

Full Council

Date:	18 November 2024
Title:	Land north of Oxford Road
Contact Officer:	Graeme Markland, Neighbourhood Plan Continuity Officer

Proposed Development

1. This application, [P23/S4262/FUL](#), is an amendment to a previous scheme and seeks permission for 120 residential dwellings and infrastructure over a site of 17.33 hectares. The application contains details of proposed highways and footpath works, sustainable urban drainage systems, pumping stations and green infrastructure.
2. It is proposed to site 55 homes in an area east of the existing estate and 65 in an area to the north of it. For simplicity, this report again adopts the applicant's reference to Phase 2 (to the east) and Phase 3 (to the north).

Background

3. Oxford Road was one of the main housing allocation sites within the 2013 Thame Neighbourhood Plan (TNP). The main built development consisted of 203 affordable and market homes, accessed off Oxford Road, and these have been completed and occupied. Both the TNP and a legal obligation required that 17 hectares of agricultural land, inclusive of an area identified as an extension to the Cuttle Brook nature reserve to the north and east of the completed housing area, be made accessible to the public.
4. Two other areas were allocated for potential development to the west of the built scheme. The first was reserved for educational use for both the site of a potential new primary school and expansion land for Lord Williams's School. The second area was intended to be used as one of two reserve sites for homes. This was needed in case Lord Williams's Lower School site failed to be redeveloped for the housing allocated to it at Lord Williams's request.
5. To provide certainty that Thame's housing allocations would be built within a reasonable period of time, TNP Policy H2 required the Lower School Site to have achieved planning permission by 1 April 2021. The School had by 2021 formally given notice that they would not be seeking such a permission, and so the housing reserve sites were able to be brought forward. Land parcels for 78 homes at Oxford Road and 57 homes off Wenman Road were automatically freed up for development through this trigger mechanism.
6. Shortly after commencing work for the completed housing at Oxford Road archaeology of national significance was found on the western half of the site. This sterilised the land in development terms, meaning that neither the Reserve housing allocation nor the education facilities would be able to be brought forward. Both the County Council and Lord Williams's have confirmed that neither will need the land allocated for educational use. The issue of the housing remains, however, as an allocation handed down to Thame through the District Council's 2012 Core Strategy and subsequently reaffirmed through their 2020 Local Plan.
7. Prior to April 2021, the landowner approached the Town Council seeking its view on the impact the archaeology had on the Reserve site. At this time Thame's housing completion record had not yet been agreed with the District Council, and the Town looked highly vulnerable to major windfall applications. Subsequently, the District Council adopted their

2035 Local Plan, with its presumption of supporting planning applications where neighbourhood plans had not progressed to site allocation by December 2021. It was, therefore, agreed that it would be reasonable to work towards using part of the land protected for public access while re-providing any lost areas to the west of the site.

8. During public consultation held for the Thame Neighbourhood Plan Review (TNP2) in early 2022 residents supported the use of land around Oxford Road as the main housing site for Thame. During the formal Regulation 14 stage majority support was again given for this purpose. The Plan has now passed through to Examination, the final consultation has been held and the Examiner is preparing a report on the Plan based on its evidence and all the consultation response.
9. A planning application for 77 homes was submitted in July 2022 on Phase 2 land, [P22/S2418/FUL](#). This application did not proceed through to decision and some stakeholder commentary such as that from the Environment Agency (EA) was not received in full. Other commentary from specialists such as the District's Urban Design and Conservation Teams was given. The application was formally withdrawn on 30 November 2024. Thame Town Council did not have the opportunity to provide a formal response to it.
10. As originally submitted this application sought 154 homes with 70 on Phase 2 land and 84 on Phase 3. Given feedback from stakeholders including the District and Town Councils the applicant requested that decision making was paused while further stakeholder engagement was made and amendments prepared.
11. No matter what decision the Local Planning Authority, South Oxfordshire District Council takes, no development will be able to take place at Oxford Road without either major change to or a thorough reworking of the existing legal agreement that keeps the land at Oxford Road publicly accessible.

Policy Considerations – the Development Plan and National Policy

12. This application significantly impacts on a site allocated within the TNP for housing and open space. A Masterplan approach was taken towards guiding the development, set down in TNP Policy HA1. Policy HA6 aimed to similarly guide allocations for housing and education use on the west part of the site. Unforeseen circumstances, however, mean that these policies can no longer be applied as intended. They largely reflect the design constraints and opportunities presented for each relevant part of the site.
13. The proposed development could be viewed as a natural progression of the Oxford Road Reserve Site, although this line of thought can only be taken so far. The application is for 120 homes, not the 78 envisaged through TNP Policy HA6. There is also no viable area now specifically allocated for the Reserve Site homes within either of the TNP Oxford Road Masterplans. The TNP is silent on what should happen to the housing allocation in such an instance.
14. Previously, this application could have been thought of solely as a windfall application. With the TNP2 at Examination, however, some of the emerging policies could be considered as having weight. As the Town Council has yet to receive the Examiner's final report the amount of weight should be limited, particularly where there have been objections to the draft policies. Reference will be made to the relevant Policy for Oxford Road, however (GDH1d), as the development of this policy has been informed by the earlier applications, consultation feedback and through ongoing discussions with District Council officers.

