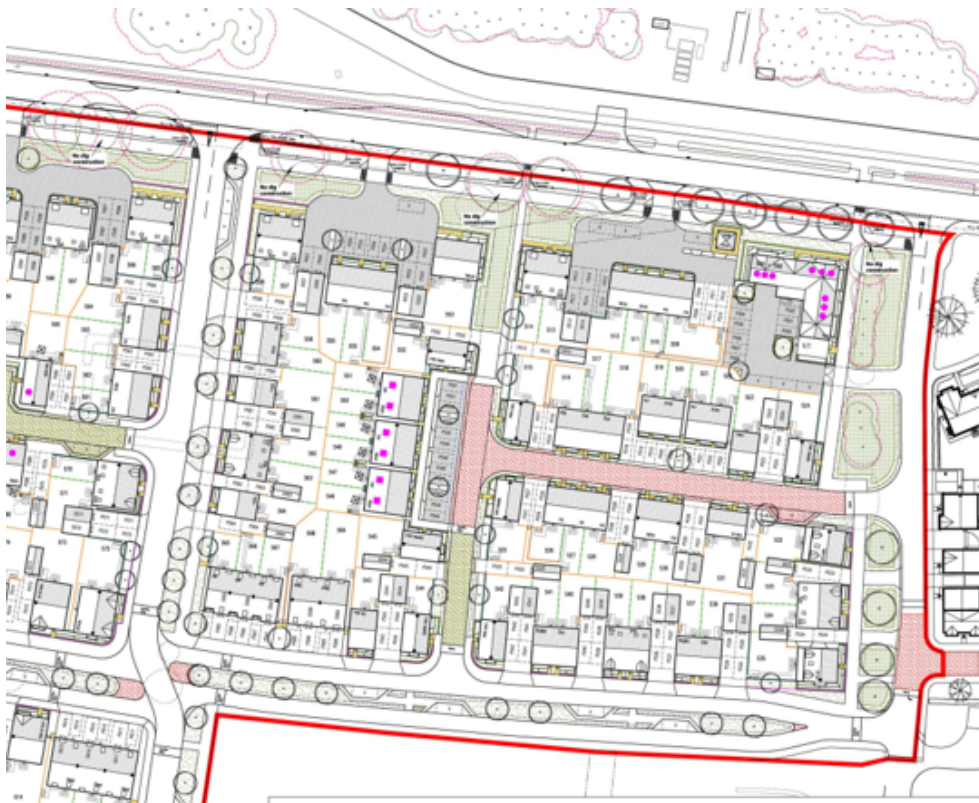


Case Officer: Andrew Lewis**Recommendation:** Approve**Applicant:** Elgin Investment LLP**Proposal:** Change of Use of housing plots 532, 533, 534 and 535 to sales area, together with erection of 1 No Sales Building and 2 No Show Homes with associated visitor parking area and landscaping**Expiry Date:** 10 December 2021**Extension of Time:** 17th December 2021

