

Heyford Park  
Camp Road  
Upper Heyford  
Bicester  
OX25 5HD

17/00973/REM

**Case Officer:** Andrew Lewis

**Recommendation:** Approve

**Applicant:** Heyford Park Settlements LP

**Proposal:** Reserved Matters application to 10/01642/OUT - Dorchester Phase 5C, comprising the provision of 17 residential units of mixed type (dwelling houses and flats) and tenure (open market and affordable) with associated landscaping, car parking, infrastructure and external works

**Report type:** Delegated

**Expiry Date:** 9.03.2018

**Extension of Time:** Yes

## 1. APPLICATION SITE AND LOCALITY

1.1. The application site for this proposal is part of the former RAF/USAF Upper Heyford base. Located to the south side of Camp Road almost at the heart of the former settlement area, the site consists of land formerly occupied in part by a retail store and petrol station, now demolished, and the still functioning bus stop and pull in.

1.2. 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. The base was divided into three main functional character areas: Flying Field, Technical and Settlement.

1.3. The site is in the settlement area, specifically in the sub zone 10B-RAF Domestic and Residential Section. In the conservation 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 H blocks (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.

1.4. No buildings on the site or in close proximity are either scheduled ancient monuments or statutorily listed buildings. However, approximately 200m to the north but outside the site are The Hardened Telephone Exchange (Building **129**) (see below (i)) and The Battle Command Centre (Building **126**) (see below (ii)) which in the Conservation Plan Study (2005) considered them to be of national and international significance.

1.5. Buildings 103 to the north of Camp Road and 455 and 457 to the east are not statutorily listed but are defined in the Conservation Area Appraisal as structures making a positive contribution to the special character of the Conservation Area. Both are "Non Listed Buildings of Local Significance".

1.6. In the Conservation Area Appraisal, Buildings 455 and 457 were described as:

"Institute (Building **455**) originally constructed in the 1920s. It was policy during the mid 1920s to have a separate Airmen's Institute and Dining Rooms, during the RAF Expansion Period the building became the new Sergeants' Mess with airmen and Corporals relocated to a new combined Dining Room and Institute.

Sergeants' Mess (Building **475**) 1925 date stone occupies a prominent position overlooking the parade ground. The building, constructed in red brick, is in good condition. This is one of the few buildings that retains the original 1925 plan-form.

1.7. They are part of a wider group of buildings the character for which is described as: "To the south of Camp Road, south of Heyford House, are the domestic buildings for other ranks also built during the 1920s, but currently standing empty. These buildings (450, 455, 457, 459, 464, 471, 474, 480, 483 and 485) in 'British Military' style are constructed in red brick under hipped slate roofs. They are located around and orientated towards the parade ground and form a contained and self-referencing group of buildings. The arrangement of these buildings on a grid enhances the strong building lines that can be perceived along the rows of buildings and imbues the parade ground area with a campus quality. 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 area has a coherent character distinct from the 1920s buildings. The general 'military architect' character of the general area has been diluted by postwar alterations and additional buildings.

(i) "The Hardened Telephone Exchange (129) was constructed in the late 1970s, and typifies contemporary NATO policy to harden its key operational facilities. This structure was central to the operation of Upper Heyford, and connected the airbase with NATO, its European counterparts and to the United States." (para 9.6.1 of the Conservation Appraisal)."

(ii) Built in the late 1970s, in accordance with the NATO policy of hardening structures, the Battle Command Centre (126) is of international significance. All activities on the airfield were overseen from this building and it was designed to be self-sufficient. It is a single-storey hardened structure enhanced by its contemporary fixtures and fittings. The architecture reflects NATO's policy towards hardened facilities against pre-emptive conventional attack, chemical and biological attack, and to be able to operate in a hostile environment to launch a retaliatory attack.

