

<b>Application No:</b> 11/00151/F	<b>Ward:</b> Caversfield	<b>Date Valid:</b> 22/02/2011
<b>Applicant:</b>	City and Country Bicester Ltd	
<b>Site Address:</b>	Former DLO Caversfield, Skimmingdish Lane, Caversfield	

**Proposal:** Change of use and conversion of buildings to form 160 new dwellings, construction of 27 new dwellings, change of use of lodge building (building 19) to a shop/café, change of use to B8 storage (building 50 only), two new accesses to Skimmingdish Lane, car parking, landscaping and all ancillary development

### 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 the change of use and conversion of the existing buildings on site. The majority of the buildings are proposed to be converted to residential properties, ranging in size and variety as a result of the nature of the original buildings. Building 19, the Old Lodge Building is proposed to be converted to a shop or café whilst building 50, the intact decontamination chamber is proposed to be used as storage.
- 1.5 The proposed conversions amount to 160 units. The scheme also includes proposals for 27 new units of residential accommodation. The application also includes alterations to the existing access points and landscaping including changing much of the hard standing to green open space.
- 1.6 There are three existing access points to the site. The access from Queens Avenue, opposite the entrance to the Technical site has not been used for some time and is proposed to be used as a pedestrian access point. A closed access point north of Building 32 is proposed to be relocated to the north west of Building 32 whilst the existing main access to the north west of Building 19 is proposed to be relocated to the north west of Building 25.
- 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 and a further application for additional new build is also being considered (11/00805/F).

## **2. Application Publicity**

- 2.1 The application was advertised by way of a site notice, press notice and neighbour notification letters. The final date for comment was 25 March 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 10 letters/emails of representation have been received from third parties including a letter from the Director of the local resident's committee and the Bicester and Ploughley District CPRE. Opinions are mixed but with a general level of support for the principle of the scheme but with some concerns, which are summarised below (see electronic application file for full comments):
- Method of street lighting
  - Who will be responsible for the maintenance of the grass areas, roads, drains
  - Effect on existing water and sewerage system
  - Requirement for and effects of relocated access points
  - Effects of traffic along Skimmingdish Lane and accessing Southwold Lane and Queens Avenue during the rush hour
  - Affect of additional cars parking on Skimmingdish Lane
  - Pedestrian and cyclist safety, especially crossing to get to the bus stop
  - The removal of trees and the cutting back of hedges and the effect it will have on the environment and privacy
  - Impact on ecology, including birds and bats
  - Will there be an increase in number of buses into Bicester and will residents be encouraged to use the bus rather than travel by car
  - Additional houses should not be crammed into the site
  - Bicester does not need more affordable housing
  - The area does not need an additional shop
  - 44% of the properties are 1 bed properties – too many
  - Additional noise
  - Imaginative scheme and excellent use of historic area which should open the site for easier access and better landscaping
  - 30% social housing element is not appropriate for what is essentially redevelopment and re-use of existing and important historic buildings.
  - Potential for increase trespassing and criminal behaviour over the private estate
  - Effects on local residents during the construction phases
  - Ability for non-residents to use the proposed shop
  - Ensure the shop does not become another Tesco
  - Devaluation of people, town and district
  - ATC parking on Skimmingdish Lane already causes problems
- 2.3 The Air Cadets on behalf of the staff and civilian committee of 2507 (Bicester) Squadron ATC have made the following comments with regard to the application.
- The entrance close to the Squadron is proposed to be removed and the car

- parcs in front of building 33 have been turned into grass areas.
- Appreciate that building is outside red line site and don't wish to object to overall proposals they would have negative impact on continuing to provide services and activities for local young people and families.
  - Consideration should be given to ensuring access and parking needs.
  - If access to the site is restricted then there may be implications of traffic parking on Buckingham Road or Skimmingdish Lane as cadets are transported to and from the site.
  - Activities of cadets may affect residents of building 33. For example parading until 2145 2 or three times a week and noise from band practice.
  - Comments are made so as to try avoid future conflict with residents and to preserve Squadron's viability.

### 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** did not respond directly in relation to this application but has expressed its support following the submission of the second application.
- 3.3 **Bicester Town Council** 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** comments can be summarised as follows
- Employment Issues
- employment could be suitable future use of site although residential use, specialist living accommodation, hotel/hostel or educational establishment might also be appropriate
  - site is not allocated for employment development and the proposal for residential redevelopment would not lead to a loss of employment (B1/B2/B8) land since current use is Sui Generis (military).

Principle of Residential Development:

Within the Settlement - Conversion

- site located within parish of Caversfield, a Category 3 settlement within the Adopted and Non-Statutory Local Plans. [It is noted that the proposals include a new shop and café, to serve residents of the proposed development and the wider area, which may improve the sustainability of the settlement very slightly].
- If site considered to be located within the settlement of Caversfield Policy H15 of the Adopted Local Plan applies. Within Category 3 settlements, development restricted to conversion of non residential buildings in accordance with policy H21.
- H21 sets out that conversions to residential use will be favourably considered unless conversion would be detrimental to the special character and interest of a building of historical significance.
- The Planning Brief (a material consideration) identifies that conversion of the buildings on the domestic site to residential use would be suitable (as could other uses).

Within the Settlement – New Build

- proposal includes 27 new build dwellings, which does not comply with H15. The justification provided for the new build is to help finance the refurbishment of the many listed buildings within the site.
- The introduction of new build does not comply with the Planning Brief, which concludes that there is no scope for new building on the domestic site given the need to protect the character and setting of the Conservation Area and the numerous listed buildings on site.