Access and transport

15. It is intended that vehicle traffic would use the existing access road off Oxford Road, Roman Way which would remain unchanged. Within their October 2024 Transport Assessment the applicant explains access to Phase 2 would be made from Weavers Branch and to Phase 3 from Causeway Close.
16. For both areas 6-metre-wide roads and 2-metre-wide pavements either side would be provided. The visibility splays and layout are designed to 20 mph speeds. The existing emergency access route some 60 metres to the east of Roman Way would remain unchanged. It is stated within the Assessment that the Oxfordshire Street Design Guide permits between 150 and 400 dwellings to be served from a single access where an alternative emergency route has been provided. Together with the existing homes the proposed housing would fall short of the upper limit, at 323 dwellings.
17. Both service roads would be a minimum 6 metres wide with 2 metre pavements on either side. In Phase 2, it is intended to keep the pedestrian route through to Rycote Meadow, albeit altered to reflect the intention to form a street along the existing route. Connections to public access footpaths will be available from the edges; each area is proposed to have a circular walk around it, although Phase 2 uses part of the proposed footpath through Rycote Meadow. Phase 2 also proposes a pedestrian / cycle link to Oxford Road using the existing track adjacent to Town Farm.
18. The Transport Assessment states 179 car parking spaces will be provided for the dwellings together with 24 visitor parking spaces.
19. The applicant has submitted a Transport Assessment that evaluates the impact of the proposed extra housing (tables 7 – 12). This tests if the Roman Way / Oxford Road junction and Oxford Road / A418 junctions could cope with the theoretical maximum load of the estate's junction with Roman Way and Oxford Road, i.e., the 400 dwellings described above as well as that from the proposed additional development. The Assessment states the scheme will add around 54 and 55 vehicle movements (in and out) for the AM (08:00 – 09:00) and PM (17:00 – 18:00) peak hours, respectively.
20. Also tested is the expected traffic impact on 5 key junctions, made at the request of SODC. These include the development's junction onto Oxford Road; the Oxford Road/A418 roundabout and the High Street / Bell Lane roundabout. A separate junction capacity assessment was also requested by the District Council for both the Roman Way / Oxford Road and the Oxford Road / A418 roundabout. The latter assessment tests the current capacity and the capacity with development completed for both the 2027 and 2032 years.
21. In terms of bicycle parking, the Transport Statement suggests that 2 spaces will be provided per bedroom, in line with OCC standards. The above assessments, provision and the assumptions underlying them will be scrutinised for site-specific compliance by OCC's Highways Team.
22. It had been proposed that construction traffic for Phase 2 in the east would use Roman Way and Weavers Branch. Construction access was proposed for Phase 3 from the A418, using an existing field entrance. It is not known if this will be available as the agreement of Oxfordshire Highways would be required.

Flood risk

23. Residents have raised numerous objections in response to the earlier and superseded application. There are three main types of flood risk that need to be considered alongside this application:
- River flood risk
 - Surface water flood risk
 - Reservoir flood risk.
24. Regarding risk of river flooding, plan and decision makers are directed to place development to the areas of least risk. For the application, the developer's evidence, long-term flood risk modelling and treatment of surface waters is subject to the scrutiny of three bodies, the EA, the Local Lead Flood Authority (LLFA) and the District Council's own flood risk and drainage team. It is clear, however, that the built area is outside the current, long-term flood risk zone for river flooding as identified by the EA. The applicant must demonstrate, however, that the development can be placed in an area that will remain unaffected by all types of flooding across its lifetime. Guidance states the "lifetime" of a residential development be presumed to be 100 years for the purpose of evaluating flood risk.
25. In response to the now amended application, the EA required the applicant to amend their submitted Flood Risk Assessment (FRA) by using a different river level gauge that would provide a more reliable median annual maximum flow rate for the River Thames. Within the same response the EA also provided the District Council with standing advice on how to apply the sequential test to this application. An option for the District Council, for example, would be to require the applicant submit a sequential test that considers the flood risk of alternative sites.
26. It does not appear that the District Council has requested the applicant submit a sequential test. It is possible the District Council considers it has sufficient information on the suitability of the site to house the proposed development within areas at lowest risk of flooding.
27. The applicant's FRA claims the built development will not be at risk from a 1 in 100 year plus climate change river flooding event over its lifetime. Risk of reservoir failure is classed as "extremely unlikely" by the EA, but the body chooses to test the risk of failure alongside a river flood event in order to show a worst-case scenario. The extent of flood risk associated with reservoir flooding is higher than for any other risk. The applicant claims their built development would remain outside of the risk area but their assessment appears only to show the risk of reservoir flooding alone (FRA Appendix H). The EA's greater flood boundary does, however, appear complementary with the proposed built development line. The EA may comment on this.
28. The general risk of surface water flooding is described as low and this is broadly supported by the EA's flood risk mapping. While surface water flood risk can also change over time it is worth noting that recent case law (January 2024) has confirmed that there is no responsibility on applicants to direct their development to areas at lower risk of surface water flooding. Within the applicant's revised October 2024 Flood Risk Assessment it is, however, stated that their proposed drainage scheme (see below) will reduce this risk to very low. SODC, the Lead Local Flood Authority, should comment on this.
29. The applicant's revised FRA proposes a minimum floor height for dwellings across the development. They suggest that having taken into account the future anticipated increased flood risk the ground floor height of the buildings would sit at least 0.59m above the 1 in 100 year plus climate change event they have modelled, an improvement over the EA's recommended 0.3m.