- 1.8. One other group of buildings of local significance outside of the site but in proximity to it are the dwellings of Carswell Circle. Described in the appraisal thus:

“...at the east edge of the residential area are the rendered Arts and Crafts influenced terraced housing (datestone 1925) built around Carswell Circle, with 1940s housing, built in red brick, around a similar close to the south. In the north west corner of the residential area are two-storey, red brick, semi-detached or short terraces of 1950s houses....Provided as married airmen’s quarters, constructed in the 1920s and 1940s but on a more modest scale. Formed into terraces and facing in towards the circle, they do not relate to the adjacent more formally organised buildings and present a very urban appearance.”

- 1.9. 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.

- 1.10. 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. Included within this decision were a number of applications for conservation consent including demolition of buildings on the application site. As these consents have been implemented there is a view that they remain extant.

- 1.11. The development of the settlement and technical areas was delayed as the site was acquired by new owners and the current applicants who decided to refine the approved scheme. 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 has meant the masterplan has expanded the development area west on to the sports field.

- 1.12. 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). 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 demolition of all buildings on this site.

- 1.13. A number of reserved matters have been submitted, approved and implemented for permission 10/01642/OUT. As a result of this the site is starting to take shape. To the south of Camp Road several phases of development have been undertaken including the former parade ground which is being retained as open space and will become the "village green". To the east of it a new road, Wellington Road, has been constructed with access to Camp Road and which forms the eastern boundary to the village green. It provides access to Phase 3 of the housing development to the east of Wellington Road, a scheme for 50 houses (ref 14/01500/REM) that both frames the village green and forms the rural edge, as well as access to the application site. To the south approval has been given to Phase 4 and the land cleared ready to implement the consent for 86 dwellings approved under reference 15/01612/REM. A further phase of development of 60 dwellings has recently been approved to the west of the village green (ref: 16/00627/REM). North of Camp Road there is one major area of development so far where 71 dwellings (ref 14/01366/REM) have been constructed as phase 2. This scheme will form part of the village centre residential development.
- 1.14. In conclusion, although the new settlement is taking shape the land subject of this application has been cleared of buildings and has the appearance of a development site.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The application site area measures some 0.3 hectares. It consists of a parcel of land on the south side fronting Camp Road at the heart of the "Residential Area" and therefore central to the new settlement. The main feature of the site currently is the old bus stop and terminal. The site is seen as a significant location at Heyford where the scale and form of development should reflect the importance of its central location to the west of the new settlement centre.
- 2.2. Of the 17 units 12 will be houses and 5 will be flats; 15 will be affordable, 2 will be market houses; and there will be a range in size of units from 1 to 4 bedrooms. These details are set out in the latest schedule of accommodation which is reproduced above.
- 2.3. Buildings would be mainly 3-storey in height with some 2/2½ storey. Their mass is broken up by gables, bays, canopies, projecting entrances and contrasting materials. The buildings have a strong vertical alignment from the fenestration and use of materials. The design of the buildings is more contemporary than the main housing sites south of Camp Road. The main facing material is the red facing brick used elsewhere but to avoid monotony it is contrasted by elements of render and cladding. All buildings' roofs are slated. Juliet balconies are used as a design feature and to give the street a greater feeling of surveillance.
- 2.4. It should be added that the scheme was subject of substantial informal pre-application discussions which took place with regard to this proposal and a site walkabout involving a range of Council officers and consultants as well as the applicant. Furthermore, the current revised application is probably the third iteration of the scheme.
- 2.5. The scheme proposes a layout with a strong active frontage to Camp Road and to the two side roads. The verdant character is preserved by the reintroduction of the tree lined verge along Camp Road. This reflects the character sought by the Council in previous development guidelines and set

out in the Design Code agreed for Heyford. Parking is laid out largely in shared groups to the rear except for the two houses to Dow Street.

