1. **APPLICATION SITE AND LOCALITY** 
   1. The application site for this proposal covers part of the former RAF/USAF Upper Heyford base its military use having ceased in 1994. It measures approximately 2.81 hectares in size, the Heyford base being approximately 505 hectares in total. In terms of the uses on site, since its military use ceased it has effectively functioned as a self-contained settlement under the ownership first of the North Oxfordshire Consortium and for the last seven years by the current applicants, the Dorchester Group. In that period the base has created approximately 1,000 jobs and homes for around 750 residents.
   2. 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 character of which it is 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. This application is within Area 10B- the RAF Domestic and Residential Section which is described in the appraisal as:

The 1920s, red brick, RAF buildings to the south of Camp Road are laid out around and orientated towards the parade ground. The style of the buildings within the area is again British Military and because of their grid-like orientation the area has a strong ‘campus’ character distinct from the Technical Site to the north on the other side of the road. The area immediately south of the parade ground was developed during the period of RAF expansion in the 1930s. The area is dominated by the Institute (**488**) and H blocks (**489**, **498** and **500**) set around it. This part of the site has a distinct character separate from the 1920s buildings. The general ‘military architect’ character of the area has been diluted by post-war alterations and the wider are a therefore reads less coherently.

* 1. No buildings within the application site are listed and in fact all have been approved to be demolished and it appears most have already been removed. There are a number of mature trees both individually and in groups, many dating from the RAF occupation. Adjacent the site is a former retail store and a number of community buildings including church, play group and community centre. These are surrounded by residential dwellings many of which are to be retained.
  2. Over the last 10 years numerous applications have been made seeking permission to either develop the whole site or large parts of it and numerous of them have gone to appeal. The most significant was application ref 08/00716/OUT. Following a major public inquiry that commenced in September 2008 the Council received the appeal decision in January 2010 that allowed “A 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).” The uses and development permitted upon the flying field have been implemented by the applicants under the appeal permission
  3. The development of the settlement and technical areas was delayed as the approved masterplan was refined. As a result, a new masterplan was drawn up which, whilst similar to the one considered at appeal, has been modified. The main reason for a fresh application arose from the desire of the applicant to retain more buildings on site. Apart from that, the most significant changes are a new area of open space centred on the parade ground, the retention of a large number of dwellings including 253 bungalows, and more of the heritage buildings, the demolition of which was previously consented. The retention of these buildings at their existing low density meant the masterplan expanded the development area west on to the sports field. The revised masterplan was submitted as part of the outline application for “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). Under this permission the site the subject of this current application was approved as a primary school. The developer and owner of Heyford Park have now changed their aspirations and have obtained permission for a through, free school and this operates in Buildings 74, the former officer’s mess, and 583, the former sports hall. There would be potential for a total of 840 pupils but the opening is phased with Reception and Year 7 in 2013, followed by Year 1 and Year 8 in 2014, 2 and 9 in 2015, etc until the school is fully open in 2019
  4. As a result outline planning permission was granted in 2014 with all matters reserved for this site to be used for up to 60 residential dwellings (ref 13/01811/OUT). An illustrative masterplan was produced that showed how the development could be dovetailed into the scheme already approved at Heyford. It was supported by documentation including on Heritage, Design and Access, Transport and Trees. A s106 was secured binding the developer to provide affordable dwellings, contributions towards traffic and transport, open space, etc in line with the main s106 agreement for the site.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**
   1. The application proposes 60 houses, predominantly 2 storied with some 2.5 and 3 storied in key locations. Of the 60 units 15 will be affordable rented and 18 intermediate with 42 units of market housing. There is a range of sizes from 2 to 5 bedroomed. Designs come from the pallet of house types used in the vicinity of the site. The eastern boundary will front one of the principal internal roads, also to be used as the bus route, and overlook the village green. This road will be verged and contain trees in line with the approved design code.
   2. An existing road will be used link to Dow Street thus providing a second main access to the site. Two cul de sacs are created providing a tertiary hierarchy in the street pattern. Footpaths are provided running through the site creating permeable route between the village green and settlement centre to Carswell Circle and beyond. An existing group of mature trees to the rear of Carswell Circle are retained to provide a large landscape feature. Further planting is proposed to run through the site. Parking is provided mainly on plot in line with the design code standards with additional on street visitor parking dotted through the site.
   3. The site is relatively flat and dominated by frontage to the village green. The scheme that has been produced has to reflect the masterplan but also create a form of development to extend that approved around the village green. This will be the fifth phase of the Dorchester Group’s development.
   4. Since submission the details have been revised as part of a positive engagement between applicant and Local Planning Authority. This follows significant pre application engagement. Layouts have been modified to allow the village green to expand (to be usable for cricket), reflect character, comply with the design code and to create space for more trees and to create an opportunity for more street planting on the tertiary roads. The layout and design closely follows the Design Codes and advice has been given on the plans and house types following formal written pre application advice. On the back of these comments the design has evolved and a number of changes have been made
2. **RELEVANT PLANNING HISTORY**