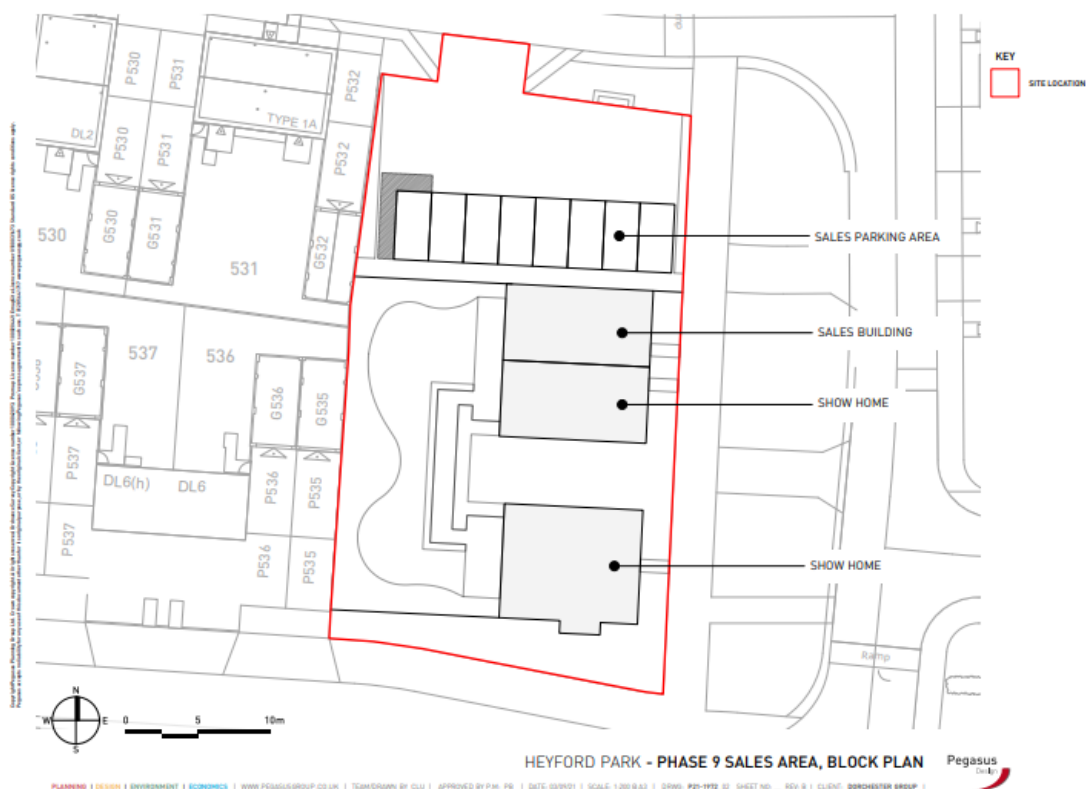
1. APPLICATION SITE AND LOCALITY

- 1.1. The application site fronts Izzard Road in the south-eastern corner of Heyford Park Phase 9 and is shown on an extract from the approved layout plan below. This phase is at the west side of Heyford Park and south of Camp Road. It forms part of an allocated site for a new settlement in the Local Plan. The site is also allocated within the emerging Mid-Cherwell Neighbourhood Plan. It is within the RAF Upper Heyford Conservation Area and lies adjacent to the Rousham Conservation Area.
- 1.2. Full planning permission was granted last year for 296 dwellings (and associated infrastructure) of which 89 of the dwellings will be affordable (30%). Vehicular access is from Camp Road with secondary access to Izzard Road. Pedestrian and cycle links are proposed to Kirtlington Road and the existing settlement. The development will constitute Phase 9 of Heyford Park.
- 1.3. It is understood groundwork has commenced although on this occasion a formal site visit was considered inappropriate and unnecessary during the pandemic.



2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks temporary planning permission for the use of four Plots – Nos.532, 533, 534 and 535 on Phase 9 of the Heyford Park Development as a Sales Area, together with the erection of 1 no. Sales Building and 2 no. Show Homes, associated Visitor Parking Area and Landscaping. The proposed Sales Building and adjacent Show Homes are intended to be used for marketing and sales purposes for the duration of Phase 9 of the development, as well as for Parcel 16 of the masterplan (Ref: 18/00825/HYBRID). The use of the application site for sales and marketing purposes would be temporary and the buildings would revert to residential use in due course upon completion of the development phase. Consent is requested for 10 years.
- 2.2. The approved house on plot 533 would be used as a sales building incorporating a marketing suite, offices and staff facilities. Internally there will be minor changes from the house as approved with some additional glazing in the flank elevation.
- 2.3. The houses on plots 534 and 535 would be used as show homes.
- 2.4. Parking is provided for 8 cars on plot 532
- 2.5. The proposed layout is shown below



3. RELEVANT PLANNING HISTORY

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

07/02350/CAC Demolition of existing structures as part of lasting arrangement of Heyford Park – Allowed at appeal

08/00716/OUT – Outline application for new settlement of 1,075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure - Allowed at appeal

10/01642/OUT – Outline - Proposed new settlement of 1,075 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 - Approved

10/01619/CAC Demolition of existing structures (as per Conservation Area Consent Schedule and Drawing No. D.0291 38-1) – Approved

16/02446/F

Erection of 296 residential dwellings (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of new and amended vehicular and pedestrian accesses, public open space, landscaping, utilities and infrastructure, and demolition of existing built structures and site clearance works – Approved

18/00825/HYBRID

Demolition of buildings and structures as listed; Outline planning permission for up to 1,175 extra new dwellings; 60 close-care dwellings; 929m² of retail; 670m² comprising a new medical centre; 35,175m² of new employment buildings, (comprising up to 6,330m² Class B1a, 13,635m² B1b/c, 9,250m² Class B2, and 5,960m² B8); 2.4ha site for a new school; 925m² of community use buildings; and 515m² of indoor sports, if provided on-site; 30m in height observation tower with zip-wire with ancillary visitor facilities; energy facility/infrastructure with a stack height of up to 24m; additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use; creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure; Change of Use of buildings and areas; 20.3ha of hardstanding for car processing; and 76.6ha for filming activities; the continuation of use of areas, buildings and structures already benefiting from previous planning permissions, associated infrastructure works including surface water attenuation provision and upgrading Chilgrove Drive and the junction with Camp Road – Resolution to approve subject to securing s106 agreement, which is currently still outstanding

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, expiring **16 November 2021**, by advertisement in the local newspaper expiring **7 October 2021** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **16 November 2021**.