<b>ACCOMMODATION SCHEDULE</b>					
<b>OPEN MARKET</b>					
Name	Stories	Bedrooms	sqft	No. Of Units	
SPI-V2	2.5 Storey	4 Bed house	1723ft <sup>2</sup>	2	
<b>TOTAL</b>				<b>2</b>	
<b>AFFORDABLE HOUSING UNITS - RENTED</b>					
Name	Stories	Bedrooms	sqft	No. Of Units	
BLOCK A 1BM1	3 Storey	1 Bed flat	506ft <sup>2</sup>	1	
BLOCK A 1BM2	3 Storey	1 Bed flat	552ft <sup>2</sup>	1	
BLOCK A 2BM1	3 Storey	2 Bed maisonette	809ft <sup>2</sup>	1	
BLOCK A 2BM2	3 Storey	2 Bed maisonette	813ft <sup>2</sup>	1	
BLOCK A 2BMB	3 Storey	2 Bed maisonette	848ft <sup>2</sup>	1	
<b>TOTAL</b>				<b>5</b>	
<b>AFFORDABLE HOUSING UNITS - INTERMEDIATE</b>					
Name	Stories	Bedrooms	sqft	No. Of Units	
BLOCK A 2BF	2.5 Storey	2 Bed flat	776ft <sup>2</sup>	2	
3B	3 Storey	3 Bed house	1032ft <sup>2</sup>	4	
4B	3 Storey	4 Bed house	1132ft <sup>2</sup>	4	
<b>TOTAL</b>				<b>10</b>	
<b>TOTAL AFFORDABLE UNITS</b>				<b>15</b>	
<b>GRAND TOTAL</b>				<b>17</b>	

2.6. During processing of the application the scheme has been modified in a number of ways as part of a positive engagement between applicant and Local Planning Authority including changes to the design of the houses, to improve their appearance and to aid natural surveillance, improvements to boundary treatment, layouts have been modified, more parking created and to retain and add further trees. Further information has been provided to support, justify and reinforce the applicant's case as to why this development should be permitted.

2.7. The application has been supported by a considerable amount of documentation including:

- Flood Risk Assessment Compliance
- Construction Specification
- Planning and Affordable Housing Statement
- Design and Access Statement

### 3. RELEVANT PLANNING HISTORY

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

<u>App Ref</u>	<u>Description</u>	<u>Status</u>
07/02350/CAC	Demolition of existing structures as part of lasting arrangement of Heyford Park	REF Permitted at appeal
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).	Undetermined- Permitted 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
10/01619/CAC	Demolition of existing structures (as per Conservation Area Consent Schedule and Drawing No. D.0291 38-1)	PER

### 4. RESPONSE TO PUBLICITY

4.1 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 25.09.2017, although comments received after this date and before finalising this report have also been taken into account.

Daniel Scharf, Abingdon-has written a single letter in response to a number of current applications at Heyford. The main points are:

- The determination of all these applications (and any others yet to be determined; 16/2296/H, 16/02348/F and 15/1209/REM?) depends, in the first instance, as to whether the proposals accord with the development plan. In this case the principal policy for the purposes of applying s38(6) is policy V5 in the adopted Cherwell Local Plan.