|  |  |  |
| --- | --- | --- |
| 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). | Approved by SSE 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 |
| 14/01478/REM | Construction of a road with associated infrastructure within the Heyford Park development. | PER |
| 14/01500/REM | Reserved Matters to Outline application (10/01642/OUT) - Erection of 50 dwellings with associated car parking, infrastructure and associated works | PER |
|  | | |
| 14/01740/REM | Reserved Matters to Outline application (10/01642/OUT) - Erection of 90 dwellings with associated car parking, infrastructure, landscaping and other works | PER |
|  | | |
|  | | |
| 15/00153/REM | Reserved Matters to Outline application 10/01642/OUT - Village green including sports provision. | PCO |
|  | | |
|  | | |
|  | | |
| 15/01612/REM | Reserved Matters to 10/01642/OUT - Erection of 86 dwellings with associated car parking, infrastructure. associated works and public open space | PCO |
| 13/01811/OUT | OUTLINE - Up to 60 dwellings and public open space with associated works | PER |

1. **RESPONSE TO PUBLICITY**
   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.
   2. No comments have been raised by third parties
2. **RESPONSE TO CONSULTATION**
   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 COUNCIL: None

STATUTORY CONSULTEES

CDC-Design Consultant (on the original submission):

**Layout**

More could have been done to achieve good east-west street connections through the development.

The indicative masterplan layout submitted in support of the outline planning application showed a second east-west connecting street between Dow Street and the ‘Village Green’. This is now shown as a pedestrian link which is direct, legible and adequately overlooked from one property facing the route and others with ground floor windows and bays in their gable ends.

At the southern end of the development there is an east-west pedestrian link but because it crosses a car park, deviates around a retained tree and then follows a shared surface its legibility could be improved.

There are two other pedestrian routes from Carswell Circle but unfortunately these do not continue as direct east-west routes connecting to the north-south street along the west side of the development.

The need to retain rear access to the rear of existing houses in Carswell Circle exposes the backs of these properties, however efforts have been made to ensure that there is a reasonable degree of natural surveillance of these backs and of the intervening open space from proposed dwellings. It is unfortunate, however, that although plot 255 has a ground floor window and first floor oriel window facing the open space neither is to an ‘active’ room. Overlooking must be from ‘active’ rooms.

**Parking**

Although tandem parking has been approved elsewhere on the Heyford Park development it is inconvenient for users and tends to lead to more parking on the carriageway.

Frontages to affordable housing are dominated by car parking provision which tends to identify it where tenure blindness should prevail.

**House Types**

House type SP1 has poor proportions with a tall roof and too much unbroken space between the first floor window heads and the eaves.

All traditional form houses should have chimneys or flues punctuating their roofline. The affordable housing in particular should not be distinguishable by lack of chimneys.

**Street Scenes**

Not all streets scenes are covered by the submitted plans.

