

<b>Application No:</b> 11/00805/F	<b>Ward:</b> Caversfield	<b>Date Valid:</b> 26/05/2011
<b>Applicant:</b>	City and Country Bicester Ltd	
<b>Site Address:</b>	Former DLO Caversfield, Skimmingdish Lane, Caversfield	

**Proposal:**           **Erection of 8 dwellings in addition to application 11/00151/F and associated works.**

## **1. Site Description and Proposal**

- 1.1 The site was formally part of RAF Bicester and is located to the south of Caversfield and north of Bicester and consists of what is referred to as the domestic site. The domestic site has close historic links to the technical site and airfield which are located on the west side of Buckingham Road.
- 1.2 The site is a significant part of the Conservation Area, designated in 2002 and contains many listed buildings. The site includes buildings such as Officer's mess and quarters, barrack blocks, ration stores, decontamination chambers and central heating stations.
- 1.3 The RAF first used the site in 1918 but no buildings were retained from this time. However some buildings do date back to the 1920's and 30's. The site has been described by English Heritage as comprising the best preserved and most strongly representative of the bomber stations built as part of Sir Hugh Trenchard's 1920's Home Defence Expansion Scheme.
- 1.4 This application seeks consent for an additional 8 units of residential accommodation, in addition to those being considered in application 11/00151/F. The original submission of this application was for an additional 19 units of accommodation however the scheme has been amended to overcome concerns relating to the impact the buildings would have on the setting of the listed buildings and the campus layout of the site.
- 1.5 The proposals include 2 new units to be attached to building 22, 2 additional units on the western terrace, and 4 units referred to as squash court houses, to the north of building 16.
- 1.6 The conversions of the existing buildings to 160 units and the construction of 27 new units of residential accommodation are covering in application 11/00151/F which also includes alterations to the existing access points and landscaping including changing much of the hard standing to green open space.
- 1.7 It is worth noting that the works for whole or partial demolition of buildings within the Conservation Area are covered by a Conservation Area Consent application (11/00152/CAC), works to the listed buildings are covered in 11/00153/LB and 11/00806/LB.

## **2. Application Publicity**

- 2.1 The application was advertised by way of a site notice and press notice. The final date for comment was 14 July 2011. The application was advertised as a departure

from the development plan, a major development and having the potential to affect the Conservation Area and the setting of Listed buildings. Although advertised as a departure the development is not such that it requires referral to the Secretary of State.

2.2 5 letters/emails of representation have been received from third parties including a letter from the Chairman of the local resident's committee and the Bicester and Ploughley District CPRE. There is a general level of support for the principle of the scheme but with some concerns which are expressed below and in the Parish's comments (see electronic application file for full comments):

- Full support for the scheme
- Proposals for shop and café will benefit the community
- Appearance of the site will be improved
- Retention of buildings important to family because of connections to the site
- Support proposals for trim trail
- Support proposal for traffic calming
- Concerns as originally expressed in the first application
- Shop is not welcome as there are already facilities in walking distance
- The additional residents will increase traffic movements

### 3. Consultations

3.1 A summary of the consultation responses is set out below (see electronic file for full details)

3.2 **Caversfield Parish Council** wishes to raise no objections to the proposal but appreciate the need for the developers to be able to make the development pay. However question the need for further affordable housing. The Parish Council would be glad to see work start soon to avoid further deterioration of buildings and rising costs and considers that the development will greatly enhance the local environment and benefit the whole village.

Some residents concerns include;

- Possible increased light pollution
- Loss of trees (although new planting is noted)
- Loss of habitat for wildlife
- Need for bat survey
- Ensure adequate parking
- Ensure adequacy on sewage systems
- Alterations to access roads.

3.3 **Bicester Town Council** has not commented on this application but in relation to the first application made the following comments;

It welcomes the development of this site but has significant concerns that there is no provision on site for affordable housing. The town council understands the concept being put forward by the developer but would urge the planning authority either to seek appropriate affordable units on site or a financial contribution to provide affordable housing elsewhere in Bicester.

