

Planning Committee

Meeting Date: 25 June 2024

Contact Officer: Graeme Markland, Neighbourhood Plan Continuity Officer

3 Cornmarket - Amendment No.1

[P24/S1371/FUL](#)

Installation of two AC condensers and a cold store unit, to be located on rear elevation facing rear yard; Installation of a vent outlet, to be installed on rear elevation facing yard. (As amended and amplified by information received 10 June 2024).

This report has been prepared as the latest amendment may change the Town Council's original recommendation of 'Support plus comment' to object.

1. Officer Recommendation:

OBJECTS:

- The proposal would be contrary to Local Plan Policy ENV6 through causing harm to 3 Cornmarket, a Building of Local Note and for harming the viability of 1A Cornmarket, a Grade II Listed Building.
- The proposal would be contrary to Local Plan Policy ENV7 in failing to minimise harm and avoid adverse impacts on 1A Cornmarket, and for failing to justify the harm.
- The proposal would fail to respond to its historic site and surroundings, contrary to Thame Neighbourhood Plan Policy ESDQ16.
- The proposal fails to demonstrate how the air and condensing units will be served by plumbing and electrical paraphernalia and how the proposal will fit around the existing rainwater downpipe. This is contrary to Thame Neighbourhood Plan Policy ESDQ27.

2. Key Issues:

- Impact on Neighbouring Amenity

The area known as The Shambles is a utilitarian space primarily used for bin storage and car parking for residents and the businesses of Cornmarket and Buttermarket. It is also an active cut-through for pedestrians crossing between the two and is recognised as a unique public space that is part of Thame's historic Town Centre.

Wrens, The Birdcage, Black Hound Tattoo and Gail's have a vested interest in ensuring the space is kept clean and free of litter, and that bins are well managed and kept locked to reduce the risk of pest infestations. It is tidy, clean and surprisingly well maintained for a space that is not in single ownership or maintained by any local authority.

The impact is primarily on 1A Cornmarket in terms of heat and smell. One air conditioning unit and one condensing unit have already been fitted. The doorway of 1A Cornmarket

now has air blown across it that is warm and holds cooking / baking smells. The fan has been observed to vary its speed and the volume of air it displaces. This suggests the unit will blow greater volumes of air in hot weather. While this has been a nuisance during the recent unseasonably cool weeks this constant movement of warm, tainted air will constrain the door of 1A from being opened to provide ventilation. This is significant as the doorway is the only opening to the ground floor on that frontage. If two air conditioning units were to be fitted, as per the submitted plans, it is assumed the impact would be collectively greater.

The frontage of 1A Cornmarket is attractive and well maintained. The conditioning / condensing units and their cages will be bulky. The existing units are served by multiple pipes and isolation switches that cause visual harm both to the Tattoo Parlour's immediate environment and the wider Shambles.

- Impact on the Character and Appearance of the Area

The impact would be primarily visual. The currently fitted units do make a noise and emit smells but these are less likely to cause a nuisance to pedestrians passing through The Shambles. The potential noise nuisance for nearby residents will be investigated by the District's Environmental Health Team. The proposed equipment would also be seen from the Buttermarket, however, and would detract from the environment and setting of not only 3 Cornmarket itself but also the other buildings that front / back onto The Shambles. All these units are Grade II Listed Buildings with the exception of The Birdcage, which is a Grade II* Listed Building.

- Design

It is proposed there would be two large air conditioning units placed vertically in line. Adjacent to the lower would be a smaller condensing unit to serve Gail's refrigeration unit. All three units would be surrounded by mesh cages to prevent damage or harm.

There are currently two units fitted, one for air conditioning and one condensing unit. Both are served by multiple pipes and isolation switches. The switches are designed to be attention grabbing to advertise their function in case of emergencies. As proposed through the amendment, it must be assumed there would be additional pipework and an additional isolation switch to serve the second air conditioning unit. No pipework, cabling or switchgear for any of the proposed units is shown on the plans.

An existing rainwater downpipe serving the flat roof of 3 Cornmarket passes vertically downwards through where the condensing unit is shown fitted. It is also absent from the plans. It is not, therefore, clear if the air conditioning and condensing units and downpipe would fit into the space available.

