

Case Officer: Andrew Thompson

Recommendation: Approve

Applicant: Heyford Park Estates Limited

Proposal: Discharge of Condition 6(ii) (parking provision for Building 103) of 16/01545/F

Expiry Date: 27 April 2020

Extension of Time: 24 February 2023

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. Building 103 is constructed of red brick under a gabled slated roof and is situated in the centre of the Heyford Park development, close to the shops and car parks. Built in the late 1920's, it is one of the oldest remaining buildings on the base although its history is not as well documented as others. It has served as a power station and housed emergency vehicles. For several years it was used by a company who repair, upgrade and convert narrow boats, who have now relocated to their main base at Enslow.
- 1.2. Planning permission was granted for the use of building 103 for a Heritage Centre (permission 16/01545/F refers).

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The current application seeks to discharge Condition 6ii (parking provision for Building 103) of 16/01545/F. Regard is had to the previous approval of condition 6 details under 17/00500/DISC, which related to part i) of the condition.
- 2.2. Condition 6 in full sets out:

This permission shall exclude the details of parking layout shown on the submitted drawings and:

(i) Within 3 months of the date of this permission a revised plan showing car and lorry parking provision for vehicles to be accommodated within the site of Building 315 together with any areas for manoeuvring together with a tracking plan for large vehicles, has been submitted to and approved in writing by the Local Planning and such parking and manoeuvring facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan before Building 315 is brought into use.. The parking spaces shall be retained for the parking of vehicles at all times thereafter.

(ii) And before Building 103 is brought into use, a revised plan showing car and coach parking provision for vehicles to be accommodated together with any areas for manoeuvring, shall be submitted to and approved in writing by the Local Planning Authority and such parking and manoeuvring facilities shall be laid out, surfaced, drained and completed in accordance with the approved plan before building 103 is brought into use. The parking spaces shall be retained for the parking of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of satisfactory car parking, to ensure the development is in keeping with and conserves the special character of this part of the Conservation Area in accordance with Policy C23 and

C28 of the adopted Cherwell Local Plan, and to comply with Government guidance contained within the National Planning Policy Framework

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

16/01545/F - Change of use of Building 103 to a Heritage Centre (Use Class D1) and Building 315 for storage and distribution (Use Class B8) and associated works.
– Approved;

17/00500/DISC - Discharge of Condition 6 (Parking Layout) of 16/01545/F –
Approved;

18/00043/NMA - Non Material Amendment to 16/01000/F - Minor design changes and the introduction of a phased development - Approved.

4. RESPONSE TO CONSULTATION

4.1 OCC Highways – Received 1 April 2020 - Object –

Paragraph 1.1.5 of the Car Park Management Plan (CPMP) states “*Whilst the conditions relate to separate applications, a holistic approach has been taken within this CPMP in so much as it relates to both the Village Centre North and Phase 1 of the Village Centre South. This ensures that parking can be managed more effectively across the Village Centre and Heritage Centre as a whole.*” This approach is welcomed. However, CPMP contains a number of inconsistencies, inaccuracies and shortcomings which need to be addressed before it can be considered acceptable. These are set out below.

In addition, Condition 6(ii) specifically requires provision for coach parking, which is not evident in either the CPMP or other plans accompanying this planning application.

- Paragraph 1.1.1 states that this application is in discharge of a condition of planning permission 18/00043/NMA, whereas it is actually in discharge of planning permission 16/01000/F.

- Figure 1-1 would benefit from showing the Heritage Centre as well since the CPMP covers this facility. Reason for objection.

- Paragraph 1.2.1 states that the jurisdiction of the CPMP is “North and South sections of Village Centre” this would benefit from being clarified as “...as shown in Figure 1-1”

- Paragraph 1.3.2 states that “*this CPMP will come into effect once the Village Centre North external works are completed prior to the rest of the Village Centre North opening.*” It is not clear why Village Centre North is the trigger for the CPMP to come into effect.

- Paragraph 3.1.2 makes no reference to the Heritage Centre.

- Sections 3.2 and 3.3 do not state where the quoted quantum of development is taken from.