#### Housing Mix

- The proposals appear to contrast with the housing mix recommended in draft Core Strategy Policy H6

#### Affordable Housing

- The proposals do not include any affordable housing provision. The Planning, Design & Access Statement (para 2.25) states that affordable housing provision is not viable because the overriding priority must be finding an economic reuse of the listed buildings and the overall enhancement of the Conservation Area. The development currently does not comply with policies regarding affordable housing provision.

#### Sustainability Policies

- South East Plan NRM11 requires 10% of the energy on developments of 10 dwellings or more to be supplied from decentralised and renewable or low carbon sources, unless this is not feasible or viable. The South East Plan particularly encourages district heating and combined heat and power (CHP). There is an existing district heating system on site already and the potential to integrate this into the development could have been investigated in order to demonstrate compliance with this policy as well as South East Plan policies CC2 - 4.
- Given that the application site adjoins the town boundary of Bicester, the proposals need to be considered with regard to the Council's 'Eco Bicester – One Shared Vision' document which sets out the aims, aspirations and ambitions for the town of Bicester as it develops in the long term. The Vision focuses on four key themes, one of which is environmental sustainability. It seeks to ensure that new buildings are designed and built to the highest environmental standards in terms of energy efficiency and sustainable construction techniques. The Vision is not a detailed planning guidance document, but it was adopted by the Council as an important influence on policy and decision making in the town and surrounding areas.

#### Open Space

- Proposals appear to include informal open space and amenity space (the central square, orchard square, arboretum, maintaining existing wooded areas) but not, for example, more formal Local Areas for Play (LAP) in line with the policy requirement.

#### Conclusion

Based on the information currently presented, the proposals are considered to be contrary to a number of development plan policies regarding affordable housing, renewable energy and open space provision, and regarding residential development within Category 3 settlements. There are also concerns over a lack of compliance with the Planning Brief in a number of areas.

- 3.5 The **Local Highway Authority** has stated that the access arrangements are acceptable, and the submitted Transport Assessment has demonstrated there is unlikely to be an impact on the local highway network from the proposed

development. A review of the accident data for the area has been carried out, which found a few had occurred; looking at the information provided the incidents involved were down to driver error rather than the characteristics of the highway network. A review of the public transport, pedestrian and cycle accessibility was undertaken as well as consideration to the proposed site's parking levels and current local and government policy guidance. A s106 agreement will be required to secure the Public Transport Subsidy and the £4,000 for the amendment to the speed limit as well as the off site works.

Taking the above into account it is the opinion of the LHA that recommending refusal on highway safety grounds would not be appropriate or sustainable at appeal; therefore it is recommended conditions are imposed on an approval.

- 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** commented in relation to the Listed Building application but the comments are also relevant to this application;
- The proposed conversion of the existing buildings to residential use is reasonably sympathetic to the historic fabric but there is scope for some refinement
  - Content with the proposed new buildings in 'the meadow', south and west terrace and the old and new lodges
  - Main contentious issue is proposal to create new block on site of the lost building 39.
  - Note suggestion that extra building is required to ensure the viability of the scheme
  - RAF Bicester Planning Brief makes it clear that CDC does not consider there is scope for new development
  - Not putting building 50 to a beneficial use does reduce the value of the existing buildings but this should be outweighed by the non-contentious elements of the new build
  - Development of building 39 can only be accepted if it is demonstrated not to harm the character of the conservation area and setting of listed buildings
- 3.8 The Council's **Landscape Architect** in relation to the provision of play and open space has a number of concerns about the type, location and future maintenance of the proposals.
- 3.9 The Council's **Strategic Housing Officer** has stated that the proposal triggers a policy requirement of 30% affordable housing. The applicants are stating that the scheme is not viable and cannot sustain a contribution towards affordable provision. Housing services would not be able to support such an application without a full check on the viability position.
- 3.10 The Council's **Ecologist** raised initial concerns that the ecological surveys did not go far enough in assessing the potential impact the conversion of the buildings would have on the bats. Further survey work was submitted which concludes by proposing appropriate mitigation strategies for those building where bats were found. Mitigation strategies should also be put in place for other buildings that have to potential to support bats.

- 3.11 The Council's **Arboricultural officer** has stated that generally the submitted report is a thorough and comprehensive document which provides good advice regarding arboricultural protective measures, engineering solutions with regard to identified areas of 'no-dig' and site logistics and monitoring procedures. No arboricultural objections are raised subject to the inclusion of conditions.
- 3.12 The Council's **Head of Building Control and Engineering Services** is satisfied with the surface water disposal strategy and positively supports the proposal to make the minor watercourse a feature of the development.

There is concern however that the FRA does not consider whether there is any risk of flooding from the watercourse and this should be assessed.

- 3.13 The Council's **Head of Anti-Social Behaviour** raised concerns about the noise impact resulting from the main roads to the south and east of the site and recommended a noise survey be carried out. A noise report was submitted which whilst the outcomes don't completely comply with guidance in PPG24 was sufficient to recommend conditions.
- 3.14 The County **as Strategic Planning Authority** has stated that it is concerned to the reference to there being no provision of affordable housing or other financial contributions and therefore objects to the application.
- 3.15 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.
- 3.16 The County **Archaeologist** raises no objections but asks to be notified should finds occur during the construction phase.
- 3.17 **Thames Water** has not commented on this application.
- 3.18 **The Environment Agency** originally objected to the application in the absence of a satisfactory flood risk assessment. However the FRA reference 020/2011/3 ADDENDUM FRA gives confidence that surface water flood risk can be sufficiently managed within the proposed development, to the standards set out in PPS25. The EA are therefore able to withdraw their objection on surface water flood risk grounds to this planning application subject to conditions.
- 3.19 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 Guidance (PPG) 24 – Planning and noise  
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  
NRM10 – Noise  
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  
H21 – Conversions of buildings within settlements  
S28 - Small shops serving a local need  
TR1 – Transportation funding  
C21 – Re-use of an unused listed building  
C23 – Retaining features which make positive contribution to Conservation Area  
C28 - Standards of layout, design and external appearance  
C30 - Design of new residential development  
ENV1 – Detrimental levels of noise

##### **4.4 Non Statutory Cherwell Local Plan**

H7 – Affordable housing (where viable)  
H17 – Category 3 villages  
S25 – Small shops to serve local needs  
TR4 – Transport mitigation measures  
EN7 – Development sensitive to noise  
EN22 - Nature Conservation  
EN23 - Ecological surveys  
EN42 - Listed building change of use  
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.