30. Submitted drawing SM5116-SK-003, Site Sections through Phase 2 Eastern Boundary Sections.pdf shows the relationship between the proposed finished floor levels and the expected limit of the 1 in 100 year plus climate change flood event.
31. In terms of sustainable drainage systems (SuDS) it is proposed to use connected features such as swales, attenuation basins (normally dry), ground storage crates and “wet” biodiversity ponds. It is intended for at least some of the roads to drain into swales to provide habitats and features.

Water and sewage

32. The applicant has proposed that the existing foul water (sewage) pumping station will be able to cope with the additional effluent. Gravity will feed the waste water from Phase 2 to the existing pumping station while that from Phase 3 will be actively pumped to the existing station.
33. In a reverse to its original response Thames Water is now stating that upgrades to the local sewage treatment works will be required in order to receive the foul water from the development. The company has proposed planning conditions to ensure careful phasing to coordinate with their identified works. Within the same communication it was stated no upgrades would be required to the existing foul water pipe network. In terms of fresh water supply Thames Water has again confirmed that it would have to install additional equipment in order to provide fresh water to the proposed housing.

Housing

34. Within the amendment’s covering letter the breakdown of housing by tenure and type is given:

Size	Market	First Homes	Social Rent	Affordable Rent	Shared Ownership	Totals
1-bed		12	8			20
2-bed	21		7	9	4	41
3-bed	28			5	2	35
4-bed	20			1		21
5-bed	3					3
	72	12	15	15	6	120

35. The proportion of affordable to market homes proposed matches the 40% required by current policy. The number of First Homes required is set nationally at 25% through a Written Ministerial Statement meaning other tenures must be shared among a smaller pot. Thame’s 2022 Housing Needs Assessment provides an indicative tenure split where 65% of affordable homes in Thame be for social and affordable rent, with the remainder offering affordable paths to home ownership including First Homes. The proposal is close to matching this, with 30 of the 48 affordable homes proposed as affordable rent, or 62.5%. The Shared Ownership properties make up the remainder at 37.5%. The discrepancy from the Assessment’s recommendation amounts to one home and it is considered the tenure mix is sufficiently close to matching the recommendations of the Thame Housing Needs Assessment and the emerging TNP2 Policy GDH2.

36. The supporting text to the emerging Joint Local Plan 2041 (paragraph 6.21) notes that support will be given to Neighbourhood planning groups requiring First Homes to be delivered at 40 or 50%. The Thame Housing Needs Assessment recommends a discount of 50% for Thame and this is reflected in TNP2’s emerging Policy GDH2. This should be noted in any response the Town Council makes.

37. Excluding the 12 First Homes, the District Council’s Housing Team have advised that:

- 17 homes should be Social Rent (10 x 2-bed, 5 x 3-bed and 2 x 4-bed)
- 12 homes Affordable Rent (8 x 1-bed and 4x 2-bed)
- 7 for Low-Cost Home Ownership, e.g., discounted sale, shared ownership (4 x 2-bed, 3 x 3-bed).

38. The proposed offer is less successful in matching the Thame Housing Needs Assessment size mix. The District Council has also proposed a new housing size mix within their Pre-Submission Joint Local Plan. The application is not compatible with this, either. Local Plan 2035 Policy H11 states housing mix should be in line with the latest (District) Council and Neighbourhood Development Plan evidence for the relevant area.

	1 bed	2 bed	3 bed	4 bed	5 bed
Proposed Market		17.5% 21 dwgs	23.3% 28 dwgs	16.7% 20 dwgs	2.5% 3 dwgs
Proposed Affordable	16.7% 20 dwgs	16.7% 20 dwgs	5.8% 7 dwgs	0.8% 1 dwg	
Thame Needs Assessment mix*	1.6% 0.8 dwgs	9.5% 4.6 dwgs	53.5% 25.6 dwgs	12.9% 6.2 dwgs	22.6% 10.8 dwgs
SODC Housing mix** Market	5% 3.6 dwgs	20% 14.4 dwgs	69% 49.6 dwgs	6% 4.32 dwgs	
SODC Housing mix** Affordable	8% 3.8 dwgs	37% 17.8 dwgs	46% 22 dwgs	9% 4.32 dwgs	
SODC Advised Affordable mix***	20 dwgs (12 as First Homes)	18 dwgs	8 dwgs	2 dwgs	

*applies equally to affordable and market tenures. () = equivalent numbers of dwellings for 48 affordable homes. Source: Thame HNA, Table 5-9.

**Source: South Oxfordshire and Vale of White Horse 2024 Joint Housing Needs Assessment.

***Source: Affordable Housing Team, 05/11/2024.

39. The District Council’s advice appears to be consistent with the advice they gave earlier in the year for the 154-home scheme. The District Council has continued to draw on the 2014 SHMA rather than either the March 2022 Thame Housing Needs Assessment or their own August 2024 Joint Housing Needs Assessment. This is contrary to the Local Planning Authority’s extant housing mix policy H11 as noted in the paragraph above. No explanation is given for this approach.

