

**Building 457 Village Centre South (Phase 2)
Heyford Park Camp Road Upper Heyford Bicester
OX25 5HD**

19/02337/F

Case Officer: Alex Keen

Recommendation: Approve

Applicant: Heyford Park Commercial Developments LTD

Proposal: Demolition of Building 457 southern facade and gable end walls.
Temporary use and associated works to create public open space.

Expiry Date: 19 June 2020

Extension of Time: 19 June 2020

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is a former Sergeant's Mess building (identified as "Building 457") that lies to the south of Camp Road and which forms part of the complex of buildings that formerly operated as RAF Heyford. The former airfield and military base is being redeveloped to form a new settlement with a village centre, education, leisure and recreation facilities, whilst seeking to preserve the considerable heritage interest of the site.
- 1.2. Large parts of Building 457 have already been demolished as part of the consented scheme for developing the village centre (approved under ref: 16/01000/F). The remaining redbrick façade faces south toward the former Parade Ground, with gable ends and chimney stacks also remaining.
- 1.3. The building is located within the RAF Upper Heyford Conservation Area and is a Locally Listed Building (a non-designated heritage asset). Other locally listed buildings that once fronted onto the former parade ground have been demolished and the area redeveloped for housing, although the site of the parade ground has been kept largely free of development and is now used as open space.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application proposes to demolish the remaining sections of Building 457 and to redevelop the site as additional public open space with simple landscaping and grassed areas and a central seating area. Existing trees to the north and south of the site would be retained. The Planning and Heritage Statement explains that this would be a temporary solution for the site, whilst longer term plans for the site are worked up.
- 2.2. The Planning and Heritage Statement (which was submitted with the application in October 2019) justifies the demolition on the basis that market conditions have changed significantly since the original scheme to develop the village centre was approved, and it is no longer commercially viable to implement the original scheme in full (and which would have seen the remaining sections of Building 457 incorporated into a new building). It is also claimed that what remains of Building 457 is visually unattractive and detracts from the amenity and appeal of the village centre, with potential to adversely affect the viability of the adjacent pub, restaurant and hotel buildings.

3. RELEVANT PLANNING HISTORY

- 3.1. There is extensive planning history relating to the wider Heyford Park development and the former airfield and military base. The following applications are considered most relevant to the current proposal:

16/01000/F - Development of the Village Centre (south) comprising a Hotel and associated facilities (involving the partial demolition and the refurbishment and extension of Building 455 and its change of use); Bar/Brasserie (involving the partial demolition and refurbishment and extension of Building 457) and a Covered Market (canopy link between Buildings 455 and 457) with associated landscaping and car parking – APPROVED 3rd November 2016.

17/00091/NMA - Non-Material Amendment to 16/01000/F - Minor design changes to Buildings 455, 457 and canopy link. Change to required timing for submission and approval of revised car parking layout plan (Condition 17) – APPROVED 11th August 2017.

18/00043/NMA - Non Material Amendment to 16/01000/F - Minor design changes and the introduction of a phased development – APPROVED 25th April 2018.