**Trees**

There is potential for additional light foliaged trees to be planted in rear gardens to aid privacy between backs of properties and enhance tree cover.

**Boundary Treatments**

Rear garden gates should be match-boarded, not close-boarded.

Hedges enclosing plot frontages should be planted behind physical boundaries such as estate railings.

N.B. IN response to the above comments the plans have been amended.

Oxfordshire County Council: No objection subject to conditions

* Parking provision is generally adequate.
* Swept path analysis is acceptable.
* A Travel Information Pack will be required.
* Amendments to the road layout will be required.
* Further drainage information is required.

**Detailed comments:**

**Transport Development Control**

The level of car parking provision at each dwelling is adequate and acceptable. Garages must have minimum internal dimensions of 3.0m x 6.0m.

The inclusion of garden sheds for cycle parking at dwellings with no garage is welcomed.

Revised refuse vehicle swept path analysis shown on plan No.HEYF-5-583 is acceptable.

**Travel Plans**

As there is a site wide travel plan a Travel Plan Statement will not be required. However, a Travel Information Pack will be required in discharge of a condition of planning consent.

**Road Agreements**

There a number of items that will need to be addressed and rectified during the Section 38 agreement process. These are noted below.

* Root protection zones may prevent full depth reconstruction to adoptable standard.
* Adoptable shared surfaces should be a minimum 5.5m wide.
* Refuse vehicle tracking will need to be proved on adoptable roads. The available vehicle tracking appears to be very tight on some corners/allocated parking spaces and involves significant overhang.
* Parking bays should not be located in junction and forward visibility splays.
* The strips of verge around the outside of adoptable visitor parking bays should be changed to hardstanding and widened to a minimum of 1m.
* Adoptable verge should not contain acute angles and would ideally be a minimum of 1m wide for ease of maintenance.
* All adoptable roads and footpaths will need to be lit.
* Trees should have a 2m stem for visibility. Tree pits and root barriers will be required for all new trees within and close to the proposed highway
* Root barriers will need to be installed to protect the proposed highway from existing tree roots.
* New and existing trees within the highway will attract commuted sums.
* Shrubs should not be planted within 800mm of adoptable carriageway. Shrubs within the highway will attract commuted sums.
* We do not allow the planting of daffodils in highway verge.
* Any existing road will require full depth reconstruction to bring it up to an adoptable standard.

**Drainage**

Site Flooding

The XP drainage microsimulation modelling provided within the updated FRA (dated 2.6.16) Appendix C, would appear to show that well over 1000 m3 of flooded volume occurs during the 1/100 year exceedance event. Clarification of flood routeing is provided on additional drawing No.HEYF/5/148 C Surface Water Drainage Overview – Residual Flooding. Further work is required to update this drawing to reflect more recent microsimulation modelling results, storage area changes, and any existing as-built changes. This work can be presented in discharge of a condition.

Maintenance

The maintenance schedule provided within the revised FRA should form part of a more comprehensive ‘SUDS Site Management and Maintenance Plan’ for the development. The scope of this document should be based on the advice given in ‘The SUDS Manual’ (Ref: Ciria 753) Chapter 32 - Operation and Maintenance (and deal with any health and safety issues). It is proposed that the production of a more comprehensive SUDS Maintenance and Management Plan should form part of a planning condition for the development.

**Environment Agency**: No comment

**Historic England:** No comment

1. **RELEVANT PLANNING POLICY AND GUIDANCE**

6.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.2 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
* ESD15 - The Character of the Built Environment
* ESD7 - Sustainable Drainage Systems (SuDS)
* ESD6 - Sustainable Flood Risk Management
* ESD3 - Sustainable Construction
* ESD2 - Energy Hierarchy
* ESD1 - Mitigating and Adapting to Climate Change
* PSD1 - Presumption in Favour of Sustainable Development
* BSC1 - District Wide Housing distribution
* BSC3 - Affordable Housing
* BSC4 - Housing Mix
* BSC8 - Securing Health and Well Being
* BSC9 - Public Services and Utilities
* BSC10 - Open Space, Outdoor Sport & Recreation Provision
* BSC11 - Local Standards of Provision - Outdoor Recreation
* BSC12 - Indoor Sport, Recreation and Community Facilities
* INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