40. The 2035 Local Plan states Policy H3, which covers housing in the market towns is a strategic policy. This means that the affordable housing should be distributed around developments in blocks of no more than 15 units. The proposal complies with this policy.

41. The site is proposed as a housing site within TNP2. The Plan is currently at Examination and the Town and District Councils are awaiting the Examiner’s report on it. The relevant

policy is GDH1d, Land at Oxford Road. The Examiner is aware of this planning application and the relationship it has with TNP2.

Landscaping

42. There will be impacts on long views from the surrounding footpath network which will be mitigated in time through the proposed soft landscaping along the boundaries and over time, the trees throughout the development. Of most local concern is how the eastern, Phase 2 development would sit within the landscape and townscape. In reply to the last TNP2 consultation and earlier application the District Council recommended that two key views be retained as part of the Oxford Road allocation, the first being the view north from Oxford Road. The Town Council was advised that a wide view corridor be maintained adjacent to the Cuttle Brook, keeping the visual link to countryside to the north free of new housing and planting, and that the corridor itself be specifically referenced within policy. This corridor was reflected within the emerging TNP2.
43. The District Council and Historic England also asked that a second view be kept from the proposed permissive path on the adjacent Rycote Meadow towards the Listed Buildings of Town Farm and its associated barns. This is covered further below.
44. The advice for both landscape and heritage matters were applied to the previous proposal by the Town Council. The same approach is taken for consistency, now.
45. **Phase 2.** The built development within the Phase 2 area has been pulled back from the eastern boundary of the site. Aside from a large, gently sloping SuDS feature the eastern edge is now clear of engineered features, which will help retain a sense of openness for those using the adjacent Rycote Meadow footpath.
46. The critical view from Oxford Road across the open countryside will still be subject to a degree of harm that will be more notable in winter, but the key view cone appears to have been respected by the proposed development. The eastern half of the existing hedge that runs from Weavers Branch is proposed to be retained which will help shield view of the two bungalows and other homes proposed to the north of it. To the south of this hedge, the pulling back of the built development will keep the housing nearest Oxford Road from view when looking north.
47. There will be new housing visible from the eastern edge of the view cone when looking to the northwest from Oxford Road. There may be some minor mitigation provided by the landform – the land dips gently to the north and north-east – but most of the mitigation will be realised through modest tree planting. It is possible that the applicant has been advised to avoid heavy tree screening as this would serve to close the protected view of the open countryside down and potentially harm the relationship between Cuttle Brook, Rycote Meadow and the adjacent meadows.
48. In terms of boundary treatment, each house on the eastern boundary would have a mix of quality, close-board fencing (height undeclared) with shrubs along house frontages. Each cluster of homes will be bordered by a defensive knee-rail fence that should help delineate the private from the public realm. While an overall softer edge might be preferable, the breaking up of the boundary treatment will help avoid one form from dominating within the view.
49. The experience will be similar from within the existing and proposed network of permissive paths. The public open space that wraps around Phase 2 is shown as having a modest screen of mixed native trees of varying heights and form (e.g. hornbeam, crab apple, beech,

oak) relatively close to the built development. This should break up the views of the development from the internal paths while maintaining the open views of countryside.

50. The placement of the play areas to the north-west of Phase 2 is considered well thought out in landscape terms. This area will be contained by a mown-strip informal pathway and its proximity to the existing estate's SuDS ponds will help bring residents closer to these semi-natural areas. The play area for younger children will be reasonably well overlooked by units 7, 8 and 9 and 54 and 55 and to a lesser degree by the existing homes off Saxon Square and Drovers Crescent. The proximity of the pathways to the existing and proposed dwellings should ensure high levels of footfall in this area, too. The District Council's Landscape Team can be expected to provide an authoritative opinion on this matter. The linear pocket path, meanwhile, is both low impact but should fulfil a valuable function as both a destination and "play on the way" facility.
51. From within and moving through Phase 2, there would be views from the central spine road northwest across the existing fields to the A418 and the Crendon Ridge. Two viewing opportunities would arise from the pathways leading towards Rycote Meadow (one would be a new connection) and the Cuttle Brook. Both of these paths would sit in landscaped corridors that should encourage use.
52. A connection is shown to the east of Town Farm Close and Town Farm Barn, linking directly to Oxford Road. The Town and District Councils have received objections from residents who do not wish the use of the track to increase. The route would, however, remain a desire line and would assist with permeability. The applicant has proposed the installation of bollards and the provision of a mown-footpath link, to encourage primary use of the footpath leading to Rycote Meadow. This could be considered a suitable compromise, but the opinion of the Thames Valley Police's Designing out Crime Officer could be key.
53. **Phase 3.** This area of the site also dips, primarily from north – northeast down towards the Cuttle Brook. The eastern-most built development would sit approximately 6-7 metres below the western-most. When viewed from the internal paths to the east of Phase 3 the proposed grain will help mitigate avoid the development appearing as serried ranks of rooftops. The edge of the build development will again be partially screened with native tree species, SuDS features and a Local Equipped Area for Play with a pumping station concealed behind an ornamental hedge. The boundary treatment for the individual houses is the same as in Phase 2.
54. From the new, proposed permissive paths to the south the opportunity to mitigate the appearance of Phase 3 through soft landscaping could be limited by the need to avoid harm to the underlying archaeology. It is the intention of the development to mirror the form of the otherwise invisible outer ditch of the heritage feature, the causewayed enclosure. While this design proposal will be subject to the views of District Council officers the boundary form would enable the considerable scale of the hidden feature to be understood, especially when viewed from points nearer Oxford Road.
55. The most notable feature of Phase 3 will be the sizeable bund that will follow the line of the A418. This feature should help reduce the noise arising from the A418 for the occupants of the closest dwellings, but it is proposed to plant it with native tree and woodland scrub species edged with wildflower meadow mix. A meandering footpath will front this bund and pass to the north of one of the SuDS features; the applicant describes this area as a linear park.
56. From within and moving through Phase 3, views across to Cuttlebrook will be possible from the southern footpath and eastern section of the northern. With the proposed soft and hard landscape mitigation the view from within the proposed north-south internal roads will look

