land which has been previously developed i.e. brown field land. There has been an objection from Thame Town Council and South Oxfordshire District Council (SODC) have expressed concerns, due to the location of the site. They requested further detail of why the applicant has found other sites unacceptable for this development.
41. A more detailed assessment of alternative sites was submitted by the applicant to support the proposals following the comments from Thame Town Council and SODC. This included a number of different documents, including a detailed appraisal of various options for accommodating looked after children in Oxfordshire, and an assessment of 19 alternative sites potentially available. These potential alternative sites were assessed against a range of planning considerations. When assessed against these criteria, the Thame site was joint second with two other sites in Eynsham. The documents submitted explain the decision to take forward the Thame site for an Assessment Centre, despite the green field location outside the town. These reasons include the relative isolation from immediate neighbours, access to the town centre and the potential for strategic

links with Buckinghamshire County Council. SODC have confirmed that they do not have any further comment to make in light of this and the further comments of the Town Council are awaited and will be reported at the committee meeting.

42. It is clear that there is a strong need for this development, which must be weighed against some potential conflicts with planning policies, specifically those relating to protection of the countryside. The number of looked after children in Oxfordshire has been increasing due to policy changes meaning that young people aged 16 and 17 and young people receiving secure remand or custodial sentences are classified as children in care. New guidance recommends that the number of children being sent out of the county should be reduced. There is also increased concern about child sexual exploitation and investing in in-county residential provision is considered to be important in addressing this.
43. The detailed alternative site assessment information submitted demonstrates that a range of options has been considered and that there are various reasons that other potential sites would be less suitable for such a development. The proposed location outside of Thame creates some conflict with development plan policies aimed at protecting the countryside. However, it is accepted that the nature of the development would benefit from a location which is separated from, but in proximity to, an urban centre. Overall, I consider that the strong need for the development and the suitability of the application site compared to potential alternative sites overrides the conflict with policies relating to the protection of the countryside and landscape.

Design

44. SOCS policy CSQ3 states that planning permission will be granted for new development that is of a high quality and inclusive design that respects the character of the site and surroundings, improves the quality of the public realm, creates a distinctive sense of place and is constructed of appropriate materials.
45. Thame Town Council have included reference to SOCS policy CSQ3 in their objection. However, they have not made any specific comments regarding the design and their main concern appears to be the proposed location outside the built limits of Thame, rather than the details of the design of the building.
46. TNP policy ESDQ22 states that the visual impact of new development on views from the countryside must be minimised, through site layout, landscape and the design of buildings. TNP policy ESDQ21 states that development proposals, particularly where sited on the edge of Thame or adjoining Cuttle Brook, must maintain visual connections with the countryside and open views towards the countryside or across open spaces must be maintained from key existing routes in the town.

47. TNP policy ESDQ16 states that development must relate well to the site and surroundings, responding to the specific character of the site, maintaining its strengths and addressing its weaknesses. TNP policy ESDQ17 states that development must make a positive contribution towards the distinctive character of the town as a whole and policy ESDQ 18 states that new development must contribute to local character by creating a sense of place appropriate to its location.
48. The location of the proposed building away from other buildings and in the countryside makes it more difficult for the design to relate to the existing character and context of the site. As the building would be on the edge of Thame it would be more prominent than if it were located within the town surrounded by other buildings.
49. The planning application explains that the design incorporates rural and domestic influences, which would reflect its purpose and location. The applicant considers that it is in character with the area as it appears as an individual dwelling in a rural location and it incorporates appropriate materials including timber and brickwork. It is basically an institutional building similar to a school, however some care has been taken to incorporate materials and features relevant to the location. The design is considered to be appropriate for the function of the building.
50. Overall, it is considered that the proposed building does relate to the site and surroundings and incorporates relatively high quality design and appropriate materials, in accordance with SOCS policy SCQ3 and TNP policy ESDQ16, 17 and 18. The landscape assessment confirms that it would not affect any key views, in accordance with TNP policy ESDQ21 and ESDQ22.