- The Head of Development Management says (email 20 January 2017), “In terms of the Lasting Arrangement, Policy Villages 5 of the adopted Local Plan is now the starting point for the considering of future development proposals. Policy Village 5 identifies that the redevelopment of the site forms a comprehensive integrated approach to development. The Council will need to be satisfied that future development proposals comply with Policy Villages 5. Clearly, this is a matter you may also wish to raise as part of your future representations.”. Clearly a master plan, development brief or development framework is required to secure a comprehensive integrated approach.
- Deciding applications in accordance with this requirement of policy V5 is being made impossible while the Council remains intent on taking a piecemeal approach to the development of the site. Although the legislation allows for ‘other material considerations’ to override development plan policy, there is a clear intention within both law and policy to operate a ‘plan led system’. The concern of the Secretary of State about the lack of adopted development plans across the country would not sit very comfortably with the officers’ assessment that adopted policies can be so easily overridden and without proper or any explanation. In the case of Upper Heyford the Council has consistently sought to control development through comprehensive planning briefs and latterly, the development framework, the withdrawal of which occurred with no explanation. Indeed a master plan was referred to in recent correspondence (and by an agent for a current application 15/01357/F). No explanation has ever been provided either to us or to the Council committee(s) as to why policy V5 and the requirement that, “a comprehensive integrated approach will be expected.” should not continue to apply.
- The reference (Mr Lewis email of 1 March 2017) to the Council taking the comments of Historic England and Design and Conservation’ into account rings hollow despite policy V5 stating that the views of “...Historic England will be required in formulating specific development proposals for the site.” Having seen minutes of meetings including Historic England and the Council’s conservation officers it is clear that their views are being ignored. The Council approved the heritage centre on the officers’ recommendation without the taking of expert advice as recommended by Historic England who have also confirmed that a holistic approach should be taken in the light of the international significance of the site. Whatever the officers might think about the appropriateness of World Heritage Site status, there are 3 international conventions and a Culture White Paper which should be applied to the development proposals being made on this site.
- Unpacking policy V5 it can be seen that there are any number of references and requirements which individually and/or together clearly explain the reasons why a ‘comprehensive integrated approach’ is necessary, and why proposals considered in the absence of a comprehensive plan could not reasonably comply with this development plan policy.
- In summary, a comprehensive integrated approach is absolutely necessary in light of the need to coordinate the following matters:-
  - Coordinating development of land in different ownerships,
  - reviewing housing densities and locations in the light of the increased allocations,
  - complying with international conventions regarding heritage and culture,
  - enabling a holistic approach to the preservation or enhancement of the character or appearance of the conservation area,
  - managing the implications for tourism on the site and in the area,
  - assessing employment potential, to which heritage and tourism could make a significant contribution,
  - assessing the location of commercial uses, including warehousing and car storage,

- addressing the interface of the heritage site with adjoining uses/development in terms of both buildings and movement,
- assessing transport and travel to and around the whole site,
- managing public access across the site (ie including QRA and Northern Bomb Stores), fencing and the restoration of public rights of way,
- protection of biodiversity across the site,
- securing financial contributions to enable the conservation of the Cold War heritage.

The comments received can be viewed in full on the Council's website, via the online Planning Register

## **5. RESPONSE TO CONSULTATION**

- 5.1. 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**

- 5.2. Upper Heyford Parish Council: no objection to this application. Once again, lack of master plan context is noted.

### **STATUTORY CONSULTEES**

- 5.3. Historic England: we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.

- 5.4. Oxfordshire CC-Transport: No objection subject to conditions

Key issues:

- Parking provision accords with the Heyford Park Design Code.
- Adoptable areas must be built to appropriate standards.

Detailed comments:

Transport Development Control

Parking provision meets the standards set out in the Heyford Park Design Code, however this is minimal and the level of provision is likely to lead to on-street parking and the use of the visitor space shown below the south east section of the red line boundary. Swept path analysis demonstrates that parking is accessible.

Road Agreements

The adoptable highway shown on plan No.0521-PH5C-107 will need to be designed and constructed in accordance with the Heyford Park Design Code, and to the satisfaction of the County under a Section 38/278 agreement.

Recommend Conditions:

D5 Vision Splay details.

D9 New Estate Roads

D10 Estate Accesses, Driveways and Turning Areas

D15 Parking and Manoeuvring Areas Retained

D19 Cycle Parking Provision

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (October 2010 / Ref



C11234 ES 001 / Waterman) and FRA Compliance Document ( March 2017 / 16871 B4/ Woods Hardwick) and the following mitigation measures:

- Limiting the surface water run-off generated by the 100 year return period critical storm so that it will not exceed the run-off from the undeveloped existing site and not increase the risk of flooding off-site, while taking climate change into account. (Paragraph 3.20 of the FRA)

- Attenuation tanks , oversized pipes and flow control devices ( March 2017 / Drawing No. HEYF – 5 – 970 – A / Proposed Engineering Layout / Woods Hardwick)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### NON-STATUTORY CONSULTTEES

#### 5.5. CDC-Conservation:

The site is in a prominent, strategic location within the RAF Heyford Conservation Area. There are few remaining buildings of historic interest on the south side of the road, but the proposed development will impact on the setting of the principal entry to Heyford Park. The principle of the development of the site for residential has been accepted.