* C23 - Retention of features contributing to character or appearance of a conservation area
* C28 - Layout, design and external appearance of new development
* C30 - Design of new residential development

Other Material Planning Considerations

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

In addition a design code was approved in October 2013 in order to comply with Condition 8 of planning permission 10/010642/F. This was required to “to ensure that the subsequent reserved matters applications are considered and determined by the Local Planning Authority in the context of an overall approach for the site consistent with the requirement to achieve a high quality design as set out in the Environmental Statement, the Revised Comprehensive Planning Brief for the site, and Policies UH4 of the Non Statutory Cherwell Local Plan, H2 of the Oxfordshire Structure Plan 2016 and comply with Policies CC6, CC7 and H5 of the South East Plan 2009.” Although this application is a reserved matters proposal for a separate piece of the Heyford jigsaw, the contents of the code are still an important guide for the developer and Planning Authority.

1. **APPRAISAL**

Relevant Background

7.1 An outline application that proposed: “A 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).” was granted in 2010 following a major public inquiry (ref 08/00716/OUT).

7.2 The permission with regard to the flying field was implemented but a subsequent second application was submitted for the settlement area. That permission for a new settlement was granted in December 2011 (ref 10/01642/OUT).The permission was in outline so details of layout, scale, appearance, landscaping and access (the reserved matters) have to be submitted within a period of six years. The application site subject of this application was proposed to be developed for a primary school. That was overtaken by a through school being provided elsewhere. As a result this site became available development and outline consent was granted in 2014 for residential development for up to 60 units. This application submits the reserved matters for that permission.

7.3 The appeal and subsequent planning decisions have already been taken into account by the Council as part of its Local Plan and the development of former RAF Upper Heyford is seen as the major single location for growth in the District away from Banbury and Bicester. This seems a feasible proposition as the outline permission is now in place. Furthermore, in the CLP, additional sites have been allocated for development in and around Heyford including south and east of the application site.

7.4 Extensive pre application discussions have been had on this site firstly as it was originally laid out but secondly, when the village green site was enlarged slightly (to enable cricket to be played upon it). The scheme has been amended twice during processing as a result of comments made ny statutory undertakers.

7.5 As many of the residential buildings across the site were built in the early 20th century and have a character that can be best described as a simple / pared back Arts and Crafts style, it has formed the inspiration for the new housing development. Greater detail on this can be found in the Design Code which has been used on this site as a guide to the form and layout of the proposed housing namely to secure a mix of formal and informal streets with dwellings creating a strong frontage presence to them.

7.6 Turning to the detail of the application, Officers’ consider the following matters to be relevant to the determination of this application:

* + Planning Policy and Principle of Development;
  + Five Year Land Supply
  + Impact on Heritage Assets
  + Affordable Housing
  + Density and Housing Mix
  + Landscape Impact;
  + Accessibility, Highway Safety and Parking

Planning Policy and Principle of the Development

7.7 Paragraph 14 of the NPPF makes it clear that there is a presumption in favour of sustainable development and that permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole. There remains a need to undertake a balancing exercise to examine any adverse impacts of a development that would significantly and demonstrably outweigh the benefits of it and also the harm that would be caused by a particular scheme in order to see whether it can be justified. In carrying out the balancing exercise it is, therefore, necessary to take into account policies in the development plan as well as those in the Framework. It is also necessary to recognise that Section 38 of the Act continues to require decisions to be made in accordance with the development plan and the Framework highlights the importance of the plan led system as a whole.

7.8 The Development Plan for Cherwell District comprises the saved policies in the adopted Cherwell Local Plan 1996 and the adopted Cherwell Local Plan 2011-2031. Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with applications for planning permission the local planning authority shall have regards to the provisions of the development plan in so far as is material to the application and to any material considerations. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise. This is also reflected in the National Planning Policy Framework (NPPF) at paragraph 11 which makes it clear that the starting point for decision making is the development plan.