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

5.2.1 The domestic site, the subject of this application, is within the parish of Caversfield and as such is considered to be part of Caversfield itself. Therefore Policy H15 (category 3 settlements) is considered to apply. This policy is complied with in relation to the conversion of the existing buildings. However the policy does not allow new dwellings unless there is an essential need for



agriculture or other existing undertaking. The proposal includes plans for 27 new residential units and no such agricultural requirement exists in this case. Therefore the proposal does not comply with this policy and is a departure from the development plan.

5.2.2 Policy H21 of the adopted Cherwell Local Plan also supports the principle of conversion of buildings within settlements providing the residential use is not detrimental to the special character and interest of the buildings. Policy C21 also supports proposals for the reuse of unused listed buildings providing the use is compatible with the historic character and architectural integrity and setting. The policy goes on to say that other policies may be set aside in order to secure the retention and reuse of such buildings.

5.2.3 Based on the above it is clear that the principle of conversion is supported whilst the new build does not comply with local policy.

### 5.3 The Case For New Build

5.3.1 The site is within a conservation area and has a large proportion of listed buildings and as whole it is a significant heritage asset. The applicant's have argued the new build elements of the scheme are necessary as the conversion of the buildings on their own would not produce a viable scheme.

5.3.2 The policy on enabling development applies to development which is contrary to planning policy therefore it is considered applicable in this instance.

5.3.3 The policy produced by English Heritage sets out that;

5.3.4 Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:

- a. It would not materially harm the heritage values of the place or its setting
- b. It avoids detrimental fragmentation of management of the place
- c. It will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose
- d. It is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid
- e. Sufficient subsidy is not available from any other source
- f. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests
- g. The public benefit of securing the future of the significant place through such enabling development decisively outweighs the dis-benefits of breaching other public policies.

5.3.5 Whilst the applicants have not put forward a case for enabling development they have sought to demonstrate that the proposals comply with the requirements set out above. In respect of points a, b, c, e and g it is considered that the guidance is generally complied with (some of these points will be addressed in more detail throughout the report).

5.3.6 In relation to point d. the Council in its planning brief for the site stated that there was no case for enabling development, likely resulting from the view that all the

buildings were in a reasonable condition and not in need of substantial rebuild or repair and that the cost of a scheme for reuse should be reflected in the purchase price of the site.

5.3.7 The applicants have provided a detailed costs breakdown to justify new development on the site. The individual costs appear high in places and in relation to the purchase price it is acknowledged that the applicants did recently purchase the site. In light of concerns about the applicant's viability the Council has appointed an independent consultant to review the viability (see below).

5.3.8 Point f relates to the amount of development and it being demonstrated that only that which is required to secure its future is permitted and that its form minimises harm to other public interests. This is best assessed through the consideration of the viability of the scheme.

#### 5.4 Viability Assessment

5.4.1 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 build units of accommodation was not viable. This affects the applicant's ability to provide the usual provision of affordable housing and infrastructure contributions but this matter will be discussed in more detail at the end of the report.

5.4.2 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 this application and in order to address this issue a second application was submitted proposing further new build.

5.4.3 As the initial scheme was considered not to be viable it follows that consideration should be given to the second application which put forward further new build proposals with the aim of producing a viable scheme. The conclusions from the Council's consultant in relation to the viability of the 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 in the second application 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. This conclusion takes no account of the purchase price paid for the land. 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 conversions and elements of new build proposed in the first application (11/00151/F). The additional new build proposed in the second application will be covered in a separate report (11/00805/F).

#### 5.5 Heritage impact

5.5.1 Elements of Policy BE1 of the South East Plan which 'promote and support design solutions relevant to context and which build upon local character and distinctiveness and sense of place, including the sensitive reuse of redundant or under-used historic buildings', are complied with. The detail and impact of the

conversions are considered more thoroughly in the reports relating to the listed building applications (11/00153/LB & 11/00806/LB) but in general the treatment of the conversions is considered to be sympathetic to the historic fabric of the buildings and their setting.

- 5.5.2 Whilst the principle of conversion can be supported the justification for new build needs to be more carefully considered. The applicants have consistently set out that conversion alone would not be sufficient to result in a viable scheme. This is suggested to be as a result of the high conversion costs and the physical constraints of converting listed buildings. In an attempt to make the scheme viable elements of new build have been proposed, as set out in the original submission for this application (11/00151/F). With the exception the replacement of building 39 and a new lodge building close to the access the new build elements were not considered contentious as they largely preserve or enhance the setting of listed buildings and the character and appearance of the Conservation Area. In order to reach the view that the majority of the scheme for new build was non-contentious each element has been considered against policies established to help preserve historic buildings and their surroundings.
- 5.5.3 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.
- 5.5.4 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
- 5.5.5 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
- 5.5.6 It is considered that the demolition of Building 2 (the firing range) and its replacement with new development that meets the above PPS5 design criteria,

together with the creation of an enhanced landscape treatment of the space, could in principle enhance the to-be-established character of the conservation area and the setting of the listed buildings, Buildings 16 and 20. The case for the second terrace on the south side of the square is less convincing and could only be justified if it was considered to reduce or remove risks to the heritage asset, help secure the optimal viable use or make a positive contribution to economic vitality and sustainable communities subject to having a design appropriate to context. It is considered that the outcome of the viability appraisal has demonstrated that this terrace helps to improve the viability of the scheme and this is one of the least sensitive areas of the site, capable of accommodating appropriately designed new build without having a significant detrimental effect on the listed buildings.