3.4 The Council's **Head of Planning Policy** has referred to the comments made previously in relation to 11/00151/F and states that the now proposed housing mix still appears to contrast with the housing mix recommended in Draft Core Strategy

Policy H6.

- 3.5 The **Local Highway Authority** has stated that the original Transport Assessment is robust enough to cover the additional new build. However the revised plans do not show the improved access arrangement and the off site works that had been agreed in relation to the first application. Furthermore further clarification should be provided on the allocation of spaces. A recommendation of refusal on highway grounds would not be sustainable and conditions are suggested.
- 3.6 The Council's **Design and Conservation Team Leader** comments have been incorporated into the main body of the report.
- 3.7 **English Heritage** has not commented directly in relation to this application but throughout negotiations fully endorsed the comments of the Council's Design and Conservation Officer.
- 3.8 The Council's **Strategic Housing Officer** has not commented on the application but the increase in the number of units would add to the requirement for affordable housing provision.
- 3.9 The Council's **Ecologist** does not foresee any significant ecological impacts as a result of the proposals for the addition of new buildings on the site.
- 3.10 The County as **Strategic Planning Authority** has no comments to make on the proposal.
- 3.11 The **County Council's Developer Funding Officer** has set out that a development of this nature triggers the requirement of funding towards education, elderly, adult and youth centres, library and stock, museum resource and waste recycling. The financial contributions should be subject of a legal agreement before any approval is granted. The contributions identified are necessary to protect the existing levels of infrastructure for local residents. They are relevant to planning incorporation of this development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal. It is considered that they are reasonable and that they should ensure that this proposal is not subsidised by the community, except where sufficient capacity in infrastructure already exists which can absorb the expected impact of this proposed development.
- 3.12 The County **Archaeologist** raises no objections but asks to be notified should finds occur during the construction phase.
- 3.13 **Thames Water** has not commented on this application.
- 3.14 **The Environment Agency** raises no objections subject to conditions.
- 3.15 The **Council's Recreation and Health Improvement Manager** has stated that the development would trigger the requirement for a contribution towards off site outdoor sports provision.

#### **4. Relevant Planning Policies and documents**

- 4.1 Central Government Guidance

Planning Policy Statement (PPS) 1 – Delivering Sustainable Development  
Planning Policy Statement (PPS) 3 – Housing  
Planning Policy Statement (PPS) 5 – Planning for the Historic Environment  
Planning Policy Statement (PPS) 9 – Biodiversity and Geological Conservation  
Planning Policy Guidance (PPG) 13 – Transport  
Planning Policy Statement (PPS) 25 – Development and Flood Risk

4.2 South East Plan Policies

CC1 - Sustainable Development  
CC7 - Infrastructure and Implementation  
H3 - Affordable housing  
H5 - Housing design and density  
NRM5 - Conservation and Improvement of Biodiversity  
BE1 – Management for an urban renaissance  
BE6 - Management of the Historic Environment

4.3 Adopted Cherwell Local Plan

H5 – Affordable Housing  
H15 - Category 3 settlements  
TR1 – Transportation funding  
C28 - Standards of layout, design and external appearance  
C30 - Design of new residential development

4.4 Non Statutory Cherwell Local Plan

H7 – Affordable housing (where viable)  
H17 – Category 3 villages  
TR4 – Transport mitigation measures  
EN22 - Nature Conservation  
EN23 - Ecological surveys  
EN44 - Listed Building Setting  
EN46 – Enabling development – in exceptional circumstances possible to set aside other policies  
EN49a – RAF Bicester Conservation Area (Technical site and airfield only)  
D1 – Urban design objectives  
D3 - Local distinctiveness  
D6 - Design Control