7.9 Policy Villages 5 of the CLP 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. The policy also goes on to lay down 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.

7.10 The plans and supporting documentation demonstrate its conformity with the development plan. The significant elements are:

* + Provision of further housing in order to meet the housing target and trajectory
  + Provision of 30% affordable housing
  + Development of a brownfield site
  + The environmental improvement of the locality
  + A commitment to high quality design and finishes reflective of the approved Heyford design code
  + Scale and massing of new buildings to reflect their context
  + Integration and connectivity to the surrounding development

The main issues will be discussed in more detail below but in principle the application is seen to conform with the conditions of the outline permission and to Policy Villages 5.

Five year land supply

7.11 The latest housing figures for Cherwell District Council have shown it has exceeded its five year land supply and can robustly defend against speculative development. The annual monitoring report for 2014/ 2015 undertook a comprehensive review of housing land supply as at December 2015. The figures showed that over three consecutive years Cherwell has continued to exceed its five year land supply due to an increase in housing construction and can now demonstrate a 5.1 year supply for 2014-2019; a 5.3 year supply for 2015-2020 and a 5.6 year supply for 2016-2021.

7.12 The Cherwell Local Plan outlines the preferred sites for 22,840 homes and 200 hectares of employment land between 2011-2031. Figures from the annual monitoring report showed 2,052 homes had been completed between 2011 and 2015, of which 946 were built during the 2014/2015. Of those completed over the past financial year, 44 per cent were built on previously developed land and 191 were marketed as affordable, including 22 self-build homes. It is expected that between 2015 and 2020, 9,034 new homes will be built and by 31 March 2021, 12,824 homes will have been built across the district over a ten year period. This equates to an approximate average of 1,282 homes per annum which exceeds the annual requirement of the adopted Local Plan 2011-2031 of 1,142 per annum.

7.13 Heyford is seen as a strategic development site by the Local Plan and was envisioned as a point of growth when the policy was drawn up. 1600 dwellings and 1500 jobs are proposed there under Policy Villages 5. This site is part of the land allocated for development in the relevant policy. In the last year 166 dwellings were constructed at Heyford making it one of the three main delivery sites for Cherwell. The Council have signed a statement of common ground with the developer and applicant committing to the expeditious implementation of the policy.

Visual Impact, Heritage and the Conservation Area

7.14 This application seeks reserved matters approval for phase 5 of development for Dorchester Homes The development will extend the building envelope southwards south of Camp Road opposite the village green and between Carswell Circle. The proposal is for 60 dwellings, 42 market and 33 affordable, 15 affordable for rent and 18 affordable intermediate. The density is modest, approximately 30 units per hectare, so in line with the guidance in the Design Code.

7.15 Extensive work and discussions have been had with the developer using the approved Design Code to establish a layout approach and architectural vocabulary for the site which will reinforce and enhance its heritage value. In terms of house design, the Council’s Design Consultant has secured revisions in the architectural styles proposed here for the main houses and improvements to the layout. The frontage to the village green reflects the style already approved on phase 2 and is more formal whereas within the site a more informal layout is being created.

7.16 Concern had been raised by the Tree Officer about the removal of trees in this area and the applicant has made a major change to retain a significant number to the rear. A scheme has been agreed where a group of existing category B trees are retained on the boundary and individual specimens within or adjacent the site. Further planting is proposed to create an avenue along the main (secondary) road.

