

**Phase 5D; Phase 8C; and Trenchard Circle,
Heyford Park, Camp Road, Upper Heyford,
Bicester, OX25 5HD**

21/00169/NMA

Case Officer: Andrew Lewis

Recommendation:

Applicant: Heyford Park Developments Ltd

Proposal: Non-material amendment to 19/00446/F - amended drawings to incorporate:
Phase 5D: Plots 868 to 873 and 887 to 891: Amended porch design from mono-pitch design to more traditional gabled design. Amended cill and header materials to match walling brick. Introduction of quoin and banding detail to front elevations.
Phase 8C: Plots 410 to 418 and 434 to 439: Amended roof design to apartment type SPF2(A) via introduction of additional roof gables to add interest. Amended roof design to apartment type SPF3 via introduction of additional roof gables to key elevations. Enlarged lobby area to apartment SPF3 and associated elevational changes. Substitution of cladding for grey render on elevations;
Trenchard Circle: Plots 830 to 860: Amended cill and header materials to reflect walling material. Minor boundary treatment changes.

Expiry Date: 15 February 2021

Extension of Time: No

1. APPLICATION SITE AND APPROVED DEVELOPMENT

- 1.1. The permission this application seeks to amend was submitted as part of a series of amended schemes that sought to provide additional housing as part of the Growth Deal for Oxfordshire. As a result the Council received 4 amended reserved matters applications, that provided the requisite number of units to comply with the original outline planning permission for Heyford Park (ref-10/01642/OUT.), together with a detailed application (ref 19/00446/F and subject of this NMA) for 57 units that amended the number of units around Trenchard Circle and provided an uplift of 41 additional units above what was approved in 2011 under the outline planning permission.
- 1.2. In effect, application 19/00446/F obtained planning permission to develop three separate parcels of land. For clarity these are identified below

Phase 5D

- 1.3. The first parcel fronts Camp Road just off the village centre of Heyford Park and is part of an island of 31 units known as Phase 5 consisting of houses and flats, and market and affordable units. Outline planning permission was granted in 2011 (ref 10/01642/OUT) and subsequently two detailed reserved matters submissions were made and approved. However, things got slightly more complicated when the site, together with other parcels at Heyford Park, were subject of a further detailed full application to intensify the scale of development as part of the Oxfordshire Growth deal.

- 1.4. Phase 5D is a site of 0.29 hectares and comprises of 11 dwellings located on the northern side of the internal east-west estate road of the previously approved proposals for the wider Phase 5 development, as well as on the Dow Street and Camp Road frontages. The units comprise a pair of semi-detached 4 bed units fronting onto Camp Road with a second 4 bed pair fronting Dow Street together with a detached 3 bed unit. A further 3 bed detached unit and two pairs of semi-detached 3 bed units would be located to the northern side of the previously approved internal estate road on Phase 5. The remaining 3 bed unit on this frontage, forms the western end of a terrace of 3 identical units, with the central and eastern end units falling with the proposed Phase 5C development.
- 1.5. The units fronting Camp Road would be 3 storey in scale with gables at right angles to the road. On Dow Street the units would reduce to a mix of 2½ and 2 storey, with the remaining units all being of 2 storey scale with ridges running parallel to the internal estate road. Parking for each unit is proposed by means of a mix of on-plot parking to the front, rear parking courts and garaging, varying in respect of the particular frontage and aspect of the units. Access to the parking areas for the units within the former Phase 5 area would be taken direct from the internal east-west estate road. The remaining units would be served from new accesses off either Dow Street or Camp Road.
- 1.6. In addition, the proposals also include landscaping and footway works along the Dow Street, Camp Road and the internal estate road frontages, which would be adopted following completion of works
- 1.7. This application relates solely to Phase 5D, plots 868 to 873 and 887 to 891, formerly 8 to 18. These plots front Camp Road, a new side road and Gordon Road to the site rear and are highlighted on the plan below:



- 1.8. The Council has recently approved two NMAs on Phase 5;
 - 20/03640/NMA- Phase 5C-plots 882 to 886-Non-material amendment to 19/00438/REM - amended drawings
 - 20/03625/NMA-Phase 5R-Plots 861-867-Non-material amendment to 19/00441/REM - amended drawings, amended plot numbers
- 1.9. Following approval of conditions work started on site last year.