Highways

51. SOCS policy CSM1 states that the council will work to promote and support traffic management measures which increase safety.
52. SOLP policy T1 states that proposals for all types of development will provide a safe and convenient access to the highway network and provide safe and convenient routes for cyclists and pedestrians. Policy T2 states that development proposals will make provision for parking and cycle parking. TNP policy GA1 states that new development should provide good pedestrian and cycle connections to the town centre and other local destinations.
53. The Highways Authority initially had some concerns about the proposed access arrangements and visibility splays. However, these concerns were addressed through the submission of revised plans and the access arrangements are now considered to be safe and convenient. Traffic measures to increase safety have been incorporated into the proposals, including 'dragon's teeth' road markings and red coloured surfacing between the roundabout and the new access into the site. There is a safe and convenient route for pedestrians through the provision of a path from the development to

the roundabout. The development therefore in accords with SOCS policy CSM1, SOLP policies T1 and T2 and TNP policy GA1.

Amenity

54. SOLP policy G2 states that the district's countryside, settlements and environmental resources will be protected from adverse developments.
55. There is some potential for nuisance and impacts on local amenity due to the proposed use of the new building as an assessment centre for vulnerable children who have been removed from their families. There is the potential that children at the centre will be angry and upset and may shout or attempt to run away from the building. However, the risk of this happening has been reduced through the design of the building and access and the risk of it causing a nuisance has been minimised through the proposed location on the outskirts of Thame. The risk of nuisance from the residents would also be managed by supervisory staff and it is not considered that this would be a frequent or significant risk. Therefore, the development is considered to accord with SOLP policy G2 in terms of amenity.

Biodiversity

56. SOLP policy C6 states that in considering proposals for development, the maintenance and enhancement of the biodiversity resource of the district will be sought.
57. This policy was included in SODC's objection to the application. However, there has been no objection from the county council's protected species officer and she has advised that the loss of a section of hedgerow should be compensated for by new native species planting elsewhere on the site. As no landscaping plan has been submitted, I have requested that the applicant provide more details and will update the committee meeting on this. Subject to this, it is recommended that a condition is added requiring the submission of a detailed landscaping scheme, should planning permission be granted. The application included details of a number of measures to protect the biodiversity potential of the site, including improvements to the western hedgerow, hedgerow removal outside bird nesting season only, mowing the grass before clearing. These recommendations can also be secured by condition.
58. The development is unlikely to have an adverse impact on ecology and is acceptable with regards to SOLP policy C6, subject to a condition for additional landscaping.

Agricultural Land

59. The CPRE have queried the agricultural classification of the application site, as the NPPF states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in

preference to that of a higher quality. The agricultural classification of this land has not been established. However, it is considered that as the site area is just 0.8 hectare, the loss of this land would not be contrary to the NPPF even if it were best and most versatile agricultural land as the area is not significant. Natural England only need to be consulted on applications in relation to the loss of agricultural land if the loss is greater than 20 hectares, which is significantly more than this application site. Natural England have confirmed that this is consistent with their approach to best and most versatile agricultural land.

Conclusions

60. The proposed development is located in the open countryside, outside the built limits of Thame and therefore there is some conflict with development plan policies aimed at protecting the countryside (SOLP G4) and protecting the landscape (SOCS policy CSEN1). However, the development is related to a very specific need which is best met by a site located outside of a town. SOCS policy CSS1 allows for development outside built up areas to meet such needs. The potential harm to the countryside must be weighed against the need for the development and in this case it is considered that there is a strong need and no other more suitable site is available.
61. The design of the proposed building is considered to be appropriate and acceptable in accordance with SOCS policy SCQ3 and TNP policies ESDQ16, ESDQ17, ESDQ18, ESDQ21 and ESDQ22.
62. The proposals are acceptable in terms of impact on the highway, subject to the traffic measures proposed. These can be secured by planning condition. The development therefore accords with SOCS policy CSM1, SOLP policies T1 and T2 and TNP policy GA1.
63. The proposals comply with policies protecting amenity (SOLP policy G2) and biodiversity (SOLP policy C6).