7.17 The housing to the rear has an informality in its layout, established though housing clusters. They are modest of appearance, all 2 storied, mainly gable ended, some with projecting gables on the more prominent corner sites to create a landmark feature. In line with the code materials will be good quality bricks with some render. Roofs are slate or plain tiled. Doorways have a canopy, flat or gabled. They are styled in the form of pared down military architecture required by the Design Code. Most properies will get at least 2 off street parking spaces and a reasonably large garden. As a result we now have a scheme whereby the housing both reinforces and enhances the character of this part of the RAF Upper Heyford Conservation area. Many of the residential buildings across the wider site were built in the early 20th century and have a character that can be best described as a simple / pared back Arts and Crafts character and this scheme suitably reflects that character as well as establishing an identity as found in the Design Code. There is limited detailing in terms of balanced fenestration, gables and canopies. The result is informal but taken together it forms a harmonious blend.

7.18 The housing fronting the new circulatory road and other main roads are of more interest. These have been modified in scale and appearance to better fit the design code requirements. Their original design was very pastiche but has been modified to more reflect the style sought in the code. Some of the buildings are taller, 2½ and 3 storeys and rendered under a slated roof. Their scale and appearance will better equate to the former military scale of building

7.19 The majority of the frontages are open. Details of boundary treatment are generally satisfactory

7.20 The Officers conclude that what is proposed conforms to CLP policies Villages 5 and ESD 15 and CLP96 policies C28 and C30.

Landscape Impact

7.21 The landscape setting is an important part of the proposed character of the area. The important trees within site and along the rear boundary are retained and form an attractive feature framing of the site. Furthermore, the layout has been amended and the streets widened to provide verges and street trees together with planting opportunities for strategically placed specimen trees. Further landscaping is provided through the layout. The applicant has set up a management company responsible for maintenance of the landscaping at Heyford Park. This keeps control of some of the hedging and trees out of the domain of the individual householder and an adoption plan illustrates this.

Traffic, Access and Parking

7.22 The development now follows the masterplan and the Design Code in terms of the access arrangements from Camp Road with the circulatory road providing a main spine fronting the site. Two separate accesses off Dow Street and the circulatory road into the site at right angles act as a restraint on traffic speed. These secondary routes are shared surface “home zone” streets some with verges, tree lined and some ability to park on street. Revised plans of the tracking have been submitted and checked and found to be satisfactory by the County Council.

7.23 The layout and level of parking has been modified. A total of 187 spaces are provided including 47 garages and 8 unallocated spaces which now reflects the standard set out in the Design Code. Parking and drives are used to create a separation between the semi-detached houses and create a rhythm to the main streets. All houses (with one exception) have at least 2 parking spaces.

Engagement

7.24 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application and by the in depth discussions that have taken place resulting in the final scheme.

1. **CONCLUSION**

8.1 It is considered this scheme will now form an area of a distinct character(s) reflecting the design coding for the site. The houses have a variety of designs reflecting the arts and crafts style and military style seen elsewhere and reflecting the character of Heyford. Taken together they form an appropriate form of development. They provide a decent standard of amenity inside and outside the property. The scheme will provide a significant number of affordable units (33%) as well as more housing in total. It is therefore recommended these reserved matters are approved.