towards the landscaped corridor of the A418 with possible glimpses of the Crendon ridge. Looking back the other way to the south and west the view will either be across the slope or leading up to Oxford Road and the core of the area of archaeological interest. The applicant has proposed a viewing point or station at which information will be able to be displayed about the unique adjacent archaeology.

57. **Internal and adjacent built environment.** Within both areas, travelling through the developments towards the north and east of the site there will be a progression from formal footpath and “village green” to informal paths, play and open recreation areas, ending in the land proposed to be managed for biodiversity. Within the developments themselves there is a requirement to provide trees on the main connecting routes. It has been proposed that ornamental, native species trees will be used with single species e.g. rowan or wild cherries lining each street. This approach will have to be approved by the District’s landscape officer, but it is considered this would help provide each street with its own character. The numbers of trees along the central spine route of Phase 2 does appear to be lower than expected, with gaps in provision on the western side.
58. Within Phase 2 the western boundary the homes fronting Weavers Branch have been proposed as providing a softer, tree-lined edge. Due to the setback, the distance between the principle frontages will be close to that achieved on the southern branch of Weavers Branch. Plot 1, however, has a relatively featureless gable just over 13 metres from the front of number 49 Weavers Branch. The SODC Joint Design Guide appears silent on the issue of an appropriate front-to-side distance but it is possible the proposed dwelling could be moved further to the east in its plot.
59. The view from the existing footpath north of Weavers Branch across to Cuttle Brook would be restricted, although a skyline view across the tops of the proposed rear gardens and garages would remain. The sight line eastwards from the eastern branch of Weavers Branch would otherwise be closed down due to the requirement to increase the site’s density. Similarly, for Phase 3, there will be a closing down of the existing views from Henge Court and Causeway Close, although the natural slope will offer some mitigation towards the east.
60. For Phase 3, the eastern boundary with the existing homes of Henge Court and Causeway Close is relatively more relaxed. Here, separation can be made using a wider, gravel footpath and for the homes north of Causeway Close, a second access road.
61. The arrangements are considered to be acceptable, given the requirement to use land efficiently while recognising the identified constraints.

Open Space

62. The 2013 TNP Policy HA1 allocated the Oxford Road site for 203 dwellings. A key part of the allocation was the requirement to provide 17 hectares of publicly accessible open space, the area of which was defined in TNP Figure HA2. Part of this open space was to be provided to form “a natural green area next to Cuttle Brook that forms an extension to the Cuttle Brook Nature Reserve and retaining existing trees and hedgerows”. These areas were in addition to the areas of play and amenity space required of modern housing developments.
63. The open space requirement was not only protected through the TNP, but also through binding planning obligations in the form of a Section 106 document. This document identified the area and, through a submitted Development Brief, identified the routes of the permissive paths.

64. Within the Document (15S30, dated 30 July 2015) there is a requirement under the Second Schedule for the submission of a Specification of Works. This was to be “a detailed proposal for the provision of the Permissive Paths, including recommendations for their alignment and for construction materials, the provision of a green area adjacent to the Cuttle Brook Nature Reserve, the retention of trees and hedgerows, a planting scheme that reinforces historic field patterns with native tree species, measures to ensure construction works minimise the impact on bio-diversity a programme for carrying them out and a programme for their future maintenance”.
65. A specification for the permissive paths dated July 2016 was submitted by Bloor Homes. This document does refer to the use of structural planting through the site but there are no details of the type of planting to be used. There appear to be no other requirements or documents that aim to improve the open space areas, including the extension to the Cuttle Brook Nature Reserve. It is understood that no additional planting has been carried out away from the build development area since the original works started.
66. It is, therefore, important to understand the proposed open space offer against the backdrop of the existing scheme, which appears to offer no means of reinforcing or improving the area currently operating as an extension to the Cuttle Brook Nature Reserve.
67. It is proposed to provide publicly accessible open space, served by existing or new permissive paths through agricultural land to the west of the existing estate. This would equal around 7.1 hectares. It is proposed:
- that the north-eastern field be retained “as is”, together with the existing mown footpath
 - that the field immediately to the south and two fields immediately to the west be managed for biodiversity gain, accessed via mown footpaths on the east and northern perimeters, respectively. Existing / planned permissive paths across these fields will remain unimplemented
 - that the remainder of the two fields immediately to the south of these will be given over to public open space with more natural mown paths and open access.
68. To the west, it is proposed that the area of archaeological interest will be retained for agricultural purposes. This will be bordered by new, replacement permissive pathways that link to Phase 3. These will loop into the rectangular area between Oxford Road and the original scheme’s allotments, the land formerly reserved for education use. This area is proposed as a community orchard within documentation submitted in support of the applicant’s TNP2 allocation. The area is similarly shown within the submitted Design and Access Statement, but no formal plan for this and the western area appears to have been submitted.
69. The applicant’s letter accompanying the amendment, however, appears to demonstrate that the amount of open space by type required by the District Council for the proposed development is considerably above that. The District’s Developer Contributions Supplementary Planning Document would require a total of 0.558ha of land, but the scheme is offering a slight gain over play space and an excess for youth provision and amenity green space that totals 1.35ha.
70. The letter does explain the area beneath the allotment land would also be offered as public open space (1.22 ha). Together with the areas of proposed public open space, the areas set aside for biodiversity and retained for current use the amount of land available for the public to access or use freely appears to total 18.12 ha.