- 5.5.7 It is considered that the Meadow Villas have been carefully designed to complement the established character of the conservation area. As modern interventions of potentially high design quality they could justify such intervention in the conservation area. The buildings are placed to respond to the existing footprints, designed to be extensions of the southern wings of Building 23 and contain Building 22. The applicants contend that these buildings enhance the setting of the listed buildings. This view is not entirely agreed but it is fair to say that the setting is likely to be preserved as a result of these buildings.
- 5.5.8 The bungalows proposed to the west of the Old Lodge (Building 19) are to be positioned on what is currently an expanse of hard standing used as a car park. They are inward looking and single storey and as such do not compromise the primacy of the historic buildings, nor do they set up any new competing spaces. They make a neutral contribution in themselves, which is a favourable design response. However, in infilling an otherwise negative space, and on account of their high quality architecture, they make a positive contribution to the conservation area.
- 5.5.9 The applicant's believe that the original proposed location for the new lodge building is justified to create a 'landmark building' at the entrance to the site and an entrance without a building to elegantly mark it would be wrong. Pre-application plans had also indicated that it would have served as the shop/café. These uses have now been accommodated in Building 19 which is a preferable location giving emphasis to the main entrance. Officers have consistently had difficulty supporting this proposal as there is no historic precedent for a building in this location and the design of the building appears to be a contemporary re-interpretation of the guardhouse model, but this could serve to undermine the real main entrance. However, as the building is considered to contribute to the improved viability of the scheme it has been agreed that the relocation of the building to the opposite side of the entrance helps to overcome some of the concerns raised. The applicants are not entirely comfortable about the revised position but are willing to accept the suggestion to minimise areas of potential dispute.
- 5.5.10 The acceptability of the replacement of Building 39 has also been the subject of debate. The Planning Brief for the site dealt with this potential and states '*...officers concluded that the effective 'reconstruction' of building 39 would in effect need to be just that and this would be difficult to achieve as it is believed that the original building was a temporary structure. It would be important to*

*ensure that the resultant building was not a pastiche copy of other buildings, which would undermine the coherence and quality of the historic buildings.'*

- 5.5.11 The applicant's recognise that this Neo-Georgian area of the site and the open area to the west of buildings 29 and 42 are more sensitive and therefore will be more open to potential harm from inappropriate development. Yet it is claimed that the new building would enhance the setting of the adjacent listed building and complement the grain of the site west of the parade ground. They go on to argue that a 'large gap' opened up on the site when the alleged single storey timber structure was demolished and that replacing it with a replica of building 33 would enhance the area. However building 33 currently stands alone as an outer building, on the periphery of the site, as with other single storey buildings, and interacts only with building 35. The replication of building 33 in the proposed location will crowd out buildings 29 and 42, leaving little more than a footpath between the buildings. It will turn the campus environment, where pavilion buildings sit in shared open landscape, into a linear street like space, which is contrary to the pattern book spatial relationship of the established Trenchard layout seen in these historic military sites across the country. A building in this location would also interfere with views into and out of the most sensitive part of the site.
- 5.5.12 Whilst officers have continually discouraged the creation of a new building on the site of Building 39 it is acknowledged that new build structures are required to improve the viability of the scheme. When assessing the justifications for and the potential impact of a building in this location it is acknowledged that there is some historic precedent and the harm would be less here than in some other locations around the site. Allowing this building is seen as somewhat of a compromise but favourable over some of the other suggestions put forward in the second application.
- 5.5.13 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 the elements of new build proposed in this first application comply with guidance in PPS5 and can be considered enabling development. Having discussed the individual elements of new build it is possible to conclude that the proposals for new build do not cause substantial harm to the heritage asset and as such are acceptable.
- 5.5.14 It is considered that this scheme largely complies with Policy BE6 of the South East Plan as it seeks to protect, conserve and in some examples enhances the historic environment. In relation to the conversions it also makes sensitive use of historic assets by bringing redundant buildings into an appropriate use.
- 5.6 Layout/Design
- 5.6.1 In response to the general masterplan it is considered that the following comments summarise officers views on the proposal;

- The proposed alterations to the access road have historically proven precedent and will enhance the character and appearance of the conservation area
- The reduction in the amount of tarmacadam will have a positive effect
- The creation of three internal landscaped squares is an alteration to the established character, but the general approach is appropriate to the proposed context. There is a general change in character from an open campus landscape of grass and fairly randomly located trees to a more intimate landscape with formal tree planting which in places creates an avenue effect particularly around the parade ground and parking areas either side. This change in character is appropriate to the change of use.

5.6.2 On the whole the new buildings are each considered to have been designed appropriately to fit in with their surroundings and have a minimal impact on the layout of the site and its historic significance.

5.6.3 With a change of use to residential from the previous Ministry of Defence use it is inevitable that there will be some change in character and the introduction of some domestic paraphernalia is to be expected. However the Planning Brief seeks to preserve the campus character through a restriction on the demarcation, privatisation and personalisation of the external space. In general this approach has been followed and where concerns were raised about private terraces adding to the domestication of the site amendments have been made.