18/00825/HYBRID – A hybrid planning application consisting of: • demolition of buildings and structures as listed in Schedule 1; • outline planning permission for up to: 1,175 new dwellings (Class C3); 60 close care dwellings (Class C2/C3); 929 m2 of retail (Class A1); 670 m2 comprising a new medical centre (Class D1); 35,175 m2 of new employment buildings, (comprising up to 6,330 m2 Class B1a, 13,635 m2 B1b/c, 9,250 m2 Class B2, and 5,960 m2 B8); 2,415 m2 of new school building on 2.4 ha site for a new school (Class D1); 925 m2 of community use buildings (Class D2); and 515 m2 of indoor sports, if provided on-site (Class D2); 30m in height observation tower with zipwire with ancillary visitor facilities of up to 100 m2 (Class D1/A1/A3); 1,000 m2 energy facility/infrastructure with a stack height of up to 24m (sui generis); 2,520 m2 additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use (Class D1); Creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure. • the change of use of the following buildings and areas: Buildings 3036, 3037, 3038, 3039, 3040, 3041, and 3042 for employment use (Class B1b/c, B2, B8); Buildings 217, 3052, 3053, 3054, 3055, 3102, and 3136 for employment use (Class B8); Buildings 2010 and 3009 for filming and heritage activities (Sui Generis/Class D1); Buildings 73 and 2004 (Class D1); Buildings 391, 1368, 1443, 2005, 2006, 2007, 2008 and 2009 (Class D1/D2 with ancillary A1-A5 use); Building 340 (Class D1, D2, A3); 20.3ha of hardstanding for car processing (Sui Generis); and > 76.6ha for filming activities, including 2.1 ha for filming set construction and event parking (Sui Generis); • the continuation of use of areas, buildings and structures already benefiting from previous planning permissions, as specified in Schedule 2. • associated infrastructure works, including surface water attenuation provision and upgrading Chilgrove Drive and the junction with Camp Road NOT YET DETERMINED

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify

from its records. The final date for comments was **5 December 2019**, although comments received after this date and before finalising this report have also been taken into account.

5.2. The comments raised by third parties are summarised as follows:

- Support the application. Wish to see the village centre completed
- Would provide much needed community facilities

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. HEYFORD PARK PARISH COUNCIL (1st response 22.11.19): **Objection.** In addition to supporting the objection from Historic England, the Parish Council commented that whilst the proposed public space is well designed; *"The developer had assured the community that they will deliver this area which comprises of the two buildings joined via a canopy link for a covered market. It's vital that this is delivered and that the developers should build what has been approved together"*.

6.3. HEYFORD PARK PARISH COUNCIL (2nd response 01.12.19): **Objection.** *"The current proposal lacks the projected community facilities and assets as required by, and included in, the current Master Plan for Heyford Park"*.

6.4. HEYFORD PARK PARISH COUNCIL (3rd response 13.02.20): **Objection withdrawn.**

STATUTORY CONSULTEES

6.5. HISTORIC ENGLAND: **Objection.** *"These proposals would entail the total loss of building 457, an RAF era building which is recognised as a positive contributor to the Conservation Area in which it sits. The proposals would also reduce the coherence of Camp Road as a military landscape and thus entail a moderate degree of harm to the conservation area as a whole. As this building could be restored we do not consider the level of harm entailed to be justified as is required by paragraph 194 of the NPPF and therefore we object to this application"*.

6.6. OCC MINERALS AND WASTE: **No objections.**

NON-STATUTORY CONSULTEES

6.7. CDC LANDSCAPE SERVICES: **No objections**, but comments that the landscaping proposals appear rather bare and are lacking in detail (e.g. planting around seating area; measures to restrict vehicular access such as bollards or knee rails). Tree protection measures should be incorporated.

6.8. CDC BUILDING CONTROL: **Comments** *"Without the scaffolding in place my opinion would be that the unrestrained gable ends, walls stacks etc would not be*

structurally stable. My advice is that if the facades are to be retained a structural engineers input should be sought to establish and confirm stability in that form”.

- 6.9. CDC CONSERVATION: **Objection.** The proposal is considered to cause significant additional harm to the RAF Upper Heyford Conservation Area and there are not considered to be any public benefits to outweigh that harm. It is noted that the decision to allow its partial demolition was made on balance, and on the understanding that the retained section would mitigate the harm and allow the building to continue to contribute to the Conservation Area. It is suggested that an alternative use is found for Building 457 and that the remaining façade be retained with appropriate screening if required for visual amenity reasons.
- 6.10. CDC ECONOMIC GROWTH: **Expresses concern.** Whilst the proposed open space is considered attractive it is not unique, and the demolition of Building 457 is not considered necessary to secure the viability of the village centre. *“The development of the overall Village Centre is welcomed but I am concerned that this proposal removes a potentially important asset that could be managed in the short term and be used in the longer term to add uniqueness and enhanced viability”.*