The general approach is considered to be an improvement on the Design Code, but there are some areas of concern in relation to the architectural style of the buildings and in particular the large gaps between the plots which undermine the presence of the building on the street scene.

The proposed development lies within the RAF Upper Heyford Conservation Area. The National Planning Policy Framework states that 'Local planning authorities should look for opportunities within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance'. It is considered that further work needs to be done on the design details of the site to 'enhance or better reveal the site'.

#### 5.6. CDC-Landscape Architect: Detailed Planting Proposals (1619 A8 5C 01 E) are acceptable. Concerned about use of overflow car park.

#### 5.7. CDC-Design Consultant-

- The Design Code refers to 2.5 storey heights in this location. The proposed buildings facing Camp Road are 3 storey.
- The design of the 'key corner building' appears to lack architectural distinction and does not seem to draw design references from the local context.
- On the eastern elevation it is not clear whether the three entrances to parking spaces within the building are open or will have garage doors. This parking arrangement achieves an unattractive and insecure ground floor street frontage with poor natural surveillance of the street.
- The 3 storey house type appears bland and has no apparent design connection with the contextual design cues.
- The rear parking areas are in effect shared parking courts. Rear parking courts are generally not desirable from an urban design perspective and should only be acceptable where they are well

overlooked (natural surveillance) or gated (automated gates) and secure.

- Bin stores are vulnerable to damage and should have steel frames, steel bumper rails and steel framed doors/gates.
- The large parking area behind flat Block A with uncontrolled access and the apparently poor natural surveillance of the parking area for plots 459 – 466 should be addressed. It is not just the security of cars that is of concern but also the potential for criminal access to the rear of properties.
- The parking area for plots 459 – 466 is contained by close-boarded fencing. More robust and sound attenuating brick walls topped with trellis for greater security should replace the fences.
- There is a long brick wall on the south side of the visitor parking area behind Block A. Some planting slots for self-clinging climbers would improve its appearance.

5.8. CDC-Investment and Growth Team-Regeneration and Housing: Following further discussions with the developer we have no comments on this application and are satisfied with the affordable housing provision.

5.9. CDC-Ecology Regarding the above reserved matters application, I understand that buildings 492 and 460 within the site are proposed to be demolished and if these have not yet been demolished, an updated initial bat survey of the buildings by an ecologist is recommended.

## **6. 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

PSD1 - Presumption in Favour of Sustainable Development

BSC1 - District Wide Housing distribution

BSC2 - The Effective and Efficient Use of Land

BSC3 - Affordable Housing

BSC4 - Housing Mix

BSC10 - Open Space, Outdoor Sport & Recreation Provision

BSC11 - Local Standards of Provision - Outdoor Recreation

BSC12 - Indoor Sport, Recreation and Community Facilities

ESD1 - Mitigating and Adapting to Climate Change

ESD2 - Energy Hierarchy

ESD3 - Sustainable Construction

ESD6 - Sustainable Flood Risk Management

ESD7 - Sustainable Drainage Systems (SuDS)

ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment  
ESD13 - Local Landscape Protection and Enhancement  
ESD15 - The Character of the Built Environment

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

Other Material Planning Considerations

National Planning Policy Framework (The Framework) - National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

Planning Practice Guidance (NPPG) – This sets out regularly updated guidance from central Government to provide assistance in interpreting national planning policy and relevant legislation.

#### 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.”

Application 08/0716/OUT- Appeal decision; both the Secretary of State's decision letter and the Inspector's report are of significance to this application

## **7. 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 permission on appeal 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 ten years.
- 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.