4.5 Enabling Development and the conservation of significant places (English Heritage)

4.6 RAF Bicester Planning Brief

This document was drawn up following extensive discussions with English Heritage and Defence Estates prior to the sale of the site and was jointly agreed. This document does not form part of the Development Plan but was subject to stakeholder involvement and has been endorsed by the Council's Executive and so has some weight as a material consideration in the determination of planning applications on the land. The document sets out;

- A range of appropriate land uses, including residential
- The potential for demolition and concludes that the recent ballistics firing range and the building used by the Air Cadets which are modern structures, could preserve and enhance the conservation area through their demolition.
- The potential for new development and concludes, having given consideration to the rebuilding of the former Building 39 and new

development south west of Building 29 and 42, that there was no scope for new development.

- There was no scope for enabling development as defined by English Heritage
- Management and repair guidelines that were initially drawn up by English Heritage and Defence Estates for the Domestic Site when it was still in military use.

4.7 RAF Bicester Conservation Area Appraisal (October 2008)

This document predates the Defence Estates decision to sell the Domestic site but sets out broad management strategies for the enhancement and management of buildings and also the management and protection of green open spaces.

## **5. Appraisal**

### 5.1 Main Planning Considerations

5.1.1 The main issues to consider in the determination of this application are as follows –

- Principle of development and compliance with local policy
- The Case for New Build
- Viability assessment
- Heritage impact
- Layout/Design
- Visual Amenity/Landscape Impact
- Residential Amenity
- Highway Impact
- Ecology/Trees
- Other issues
- Infrastructure provision and S106
- Response to third party comments

Each of the above points will be considered in turn.

### 5.3 Principle of development and compliance with local policy

5.3.1 In the consideration of 11/00151/F it was concluded that proposals for new buildings within the site were not supported by local plan policy H15. The same applies in relation to this proposal for 8 additional units.

### 5.3.2 The Case For New Build

As with the original application the new build proposals in this application have to be justified in relation to Enabling Development. The case for enabling development is set out in the report for 11/00151/F. In order to assess if the proposals are the minimum required to secure the future of the site the viability needs to be addressed.

### 5.3.3 Viability Assessment

In order to assess the viability of the scheme the applicants submitted a viability report which has been considered and appraised by an independent Consultant appointed by the Council. The Council's consultant was able to conclude in relation to the first application that the scheme, even with 27 new units of accommodation was not viable.

It would seem unlikely that the applicants would implement a scheme that was not going to be viable and this was acknowledged during the consideration of the first application and in order to address this issue a second application was submitted proposing further new build.

5.3.4 The original submission for this second application included up to 19 new dwellings, above that which was proposed in the first application. The conclusions from the Council's consultant in relation to the viability of this second scheme set out that only a proportion of the additional new build is required to increase the Residual Land Value sufficiently to make it viable. The Council's Consultant suggests that 8 additional units of accommodation could make the scheme viable. As with any viability appraisal there are a range of variable figures which can be disputed between the parties and the applicants may consider that more than 8 units are required to improve the viability. However having established that in principle the site requires a degree of new build to make the conversion and retention of the listed buildings viable it is then necessary to consider the impact that the proposals have on the historic asset. The following section will only deal with the elements of new build proposed in this application. Some reference will be made to buildings that have been removed from the scheme.

#### 5.4 Heritage impact

5.4.1 In order to reach a view on the acceptability of the new build each element has been considered against policies established to help preserve historic buildings and their surroundings.

5.4.2 PPS5 requires that LPAs should take account of

- The significance of the asset and value it holds for future generations
- Sustaining and enhancing the significance of the heritage asset
- The positive contribution that the heritage asset makes to the establishment and maintenance of sustainable communities
- The development making a positive contribution to the character and local distinctiveness of the local environment.