5.6.4 Car parking is largely accommodated close to the dwellings reducing the existing large areas of hard standing. There are some examples where parking spaces are located some distance from front doors, meaning that these entry points may not be very active. However on the whole the parking is appropriately arranged for the nature of the site.

5.6.5 Based on the submitted number of new dwellings and the conversion of the existing buildings the density of the development will be approximately 20 dwellings per hectare significantly lower than the 40 dwellings per hectare recommended in Policy H5 of the South East Plan. Taken literally the application does not comply with this policy however it is considered that if the recommended density was sought it has the potential to adversely affect the campus layout of the site, the character and appearance of the Conservation Area and the setting of listed buildings.

## 5.7 Visual Amenity/Landscape Impact

5.7.1 In relation to the treatment of the landscape the following points are considered to be relevant;

- The retention and enhancement of the woodland around the periphery and the development of the meadow area and swales are an appropriate landscape design response to the site.
- The creation of three internal landscaped squares is an alteration to the established character, but the general approach is appropriate to the proposed context. There is a general change in character from an open campus landscape of grass and fairly randomly located trees to a more intimate landscape with formal tree planting which in places creates an avenue effect particularly around the parade ground and parking areas

either side. This change in character is appropriate to the change of use.

- The parade ground will undergo the greatest change in character from tarmacadam to grass and, providing that it is maintained in a closely mown regime this proposal is considered acceptable
- The location and design of bin storage areas have been submitted and in terms of their visual impact they are considered appropriate

5.7.2 The site is currently closed to the public but elements of it are open to public views. There will be some change to the character and appearance of the site from the public perspective but it is not considered that any harm will be caused to public visual amenity. In fact the site, whilst proposed to be privately maintained, will become accessible to the public. In general terms the harsh appearance of the ceased military use will be softened by the change of use to residential but without compromising the history of the site.

## 5.8 Residential Amenity

5.8.1 The proposed physical development, both the conversions and new build, are unlikely to have any adverse impact on the existing residents of Caversfield in relation to overbearing or loss of privacy. The site shares no boundaries with existing residential properties. Therefore any potential impact is likely to be between the newly created properties or the wider impacts of developing the site for residential purposes.

5.8.2 The new build dwellings have been designed to minimise the impact between other proposed new build properties and the existing buildings to protect residential amenity. However the conversions, given the existing layout of some of the buildings, are slightly more difficult to ensure that there is no adverse neighbour impact. In most cases overlooking between converted units has been limited through alterations to the internal layout, the use of frosting to existing windows or by ensuring windows serving habitable rooms are opposite windows serving non-habitable rooms. Private residential amenity is no less important in the case of conversions but compromises can be made where it involves the conversion of listed buildings which require special consideration to limit internal alterations and external extensions and where an entirely new development is being created and new residents are likely to have the opportunity to consider the potential implications of purchasing such units.

5.8.3 In most new residential development proposals the provision of private amenity space is a relevant consideration. Given the nature and historic importance of this site the personalisation and subdivision of space has been discouraged. In general it is only the new build properties which have private gardens whilst the residents of the converted properties will have to utilise the communal spaces. This is not considered to be detrimental to the residential amenity of the new residents as the proposals include a large proportion of communal open space which has been designed to a high standard.

5.8.4 A small number of residents of Caversfield have raised concerns that they may argue have the potential to affect their residential amenities. However concerns tend to relate to issues of parking spilling out onto surrounding roads, light pollution, noise and disturbance and an increase in youths in the area resulting

from the proposed shop. These issues are covered elsewhere in the report and have either been addressed by the applicant or are issues which the planning system cannot control.

5.9 Noise

5.9.1 The site shares two of its boundaries with major roads, the A4421 to the east and the Bicester ring road to the south. With reference to PPG 24 Annex 1 Paragraph 1 advises that '*planning permission should not normally be granted*' for residential development on land that falls in to Noise Exposure Category C. The applicants have carried out a noise survey and an extract from the specialist noise report shows part of Building 44/45 within Category C. The Council's Anti-Social Behaviour Manager considers that in this case an exception can be made. The affected building is not listed therefore the conversion works can more easily include measures to protect the property against noise. Furthermore the noise survey was conducted without any sound proof barrier along the boundary. This is something that the applicants are considering in order to reduce the noise disturbance to from the road. If a barrier is to be installed it would need to be appropriately designed taking into consideration the character of the site but it is considered that conditions can appropriately control potential noise impacts and the proposal can comply with Policy NRM10 of the South East Plan, Policy ENV1 of the adopted Local Plan and guidance contained within PPG24.

5.10 Highway Impact

5.10.1 The comments of the local highway authority are summarised at section 3.5. However in general terms they are satisfied with the proposals for the amended access points, having studied the submitted transport assessment they are satisfied that the number of traffic movements is likely to be less than when the site was used for MOD purposes and the parking provision exceeds the County Council standards. The local highway authority have however raised concerns that the site is not in the most sustainable location, being in Caversfield and the outside edge of Bicester therefore as a result many trips will be by car. In order to lessen this potential impact the applicants have included a high proportion of cycle parking spaces and intend to make new residents aware of the availability of public transport.

5.10.2 It is understood that the roads within the site are not going to be adopted. However the highway authority is satisfied with the layout of the residential roads.

5.11 Ecology/Trees

5.11.1 The site currently benefits from a significant number of trees and hedges and buildings all of which are potentially capable of supporting bats. Surveys have been carried out and the Council's Ecologist, subject to some minor points of clarification are satisfied that mitigation strategies are adequate to protect existing roosts and any further roosts found during the works to convert the buildings and the works proposed to the trees.

5.11.2 The proposed works to the trees has been justified and the Council's Arboriculturalist is satisfied that the works will not be detrimental to any trees of particular amenity value.