71. To avoid doubt, the amenity, play and youth spaces are not counted within the 18+ hectares. Open spaces are also proposed within each of the phases. In Phase 2, a Local Area for Play, a “youth sprint strip”, shelter and outside exercise equipment are proposed. A pocket path sits on the main footpath to Rycote Meadow.
72. Within Phase 3, aside from the linear path and heritage viewing point a Local Equipped Area for Play is proposed. The Recreation Plan alluded to within the applicant’s letter is likely to be similar or the same as the one passed to the Examiner for the TNP2. Additional “play on the way” features are indicated on this plan.
73. Assuming all the provision is as described above, this would offer considerable betterment over the original network of purely permissive paths that emerged through the first TNP allocation and subsequent development. The alternative permissive footpaths in the west will, in addition, offer an alternative leisure route for residents during river flooding events and will cover areas further away from the A418. The whole, wider network and open space could also help relieve pressure on the Cuttle Brook Local Nature Reserve, which particularly suffers during periods of prolonged rainfall.

Site Ecology and Biodiversity Net Gain

74. Local Plan Policy ENV3 requires that development provides a net gain in biodiversity, where possible. Changing national legislation means the site will need to provide an at least 10% net gain in biodiversity terms. It is believed that the BNG will be secured through a planning condition and legal agreements following the District Council’s acceptance of the submitted evidence and proposed means of uplift.
75. The applicant has, therefore, prepared an Ecological Appraisal in anticipation, which appears to be a desktop update of that provided for the main application. This assesses the existing habitats, which would be used to inform any future BNG calculation. The Appraisal suggests that on-site habitats are important at the local level. They primarily consist of hedgerows, a small area of both woodland and scrub and both improved and semi-improved grassland.
76. For Phase 2, the key losses to development would be the hedges to the west, north and east of the existing barn in part or whole. Typical species recorded include hawthorn, elder and cherry with perennials and shrubs such as nettles, cow parsley, ground ivy, bramble, etc. About half of the east-west hedges would be removed to provide for access roads or paths, but it is proposed that other gaps would be infilled, and the lengths strengthened with new planting.
77. It is expected that native species hedgerow will be lost but that there will be an overall increase in hedgerow, mostly species-rich. The Appraisal’s author believes that this will more than compensate for the loss. It will be the role of the District Council’s Countryside Officer to respond to the proposals and to ensure that there is an appropriate net gain in biodiversity in line with national, and local policy.
78. In terms of assessing fauna, the Appraisal presents a mix of direct observations and inferred presence through habitat. For example, two trees were seen as having high suitability for roosting bats. Surveys found several species of bat foraging over the site and evidence otters use the Cuttle Brook. The two attenuation ponds north of the existing development were surveyed for the presence of Great Crested Newts, but none were found. The presence of birds and insects, however, were inferred as present due to the variety of available habitats.

79. Likely means of improving biodiversity were suggested through the use of new hedgerow and shrub planting, new wildflower grassland, the provision of bat and bird boxes, new wetland habitats formed from the SuDS features, hedgehog highways, habitat piles and insect hotels.

Heritage

80. A Written Scheme of Investigation has been agreed with OCC's Archaeologist for the Phase 2 area. It suggests the south-eastern element will be investigated in detail, with the remainder and Phase 3 under the usual watching brief.

81. A Heritage Impact Assessment has also been prepared, dated September 2024. This is primarily a refresh of the previously submitted report, updated to include the amendments to the area of heritage concern adjacent to Phase 2.

82. Within the vicinity of Phase 2 are the Thame Conservation Area, which fronts Oxford Road and washes over much of Rycote Meadow and all of Cuttle Brook Gardens and Town Farm Close. Three Listed Buildings are in close proximity to the site, Three-Bay Barn, Five-Bay Barn and Town Farm (Listed as Town Farmhouse). The boundary of one building of local note, 4 Oxford Road, adjoins the Phase 2 site.

83. The amended scheme has reduced the density of housing within the approach to the Town Farm Cluster and the setting of the Thame Conservation Area. The gap between the western edge of the proposal has a footpath set within a landscaped wide, green corridor no less than 18 metres at its narrowest point nearest the buildings of interest. This western boundary and its treatment is considered acceptable.