5.4.3 Where development would affect the setting of a heritage asset LPAs should treat favourably applications that preserve those elements of the setting that make a positive contribution or better reveal the significance of the asset. Where development does not do this LPAs should weigh any harm against the wider benefits. Potential benefits are listed in the PPS5 Practice Guide as;

- Sustaining or enhancing the significance of the heritage asset
- Reducing or removing risks to the heritage asset
- Securing optimal viable use
- Positive contribution to economic vitality and sustainable communities
- Having a design appropriate to context
- Better revealing the significance and enhancing enjoyment of the place

5.4.4 Paragraph 80 of the guide state that a successful scheme will be one where the design has taken account of

- The significance of the assets and the contribution of their setting
- General character and distinctiveness of buildings, spaces, public realm and landscape
- Style, construction, materials, detailing, decoration and period of buildings

- and spaces
- Green landscaping
- Current and historic uses and urban grain

#### 5.4.5 **O Orchard Square terraces**

The proposal is to add 2 dwellings to the length of the western terrace and to set the southern terrace back to enable this. The western terrace was considered to enhance the conservation area on account of replacing building 2. There will be some loss of the open view to the south and the current proposal will reduce the gap between the two new terraces from 8m to 4 m. However, with the principle of the southern terrace being agreed via the first application, this amendment will not have a material effect over and above the effect of the first application.

#### 5.4.6 **Building 22**

The proposal is to extend the proposed conversion by infilling within the retained walls to create two additional dwellings. It is not considered that the special significance of the listed building would be harmed by the original conversion proposal and the proposed revision is similarly sympathetic, sitting entirely within retained walls therefore no objections are raised as a result of the amendment.

#### 5.4.7 **P Old Guard House**

The concept of the three new dwellings replicating Building 19 in the original application was supported. However, the proposed inclusion of two additional units to their north is less successful. It presents a solid wall to the northern boundary of the site, pushes development almost up to the boundary, virtually fills the space and harms the campus character. These proposals could not be supported on the basis of the harm they cause to the layout of the site and have been removed from the submission.

#### 5.4.8 **R Squash Court Houses**

The principle of additional development in this location could be supported as this is very much a back land area of the site and is of no particular significance. However, the proposed design was far from being a “modern interpretation of the squash courts” as claimed, comprising very standard semi detached houses with standard pitched roofs, exposing their rear gardens to the site boundary and this is not acceptable. The design would need to be a bespoke solution that responded to the context of the site in terms of its scale and massing, possibly pavilion buildings with hipped roofs to respect those adjacent. The applicants are aware of this concern and are amending the design to try and overcome the concerns raised.

#### 5.4.9 **S Meadow Terrace**

The principle of the Meadow Villas was supported as a potentially high quality, passive, inward looking intervention that responded to the established footprint of buildings and the open campus character on the edge of the site, however it was stated that a less high quality design response or one less appropriate to context would not be supported. The revised proposal for a terrace of 6 highly glazed dwellings is a significant change: it provides a length of built frontage at the back of the roadway effectively creating a linear street, which runs counter to the campus layout, and it introduces rear gardens to views into the site. At two storeys high and located at the back of the roadway, the terrace will be higher than most of the boiler house and crowd out the building, which was traditionally on the edge of the site, and harm its setting. The change from villas to terrace was not supported

therefore the applicants removed them from the proposal and reverted back to the original meadow villa proposals put forward in application 11/00151/F.

**5.4.10 N Meadow Villas**

The location of the two villas originally proposed has been amended in response to our earlier comments and this was welcomed. However, the addition of one more villa, effectively creating a double banked development, starts to undermine the open campus character. This addition was not supported and as with the development proposals the scheme has reverted back to the original proposal.

**5.4.11 Q New Lodge development**

The argument made in the original application for the new lodge was not convincing and the proposal has now changed from a single pavilion building to a terrace of rather standard houses. Again this presents an urbanising effect to the site boundary, exposing rear gardens to Skimmingdish Lane and has a negative effect at the entrance to the site where it presents rear and side elevations. The design of the terrace is a replica of buildings proposed elsewhere, with the addition of a colonnade on the south eastern gable. This does not sit comfortably on this very standard terrace, appearing as an unconvincing afterthought. The proposal runs counter to the original justification given for a gatehouse building here. This proposal causes significant harm to the established character in this location and cannot be supported. However the principle of the single lodge building was supported in light of the need to provide additional units to improve viability but its position has been relocated to one which the Council's Design and Conservation Team are more comfortable with.