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment
- VIL5 – Former RAF Upper Heyford

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C23 – Retention of features in Conservation Areas
- C28 – Layout, design and external appearance of new development

MID-CHERWELL NEIGHBOURHOOD PLAN (MCNP 2018)

- PD3 – Development Adjacent to Heyford Park
- PD4 – Protection of Important Views and Vistas
- PC1 – Local Employment

- 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- RAF Upper Heyford Conservation Area Appraisal (April 2006)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Impact on heritage assets
- Design, and impact on the character of the area
- Other matters

Principle of development

8.2. The application site is within the area of land allocated for development by Policy Villages 5 of the Local Plan. The policy outlines the creation of a new settlement at the former RAF base including the provision of 1600 additional dwellings, primary and secondary education facilities, and appropriate community, recreational and employment opportunities. At the same time, the policy seeks to achieve environmental improvements and the preservation of the site's heritage interest as a military base with Cold War associations.

8.3. Aside from the heritage implications of the proposals which are dealt with separately, below, the principle of creating an area of public open space in the village centre to be used for public recreation and holding occasional events is compatible with the aspirations of Policy Villages 5, and therefore acceptable. Whilst it is regrettable that the scheme approved under 16/01000/F is apparently not now going to come to fruition, this is a market-led decision for the developer and there are no planning controls that can be reasonably applied to require the earlier approved development to be completed. Using the land for additional public open space serving the village centre would seem an appropriate alternative in the short term, whilst proposals emerge for the longer term that respond both to market conditions and the parameters that are eventually agreed through the masterplan application (ref: 18/00825/HYBRID) for the whole of the Policy Villages 5 area.

Impact on Heritage Assets

8.4. The site is within a Conservation Area and is a locally listed building. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

8.5. Conservation Areas are designated heritage assets, and Paragraph 193 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Paragraph 194 goes on to state that: *Any harm to, or loss of, the significance of a designated heritage asset...should require clear and convincing justification.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.

8.6. Saved Policy C23 of the Cherwell Local Plan 1996 states that: *there will be a presumption in favour of retaining buildings, walls, trees or other features which make a positive contribution to the character or appearance of a Conservation Area.*

8.7. Both the Council's Conservation Officer and Historic England have objected to the proposed demolition of Building 457 on the grounds it will cause moderate to significant harm to the character, coherence and therefore significance of the

Conservation Area. It is also noted that the building itself is locally listed and so in accordance with Paragraph 197 of the NPPF the effect of the proposal on the significance of the building, as well as the Conservation Area, should also be taken into account.

- 8.8. In the report that went before Planning Committee in respect of 16/01000/F, officers advised that Building 457 and the part of the Conservation Area which it is situated within had previously been assessed as of low significance. This fed into the conclusion that:

In this case Buildings 455 and 457 have undergone much change inside and out reducing their integrity. Their setting is also somewhat different now that the outline planning permissions and the CLP policies are being implemented. The assets are also not listed other than of local interest. However, they do form an important link to the buildings on the other side of Camp Road and to the re-created space of the Parade Ground. It is therefore the view of the Officers that what is proposed will preserve and enhance the Conservation Area and preserve important heritage assets.

- 8.9. It was on the basis of this assessment that the partial demolition of Building 457 was approved, but on the understanding that the south façade, with its relationship to the former Parade Ground, would be retained and incorporated into the development proposals for the village centre south.

- 8.10. There is no doubt that the demolition of the remaining sections of Building 457 will cause additional harm to heritage assets, and it is very regrettable that substantial sections of the building have already been demolished apparently without a commitment to then construct the permitted scheme. Furthermore, whilst the comments of the Council's Building Control officer are noted, the evidence provided is not convincing in demonstrating that it would not be possible to retain the remaining sections of the building until such time that an alternative scheme for the redevelopment of the site could be brought forward.

