

**Land Adj To Sub Station South Of Camp Road
Upper Heyford**

19/00543/REM

Case Officer: Samantha Taylor

Recommendation: Approve

Applicant: Heyford Park Estates Ltd

Proposal: Reserved matters to 10/01642/OUT - Provision of pocket park with associated equipment, landscaping and access /parking infrastructure

Expiry Date: 20 May 2019

Extension of Time: 23 August 2019

1. APPLICATION SITE AND LOCALITY

1.1. The application site is a relatively small parcel of land along Camp Road, Upper Heyford. The site forms part of the outline consent granted under 10/01642/OUT for up to 1075 dwellings, change of use of 267 military dwellings and other works including employment uses, school, playing fields and other infrastructure.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The application seeks reserved matters approval for the provision of a pocket park, with associated equipment, landscaping, access and parking. The development would include a seating area, 4 parking spaces, boundary fence, pedestrian gated hoggin surfaced footpath and soft landscaping.

3. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
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	Approve
10/01619/CAC	Demolition of existing structures (as per Conservation Area Consent Schedule and Drawing No. D.0291 38-1)	Application Permitted
10/01778/F	Change of use of former Military Buildings to Business (Class B1), Industrial (Class B2), Storage and Distribution (Class B8), Retail (Class A1), Nursery/Training Centre (Class D1) (as specified in the submitted Schedule of Potential Planning Uses	Application Permitted
17/00895/F	Development of the Village Centre (north) comprising demolition of Buildings 101 and	Application Withdrawn

	102; partial demolition of Building 100 and change of use to offices (98sqm); erection of 2 No four storey buildings north of Camp Road, with bridge link at first and second floor and one four storey building south of Camp Road to provide an A1 Use Class Convenience Store (511.3sqm), 11 x A1 Use Class retail units (1,186sqm) and 66 residential units (28 x 1 bed and 38 x 2 bed); formation of vehicle parking areas; provision of associated infrastructure and landscaping works	
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).	Granted on appeal- January 2010
16/00264/F	Construction of a road with associated infrastructure within the Heyford Park development	PER
16/01545/F	Change of use of Building 103 to A Heritage Centre (Use Class D1) and Building 315 for storage and distribution (Use Class B8) and associated works.	PER
16/01000/F	Development of the Village Centre (south) comprising a Hotel and associated facilities (involving the partial demolition and the refurbishment and extension of Building 455 and its change of use); Bar/Brasserie (involving the partial demolition and refurbishment and extension of Building 457) and a Covered Market (canopy link between Buildings 455 and 457) with associated landscaping and car parking.	PER

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, 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 **2 May 2019**, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. The objections raised by third parties are summarised as follows:

- Concern regarding the positioning of the proposed parking spaces and harm to highway safety for residents along Hart Walk. Query the management of these spaces and consideration for alternative access from Camp Road.
- Potential for the area to attract anti-social behaviour and the impact this would have on property prices/resale values and personal safety.
- Increase in noise disturbance as a result of the park and the impact that this would have on property prices and privacy.
- Concerns over how the park will be maintained.
- The impact of other similar sites across the wider development and how these would change footfall to this park.

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

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. Heyford Park Shadow Parish Council requested an extension of time to the consultation period, but a further response was not received.

STATUTORY CONSULTEES

6.3. CONSERVATION OFFICER

Comments made – noted that the site was to be a gateway and would now be a much lower key entrance, there are no objections to the pocket park as it is not considered to impact the significance of the RAF Heyford Conservation Area.

6.4. ARBORICULTURAL OFFICER

No objection to the proposals

6.5. LANDSCAPE OFFICER

A number of amendments were suggested such as changes to plant types and the pathway edging/surfacing. Appropriate changes have been made. Whilst the Officer's discouragement of a dog bin within the park is noted, this remains on the plans and is addressed in the Officer's comments below.

NON-STATUTORY CONSULTEES

6.6. No further responses received.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Villages 5 – Former RAF Upper Heyford

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

MID CHERWELL NEIGHBOURHOOD PLAN

- PD4 – PROTECTION OF IMPORTANT VIEWS AND VISTAS (includes Conservation Area Impact)
- PD5 – BUILDING AND SITE DESIGN

8. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Impact on Conservation Area
- Residential amenity
- Highway Safety
- Noise Pollution

Principle of Development

- 8.2. The principle of development was established through the earlier grant of outline planning consent for a large scale residential development, with supportive mixed uses and infrastructure.
- 8.3. The indicative plans at outline consent envisaged some green space along Camp Road and the potential for housing on the site. However, through the approved Design Code (13/00153/DISC) under Condition 8 attached to permission 10/01642/OUT, the land was identified as pocket park.
- 8.4. Given that the proposed development seeks to construct a pocket park in accordance with the approved design code, the principle of this development is considered acceptable.