**5.4.12** Whilst a case for Enabling Development has not been put forward by the applicants as they consider the proposal complies with relevant policies the Council is taking a different view given that the new build does not comply with Local Plan Policies. Given that local plan policies are not complied with it is considered that the only possible justification for the new build elements, notwithstanding the harm or otherwise they may cause, is the contribution they make towards achieving a viable scheme to help secure the future retention and reuse of the historic buildings on this sensitive site. It is considered that whilst some of the rationale behind the design of the buildings is lacking, the elements of new build proposed in this application comply with guidance in PPS5 given that the benefits of allowing the new build (in the retention of the existing heritage asset) may outweigh the harm caused to the same asset that is being protected. The development can be considered enabling development. Having discussed the individual elements of new build it is possible to conclude that the revised proposals for new build do not cause substantial harm to the heritage asset and as such are acceptable.

**5.5** Layout/Design

Layout and design are covered in greater detail in the report for 11/00151/F and it is considered that the proposals in this application do not cause any additional harm or materially alter the general layout of the campus designed site.

**5.6** Visual Amenity/Landscape Impact and residential amenity

As with the layout and design section above these areas of consideration have been discussed in relation to 11/00151/F and are not considered to be materially altered by the addition of the 8 units proposed in this application.



- 5.7 Noise  
The new buildings are located outside of the most noise affected areas therefore noise does not need to be considered in any detail for this application.
- 5.8 Highway Impact  
The comments of the local highway authority are summarised at section 3.5 but have not materially altered as the result of additional units being proposed as the transport assessment was carried out based on a worst case scenario to take account of a maximum number of 200 units being accommodated on the site. The proposals only amount in a total of 195, therefore below the figure that was assessed.
- 5.9 Ecology/Trees
- 5.9.1 The proposals are unlikely to effect the ecology on the site as it only deals with new build proposals. However conditions will be put in place relating to mitigation strategies.
- 5.9.2 The only trees to be affected by the new proposals are trees in the location of the extended west terrace and a group of 4 horse chestnuts on the site of the squash court houses. However works will be kept to a minimum and where necessary removal will be mitigated by replacement trees being planted.
- 5.10 Other Issues  
These are covered in the report for application 11/00151/F
- 5.11 Infrastructure provision and S106
- 5.11.1 Planning obligations must be;
- Necessary to make the development acceptable;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development
- 5.11.2 The increase in unit numbers would increase the requested contributions towards the following;
- Affordable housing
  - Replacement bus stop on Skimmingdish Lane
  - Pedestrian improvements along Skimmingdish Lane
  - Contribution towards the reduction in speed limit along the A4421
  - Traffic calming along Skimmingdish Lane
  - Public transport subsidy
  - Travel Plan
  - County Council contributions amounting to £559,924 which includes a range of education contributions as well as library, museum and waste recycling requests.
  - On site play areas
  - Contribution towards off site outdoor sports facilities
  - Public Art
  - Refuse bins
- 5.11.3 However as discussed in the report for 11/00151/F the applicant has put forward a case for not providing the standard section 106 contributions based on the scheme not being sufficiently viable to make such contributions possible. Viability has been

discussed earlier in the report in relation to justifying the proposed new build but the assessment carried out by the Council's independent consultant is also relevant in the consideration of the applicant's ability to contribute to the provision of affordable housing and infrastructure.