5.2. No comments have been raised by third parties.

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. No comments received.

STATUTORY CONSULTEES

- 6.3. OCC - Transport: No objection.

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)

- VIL5 - Former RAF Upper Heyford
- ESD15 - The Character of the Built and Historic Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD6 - Sustainable Flood Risk Management -

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

MID CHERWELL NEIGHBOURHOOD PLAN

Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Mid-Cherwell Neighbourhood Plan, and the following Policies of the Neighbourhood Plan are considered relevant:

- PD4: Protection of Important Views (HIA required)
- PD6: Control of Light Pollution

- 7.3. Other Material Planning Considerations

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

8. APPRAISAL

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

- Principle of development
- Visual impact, heritage and Conservation Area
- Traffic, Access and Parking

8.2. In essence, what is proposed is the use of houses as approved for the temporary purpose of selling other properties in the vicinity. The only significant difference is the use of plot 532 for parking so the impact on visual amenity and on the character and appearance of the conservation area cannot be considered to be any more harmful than when the overall housing scheme was approved in 2020. This is justified in the HIA submitted as required by Policy PD4. Furthermore, the site will be enhanced by an “interim” landscaping scheme.

8.3. The site fronts the main roads serving the site and access will be constructed as already approved. Parking for 8 vehicles is shown and considered to be of appropriate level for the use. The Highway Authority does not object to the proposal.

8.4. The use was initially required for a temporary period of up to 10 years although a compromise of 7 years has been subsequently agreed. Normally Officers would seek a more restricted timescale, but it appears the site will also be used for the sale of houses on the adjacent parcel 16, part of the current masterplan application, so the time period seems appropriate in respect to the anticipated build rates across both approved development parcels.

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. Heyford Park is the single major location for growth in the District away from Banbury and Bicester and what is proposed seems an entirely acceptable proposal when considering all the issues involved and it is therefore recommended planning permission be granted subject to the conditions specified below.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The temporary uses hereby permitted shall cease no later than 7 years from the date of this permission.

Reason: The use is not suitable for permanent retention in the RAF Upper Heyford Conservation Area and to comply with Policy C28 of the adopted Cherwell Local Plan.

2. On cessation of the temporary uses, the sales parking area and associated manoeuvring areas shown on drawing P21-1972_02 Rev B, shall be removed from the site and the site restored in accordance with a scheme of works previously submitted to and approved by the Local Planning Authority. The submitted scheme of works shall include details as to the restoration of the sales building.

Reason: In order to safeguard the character and appearance of this part of the RAF Upper Heyford Conservation Area and to comply with Policy C28 of the adopted Cherwell Local Plan.

3. Except where otherwise stipulated by condition, the development hereby permitted shall be carried out strictly in accordance with the following approved documents and plans:

- Site Location Plan P21_1972_01 Rev A
- Proposed Block Plan P21_1972_02 Rev B
- Proposed Car Parking Area Plan P21_1972_03 Rev A
- Sales Building (Plot 533) Floorplans and Elevations SK003_02
- Show Home 1 (Plot 534) Elevations 0521PH9-224
- Show Home 1 (Plot 534) Floorplans 0521PH9-230
- Show Home 2 (Plot 535) Elevations 521-PH9-234
- Show Home 2 (Plot 535) Floorplans 0521-PH9-236

Reason: For the avoidance of doubt.

4. The planting and soft landscaping proposals shall be implemented in full accordance with the details approved by the Local Planning Authority under condition 3 and shall be completed not later than the first planting season after the use has commenced.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply, Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. No construction of any hard surfacing as shown on the approved plans and including drives, parking and patios shall commence until details of its method of construction, including any porous materials or provision to direct surface water to a permeable or porous area within the curtilage of the sales area, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details before the use is commenced

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water and to minimise the risk of flooding to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, and Government advice in the National Planning Policy Framework.

Case Officer: Andrew Lewis

DATE: 13th December 2021

Checked By: Andy Bateson

DATE: 16th December 2021