Phase 8C

- 1.10. The second parcel is on Phase 8 in the Trident area. Here the Phase 8C proposals comprise the erection of 15 apartment units, with associated landscaping and car parking on a site of 0.25hectares. All of the units would be of affordable tenures of which 9 would be 1bed flats for rent and 6 intermediate of which 3 would be 1bed and 3 2bed. The apartments would be provided by way of two 3-storey linked apartment blocks set back from the adjacent Trident Road 3. The apartment blocks would form the southern half of a series of four similar buildings, creating a courtyard of units served by an open car parking court to the east, accessed from the adjacent road.
- 1.11. The northern apartment blocks and areas of the car parking court would be provided in conjunction with amended proposals for the adjacent sub-phase 8A of the wider Phase 8 scheme. Pedestrian access to the apartments would be taken via a series of footpaths created within the retained and enhanced open landscape areas, with access to the surrounding facilities proposed in the Village Centre readily achievable. There is a concurrent NMA application on Phase 8A- Plots 419 to 433 (ref:21/00181/NMA) for similar alterations to those proposed by this application.
- 1.12. The original application site area is outlined in red below:



Trenchard Circle

- 1.13. The third parcel is in Trenchard Circle, a relatively self-contained site on the eastern fringe of Heyford Park.
- 1.14. The permission for Trenchard Circle comprises the erection of 31 dwellings with associated car parking and landscaping on a 1hectare site. The dwellings would be located on the western side of Trenchard Circle immediately along the western and northern site boundaries, opposite the existing retained bungalows in the central part of the wider site.
- 1.15. The dwellings would be laid out via a series of detached, semi-detached and short terraced units, orientated along a linear access road running through the site.

Parking for the dwellings would be provided by way of a combination of detached garaging set to the side and rear of units together with open parking to the front of other units. The proposals include the visitor parking at both the northern and southern ends of the internal road, with tree planting along the length of the road and within the open parking areas.

1.16. The proposals include that the accommodation would be provided by way of three 4 bed detached units, two 3 bed detached units, seven pairs of semi-detached 3 bed units and four terraces of three 3 bed units. Of these 29 will be market housing with 26 3bed and 3 4bed. There will be 2 3bed affordable intermediate units.

1.17. The site is identified below:



2. RELEVANT PLANNING HISTORY

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

- 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). REF but 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 with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure. -PER
- 10/01619/CAC Demolition of existing structures (as per Conservation Area Consent Schedule and Drawing No. D.0291 38-1) PER
- 13/01811/OUT OUTLINE - Up to 60 dwellings and public open space with associated works PER
- 13/00153/DISC Discharge of Condition 8 of 10/01642/OUT (Design Codes) PER
- 16/00627/REM Reserved Matters to 13/01811/OUT - Erection of 60 dwellings and public open space with associated works PER
- 16/00196/F Demolition of existing bungalows and erection of 13 dwellings with associated car parking and landscaping PER
- 16/00864/REM Reserved Matters Application for 10/01642/OUT - Dorchester Phase 8 (Trident) only. The application represents the provision of 91 residential units of mixed type (dwellings and apartments) and tenure (open market and affordable) with associated gardens, access roads, car parking, landscaping, a local area of play (LAP), utilities and infrastructure. Application Permitted
- 17/00663/F Construction of roads with associated infrastructure within the Heyford Park development Application Permitted
- 17/00973/REM Reserved Matters application to 10/01642/OUT - Dorchester Phase 5C, comprising the provision of 17 residential units of mixed type (dwelling houses and flats) and tenure (open market and affordable) with associated landscaping, car parking, infrastructure and external works Application Permitted
- 17/00983/REM Reserved matters application to 10/01642/OUT - In respect of Bovis Parcel B4A and B4B to provide 29 open market and 71 affordable dwellings Application Permitted
- 19/00438/REM Reserved matters to 10/01642/OUT -Dorchester Phase 5C, comprising the provision of 13 residential units (5 open market and 8 affordable) with associated landscaping, car parking, infrastructure and external works. Pending Consideration 19/00439/REM Reserved matters to 10/01642/OUT -Dorchester Phase 7A, comprising the provision of eleven, two bed affordable dwellings with associated landscaping, car parking, infrastructure and external works. Approved
- 19/00440/REM Reserved Matters to 10/01642/OUT -Dorchester Phase 8A, comprising the provision of twenty four affordable residential units with associated landscaping, car parking, infrastructure and external works- Approved
- 20/03640/NMA- Non-material amendment to 19/00438/REM - amended drawings, amended plot numbers. Approved
- 20/03625/NMA-Non-material amendment to 19/00441/REM - amended drawings, amended plot numbers Approved

- 21/00181/NMA- Non-material amendment to 19/00440/REM - Amended roof design to apartment type SPF2(A) via introduction of additional roof gables to add interest; Amended roof design to apartment type SPF3 via introduction of additional roof gables to key elevations; Enlarged lobby area to apartment SPF3 and associated elevational changes; Substitution of cladding for grey render on elevations. Phase 8A only- Pending

3. DESCRIPTION OF PROPOSED AMENDMENT(S)

3.1 So, this application relates to application ref. 19/00446/F and to the three parcels described above

3.2 The main changes are:

Phase 5D:

- Amended porch design from mono-pitch design to more traditional gabled design;
- Amended cill and header materials to match walling brick;
- Introduction of quoin and banding detail to front elevations;

Phase 8C:

- Amended roof design to apartment type SPF2(A) via introduction of additional roof gables to add interest;
- Amended roof design to apartment type SPF3 via introduction of additional roof gables to key elevations;
- Enlarged lobby area to apartment SPF3 and associated elevational changes;
- Substitution of cladding for grey render on elevations;

Trenchard Circle:

- Amended cill and header materials to reflect walling material;
- Minor boundary treatment changes;

4. PUBLICITY AND CONSULTATION

4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission.

