1. **Application Site and Locality**
	1. The application site for this proposal is part of the former RAF/USAF Upper Heyford base. Located to the south side of Camp Road the site consists of an area formerly occupied by residential buildings now demolished.
	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 the Residential Zone-10B- RAF Domestic and Residential Section as defined within the Conservation appraisal.
	3. In the appraisal, the character of the Area is described 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 Hblocks (**489**, **498** and **500**) set around it. This area has a coherent character distinct from the 1920s buildings. The general ‘military architect’ character of the area has been diluted by post-war alterations.”

* 1. In terms of the uses on site, the military use ceased in 1994. Since 1998 the site has accommodated a number of uses in existing buildings, first under temporary planning permissions latterly under a permanent permission granted on appeal and subsequent applications.
	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).” This permission included the flying field and the uses and development permitted upon it at the appeal have been implemented under the appeal permission.
	3. The development of the settlement and technical areas was delayed as the 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 this 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 has meant the masterplan has expanded the development area west on to the sports field.
	4. 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).
	5. The application site has been cleared of buildings; development has commenced on the housing to the east and a scheme for the new village centre to the north and housing to the west and south is imminent.
1. **Description of Proposed Development**
	1. The site is relatively flat and will form the centrepiece of the new development. It is intended to grass and landscape it to create a multiplicity of recreation/leisure uses but essentially a traditional cricket pitch on a village green. It will be surrounded on three sides by residential development but to the north will be the village centre. This is currently being designed with the intention that part of it will be given over to community and social facilities including changing rooms. A LEAP is provided in one corner.
	2. Since submission the details have been revised as part of a positive engagement between the Sports Council, applicant and Local Planning Authority. This follows significant pre application engagement. Layouts have been modified to create a larger recreational area. The layout and design closely follows the Design Codes and advice has been given on the plans 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**

|  |  |  |
| --- | --- | --- |
| App Ref | Description | Status |
|  |
| 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 |

1. **Publicity**
	1. The application was publicised by way of neighbour notification letters and a notice displayed near to the site. There are no comments by third parties.
2. **Response to Consultation**
	1. Heyford Parish Council: No objection
	2. Cherwell District Council:

Ecology: No objection, encourage biodiversity enhancement, swift tower.

Landscape Architect: still concerned by dominance of the recreational use

Tree Officer: Objects unless the planting scheme is revised to reinstate more trees. Landscape should not lose out to recreation.

Planning Policy: No policy objections

Recreation and Health: Still some concerns but support the views of the Sports Council

* 1. Oxfordshire County Council:

Transport: Requires details of car parking (condition)

* 1. Other External Consultees:

Sports Council: There has been a protracted liaison with the Sports Council. Following the receipt of amended plans their objection has been withdrawn subject to two conditions being imposed to require a safety assessment and the pitch is constructed in accord with their guidelines.

English Heritage: No comment

1. **Relevant National and Local Planning Policy and Guidance**

**Development Plan Policies**

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

ESD15 - The Character of the Built and Historic Environment

VIL5 - Former RAF Upper Heyford

ESD13 - Local Landscape Protection and Enhancement

ESD15 - The Character of the Built Environment

Cherwell Local Plan 1996 (Saved Policies)

C23 - Retention of features contributing to character or appearance of a conservation area

C28 - Layout, design and external appearance of new development

**Other Material Planning Considerations**

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.”

National Planning Policy Framework (The Framework)

Planning Practice Guidance (NPPG)

1. **Appraisal**
	1. The key issue for consideration in this case is whether this scheme conforms to the principles set out in the development plan, the outline planning permission and masterplan for the site, and the design codes as approved. The answer is yes. It was always envisaged that the heart of the new settlement would feature a village green on which sport and leisure would be facilitated and which would also be a feature and focal point for the surrounding houses.
	2. The issue with the scheme has been over details and the competing interests who wish to prioritise their particular concerns. The latest layout, in which the cricket pitch is enlarged, now satisfies Sport England. They still have concerns about safety and the pitch construction. These can be dealt with by condition. It had been hoped that the design of some form of temporary safety fencing could be agreed but the applicant has asked for the application to be determined in order for the necessary landscaping measures to be put in place. A safety assessment is therefore conditioned with any required measures such as fencing to be agreed.
	3. The increase in size of the pitch has had a subsequent impact on landscaping and provision of other recreational facilities. However, these details can again be secured by condition. Certainly the applicant is proposing LEAP’s as part of the village centre scheme the details of which have been seen in pre application discussions. The village centre will also provide the changing facilities (required by s106 agreement) and parking, required by the Count Highway Authority. Conditions have been recommended.
2. **Conclusion**

The adjacent residential development is well underway. The site presently has a derelict appearance which will detract from the amenity of residents when they occupy those houses. The applicant has asked for the scheme to be determined on the basis of the amended plans so they can complete this phase of the development.

It is considered this scheme will form an area with a distinct character reflecting the principles set out in the masterplan and design coding for the site. It conforms to the Council’s site specific policy-Village 5 and the green enhancement polices set out in the Cherwell Local Plan It is therefore recommended these reserved matters are approved.

1. **Recommendation**

**Approve, subject to:**

Conditions

 1 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings numbered:

 Bir 4322-24 Site Location Plan

 Bir 4322-18K Village Green (with regard to layout of cricket pitch and boundary)

 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 This permission shall specifically exclude the details of landscaping and the LEAP shown on drawing Bir 4322 18K. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

 (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,

 (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

 (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

 (d) details of the LEAP

 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 and Government guidance contained within the National Planning Policy Framework.

 3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, 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. Any trees, herbaceous planting 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 current/next planting season with others of similar size and species.

 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 and Government guidance contained within the National Planning Policy Framework.

 4 Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for a minimum period of [insert] years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

 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 and Government guidance contained within the National Planning Policy Framework.

 5 a) No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]:

 (i) A detailed assessment of the risk of cricket balls leaving the ground and potential solutions to reduce the risk to an acceptable level.

 (ii) Based upon the results of the assessment to be carried out pursuant to (i) above, a scheme that is designed to prevent balls from leaving the playing field area. The scheme shall include full details of all structures to be erected, who will have control over them and who will be responsible for their maintenance.

 b) The approved scheme shall be carried out in full before first use of the cricket pitch. The land shall thereafter be maintained and made available for playing field use in accordance with the scheme.

 Reason: To minimise the risk of cricket balls leaving the playing field and causing damage to property or personal injury and to ensure that the development is fit for purpose and sustainable.

 6 The cricket pitch hereby permitted shall not be constructed other than substantially in accordance with the ECB's Recommended Guidelines for the Construction, Preparation and Maintenance of Cricket Pitches and Outfields at all Levels of the Game.

 Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

 A copy of the guidelines can be downloaded from http://www.ecb.co.uk/development/facilities-funding/facilities-guidance-and-project-development/fine-turf.

 7 Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing the [insert species or conservation measure] shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

 Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

 8 Prior to the commencement of the development hereby approved, a plan showing car parking provision for vehicles to be accommodated within the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

 Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

**Planning Notes/ Informatives:**

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 in an efficient manner having worked with the applicant/agent where necessary to resolve any concerns that have arisen during consideration of the application in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The developers/applicants attention is drawn to the need to make provision for the future maintenance of public open space/landscaped areas in the development.

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 in particular in relation to the provision of changing facilities.

Case Officer: Andrew Lewis DATED: 6 April 2016