- Impact on the Character and Appearance of the Conservation Area

The location is within the Thame Conservation Area. The effect on the Conservation Area would not be significant.

- Impact on the Special Architectural and Historic Interest of the Listed Building

Number 3 Cornmarket is a Building of Local Note while 1A Cornmarket is a Grade II Listed Building. Although proposed for the rear elevation of 3 Cornmarket, the units would be within both the public realm and public sight and would have a negative impact on that building. This would be contrary to Local Plan 2035 Policy ENV6 in causing harm to the significance of this non-designated building.

Number 1A Cornmarket's current permitted use is as a Tattoo Parlour (potentially classed as a Class E unit, in light of amendments to the Use Classes Order) or a dwellinghouse under dual / flexible permission [P22/S2163/FUL](#). In recommending the dual / flexible use be granted the case officer recognised the retention of 1A Cornmarket as commercial premises would add to the vitality of the Town Centre / Thame Conservation Area.

The proposal will cause nuisance to number 1A Cornmarket that is likely to affect the viability of either of the building's permitted uses, contrary to Local Plan Policy ENV6. It will also cause less than substantial harm to the significance of the Listed Building. Local Plan Policy ENV7 advises that such proposals will be expected to "...*minimise harm and avoid adverse impacts, and provide justification for any adverse impacts, harm or loss of significance*". The proposal is contrary to Policy ENV7 and no justification for the impact and harm has been provided.

The proposal would also be contrary to Thame Neighbourhood Plan (TNP) Policy ESDQ16 in failing to respond to the specific character of the site and its local surroundings, namely respecting the public space and heritage significance of 1A and 3 Cornmarket.

The proposal is also contrary to TNP Policy ESDQ27 in neglecting to demonstrate how the air and condensing units will be serviced by plumbing and electrical paraphernalia and how the proposal will fit around the existing rainwater downpipe.

3. Planning History:

Application Number	Description	TTC Decision	SODC Decision
P14/S3083/A Amendment No. 1	Erection of new internally illuminated signage. (as amended by drawings showing alterations to design of signage received with agents email of 2 December 2014)	Approved	Granted
P22/S4338/FUL	External works: Remove all Fascia and external signage and make good. Remove all external marketing. Remove 1no. ATM to Cornmarket elevation and infill to match existing finishes. Remove 1no. ATM and signage cover panel to The Shambles elevation. Seal letterbox. Night safe to be removed and lid sealed. Temporary correx to windows (internal face).	Supports + response	Granted 23/01/2023
P23/S2290/FUL	New external door insertion.	Supports + response	Granted 29/08/2023
P23/S2335/N5D	Conversion of upper floors into two self contained residential flats.	Noted	Agreed 21/08/2023

P23/S2600/FUL Amendment No. 1	New side window insertion and rooflight to first floor and replacement doors and windows to upper floor openings. (Additional & Amended Information received 17.10.23)	Supports + response	Granted 06/11/2023
P23/S4096/FUL	New external door insertion (alternative location to that approved under P23/S2290/FUL).	Supports + response	Granted 24/01/2024
P24/S1055/FUL P24/S1056/A	Alteration to the existing shopfront door and replacement of timber door panels with glazing. Two externally illuminated lettering signs to fascia band.	Supports + response	Granted 10/05/2024

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

- H6 Design new development to be of high quality
- ESDQ15 Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character
- ESDQ16 Development must relate well to its site and its 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
- ESDQ19 The Design and Access Statement and accompanying drawings must provide sufficient detail for proposals to be properly understood
- ESDQ20 Building style must be appropriate to the historic context
- ESDQ28 Provide good quality private outdoor space

SODC Local Plan 2035 Policies

- DES1 Delivering high quality development
- DES2 Enhancing local character
- DES3 Design and access statements
- DES5 Outdoor amenity space
- DES6 Residential amenity
- DES7 Efficient use of resources
- DES8 Promoting sustainable design
- ENV6 Historic environment
- ENV7 Listed buildings
- ENV8 Conservation areas
- ENV12 Pollution – impact of development on human health, the non-strategic natural environment and/or local amenity (potential sources of pollution)
- TC5 Primary Shopping Areas