

Case Officer: Andrew Lewis

Recommendation: Approve

Applicant: Heyford Park Commercial Development Ltd

Proposal: Erection of Keg Store with associated works.

Expiry Date: 1 October 2021

Extension of Time: 8 October 2021

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site for this proposal is part of the former RAF/USAF Upper Heyford base. It is located on the south side fronting Camp Road. In terms of the uses on site, the military use ceased in 1994. The base was designated a conservation area in 2006, its primary architectural and social historic interest being its role during the Cold War.
- 1.2 A (revised) masterplan was submitted as part of an outline application for a "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 (ref 10/01642/OUT). The planning permission included a number of plans with which compliance was required including a masterplan, a retained buildings plans and other plans showing layouts all of which included the retention of Buildings 455 and 457, both being proposed for a commercial use, Class A1-A5, and D1 with C3 uses as well.
- 1.3 In 2016, permission was granted (ref 16/01000/F) to retain the two buildings, 455 and 457, extend and link them, then refurbish and convert Building 455 to a hotel with associated facilities, building 457 to a bar/brassiere with additional space in the link providing an internal multi use area but primarily as a Covered Market. The total floorspace would be 1,642m² (Use Class C1) (Building 455); 636m² (Use Class A3-A5) (Building 457) and in the new Covered Link 403m² (Class A1-A3 and D1). In addition, there would be 86 parking spaces created in three areas, two to the west and one to the east, and an area around the buildings consisting of the framework to form a village square, terraces for sitting out relaxing and landscaping. This would in effect form the Village Centre South (VCS), later permission was granted on the other side of Camp Road for a commercial/residential scheme to form Village Centre North (VCN).
- 1.4 There have been alterations to buildings consented by non-material amendments. In June 2020 permission was granted to demolish building 457 and to create a (temporary) public open space.
- 1.5 Buildings 455 and 457 were locally Listed Buildings (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 former parade ground has been kept largely free of development and is now used as open space.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Following the demolition of Building 457 there appears to be inadequate capacity in the approved buildings for storage. This application seeks to provide a single-storey storage building of some 21m² (7m x 3m) of rendered construction with a mono pitch roof, to blend with the building adjacent. The design and access statement makes clear it is required for a temporary period and it is essential to “ensure the functionality of the restaurant and bar offer.”
- 2.2. The DAS shows access will be taken from the service layby at the front of the site.

3. RELEVANT PLANNING HISTORY

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

| | | |
|--------------|---|-----|
| 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 |
| 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. | PER |
| 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). | PER |
| 18/00043/NMA | Non Material Amendment to 16/01000/F - Minor design changes and the introduction of a phased development | PER |
| 18/00513/REM | Reserved matters to 10/01642/OUT - Village Centre (North) comprising retail units, B1 Use, 30 residential units, involving the erection of two, three storey buildings, partial demolition and change of use of Building 100 to provide B1 Use and demolition of buildings 101 and 102, plus the formation of vehicle parking and associated landscaping works. | PER |

18/00825/HYBRID

A hybrid planning application consisting of: • UNDET
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); 929sqm of retail (Class A1); 670sqm comprising a new medical centre (Class D1); 35,175sqm of new employment buildings, (comprising up to 6,330sqm Class B1a, 13,635sqm B1b/c, 9,250sqm Class B2, and 5,960sqm B8); 2,415sqm of new school building on a 2.4 ha site for a new school (Class D1); 925sqm of community use buildings (Class D2); and 515sqm of indoor sports, if provided on-site (Class D2); 30m in height observation tower with zipwire with ancillary visitor facilities of up of 100sqm (Class D1/A1/A3); 1,000sqm energy facility/infrastructure with a stack height of up to 24m (sui generis); 2,520sqm 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.

| | | |
|--------------|---|-------|
| 19/02337/F | Demolition of Building 457 southern facade and gable end walls. Temporary use and associated works to create public open space. | PER |
| 21/02714/NMA | Non-material amendment to 16/01000/F - confirmation of West Elevation to Phase 1. | UNDET |

4. PRE-APPLICATION DISCUSSIONS

- 4.1. Cursory pre-application discussions have taken place with regard to this proposal to confirm planning permission was required, that it should be in complementary materials to the main building and that because of the fluid nature of the VCS development, sympathetic consideration would be given to what appears to be a building required only in the short term.

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 **17 September 2021**.
- 5.2. No comments have been received.