5. APPRAISAL

5.1. The key issue for consideration in this case is whether the proposed change(s) can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.

5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: "A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material". It is also stated that: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted".

5.3. The National Planning Practice Guidance states that: "There is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme - an amendment that is non material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application". The judgement on materiality in any particular case is one of fact and degree, also taking into account

the likely impacts of the amendment. Materiality is considered against the development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.

- 5.4. The proposed changes for each parcel do not alter the layout, scale, size, height, use, mix or tenure of the original development. The physical alterations are all relatively minor in nature and would not have an impact beyond what was originally assessed. The proposed alterations to the buildings would not result in a material alteration to their appearance and would be in keeping with their original design and the design code for this part of the development and the surrounding area.
- 5.5. The changes for Phase 5D closely resemble those already approved on phases 5C (ref 20/03640/NMA) and 5R (ref 20/03625/NMA). Similarly, those on Phase 8C reflect the change proposed on Phase 8A (ref 21/00181/NMA) where the design has been modified to reflect the houses currently nearing completion to the eastern side of Trident. Building SF2A is a handed version of the floorplan/ elevation compared to the site layout plan. The use and tenure remains affordable rented accommodation. The alterations at Trenchard Circle also reflect the changes recently approved on Phase 5 and have little impact to the visual appearance of these modest houses. Slight alterations appear to have occurred to patios and private paths and the rear garden wall extended on the rear boundary of plot 836, none of which is significant.
- 5.6. It is therefore considered that the changes would not, individually or cumulatively, be a 'material' amendment.

6. CONCLUSION

- 6.1. The proposal is considered to be non-material and the application is therefore recommended for approval

7. RECOMMENDATION

Cherwell District Council, as Local Planning Authority, hereby approves the non-material amendment described to 19/00446/F in accordance with the application form and drawing numbers:

PHASE 5D:

- Planning Layout 0521-PH5C-102 Rev.H
- External Works Layout 0521-PH5C-104 Rev.H
- Housetype Booklet 0521-PH5C-HTB ISSUE 6 Containing:
 - Plots 864, 865 & 869-872 House Type DL6 0521-PH5C-200 Rev.B
 - Plots 866-868 House Type DL2- 0521-PH5C-201 Rev.B
 - Plots 873 & 891 House Type 1A-SA 0521-PH5C-204 Rev.B
 - Plot 889 House Type SP7C 0521-PH5C-205 Rev.B
and 0521-PH5C-206 Rev.A
 - Plot 890 House Type SP7B 0521-PH5C-207 Rev.B
and 0521-PH5C-208 Rev.A
 - Plots 882, 883, 887 and 888 House Type SP2-V3 0521-PH5C-209
Rev.D, 0521-PH5C-210 Rev.D and 0521-PH5C-211 Rev.C
 - Plots 884-886 House Type SP2-V3 0521-PH5C-219, 0521-
PH5C-220 and 0521-PH5C-221

PHASE 8C

- Planning Layout 0521-PH8C-102 Rev.D
- SPF2(A) – Plans and Elevations 0521-PH8A-200 Rev.B

- SPF3 – Plans and Elevations 0521-PH8C-201 Rev.B

TRENCHARD CIRCLE

- Planning Layout 0521-TR-1002 Rev.H
- External Works Layout- 0521-TR-1004 Rev.G
- Plots 858 & 859 House Type DL6 0521-TR-2000 Rev.C
- Plots 852 & 853 House Type DL6 0521-TR-2001 Rev.C
- Plots 834–838, 841-846 and 849-851 House Type DL2 0521-TR-2002 Rev.D
- Plots 831, 839, 840 and 857 House Type 1 0521-TR-2003 Rev.B
- Plots 832, 833, 847, 848, 855 and 856 House Type 1 0521-TR-2004 Rev.B
- Plots 830 & 854 House Type SP4 0521-TR-2005 Rev.B
- Plot 860 House Type SP4 0521-TR-2006 Rev.B

The non-material amendment application, hereby approved, does not nullify the conditions imposed in respect of planning permission 19/00446/F. These conditions must be adhered to so as to ensure that the development is lawful.

Case Officer: Andrew Lewis

DATE: 4 February 2021

Checked By: Caroline Ford

DATE: 15/02/2021