- 5.11.4 The applicants have consistently set out that the scheme is not sufficiently viable to provide an affordable housing provision, either on site or through off site contributions. In this respect the proposal does not comply with Policy H3 of the South East Plan. Policy H5 of the adopted Cherwell Local plan also requires developers to provide an element of affordable housing in substantial new residential development schemes. However this requirement is only necessary where it is economically viable.
- 5.11.5 The Council's Consultant has been asked to specifically comment on the effect that the provision of affordable housing would have on the viability of the scheme. The conclusions of the viability assessment on this original application show that the scheme is not viable. The effect of allowing some of the development on the second application makes the scheme only marginally viable without contributing to any form of planning gain. Requiring affordable housing provision would significantly reduce the gross development value. Costs may rise as a result of providing affordable housing and viability would be adversely affected unless large amounts of grant or subsidy were made available.
- 5.11.6 The same conclusions can be reached in relation to the other contributions, the scheme is only marginally viable without contributing to infrastructure provision. Therefore to require the contributions would render the scheme unviable and put the potential to implement the scheme at risk.
- 5.11.7 The proposal does not comply with Policy CC7 of the South East Plan which requires a programme of delivery for additional infrastructure where new development creates a need for additional provision. However, with particular reference to this application it is possible to say that if all 19 additional dwellings, as first proposed on this second application, were considered acceptable it could potentially improve viability resulting in some section 106 contributions but this would be at the cost of the heritage asset that the development is seeking to preserve. Substantial harm is likely to result if all 19 units were permitted.
- 5.11.8 On 23 March 2011 a Ministerial Statement, Planning for Growth, was published. In its covering letter to Chief Planning Officers it was made clear that the Statement was capable of being a material consideration. The Statement emphasises the need to rebuild Britain's economy and points out that 'the planning system has a key role to play by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible'. It goes on to set out that 'when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development' and amongst other considerations 'ensure that they do not impose unnecessary burdens on development. One element that can be negotiated to help development proceed is section 106 obligations. The Statement also states that 'benefits to the economy should, where relevant, be an important consideration when other development-related consents are being determined, including heritage, environmental, energy and transport consents'.

5.11.9 Whilst the scheme does not provide the usual section 106 contributions this negative point needs to be weighed against the benefits the scheme can bring to both the economy and the retention and preservation of the heritage asset.

6.1 Conclusion

6.1.1 The first application scheme demonstrates that the applicants have produced a high quality and sympathetic proposal for the conversion of the existing buildings which requires an element of new build to improve the schemes viability. It has been demonstrated that the new build can be justified in terms of enabling development and it has limited impact on the setting of the listed buildings and the significance of the site as a whole. Both applications when considered together do result in a marginally viable scheme in the view of the Council's Consultant. It is disappointing that the combined schemes (11/00151/F and 11/00805/F) do not result in a proposal that is sufficiently viable to contribute to the provision of affordable housing or other section 106 contributions. However there is a balance to be reached as allowing a significant amount of further new development may increase the opportunity for infrastructure provision but is likely to have a severe impact on the heritage asset that the applications are seeking to preserve.

6.1.2 This site is unique within the district as a result of its history and in order to secure its long term retention it needs to be brought into a suitable use. It is considered that residential would be the optimum use and that City and Country produce a high quality product. It is unlikely that there are any more viable uses that the site could be put to. Therefore on this occasion and based on the considerations above, it is considered justified and appropriate to compromise on the provision of affordable housing and other contributions in order to secure the long term future of the buildings and the site.

<b>6. Recommendation</b>
<b>Approval subject to;</b> a) <b>11/00151/F also being approved</b> b) <b>A legal agreement to;</b> i) <b>Ensure that one scheme is not Implemented without the other (11/00151/F and 11/00806/F)</b> ii) <b>Set out a phasing scheme for development</b> iii) <b>Secure a maintenance scheme for the landscaping and upkeep of the buildings</b> c) <b>Officer's and applicant's agreeing list of plan numbers</b> d) <b>The following conditions</b>
As appropriate from 11/00151/F

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