|  |
| --- |
| 1. **RECOMMENDATION**    1. That permission is granted, subject to the following conditions   1 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following documents: Application forms , Statement of Compliance, Flood Risk Assessment Compliance, Construction Specification, Planning/Heritage Statement, Construction Specification, Aboricultural Impact assessment and Protection, Tree Survey and Constraints Plans, the drawings received on 2nd June, 8th June and 11th July 2016:    Location Plan 0521 PH5 101  External Works-1 0521 PH4 5B 104-1  External Works-2 0521 PH4 5B 104-2  Planning Layout 0521 PH5 102c  Adoption Plan 0521 PH5 107b  External Works-1 0521 PH5 104-2C  External Works-2 0521 PH5 104-1B  Tracking Layout 0521 PH5 105b  Materials Layout 0521 PH5c 108  Refuse Plan 0521 PH5 111b  External Details 0521 PH5 106a  Landscaping 1 1619 04 F  Landscaping 2 1619 05 G  Housetype booklet 0521 PH5 HTB Issue 3  Street Scenes 1 0521 PH5 103-1B  Street Scenes 2 0521 PH5 103-2    Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.  2 The materials to be used in the new development shall be as shown on plan No. 0521 PH5c 108. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.    Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.  3 That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.    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 with Policy C28 of the adopted Cherwell Local Plan.  4 That all enclosures along all boundaries of the site shall be as shown on the approved plans and such means of enclosure shall be erected prior to the occupation of any dwelling.      Reason - To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policies C28 and C30 of the adopted Cherwell Local Plan.  5 Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads and footpaths (except for the final surfacing thereof) shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.    Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.  6 That before the development is first occupied, the parking, garaging and manoeuvring areas shall be provided in accordance with the plans 0521 PH5 104-1 and 2 hereby approved and shall be constructed, laid out, surfaced, drained and completed in accordance with specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.    Reason - In the interests of highway safety and to comply with Government advice contained in the National Planning Policy Framework.  7 Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.    8 Prior to the first occupation of the development hereby approved, the sewage disposal/drainage works to serve it shall be completed and operational and the development connected thereto.    Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.  9 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Waterman, October 2010) and updated Flood Risk Assessment (Woods Hardwick, May 2016) and by and the following mitigation measures detailed within the Flood Risk Assessment (FRA).   * Limiting the surface water run-off generated by the 1 in 100 year + 30% allowance for Climate Change critical storm so that it will not exceed the run-off over the existing greenfield (10 l/s/ha) and brownfield situation (112.8 l/s/ha) and not increase the risk of flooding off-site.(Para 3.7 of updated FRA). * Underground Storage tanks and oversized pipes. As shown on drawing HEYF- 5-887B - 889B, and Para 3.10 of updated FRA update. * The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing and phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.     Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.  10 Prior to commencement of the development the Applicant shall submit to the Local Planning Authority a SUDS Maintenance and Management Plan for the development. This will include the following.   * A maintenance schedule, a site plan showing location of SUDS features and details, Maintenance areas, and Outfalls. Responsibility for the management and maintenance of each element of the SUDS scheme will be detailed within the Management Plan and a health and safety plan where risks are involved in the maintenance activity will be required.     Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.  11 Prior to commencement of the development the Applicant shall submit to the Local Planning Authority a revised Flood Route and Storage Plan for exceedance flows at the site as follows.   * To update the existing drawing No.HEYF/5/148 C Surface Water Drainage Overview - Residual Flooding to reflect any revised microsimulation modelling results, as built constructed site changes, and changes to exceedance storage areas.     Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.  **PLANNING NOTES**  1 The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.  Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the design and layout of roads within the development under S38 and / or S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.  2 Attention is drawn to a Legal Agreement related to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.  3 It is known that in some areas of the northern part of Cherwell District elevated concentrations of naturally occurring arsenic, chromium and nickel and in Souldern, Somerton, Upper Heyford, Lower Heyford and Kirtlington elevated levels of naturally occurring arsenic exist above soil guideline values produced by DEFRA. While these elements are not considered a risk to residents occupying the completed development, there exists a potential risk to residents using the garden for home grown produce or where regular contact with the soil occurs due to ingestion and dermal contact. A risk may also occur to building site workers during construction, due to dermal contact and inhalation of potentially contaminated soil and dust. The applicant is therefore requested to ensure contact with the soil is minimised, especially where young children are present and not to grow home grown produce until such a potential risk has been shown to be negligible. In addition, to ensure that all site workers are informed of this potential risk and that appropriate health and safety requirements are used to protect the site workers. For further information please contact the Council’s Environmental Protection Officer.  4 Attention is drawn to the conditions imposed on the "outline" permission 13/01811/OUT which should be read together with this approval. Any outstanding requirement of the conditions to submit details for approval by the Local Planning Authority should be particularly noted.  **STATEMENT OF ENGAGEMENT**  In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), the Council has worked positively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer’s report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.  The case officer’s report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. |
|  |

|  |  |
| --- | --- |
| CASE OFFICER: Andrew Lewis | DATE: 30 August 2016 |
| CHECKED BY: | DATE: |