5.12 Other Issues

5.12.1 There are a number of other issues that have been considered during the



assessment of the application and also as a result of issues raised during a Members briefing which took place on 14 July 2011. Such issues are covered below, including responses from the applicants, City and Country (C&C);

**5.12.2 How will car parking associated with the Guided Tours of Building 50 and Heritage Open Days be managed?**

As the site will be a residential development, it would be unfair to residents to allow unrestricted parking on the site and it is also recognised that it is important to minimise the impact on existing residents. Bomber Command Heritage has offered to assist with the running of any guided tours, or Heritage Open Days utilising their experience and “manpower”. The following measures are proposed:

- As part of any promotion for Open Days we would seek to promote sustainable forms of transport such as the use of public transport, cycling or walking, especially as the site is well located on the edge of Bicester and within walking distance of many homes.
- City and Country do however recognise that some degree of car travel is inevitable and they will therefore seek to minimise any disruption to existing residents by working with the MOD to allow parking on the Technical Site for these events.
- Depending on demand, a shuttle bus service between the site and the town centre car parks, via Bicester North train station could also be arranged.
- Supervised pedestrian crossing of Buckingham Road will be provided by Bomber Command and access to the site gained from the historic entrance, opposite the Technical site, which is being retained as pedestrian access.
- Parking for Disabled Badge Holders could be provided on site utilising the visitors’ parking spaces on these days.

**5.12.3 What are the timescales for delivery of the proposals and is there scope for use of local suppliers?**

Time is of the essence when preserving heritage assets because as each day goes by the deterioration of the asset increases and therefore the costs of restoration grow. City and Country’s intention is therefore to start on site within a month of achieving planning and listed building approval. It is their policy to utilise suitable local suppliers, contractors and direct labour wherever possible. C&C do this because it is economical and efficient as labour and suppliers will make allowances for travel time and costs but also local suppliers and labour will be able to supply a more responsive service. It will only be the most senior management that will be from City & Country’s existing out of area staff and this is important to ensure that our exacting standards in terms of quality are maintained. C&C believe that as recognised by the various guidance from English Heritage that this project will positively contribute to the local economy at a critical time in the economic cycle.

**5.12.4 The proposals look very exclusive and aimed at the elite not the local market. Is this true?**

Whilst it is C&C's aim to produce a high quality and award winning development that everyone can be proud of, it is not and never has been the intention to exclude sectors of the market. This is more relevant in the current economic climate than ever. C&C's proposals are specifically designed to reach the widest possible target audience, whilst acknowledging the inherent constraints of converting historic buildings in a sympathetic manner. In order to demonstrate the wide range of product available C&C have set out the currently anticipated prices.

*1 bedroom apartments from £135,000*

*1 bedroom houses from £150,000*

*2 bedroom apartments and houses from £185,000*

*3 bedroom apartments and houses from £245,000*

*4 bedroom houses from £400,000*

**5.12.5 Will the site be open to the public and is there a danger the site could create an antagonistic relationship between residents and existing neighbours?**

It has never been C&C intention to create a gated development, excluding the existing residents of Caversfield. The site, whilst being central to the community in Caversfield has been closed to the public for all its working life and C&C are proud to be part of the proposal to reverse this situation.

When in a special environment it is the natural reaction to respect it and look after it. C&C believe that the community of Caversfield will do the same. C&C state that they have had no such antagonism between new and neighbouring residents on any of their other schemes and they are confident that this site will be no different.

**5.12.6 Could the green areas be available for football/tennis?**

One of the key features of the site is the open campus feel with large areas of landscaping providing the sympathetic setting for the listed buildings. C&C's aspiration is for the local community to enjoy this important site and the landscape proposals are designed to significantly enhance the biodiversity of what is currently a species poor, bland environment. To introduce modern sports structures (football goals, tennis court hard-standing and fencing) that by their very nature would need to be in exposed parts of the site, would detrimentally affect the setting of the listed buildings and have a negative impact on sales values. This would only serve therefore to make it more difficult to enhance the setting and place more pressure on the viability of the scheme.

As a response to providing on site play equipment whilst still retaining the essence of the open campus feel, C&C have agreed to design and construct a "trim trail" around the perimeter of the site, which will be available for everyone of all ages to use.

**5.12.7 What will the Service Charges/Management Fee be on site?**

Whilst the direct issue is not considered to be a material consideration it is relevant to consider how such a site is going to be maintained when none of the open spaces are to be transferred to the District or Parish Council for future maintenance. C&C have provided the following response. C&C have asked their current Management Company to estimate the annual service charges and whilst these are preliminary figures they do compare with the scale of management fees at other City & Country developments. The service charges include buildings insurance, external redecoration, cleaning and maintenance of the communal

areas and windows, landscape maintenance and a sinking fund for future unforeseen expenditure. This ensures that the properties are maintained to a consistently high standard and also reduces other household expenditure ensuring that ownership on this site would compare favourably with other more standard ownership arrangements. It is clear from these figures that whilst these charges would not be excessive they also serve a very important purpose in providing the guaranteed income stream to fund the long term maintenance of the heritage assets.

*1 bed homes from £750 pa*  
*2 bed homes from £1,350 pa*  
*3 bed homes from £1,750 pa*  
*4 bed homes range from £2,750 pa*

**5.12.8 Could the decontamination bunker (building 50) be used as a village hall?**

The decontamination bunker is the most highly prized heritage asset on the site, with one of the best preserved internal layouts in existence. For this reason, C&C have agreed to preserve the building in its current state and open it up for guided tours and Heritage Open Days. C&C therefore believe that it would be inappropriate to designate the building as a Village Hall, which implies activities that could be incompatible with the preservation of this important heritage asset. However, C&C certainly see the merit in allowing the building to be used as a meeting venue for residents, local interest groups or the parish council.

