

Heyford Park  
Camp Road  
Upper Heyford  
Bicester  
Oxfordshire  
OX25 5HD

Appendix G - Officer Report  
(LPA Ref. No. 16/00083/NMA)

16/00083/NMA

**Case Officer:** Andrew Lewis

**Recommendation:**

**Applicant:** Bovis Homes

**Proposal:** Non material amendment to a 10/01642/OUT - Addition of metal railings to walkovers between balancing ponds for safeguard of pedestrians.

**Report type:** Delegated

**Expiry Date:** 6 December 2016

**Extension of Time:** N/A

## 1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is part of the former RAF/USAF Upper Heyford base and specifically part of the flood attenuation swale located on the south side of Camp Road in between phases B2B and B5 of the Bovis Homes development, the details of which were approved under reference 13/01584/REM, part of the reserved matters for outline planning permission 10/01642/OUT. This was the revised masterplan submitted as part of the outline application for "Proposed new settlement for 1075 dwellings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure" and was granted permission on 22nd December 2011.
- 1.2. The former base was designated a Conservation Area in 2006. This part of the site has had buildings demolished in order to facilitate the residential development.

## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The current application seeks to erect metal railings 900mm in height, painted black, either side of the two pedestrian links across the swale

## 3. RELEVANT PLANNING HISTORY

08/00716/OUT	OUTLINE application for new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08).	UNDET Permitted at appeal
10/01642/OUT	Outline - Proposed new settlement of 1075 dwellings including the retention and change of use of 267 existing military dwellings to residential use Class C3 and the change of use of other specified buildings, together	PER

with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure

13/01584/REM      Erection of 69 dwellings with associated car parking, infrastructure and landscaping, provision of public open space, play areas and flood attenuation      PER

In addition to the above site specific permissions, the following reserved matters have been approved on adjacent sites that are also of relevance:

15/01612/REM Reserved Matters to 10/01642/OUT - Erection of 86 dwellings with associated car parking, infrastructure, associated works and public open space on land south of the application site

14/01500/REM Reserved Matters to Outline application (10/01642/OUT) - Erection of 50 dwellings with associated car parking, infrastructure and associated works on land to the east of the site

14/01740/REM Reserved Matters to Outline application (10/01642/OUT) - Erection of 90 dwellings with associated car parking, infrastructure, landscaping and other works

#### **4. PRE-APPLICATION DISCUSSIONS**

4.1. Pre-application discussions have taken place with regard to this proposal as a result of a complaint made originally about the swale and some of the details which were felt not to fully comply with details on earlier approved plans. As a result, Bovis decided to introduce a form of enclosure almost as a means of directing pedestrians across the swale and as a health and safety measure. The applicant originally requested to erect some form of timber fencing which was rejected by the Planning Officer (on the advice of the Conservation Officer) as inappropriate and not of the quality required in this conservation area. The applicants have therefore submitted this form of metal park railing on the advice of the Conservation Officer.

#### **5. RESPONSE TO PUBLICITY**

5.1. A non-material amendment (NMA) is not statutorily defined. They should however be of a minor scale and nature in the context of the development approved. However, having regard to Government guidance in the PPG, as the matters contained within it should be minor in nature there should be no requirement for consultation if they are to be thought acceptable.

5.2. In this case although no direct consultations have taken place, as a result of the NMA being listed with other planning applications it should be noted that the case officer has been contacted by a local resident, the Parish Council and the Resident's Association for clarification on what the NMA was. Although nothing has been received in writing the Officer noted the resident expressed the view that they were not keen on the change and would prefer a "timber trip rail" for appearance and safety. The case Officer responded that in fact such enclosures would be out of character with the conservation area and likely to be more dangerous.

#### **6. APPRAISAL**

6.1 In this case bearing in mind the scale of development approved under planning permission 10/01642/OUT, what is now proposed is considered to be very minor in the context of the phase of development and would be wholly acceptable in its own

right as it would enable safer pedestrian access between the different phases of residential development and to the social infrastructure at Heyford Park. Not only is it considered to be minor in nature but it would by virtue of its design and sympathetic materials enhance the character and appearance of the Conservation Area. Furthermore, it would also comply with the advice in the NPPF and PPG on Planning, Health and Well Being in particular that “planning policies should protect and enhance public rights of way and access.....”(para 75 PPG) Officers are therefore satisfied that the change is minor (individually and cumulatively), acceptable and that no party would feel prejudiced by not being consulted about the proposed changes

## **7. CONCLUSION**

- 7.1 In summary, having regard to the circumstances of the proposed changes, and for the reasons above, the proposed amendment shown on drawing no UPP2-02-251 is considered to fulfil the criteria for a non-material amendment.

CASE OFFICER: Andrew Lewis

DATE: 5 December 2016

CHECKED BY: Bob Duxbury

DATE: 6 December 2016