Design and Landscaping

- 8.5. Policy ESD 15 of The Cherwell Local Plan 2011-2031 Part 1 requires development to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Policy PD5 of the Mid Cherwell Neighbourhood Plan require new developments to have a high standard, responding to the character of the settlement using landscaping appropriately.
- 8.6. The design of the pocket park has been kept simple with a circular seating area provided with a pathway leading from Camp Road and the parking spaces on Hart Walk. Much of the park will be laid to lawn with tree/plantings around the southern boundary.
- 8.7. Boundary fencing will be provided at varying heights, due to the adjacent substation where a 3.5m high close boarded fence with acoustic properties will be required to match that already existing around the substation. Other fencing treatments along the north, east and west boundaries will be a 1.0m flat top rail fence to be finished in black.
- 8.8. The landscaping proposals have been amended to reflect the Landscape Officer's comments regarding appropriate species.
- 8.9. Whilst the dog bin remains despite the comments made by the Landscape Officer, it is considered that as this is not a formal play space such as a LAP, LEAP or NEAP and that it would potentially also be used by those with dogs, the bin would be appropriate in this location. The Developer has confirmed that it would be the responsibility of the Management Company to remove any waste from the bins provided within the park and this is considered acceptable.
- 8.10. Having reviewed the conditions applied to the earlier outline consent (10/01642/OUT) it is considered necessary to impose a condition requiring the planting of trees/shrubs as the earlier consent required this to be carried out prior to the occupation of a final building, to which there are none pertaining to this reserved matters application. A condition securing the trees/shrubs within the park will be included on the consent.
- 8.11. Overall, the design and landscaping proposals are considered acceptable and would comply with Policy ESD 15 of the Cherwell Local Plan and PD5 of the Mid Cherwell Neighbourhood Plan.

Impact on the Conservation Area

- 8.12. Government guidance contained within the NPPF requires development to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive, sympathetic to local character and history, and establish or maintain a strong sense of place. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions
- 8.13. Policy ESD 15 of The Cherwell Local Plan 2011-2031 Part 1 requires development to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Policy PD4 of the Mid Cherwell Neighbourhood Plan requires

developments in Conservation Areas ensure that there is as little harm to any important views of the Conservation Area and that proposals do not harm the Conservation Area or its setting.

- 8.14. Further, development proposals will be required to conserve, sustain and enhance designated and non-designated heritage assets including buildings, features, archaeology, conservation areas and their settings. Saved Policies C28 and C30 of the Cherwell Local Plan 1996 seek a standard of layout, design and external appearance, including the choice of external finish materials, that are sympathetic to the character of the context of the development. In sensitive areas, such as Conservation Areas, development will be required to be of a high standard and the use of traditional local building materials will normally be required.
- 8.15. The site lies just within the RAF Upper Heyford Conservation Area. The landscaping proposals including the gravel bound parking space, hogging path, boundary treatments and soft landscaping are considered to reflect the character of the area.
- 8.16. As noted in the Conservation Officer's comments the pocket park is considered not to cause harm to the significance of the Conservation Area and therefore, it is considered the development would have a neutral impact.
- 8.17. The proposal would comply with policy ESD15 of the Cherwell Local Plan, Policy PD4 of the Mid Cherwell Neighbourhood Plan and the NPPF.

Impact on Residential Amenity

- 8.18. It is noted that concerns have been raised from a third party representative regarding the potential impacts the park may have on the privacy, and amenity of neighbour residents.
- 8.19. Whilst the concerns regarding the impact this may have on property values is noted, this is not a material planning consideration and therefore, weight has not been attributed to this in the assessment of the application.
- 8.20. The pocket park is situated on the Camp Road. Pedestrian access could be taken from Camp Road or via the vehicular access along Hart Walk, which will also serve the proposed parking spaces. In terms of privacy, the park is closest to no. 30 Hart Walk (a residential property). No. 30 Hart Walk faces Camp Road, with a traditional layout with back garden to the rear (adjacent to the substation). The private amenity space serving this property is therefore, the rear garden. Whilst there may be a moderate rise in the number of people visiting this area, the park does not directly overlook the private amenity space of any residential property. In addition, given the proximity of no. 30 Hart Walk and other residential properties in the area to Camp Road which is the main road running through Heyford Park, it is considered there would not be a significant increase in the number of visitors to this area, such that there would be harm arising from the provision of the pocket park.
- 8.21. Management of the park would be a requirement of the Management Company and matters of antisocial behaviour, landscape maintenance and parking restrictions.
- 8.22. As such, the proposal is considered not to cause harm to the amenity of residents.

Highway Safety

- 8.23. The proposal would result in an increase in the usage of Hart Walk by vehicles as the development includes 4 parking spaces adjacent to the park. The development would utilise the existing access points onto Camp Road from Hart Walk. Given the

limited scale of the park and that no play equipment has been provided, and the low number of parking spaces provided the development is considered to result in a minor increase in vehicular movements along Hart Walk which would not result in severe harm to highway safety.

- 8.24. The concerns raised by the third party representative in regards to the positioning of parking spaces in relation to the parking for no. 30 Hart Walk are noted. However, given the limited usage and that there is sufficient turning area for cars to use the spaces it is considered there would not be severe harm to highway safety as a result of the location of the parking spaces and existing parking arrangements.

Noise Pollution

- 8.25. It is noted that there are concerns regarding the potential noise generation as a result of the park on adjacent residential properties.
- 8.26. Existing 3.5m close boarded acoustic fencing has been provided partially around the southern boundary line of the site. This is proposed to increase to all of the southern boundary line between the substation and park. This would be sufficient to mitigate any potential harmful noise generation as a result of the usage of the park. Notwithstanding this, it is considered that given the scale of the park and the limited facilities, that it is unlikely that there would be harm to residential amenity arising from noise from the park.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. As outlined above, it is considered that the proposed development to create a pocket park would not cause harm to the character of the area, highway safety or to the amenity of adjacent residential properties. As such, the development would comply with Policies ESD17 and ESD15 of the Cherwell Local Plan, NPPF and Planning Practice Guidance.
- 9.3. It is recommended that planning permission is granted subject to the conditions outlined in the decision notice.

Case Officer: Samantha Taylor

DATE: 23/08/19

Checked By: Alex Keen

DATE: 23/08/19