**5.12.9 Concern was raised that the ATC would lose ‘their’ parade ground**

City & Country genuinely recognise the important part that the ATC plays in the life of the community of Caversfield and from the outset they have actively engaged with the ATC. C&C have an excellent relationship with the ATC and knowing the difficulties they face due to the growth in their numbers they have been allowing them the use of building 33 free of charge since they purchased the site in 2010. This arrangement will continue until they need to begin works to convert building 33 or Health & Safety considerations dictate otherwise. C&C have also agreed with the ATC that in light of the Parade Ground being included in Phase 1 of the proposals, they will work with them to provide alternative areas on site for them to rehearse and parade for as long as practical. With regard to the ATC’s aspirations to move to an alternative location we are working actively with them to assist with finding a longer term solution.

**5.13 Infrastructure provision and S106**

**5.13.1 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

**5.13.2 In relation to this application the following contributions have been requested;**

- 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

- 5.13.3 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.
- 5.13.4 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.
- 5.13.5 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.
- 5.13.6 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.
- 5.13.7 It has been demonstrated that the scheme isn't sufficiently viable to provide all the requested transportation infrastructure contributions. In the event of this scheme being approved and implemented the applicants will provide a replacement bus stop and the agree traffic calming measures along Skimmingdish Lane. However there will be no contributions towards the reduction in speed limit along the A4221, public transport or a travel plan. Therefore the proposal does not fully comply with Policy TR1 of the adopted Cherwell Local Plan.
- 5.13.8 The unique nature of the site and the limited amount of new build means that there is a significant amount of open space retained which exceeds the overall requirement set out in Policy R12 of the adopted Local Plan. However what it

does not provide is the standard requirement for children's play space. The precise locations and nature of play space is yet to be agreed but it is recognised that the nature of the site should be preserved and it is not appropriate to encourage the types of local areas of play that are often found on modern housing developments. Indicative proposals have been submitted for a 'trim trail' around the perimeter of the site. In the event of an approval the applicant's will be required, by condition, to submit a full play strategy proposal for approval. Whilst the development does not directly comply with the Council's requirements a suitable alternative can be agreed.

- 5.13.9 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, having regard to the second application it is possible to say that if all the new development was considered acceptable it could potentially improve viability resulting in some section 106 contributions but it is considered that by allowing all the development originally proposed on the second application it would adversely affect the historic asset.
- 5.13.10 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'.
- 5.13.11 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.
- 5.13.12 The scheme, as well as securing the long term future of the listed buildings and site as whole includes the provision of a small shop and café in Building 19, the old guard building as well as retaining building 50 in its current intact condition to be made available for heritage open days. The shop, being located on the edge of the site it will be accessible to future residents of the site and also to those existing residents in Caversfield. Policy S28 of the adopted Cherwell Plan encourages the favourable consideration of such proposals where it is required to serve local needs. The applicants have held public events where a number of existing residents suggested that some form local facility would be beneficial as currently residents have to travel into Bicester where the nearest shops are. Not only will this provide a local facility but it will also improve the sustainability of the village of Caversfield.

5.14 Response to Third Party Representations

5.14.1 The applicant has been very proactive in responding to the comments and concerns of the local residents. Letters of correspondence from the applicants to residents can be viewed on the public access system but some of the responses are summarised below.

- The size of the units largely reflects and is a result of the constraints of the buildings and the need to convert them in a sensitive manner
- The transport assessment actually shows that there are likely to be less traffic movements from a residential scheme than when the site was used by the MOD.
- The number of parking spaces is in line with Oxfordshire County Council's standards. A significant number of cycle parking spaces are also proposed
- The access points correspond with historic access points
- Proposed to replace existing lighting with low level bollard lighting – reducing the light pollution
- The majority of the trees along Skimmingdish Lane will remain in place, with the exception of a few trees of low ecological value that make little contribution to the site and are in such condition that sound arboricultural management requires their removal.
- The hedge along Skimmingdish Lane will be retained at 2m in height and improved whilst the chainmesh and barbed wire fence removed
- Provision of a shop/café is a result of residents feedback who commented of a lack of facilities within walking distance. Its location on edge of development means it can easily serve existing and future residents. City and Country will not permit a fast food establishment to use the premises.
- Residents will be required to pay management fee to contribute towards future maintenance of the site
- The viability of the scheme means there is no requirement for affordable housing on the site.
- Site will remain at a lower density than other modern developments
- Green space will increase by 10%
- 

6.1 Conclusion

6.1.2 This 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. However regard should be had to the second application for further new build as this application alone would not result in a viable scheme. 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 (over and above what has been considered in 11/00805/F) 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.

6.1.3 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.