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.
- CDC Environmental Health and Licensing: No comments other than to suggest a possible noise nuisance and limit delivery times.
 - CDC Conservation: No harm, no objection

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- Heyford Park PC - No comment received.

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)

- C28 – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations:

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

8. APPRAISAL

- 8.1. The key issues for consideration in this case are the principle of development, and design and impact on the character of the area.
- 8.2. Policy Villages 5 of the CLP2031 Part 1 identifies the former military base as a strategic site in the rural area for a new settlement. The land subject of this application is identified within that policy as part of a potential development area. The policy seeks to achieve a settlement of approximately 1600 dwellings in addition to those already approved together with employment and other development. This includes community facilities and local centre/hotel. The policy also goes on to lay down infrastructure needs, specific design and place making principles including avoiding development on more sensitive and historically significant sites, retain features that are important for the character and appearance of the site, encourage biodiversity enhancement, environmentally improve areas, integrate the new and existing communities and remove structures that do not make a positive contribution to the site's special character. The subsequent planning history has established this site as part of the new village centre.
- 8.3. The current proposal is a freestanding single-storey building that appears as a modest extension to the existing buildings for which it will act as a bottle store. The plans and supporting documentation demonstrate its conformity with the development plan and that it will not adversely harm the heritage assets of the site. It will be a development of a brownfield site, support and enhance the formation of a new settlement centre in a sustainable and highly accessible location, use finishes reflective of the approved Heyford design code, is an appropriate use for a new commercial heart to the settlement, is of a scale and massing to reflect its context and integration and connectivity to the surrounding development.
- 8.4. It is considered the scale of the development is appropriate and that the building and its setting are of a suitable form and appearance that follows the place making guidance set out in the CLP. The range of specified materials reflects those use on the adjacent building. The Officers conclude that what is proposed conforms to CLP policies Villages 5 and ESD 15, and CLP96 policies C28 and C30.
- 8.5. The building is not sited near any identified listed or scheduled heritage assets. It will therefore not have any impact on their setting or significance. It will be within the designated RAF Upper Heyford Conservation Area, but its impact will be limited, and this is confirmed by the Conservation Officer's view. The applicant points out that if harm were to be identified...*"the public benefits associated with facilities*

required to enhance the approved village centre facility, clearly outweigh any such harm in line with the requirements of paragraph 202 of the National Planning Policy Framework.”

- 8.6. In terms of transport impacts, these have already been taken into consideration in the granting of permission for the village centre and it is considered unlikely that use of the proposed bottle store would generate significant amounts of traffic in its own right or lead to an issue of highway safety.
- 8.7. The Environmental Health Officer does not consider there to be any adverse environmental impact but recommends a condition with regard to hours of operation. The permission for the village centre has an appropriate level of control over operations and to further impose a restriction on this minor development is considered, in this instance, to be excessive and unnecessary. It is recommended a condition is imposed to ensure its permission is for a limited period pending a more permanent development on this and the adjoining land.

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 not cause harm to designated or non-designated heritage assets. The proposal will deliver modest public benefits in the form of enhancing the social provision within the 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 subject to conditions.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and document:

Proposed Location Plan – dwg ref: ADP-00-ZZ-DR-A_01002 Rev. S2 P1;
Existing Location Plan – dwg ref: ADP-00-ZZ-DR-A-01003 Rev. S2 P1;
Proposed Ground Floor and Roof Plan – dwg ref: CRD-02-00-DR-A-05010 Rev. S2 P2;
Proposed Elevations – dwg ref: ADP-00-XX-DR-A-05065 Rev. S2 P2;
and
Design and Access Statement – ref: QM-ADP-04-XX-RP-1431. July 2021.

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. This permission shall be for a limited period of 7 years only, expiring on 8th October 2028 when the building and works carried out under this permission shall be removed and the land reinstated to its former condition to the satisfaction of the Local Planning Authority unless prior to that date a renewal of the permission shall have been approved in writing by the Local Planning Authority.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis in the Conservation Area and to enable the Local Planning Authority to assess the impact of this use on the surrounding area in view of the permission for this site to be developed comprehensively as part of the Village Centre South.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or enacting that Order) the materials shown on the approved plans/described in the application shall be used and shall not be altered in any way without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the RAF Upper Heyford Conservation Area in which the development is situated and to enable the Local Planning Authority to give further consideration to any proposed change.

Case Officer: Andrew Lewis

DATE: 27th September 2021

Checked By: Andy Bateson

DATE: 7th October 2021