- 8.11. That being said, it is simply fact that significant demolition has already taken place, and this was permitted by the Council under 16/01000/F. From the Historic Building Recording submitted with this application (and required to be carried out under a previous consent for the whole site) it is quite clear that much of the significance of the building in terms of its form, plan layout, architectural character, internal décor, and relationship to surrounding historic land uses has been lost. This has been compounded by the loss of other interwar buildings that once fronted onto the former parade ground, whose demolition was also permitted by the Council. This has already considerably reduced the contribution the remaining façade of Building 457 makes to the Conservation Area, and as a structure in its own right its heritage value is much diminished.

- 8.12. Whilst the demolition of the remaining sections will cause additional harm, it is considered that by far the greater harm has already been permitted and taken place. The current proposal must be assessed in this context and in the knowledge that the significance of the building and its contribution to the Conservation Area as a whole has previously been viewed as low.

- 8.13. Considering the public benefits of the proposal, the public response indicates that there is some merit in the argument advanced by the applicant that "tidying up" this site through the provision of additional public open space will make a positive contribution to the vitality and quality of the village centre, enhancing the sense of community and the experience of both residents and visitors to Heyford Park. However this benefit should not be overstated and the Council's Economic Growth

Officer also questions whether the benefit of providing a somewhat unremarkable area of open space really justifies the loss of a feature that is unique to Heyford and which contributes to its distinctive identity.

- 8.14. However, on balance and noting the conclusions above, it is difficult to see how insisting on the structure's retention for an indefinite period of time, during which its stability could become further compromised, can be justified. Conditions can be applied to require a high quality landscaping scheme, and to ensure the heritage of the site and the former parade ground is not forgotten but is incorporated into the public open space and any future development on the site through the provision of an information board and the retention and future re-use of the bricks.
- 8.15. Therefore, reluctantly and on balance, it is considered that the additional harm caused by the demolition of the remaining sections of Building 457 is outweighed by the benefits of advancing the wider policy aspirations of the Local Plan for the area, including the development of the village centre.

Design and Impact on the Character of the Area

- 8.16. Both Policy ESD15 and Villages 5 seek high quality development that includes well-connected and appropriately landscaped and treated public open space. The Council's Landscape Architect has raised some concerns in this regard, considering the proposals for the site to be minimalistic and lacking in detail.
- 8.17. Whilst it is noted that the intention is for the public open space to be an interim solution for the site, there is no certainty as to how long it will remain for. In addition, a key part of the applicant's argument – and the public support – for the proposal is the need to provide a high quality experience for visitors to the village centre, to promote its vitality and support the viability of the businesses planning to locate there. It is therefore important that a high quality public realm is achieved. This can be secured by condition.

Other Matters

- 8.18. The application suggests that the public space may be used for holding events. Such events could cause noise and disturbance to nearby residents. However they are likely to be temporary, small-scale and during the day time, and given the site's location adjacent open space to the south and the village centre, this is considered an appropriate location to hold such events. Separate controls exist under licensing and environmental health legislation to regulate the impacts of temporary events, and so the proposals are considered acceptable in this regard.
- 8.19. In terms of transport impacts, it is considered unlikely that use of the proposed open space will generate significant amounts of traffic in its own right.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The proposal will cause harm to designated and non-designated heritage assets, negatively impacting on the environmental dimension to sustainable development. However, in the context of previous assessments and the significant demolition that has already taken place, this harm is considered low. The proposal will deliver modest public benefits in the form of a new area of public open space that will

complement the emerging village centre. On balance, and after careful consideration of the merits of the proposal and the lack of harm in other respects, the proposal is considered acceptable. Permission should therefore be granted.

10. RECOMMENDATION

That permission is granted, subject to the conditions and informatives/planning notes detailed on the decision notice.

Case Officer: Alex Keen

DATE: 18 June 2020

Checked By: Samantha Taylor

DATE: 19 June 2020