84. Development on the southern boundary has been pulled back in order to provide a better long view of the Town Farm cluster of buildings from the Rycote Meadow footpath. The southern boundary in this area is more generous but views from Rycote Meadow will remain restricted. The provision of a formal footpath linking to Rycote Meadow will provide some mitigation in this matter. In terms of impact on views to the Listed Buildings and over the Thame Conservation Area it is considered the proposal meets the requirements of the emerging TNP2 Policy GDH1d; this is, however, a matter the District Council's Conservation Team will be certain to comment on.

Noise.

85. The applicant has submitted a noise assessment that focuses on the predicted noise levels for the Phase 3 housing close to the A418. It is stated that suitable noise levels can be achieved through the use of specialist glazing and ventilators for bedrooms and living accommodation. Three plots, 68-69 and 112 will have tall (2.5metre) double fences installed to ensure noise levels within their gardens do not exceed noise levels.

Design

86. Within their Design & Access Statement the applicant has claimed it is their intention to develop new homes within a quality landscape with safe, connected pedestrian routes to Oxford Road and the existing development. The layout is claimed to logically extend and integrate with the existing development. It will use a similar form with development focused around blocks with active frontages, a requirement of emerging TNP2 Policy GDH1d.

87. For the Phase 2 area, the applicant claims to have set development back from the boundaries and reduced the density to create a more fragmented feel in recognition of the site's setting. Within the south west corner of Phase 2 bespoke dwellings of 1.5 storeys in height will be placed closest to Town Farm constructed using traditional brick, tile and weatherboarding. Along the eastern edge of Weavers Branch the house forms and designs are considered complimentary to the existing homes opposite and others further west in Weavers Branch. Overall, the varied use of forms and materials, particularly on the outer boundaries, should help the development better integrate with the landscape beyond it.
88. For Phase 3 the strongest feature will be the bund and parallel housing along its north boundary with the A418. There is a greater consistency in form with smaller terrace and semi-detached dwellings making up the majority of the housing. The materials plan does, however, show variation in materials and finishes.
89. The development's density has been declared at 30 dwellings per hectare within the applicant's Design and Access Statement. Independent measurement has confirmed this is a reasonable claim. The density is higher in parts of each development; in Phase 2, this appears to be a response to the provision of smaller units in a cluster while in Phase 3 a design decision has been taken to increase density to help shield private amenity space from the road noise of the A418.

Summary of benefits and harm

90. A summary of how the proposal fits with local policy is given within the attached appendix.
91. The development would provide BNG that will be able to be experienced through passage across large parts of the publicly accessible land. The proposal would offer sizeable and fully accessible parkland as part of the overall package of open space. This would likely be in conformity with TNP Policy ESDQ4, LP 2035 Policy CF3 and emerging TNP2 GDH1d. The improved play, youth and footpath provision will directly benefit local residents and visitors to the estate and encourage healthy and active lifestyles.
92. There will also be opportunities to provide interpretation for and access around the area of archaeology underlying the west part of the site. The newly proposed form will help visitors understand the site's scale and importance. The proposal will cause some harm to the setting of both the Listed Buildings and the Thame Conservation Area. It is, however, considered that the harm is less than substantial and the benefits of the proposals (including the provision of housing including affordable housing, new parkland and permissive paths) outweigh that harm.
93. The scheme is now believed to comply with the requirement to protect the key view from the Oxford Road into the open countryside.
94. The scheme would provide for 120 homes against an outstanding requirement from the District Council for Thame of some 143 homes, including much-needed affordable housing, in line with Local Plan Policy H3.
95. The affordable housing provision does not, however, appear to reflect any recent evidence on housing (size) mix. It is demonstrably different to both that produced for both the Town Council's evidence which is, as required by policy "*relevant to the (neighbourhood plan) area*" and the District Council's very recent whole District evidence. It is much closer to the District Council's most recently recommended mix; but neither complies with Local Plan 2035 Policy H11.

Recommendation:

96. For the reason given above, it is recommended that Thame Town Council objects to this application. The Town Council should also provide the following comments:

- The Thame Housing Needs Assessment notes that First Homes will require a 50% discount
- Plot 1 does not present a positive relationship with existing housing in terms of proximity / orientation.