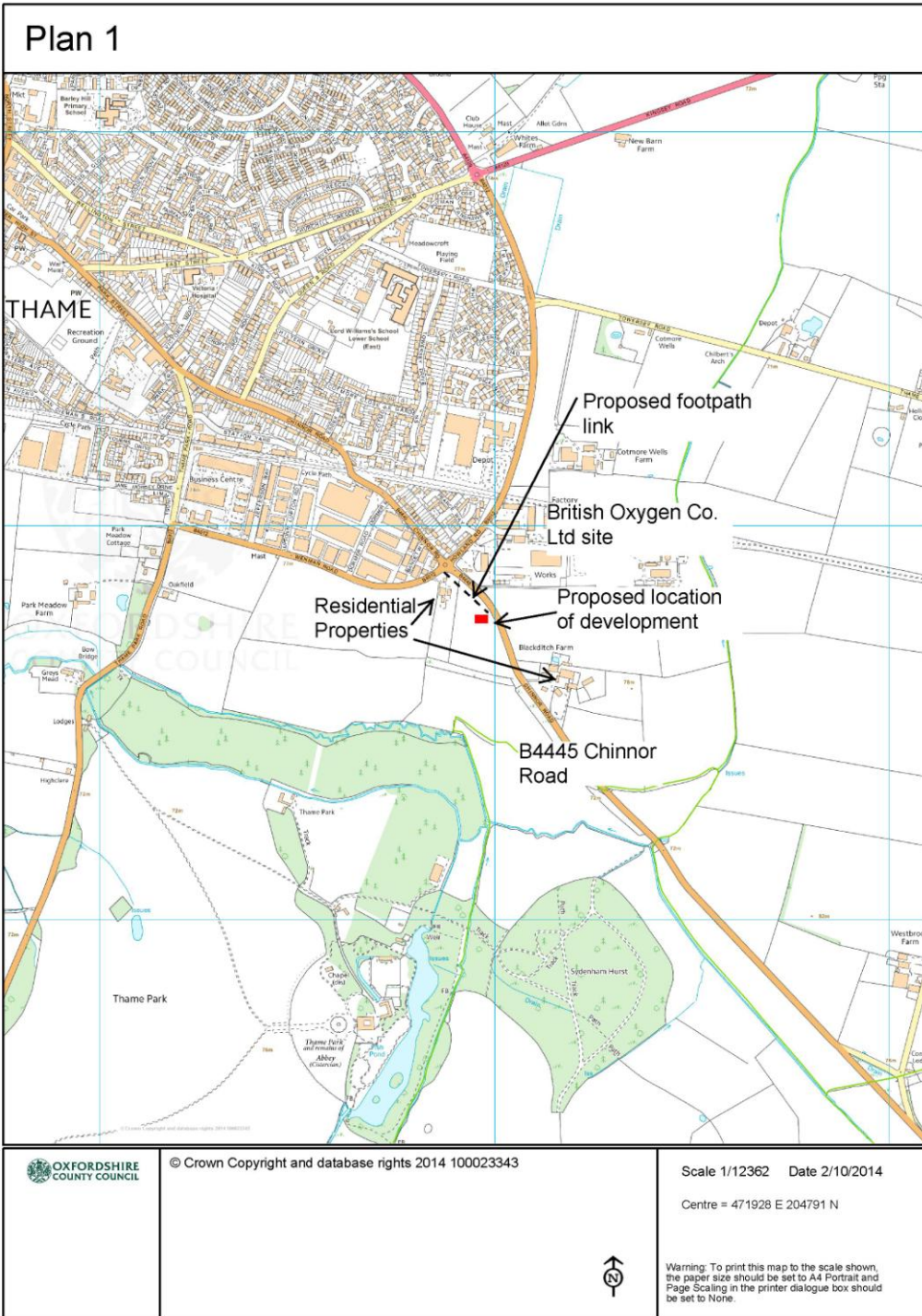
RECOMMENDATION

It is RECOMMENDED that planning permission for application no. R3.0086/14 be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the matters set out in Annex 1 to this report and to the submission of a satisfactory landscaping scheme.

BEV HINDLE

Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

November 2014



Conditions

Include:

1. Three year commencement;
2. Complete accordance with approved plans;
3. Implementation of a landscaping scheme showing new native planting to compensate for hedgerow loss and improvements to western hedgerow;
4. Hedgerow to be removed outside of bird nesting season only;
5. Grass to be mown prior to site clearance;
6. Submission of details of external materials;
7. New access in accordance with approved details and OCC specifications;
8. Traffic mitigation measures to be implemented as approved;
9. Existing gated access to be stopped up;
10. Existing field access gate to be used for agricultural purposes only;
11. Retention of vision splays as shown on approved plans;
12. Parking and turning areas as approved;
13. No surface water to be drained to the highway.

Compliance with National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by:

- offering a pre-application advice service, and
- updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

No issues arose with this application requiring updating of the applicant or their agent.

Annex 2 – European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2010 which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS;
2. Deliberate taking or destroying of EPS eggs;
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely:
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

- b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

Our records and/or the habitat on and around the proposed development site and/or ecological survey results indicate that European Protected Species are unlikely to be present. Therefore, no further consideration of the Conservation of Species & Habitats Regulations is necessary.

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