- 7.4 Extensive pre application discussions have been had on this site. The scheme has been amended twice during processing as a result of comments made by statutory undertakers.
- 7.5 As many of the existing 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, that together with a pared down military style 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 but not so much as to be a slavish rule book to be followed at all cost without consideration of wider material considerations.
- 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 affordable housing
- Development of a brownfield site
- The environmental improvement of the locality
- A commitment to 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. It is of course an application for approval of reserved matters and as such is seen to conform in principle with the terms and conditions of the (outline) planning permission and the masterplan approved as part of application reference of 10/01642/OUT.

#### 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 2017 undertook a comprehensive review of housing land supply as at December 2017. 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 5.5 year housing land supply for the period 2017-2022 and a 5.7 year housing land supply for the period 2018-2023 (commencing 1 April 2018).

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 1,102 homes had been completed in 2016/2107. Of those completed over the past financial year, 27 per cent were built on previously developed land and 278 were marketed as affordable. 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 notwithstanding there is already the extant planning permission. In the last 6 years over 300 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 5c of development for Dorchester Homes. The development will provide part of the “village centre residential” identified in the Design Code. This requires “high/medium density housing generally facing Camp Road in short terraces and semi-detached houses, providing a transition between the greater massing of the Village Centre (CA1) and Village Green and the lower density Camp Road to the east and west (CA4).
- 7.15 Design objectives include:
- Greater presence along Camp Road, providing a clear transition to the Village Centre area.
  - Provide wide verges and mature tree planting, which provide scale to the Camp Road and perpetuate the tree lined character.
  - The area provides an interface to a number of existing built areas, including the opportunity of providing a new more attractive entrance into Carswell Circle.
  - To the northwest of the character area, new development will take full account of the scale of the existing hangars.
- 7.16 The proposal is for 17 dwellings, 2 market and 15 affordable, 5 for rent and 10 shared ownership, reflecting the need to balance the social mix in the wider area and to comply with provision of 30% affordable units at Heyford. The two market houses are 4 bedroom. The affordable are a mix of 1 and 2 bedroom apartments, with 4 3-bed and 4 4-bed houses. The density is approximately 57 units per hectare, so somewhat higher than normal at Heyford but in line with the guidance in the Design Code and the CLP.
- 7.17 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 history. The layout is formal with active frontages to each road.
- 7.18 In terms of design, the Council’s Design Consultant has secured some revisions in the architectural styles proposed here for the main houses and improvements to the layout. The frontage to Camp Road contrasts with the style approved on earlier phases and is in line with the Design Code to create more presence to the main road and reflecting its central location. Although the Code suggests predominantly 2.5 storeys the actual proposals are for 3 storey buildings. This change is with the support of the Planning Officer in an attempt to scale up the development in the centre of Heyford, to reflect the massing of some of the buildings nearby in the Technical area and to increase the density of development.
- 7.18 In terms of design, the houses fronting Camp Road appear rather plain but this reflects the pared down military style that existed previously in hostel blocks. The flatted building on the corner is a different style completely with a strong vertical emphasis created by use of fenestration and contrasting materials. The integral parking spaces x3 is unfortunate but is necessary to achieve a balance between density and parking provision, and is on the elevation facing the secondary street and not the primary road. One other notable feature are the gable ends to Camp

Road which again reflect the saw tooth roof of the A frame hangers in the Technical area. The two houses in Dow Street are a third style and more reflective of the housing proposed in the surrounding area based more on the arts and crafts style. Doorways have a canopy, flat or gabled. Thus there are three different architectural styles within one housing block but they feel coherent by virtue of the use of the same facing materials which in line with the code will be good quality bricks (with some cladding on the flats) with roofs of slate.

- 7.19 The majority of the frontages are open in line with its previous military character. Details of boundary treatment are generally satisfactory. On Camp Road there are verges with formal tree planting, again, in line with the design code.
- 7.20 The Officers conclude that what is proposed conforms to CLP policies Villages 5 and ESD 15 and CLP96 policies C28 and C30 and broadly conforms to the design code.