Appendix

97. **Policy H6: Design new development to be of high quality.** It is a requirement that proposals for windfall sites are of high quality and designed to reflect Thame's character, while meeting the design policies outlined below. The general house design and scheme approach is similar to that used within the completed scheme, and reflect the immediate local character.
98. **Policy H7: Provide new facilities.** Open space is being provided for the housing areas and it is claimed to be in excess of SODC's standards. This meets the requirement for windfall sites. This policy has supporting text, however, that notes the aim of the open space for the allocation sites is to:
- Protect areas of ecological value and extend areas of value, such as the Cuttle Brook Nature Reserve
 - Create an appropriate edge to the town that makes a transition between the built area and the countryside
 - Provides amenity space for future and existing residents.
99. The proposal may be able to extend the area managed similarly to the Cuttle Brook Nature Reserve. It would also create new areas for BNG which would act above the requirement of H7. It would, however, cause ecological harm to existing habitats through, for example the removal of hedgerows. This will remain a potential concern until the District's Ecologist has appraised the proposed scheme and expressed confidence that the anticipated net gain can be achieved.
100. The scheme would form a partial new edge for the town's built development. With careful consideration of screening, boundary treatment and the absence of edge roads and engineered structures While attempts have been made to soften the eastern side of the Phase 2 scheme it is considered that H7 is complied with.
101. **Policy H8: Provide affordable housing.** It is a requirement that affordable housing should be well integrated with market housing and be visually indistinguishable from the market housing. The Town Council has had discussions with the District Council on how best to apply this policy, which mirrors that from the District Council. There are market homes sufficiently close in form and style to the affordable homes with relatively minor details resulting from distinct requirements. This is considered to be in conformity with TNP Policy H8, although the District Council's Urban Designer may provide the definitive statement in this matter.
102. **Policy ESDQ2: Allocated sites to provide open space in locations specified in Section 3.** This policy has been complied with, and the landowner has entered into a binding legal agreement to protect the publicly accessible open space associated with Policy HA1. This is a site-specific policy and the legal agreement similarly bound to the site and its form. For the reasons mentioned above, a mechanism exists to re-provide alternative publicly accessible open space in compensation for what would be lost to development.
103. **ESDQ4: Provide public open space on windfall sites** This proposal appears to have exceeded policy requirements. This will be checked by the District Council, who define the standards and who will be best placed to comment on the assumptions made.
104. **ESDQ9: Sites C, D and F to provide riverside walks within natural green space.** The proposal would be in conformity with this policy.

105. **ESDQ11: Incorporate Sustainable urban Drainage Systems into new development and ESDQ12: Applications for new development to provide a drainage strategy.** The applicant has provided SuDS as a means for draining surface water from the site. The joint expertise of the Local Lead Flood Authority and the District's drainage specialists will be required to judge the effectiveness of the proposed solutions.
106. **ESDQ15: Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character.** The applicant has provided an adequate Design and Access Statement.
107. **ESDQ16: Development must relate well to its site and surroundings and ESDQ17 Development must make a positive contribution towards the distinctive character of the town as a whole.** The amended development is considered to provide an acceptable relationship with Rycote Meadow and the adjacent countryside. The scheme's western boundary provides an adequate set back from the Listed Buildings of Town Farm and its impact on the Thame Conservation Area is considered acceptable. The creation of the adjacent relatively wide, landscaped corridors and careful treatment of both built form and materials used for the built development and boundaries across both phases is also considered appropriate.
108. **ESDQ18: new development must contribute to local character by creating a sense of place appropriate to its location.** The proposal is in conformity with this policy.
109. **ESDQ20: Building style must be appropriate to the historic context.** The styles of buildings proposed in the vicinity of the Listed Buildings and Thame Conservation Area are considered suitable.
110. **ESDQ21: Development proposals, particularly where sited on the edge of Thame or adjoining Cuttle Brook, must maintain visual connections with the Countryside.** Following the advice given by the District Council on the matter of the view from Oxford Road, the proposal is considered to comply with this policy.
111. **ESDQ22: The visual impact of new development on views from the Countryside must be minimised.** The key view that would be affected would be that from the path in Rycote Meadow. The amended scheme is setback an appropriate distance from the pathway and the proposed boundary treatment and landscape mitigation is considered to adequately reduce the impact of the development.
112. **ESDQ24: Pedestrian and cycle routes must link together potential destinations, such as new housing and the town centre.** The proposal would be in conformity with this policy.
113. **ESDQ27: Design forgotten elements from start.** The application is largely compliant with demonstrable storage facilities for bicycles and bin collection points. Bin stores and EV charging points are, however, absent.
114. **ESDQ28: Provide good quality private outdoor space.** It is not clear what private space is available for the affordable apartments.
115. **LP 2035 STRAT5: Residential Densities.** Given the site's proximity to the completed development and the sensitivity of key landscape views, it would be inappropriate to require the net 45 dwellings per hectare required by this policy.
116. **LP 2035 TH1: The Strategy for Thame.** The scheme is believed to at least conserve the Town's heritage assets. The proposed southern boundary treatment for Phase 3, the

viewing point and extended footpath network could enhance the otherwise concealed archaeology.

117. **LP H1: Delivering New Homes.** The proposal is considered compliant with this policy.
118. **LP Policy ENV4: Watercourses.** This policy requires development adjacent to a watercourse to protect and where possible, enhance the function and setting of the watercourses and its biodiversity. The proposal would likely cause at least some harm to the setting of the watercourse. The NPCO is not, however, able to inform Members as to the degree of harm.
119. **LP Policy ENV5: Green Infrastructure in New Developments.** Development proposals should protect, conserve or enhance the District's Green Infrastructure. Subject to the agreement of the District Council's Landscape and Ecology officers, it is considered the proposal is compliant with this policy.
120. **LP Policy ENV8: Conservation Areas.** This policy is clear that development within or affecting the setting of a Conservation Area must conserve or enhance its special interest, character, setting and appearance. This includes taking into account important views associated with the Conservation Area (such as those into it) and important spaces such as paddocks and other gaps. There would be a requirement to weigh harm to the Thame Conservation Area against the proposal's benefits, as described within LP Policy ENV8.
121. **LP Policy CF3: New Open Space, Sport and Recreation Facilities.** The proposed parkland would be supported by this policy.
122. **LP Policy CF5: Open Space, Sport and Recreation in New Residential Development.** Subject to the views of the District Council, this proposal is likely to be in conformity with this policy, in providing new open space and play areas.