- Table 3-1 appears incorrect. The totals shown for Village Centre North and Village Centre South do not represent the number of spaces shown by land use over each total. It is assumed that this is because the Restaurant/Pub and Bowling Alley land uses are shown as Village Centre North whereas they are in Village Centre South. Also, the parking quantum for the restaurant/Pub is presented for the area quoted in Section 3.3 but it is not clear whether this is public space, as required by the parking standard, or total space. Reason for objection.
- Paragraph 3.5.3 states that visitor parking spaces “...will not be specifically allocated...”. This is not an acceptable approach. The County requires that visitor parking spaces are specifically allocated. Reason for objection.
- Paragraph 3.6.8 implies that the total parking provision will be 102 spaces. This based on 40 spaces for the residential portion of the development as dictated by standards and 62 spaces for the non-residential uses based on a parking accumulation analysis. This level of provision is considered inadequate because it is likely that there will be occasions when the accumulated demand for non-residential uses will be exceeded. Some additional provision to accommodate this is therefore required. Reason for objection.
- Figure 3-3 appears to show a total allocation of some 126 car parking spaces. It is assumed that these include spaces to serve the heritage centre, although it is not clear how many. The County requires a clear statement of how many parking spaces are managed by this CPMP, and the use for which they are intended. As noted above the total number of car parking spaces will need to provide for occasions when the accumulated demand for non-residential uses will be exceeded. Reason for objection.
- It is not clear how the provisions for enforcement will be delivered in terms of personnel, systems, monitoring practices and premises. The County requires a clear statement of how the enforcement will be delivered. Reason for objection.
- Paragraph 4.1.6 states that: “*There will be a maximum number of visitor permits per dwelling per month/year...*” but does not say how many. This is required. Reason for objection.
- Paragraph 4.2.3 states that: “*In the event that the ANPR identifies that a vehicle which is not registered on the database is parked in residential allocated spaces, a first warning notice will be issued. Subsequent offences by the same vehicle will result in a fine being issued.*” Instant fines are considered to be a far more effective deterrent. Reason for objection.
- Paragraph 4.2.5 provides for appeals against fines to be made but does not state how or by whom these will be judged. Reason for objection.
- Paragraph 4.2.6. Instant fines are considered to be a far more effective deterrent. Reason for objection.
- Paragraph 4.3.1. A period of 72 hours seems a very generous period to provide before a vehicle is towed away.
- Paragraph 4.5.1. It is not stated how the appeal panel will be comprised.

Following this a revised Car Park Management Plan was received on 6 July 2020 and consultation with OCC Highways took place. However, no further comments appear to have been received.

5. APPRAISAL

- 5.1. Having regard to the comments of Highways. Taking account of the planning history, the NMA is noted but the CPMP includes all the centre and therefore accounts for all the planning history of the site. There is no objection to this inclusion. The issue would not be a reason for refusal of the discharge of details.
- 5.2. The Heritage centre is now shown and included and therefore comments to other sections of Chapter 1 are noted but the amended details are acceptable.
- 5.3. With regard to the issues raised with regard to the original Chapter 3, the updated CPMP is now considered appropriate and would be appropriate in relation to the Heritage Centre and whilst this forms part of the wider centre, the information submitted is considered appropriate in relation to the parking management of the Heritage Centre.
- 5.4. With regard to the issues raised by highways in relation to enforcement, it is important to note that this is related to the operation of the Heritage Centre and whilst this forms part of the centre, the details are appropriate to the operation of the Heritage Centre. The appeal process to enforcement measures is clear and would be managed by appropriate expertise.
- 5.5. The revised CPMP was consulted upon with OCC Highways but no comments or objections were received in response to that consultation. In the absence of any further objection, the LPA is satisfied that the revised CPMP is acceptable.
- 5.6. The original application was EIA development. The proposed discharge is considered appropriate and in accordance with the mitigation outlined as a part of the Environment Statement, in particular the transport chapter. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

6. RECOMMENDATION

That Planning Condition 6(ii) of 16/01545/F be discharged based upon the following:

Condition 6(ii)

The details submitted under Car Parking Management Plan (Ref: BR-545-0002 Revision: 05) is considered appropriate to discharge the planning condition subject to its implementation.

It is noted that Condition 6(i) was discharged under 17/00500/DISC.

Case Officer: Andrew Thompson

DATE: 21 February 2023

Checked By: Andy Bateson

DATE: 24th February 2023
