

**Heyford Park, Camp Road, Upper Heyford,  
Bicester, OX25 5HD**

**23/01959/NMA**

**Case Officer:** Richard Greig

**Recommendation:** Approve

**Applicant:** Elgin Investments LLP

**Proposal:** Non-material amendment to 16/02446/F - amended elevation plans for 7 plots (plots 630-632, 634-635 & 646-647)

**Expiry Date:** 14 August 2023

**Extension of Time:** No

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## **1. APPLICATION SITE AND APPROVED DEVELOPMENT**

- 1.1. The former USAF/RAF Upper Heyford airbase site is located 7km northwest of Bicester, in an isolated rural location, within the parishes of Upper Heyford, Somerton and Ardley.
- 1.2. The former airbase is located at the top of a plateau and is set within otherwise open countryside. Land to the west falls sharply to the Cherwell valley and Oxford Canal (the Canal itself has been designated a Conservation Area). The Grade I listed Rousham Park is located in the valley to the southwest of the site. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the airbase site, whilst the airbase itself has been designated a Conservation Area in view of the international importance of the site and the significant Cold War heritage interest.
- 1.3. There are several designated Scheduled Monuments and listed buildings, and other non-designated heritage assets of national importance on the former airbase site, as well as other unlisted buildings that make a positive contribution to the character or appearance of the conservation area, and much of the airfield is also of ecological importance including a Local Wildlife Site towards the eastern end of the old airbase.
- 1.4. The parent permission (planning reference 16/02446/F) of April 2020 to which this application relates, secured planning permission for 296no. dwellings to the southwest of the former airbase site on the south side of Camp Road – known as Phase 9 of the Heyford Park development.

## **2. DESCRIPTION OF PROPOSED AMENDMENT(S)**

- 2.1. The proposed amendments relate to 4no. house types and 7no. plots, comprising the following:

### House Type AF2 – Plot nos.646 and 647

- Bed 2 window to rear elevation increased to 3 panes;
- Fanlight added above front door;
- Windows increased in height.

### House Type DL2v2 – Plot nos.634 and 635

- Bay window added to plot 634;
- Fanlight added above front door;
- Windows increased in height;

- Brick quoin detail added to front elevation corners;
- Stone detailing replaced with flat brick arches.

#### House Type 3D – Plot nos.630 and 631

- Brick built extruded porch added to front entrance;
- Elevational openings amended to better the symmetry of the façade;
- Living room window (W4) reduced by one pane to allow centralisation of porch and balancing of façade;
- 2nd floor shower room svp vented to roof to avoid need for destructive access.

#### House Type 4A – Plot no.632

- Both render and brick elevations have stone surrounds added;
- Brick elevations have quoin detail added to front elevation corners;
- Render elevations have additional brick detailing to gable ends;
- 1st floor windows elongated.

### **3. RELEVANT PLANNING HISTORY**

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

#### Application Reference 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 April 2020.

#### Application Reference 21/00918/NMA

- Non-material amendment to 16/02446/F - amended drawings to depict the following: Removal of steel 'portico' style structure from the main entrance; Removal of projecting balconies and associated steel structures and replacement with juliet balconies; Introduction of feature 'Burglar Bond' buff brick features panels; Use of grey contrasting brickwork in lieu of render infill sections and cladding elements; Introduction of privacy blanking panels to lower sections of main windows; Minor alterations to window designs and positioning with associated adjustments to internal layouts; Amended porch design to rear elevation.
- Approved June 2022.

#### Application Reference 21/02484/NMA

- Non-material amendment to 16/02446/F (Phase 9) - amended plans
- Approved June 2022.

### **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 changes 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 amendments amount to a series of minor changes to the exterior elevations of 4no. house types, limited to 7no. plots across the 296 approved in Phase 9. Significantly, the cumulative effects, if any, of the proposed amendments are minor and are considered to be consistent with the design characteristics of the scheme permitted under the parent permission and the subsequent non-material amendments to House Type DL2v2 approved under application reference 21/02484/NMA.

## **6. CONCLUSION**

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

Case Officer: Richard Greig

DATE: 24 July 2023

Checked By: Andy Bateson

DATE: 24<sup>th</sup> July 2023

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