### Landscape Impact

- 7.21 The landscape setting is an important part of the proposed character of the area. There are no important trees within site but the principle has been established which this scheme follows to continue the verge and significant trees along Camp Road with further planting along the rear boundary. These should form an attractive feature framing of the site. 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 follows the masterplan and the Design Code in terms of the access arrangements from Camp Road with shared accesses between properties. The aim of the design code is to promote a greater continuity of frontage and considers rear parking acceptable here. Each house has two parking spaces. The two houses to Dow Street also share an access and have two tandem parking spaces with a garage behind. The flats have access to eight parking spaces. Although not part of the application site there is a visitor parking area provided to the rear accessed via the new secondary road. Plans of the tracking have been submitted and checked and found to be satisfactory by the County Council.

### 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.

## **8. PLANNING BALANCE AND CONCLUSION**

- 8.1 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.
- 8.2 It is considered this scheme will now form an area of a distinct character broadly 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 dwellings. The scheme will provide a significant number of affordable units as well as more housing in total. It is therefore recommended these reserved matters are approved.

## 9. RECOMMENDATION

9.1. 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, Design and Access Statement, Planning/Affordable Housing Statement and Construction Specification, and the following drawings:
  - o Location Plan 0521 PH5C 101
  - o Planning Layout 0521 PH5C 102B
  - o External Works-1 0521 PH5C 104B
  - o Adoption Plan 0521 PH5 107B
  - o Materials Layout 0521 PH5C 108B
  - o Refuse Plan 0521 PH5C 111B
  - o Landscaping 1619 05C 01E
  - o Housetype booklet 0521 PH5C HTB Issue 1
  - o Tracking Layout 0521 PH5C 105C
  - o Garages, bin stores, cycle stores 0521 PH5C 106a
  - o External Details (walls,fences) 0521 PH5C 106
  - o Street Scenes 1 0521 PH5C 103

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 108B. 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 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.

6 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.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

7 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.

8 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (October 2010 / Ref C11234 ES 001 / Waterman) and FRA Compliance Document ( March 2017 / 16871 B4/ Woods Hardwick) and the following mitigation measures:

- o Limiting the surface water run-off generated by the 100 year return period critical storm so that it will not exceed the run-off from the undeveloped existing site and not increase the risk of flooding off-site, while taking climate change into account. (Paragraph 3.20 of the FRA)

- o Attenuation tanks , oversized pipes and flow control devices ( March 2017 / Drawing No. HEYF - 5 - 970 - A / Proposed Engineering Layout / Woods Hardwick)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / 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.

- 9 Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the dwellings the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 1 metre above carriageway level.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

- 10 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.

- 11 Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

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.

- 12 That before the development is first occupied, the parking, garaging and manoeuvring areas shall be provided in accordance with the plans 0521 PH5C 104B 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.

- 13 Prior to the commencement of development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out 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.

## PLANNING NOTES

- 1 Attention is drawn to the conditions imposed on the "outline" permission (App. No. 10/01642/OUT;) granted on 22.12.2011 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.
- 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 Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 2501.
- 4 Fibre to the Premises (FTTP) technology  
  
Openreach will provide FTTP infrastructure free of charge for developments of 30 or more plots. For sites for 2 - 29 plots Openreach will review the available technology in the area, if FTTC infrastructure is not available free of charge then developers can choose to make a contribution to receive this technology and an offer will be issued at registration. You'll need to register your site at least nine months before the date that you want Openreach to provide service to the first new property, or if you're installing a lift, at least nine months before the lift commissioning date. This must be at least eight weeks before you actually start on the site construction.  
  
For further information, please visit  
<https://www.ournetwork.openreach.co.uk/property-developers/site-registration.aspx>
- 5 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.
- 6 Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular accesses and the adoptable area under S278 of the Highway Act. Contact: 01865 815700; [RoadAgreements@oxfordshire.gov.uk](mailto:RoadAgreements@oxfordshire.gov.uk).

Case Officer: Andrew Lewis

DATE: 25 February 2018

Checked By: Bob Duxbury

DATE: 6 March 2018

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