

Case Officer: Andrew Lewis

Recommendation: Approve

Applicant: Heyford Park Developments LTD

Proposal: 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.

Expiry Date: 15 February 2021

Extension of Time: No

1. APPLICATION SITE AND APPROVED DEVELOPMENT

- 1.1. This application site is a 0.53 hectare parcel of land in the Trident Area on the northside of Camp Road on the former RAF/USAF Upper Heyford base. The surrounding area is a residential development approved as part of an earlier phase of the same outline planning permission in the Trident Area.
- 1.2. In terms of the uses on Upper Heyford, the military use ceased in 1994 and since 1998 the site as a whole has accommodated a number of uses in existing buildings, first under temporary planning permissions and latterly under a permanent permission granted on appeal and subsequent applications.
- 1.3. The base was designated a conservation area in 2006, its primary architectural and social historic interest being its role during the Cold War. The nature of the site is defined by the historic landscape character of the distinct zones within the base. The designation also acknowledges the special architectural interest, and as a conservation area, the characteristics which are desirable to preserve or enhance and provides the context and framework to ensure the setting and appearance of sections of the Cold War landscape are preserved. The base was divided into three main functional character areas: Flying Field, Technical and Settlement.
- 1.4. This application comes within the "Technical Site" character zone of the Settlement Area as classified in the Conservation Appraisal which can be summarised as: "This area is characterised by the 'campus' layout of deliberately sited, mix function buildings, in an open setting with organised tree planting. The variation in building type is both a function of their differing use and the fact that there has been continual construction within the site as part of the different phases of development within the airbase. The setting of the 1930s aircraft hangers in an arc on the northern edge of the site provides a visual and physical edge to the site. The access to the Technical Site is dominated by Guardroom (100) and Station Office (52). To the east of these is the impressive 1920s Officers' Mess (74) set within its own lawns. The style of these 1920s, red brick, RAF buildings is British Military. "
- 1.5. In addition to its designation as a Conservation Area, the wider RAF Upper Heyford site also contains a number of Scheduled Monuments identified as 'Cold War Structures' and five listed buildings as noted in the 'RAF Upper Heyford Conservation Area Appraisal' produced by the council (CDC) in 2006. None of these designated structures are located within the boundary of the application site or in

proximity to it. The buildings on this part of the site have all been demolished and consisted of a mix of non-residential uses. The land has been levelled and is ready for development.

- 1.6. 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, including 19/00440/REM) that provide the requisite number of units to comply with the original outline planning permission with a s106 agreement for social housing, together with a detailed application (ref 19/00446/F) 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 2010 under the outline planning permission (ref-10/01642/OUT.)
- 1.7. This application relates solely to Phase 8A- Plots 419 to 433, the two blocks of flats providing affordable rented units to the rear of the site. For clarity the application site is shown outlined in red below with the two blocks highlighted.



- 1.8. The two blocks at the front of the site were approved under a separate permission and an NMA (ref 21/00169/NMA) seeks approval for similar alterations to this application.
- 1.9. The approved schedule of accommodation for the whole site, which does not change, was:

ACCOMMODATION SCHEDULE					
AFFORDABLE HOUSING UNITS - RENTED					
Name	Stories	Bedrooms	Gross sqft		
SPF3-1BF(c)	3 Storey	1 Bed flat	524ft²	3	
SPF2(A)-1BF(c)	3 Storey	1 Bed flat	597ft²	5	
SPF2(A)-1BF(c)-M4(3)	3 Storey	1 Bed flat	597ft²	2	
SPF2(A)-1BF(d)	3 Storey	1 Bed flat	607ft²	2	
SPF3-2BF(a)	3 Storey	2 Bed flat	736ft²	2	
SPF3-2BM	3 Storey	2 Bed maisonette	736ft²	1	
TOTAL AFFORDABLE RENTED UNITS				15	
AFFORDABLE HOUSING UNITS - INTERMEDIATE					
Af3B	3 Storey	3 Bed house	1032ft²	5	
Af4B	3 Storey	4 Bed house	1132ft²	4	
TOTAL AFFORDABLE INTERMEDIATE UNITS				9	
GRAND TOTAL				24	

2. DESCRIPTION OF PROPOSED AMENDMENT(S)

2.1. So, this application relates to the reserved matters approval (application ref. 19/00440/REM) in so far as the plans and particulars of the RMA for Dorchester Phase 8A and relates to plots 419 to 433 (the apartment blocks) only of Phase 8A as indicated on the submitted Planning Layout Drawing 0521-PH8C-102 Rev.E

2.2. The main changes are:

- Amended roof design to apartment type SPF2(A) via introduction of additional roof gables
- 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;

3. RELEVANT PLANNING HISTORY

3.1. 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
- 13/00153/DISC Discharge of Condition 8 of 10/01642/OUT (Design Codes) PER
- 19/00339/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. PER
- 19/00438/REM Proposal: 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. Location: Phase 5C Camp Road Upper Heyford Application Permitted
- 19/00441/REM Reserved Matters to 13/01811/OUT - Dorchester Phase 5, comprising the provision of seven open market dwellings with associated landscaping, car parking, infrastructure and external works. Application Permitted
- 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-PER

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 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. It is important to note that block SPF3 (428-433) is a handed version of the elevation and floorplan (to suit the site layout) and SPF2 (419-427) is correct in terms of its floorplan and elevation (to suit the site layout), but the originally approved plan was handed which has resulted in a difference when comparing the two plans.
- 5.5. 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 19/00440/REM in accordance with the application form and drawing numbers:

- Planning Layout 0521-PH8A-102 Rev.E
- SPF2(A) – Plans & Elevations - 0521-PH8A-200 Rev.B
- SPF3– Plans & Elevations - 0521-PH8C-201 Rev.B

The non-material amendment application, hereby approved, does not nullify the conditions imposed in respect of planning permission 19/00440/REM. 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