<p><b>7. Recommendation</b></p> <p><b>Approval subject to;</b></p> <p><b>a) 11/00805/F also being approved</b></p> <p><b>b) A legal agreement to;</b></p> <p style="padding-left: 20px;"><b>a. Ensure that one scheme is not Implemented without the other (11/00151/F and 11/00806/F)</b></p> <p style="padding-left: 20px;"><b>b. Set out a phasing scheme for development</b></p> <p style="padding-left: 20px;"><b>c. Secure a maintenance scheme for the landscaping and upkeep of the buildings</b></p> <p><b>c) Officer's and applicant's agreeing list of plan numbers</b></p> <p><b>d) The following conditions</b></p>
<p>1) SC 1.4A Full Permission: Duration Limit (3 Years) (RC2)</p> <p>2) SC 2.0A Details of Materials and External Finishes (RC4A) (new build development)</p> <p>3) SC 2.2AA Samples of Walling Materials (RC4A) (new build development)</p> <p>4) SC 2.2BB Samples of Roofing Materials (RC4A) (new build development)</p> <p>5) SC 3.0A Submit Landscaping Scheme (RC10A)</p> <p>6) SC 3.1A Carry Out Landscaping Scheme and Replacements (RC10A)</p> <p>7) That the development hereby permitted shall be carried out in accordance with the recommendations and specifications set out in the Arboricultural Method Statement (AMS) and/or the Tree Protection Plan (TPP) submitted by Hayden's Arboricultural Consultants dated 19<sup>th</sup> October 2010 unless otherwise agreed in writing by the Local Planning Authority. (RC85A)</p> <p>8) SC 3.3AA Scheme to be submitted to protect retained trees (RC72A) (a-h)</p> <p>9) SC 3.4AA Retain Existing Hedgerow/Tree Boundary (with access) (RC11A) (North and east boundary – height of 2m)</p> <p>10) SC 3.5AA Notice of Tree Works and Major Operations (RC73A)</p> <p>11) SC 3.6A Reinforce Hedge (RC11A) (north and east boundary)</p> <p>12) SC 3.11AA Prohibited Activities (RC73A)</p> <p>13) SC 3.12A Restriction on Service Trenches Close to Trees (RC59A)</p> <p>14) SC 3.14A Site supervision (RC73A)</p> <p>15) SC 3.16 Details of services (RC58B)</p> <p>16) SC 3.7AA Submit Boundary Enclosure Details (More than one dwelling) (RC12AA)</p> <p>17) SC 4.0AB Access, Specification Proposed (...m or as plan) (RC13BB)</p> <p>18) Prior to the first use of the proposed accesses onto Skimmingdish Lane vision splays measuring 2.4 metres x 43 metres shall be provided to each side of the access. These vision splays shall not be obstructed by any object, structure, planting or other material. (RC13BB)</p> <p>19) That, before the proposed access is first used, the existing access onto Skimmingdish Lane shall be permanently stopped up by means of reinstatement of the highway verge, full face kerbing and any planting to the approval of the Local Planning Authority and in accordance with the highway authority's specifications and shall not be used by any vehicular traffic whatsoever. (RC13B)</p> <p>20) That before the proposed development is first occupied the internal pedestrian and cycle route and access/entrance onto the footway/cycleway along the A4421 is to be</p>

formed and laid in accordance with details to be submitted to and approved by the Local Planning Authority and constructed strictly in accordance with the Highway authority's specifications and that all ancillary works specified shall be undertaken. (RC13B)

- 21) SC 4.13CD Parking and Manoeuvring Area Retained (RC13BB)
- 22) SC 4.14BC Plan of Car Parking Provision (Unspecified number of spaces) (RC15AA)
- 23) SC 4.14CC Cycle Parking (RC66A)
- 24) SC 6.1AA Residential – Open Fronts (Retail open character) (RC30A)
- 25) SC 6.2AA Residential – No Extensions (RC32A)
- 26) SC 6.3A Residential – No New Windows (RC33)
- 27) SC 9.4A Carry out mitigation in ecological report (RC85A)
- 28) Prior to the commencement of development a scheme for play provision shall be submitted to and approved by the Local Planning Authority and shall be implemented in accordance with a timescale also agreed in writing with the LPA
- 29) Prior to the commencement of development the applicant shall submit to the Local Planning Authority for approval details of a scheme of acoustic insulation to the SE and SW facades of building 44/45 such that an internal noise level of 35 dB(A) can be achieved with windows closed. Additional silenced mechanical ventilation will also be required to the same rooms. The approved scheme of sound insulation shall be installed and fully operational prior to the first occupation of the dwellings.
- 30) For those dwellings falling within areas of the site identified as falling within Noise Exposure Category B the applicant shall submit to the LPA for approval details of a scheme of acoustic insulation such that an internal noise level of 35 dB(A) can be achieved with windows closed. The approved scheme of sound insulation shall be installed and fully operational prior to the first occupation of the dwellings.
- 31) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by GH Bullard and Associates, dated February 2011, reference 020/2011/3 ADDENDUM FRA and the following mitigation measures detailed within the FRA:
  1. Surface water discharge rates shall be disposed of via infiltration, in accordance with Section 2 of the FRA.
  2. The surface water drainage system shall include the use of ponds and soakaways, in accordance with Section 2 of the FRA.

**Reasons:** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to improve and protect water quality, and improve habitat and amenity.
- 32) No development approved by this planning permission shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details.
  - The scheme shall also include details of the future maintenance of the system
    - Run off from the road and car parking area could result in elevated levels of contaminants (particularly hydrocarbons), which may pose a risk to controlled waters. We require details confirming that surface water drainage from high risk areas are isolated and do not enter infiltration systems.
    - The scheme shall be designed to include the protection of groundwater quality

**Reason:** To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system. Areas of contamination may also be present at this site. Infiltration drainage



must not be located in contaminated areas.

33) No development approved by this planning permission shall take place (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** Previous activities on the site may have resulted in contamination. The site is located on a secondary aquifer (Cornbrash Limestone), there are also surface water drains marked in the close vicinity of the site, these could be controlled water receptor. A phased investigation would be required to determine the extent of any contamination present and to what extent it pose a risk to controlled waters. Any risk identified would need to be adequately resolved, this is may include site remediation.

7. Prior to occupation of any part of the permitted development , a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

**Reason:** To ensure that contamination at the site is remediated to ensure that it site does not pose a threat to controlled waters.

**Informatives**

EA

Archaeology

**CONTACT OFFICER: Caroline Roche**

**TELEPHONE NO: 01295 221816**