

Case Officer: Andrew Lewis **Ward(s):** Fringford And Heyfords

Applicant: Heyford Residential Ltd

Ward Member(s): Cllr Ian Corkin
Cllr James Macnamara
Cllr Barry Wood

Proposal: Demolition of existing bungalows and erection of 13 dwellings with associated car parking and landscaping

Committee Date: 4th August 2016 **Recommendation:** Approve

1. Application Site and Locality

- 1.1 The application site for this proposal is part of the former RAF/USAF Upper Heyford base. Located to the north side of Camp Road and accessed via Larsen Road, an area of housing set in a verdant landscape, Trenchard Circle consists of a group of 30 bungalows plus a pumping station. 16 are on an island and to be retained of which several have recently been refurbished and sold. 14 on the west and north side are proposed for demolition. The application site has been modified during the processing of the application and two of the bungalows on the island previously proposed for demolition have now been omitted and are shown retained. In total the site area now measures some 1.05 hectares.
- 1.2 To the west of the site is a recently constructed parcel of 71 houses (ref 14/01366/REM), to the north is the flying field and in particular the tanker area (identified in the Cherwell Local Plan 2011-2031 as potential for additional development under Policy Villages 5 (see policy below)), to the north east is Letchmere Farm, and to the east, beyond the bungalows are green fields.
- 1.3 The base was designated a conservation area in 2006, its primary architectural and social historic interest being its role during the Cold War. The nature of the site is defined by the historic landscape character of the distinct zones within the base. The designation also acknowledges the special architectural interest, and as a conservation area, the character of which it is desirable to preserve or enhance and provides the context and framework to ensure the setting and appearance of sections of the Cold War landscape are preserved. This application is within the Residential Zone-10C-Airmen's Housing and Bungalow as defined within the Conservation Appraisal.
- 1.4 In the appraisal, the character of the Area is described as:

"To the east of the Parade Ground is Carswell Circle (datestone 1925) short terraces of garden city style rendered buildings located originally in an open setting. The later southern second circle is a marriage of an open setting with the prevailing house design styles of the 1940s-50s. Red brick, estate house, smaller cousins to the officers' housing built on Larsen

Road. There are a number of areas covered in the prefabricated bungalows; south of Camp Road and north of Larsen Road. There is a perfunctory attempt at landscaping, but the monotony of repeated structures is unrelenting. The bungalows themselves are functional but have no architectural merit.”

- 1.5 Larsen Road to the south of Trenchard Circle is part of the residential character area 10A: Original RAF Officers’ Residential Section and is described:

“The area is characterised by the 1920s red brick buildings, in a ‘leafy suburb’ setting of grass and organised tree planting. The low-density setting of the original buildings is perpetuated in the buildings built adjacent in the 1950s.”

- 1.6 In terms of the uses on site, the military use ceased in 1994. Since 1998 Heyford has accommodated a number of uses in existing buildings, first under temporary planning permissions latterly under a permanent permission granted on appeal and subsequent applications.
- 1.7 Over the last 10 years numerous applications have been made seeking permission to either develop the whole site or large parts of it and numerous of them have gone to appeal. The most significant was application ref 08/00716/OUT. Following a major public inquiry that commenced in September 2008 the Council received the appeal decision in January 2010 that allowed “A new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08).” This permission included the flying field and the uses and development permitted upon it at the appeal have been implemented under that permission.
- 1.8 The development of the settlement and technical areas was delayed as a new masterplan was refined. The main reason for a fresh application arose from the desire of the applicant to retain more buildings on site. Apart from that, the most significant changes were a new area of open space centred on the parade ground, the retention of a large number of dwellings including 253 bungalows, and more of the heritage buildings, the demolition of which was previously consented. The retention of these buildings at their existing low density has meant the masterplan has expanded the development area west on to the sports field.
- 1.9 As a result, a new masterplan was drawn up which, whilst similar to the one considered at appeal, has been modified. The revised masterplan was submitted as part of the outline application for “Proposed new settlement for 1075 dwellings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure” and was granted permission on 22nd December 2011 (ref 10/01642/OUT).
- 1.10 The bungalows in Trenchard Circle (and the houses in Soden and Larsen Road) have a slightly different planning history in so far as they were all granted certificates of lawful use in 2008 on the basis they had been separated from the rest of the Heyford military estate and used for residential purposes for a period in excess of 10 years. The approved masterplan effectively showed this area as one where the residential use was to be carried on.

2. Description of Proposed Development

- 2.1 The application proposes the retention of the pumping station in the north east corner of the site with an improved area of hard surfacing for service vehicles and landscaping. The remainder of the bungalows on the west and north side of Trenchard Circle are demolished and replaced by substantial 5 bedroom houses each with garaging and designated off street parking for up to 4 cars. There are three house types of which 9 will be constructed in red brick and the other four rendered. They are all 2 storied with rooms in the roof space. The highway will be remodelled and a tree lined verge created.
- 2.2 During processing of the application the application has been modified, the most significant change being the removal of three houses proposed on the northern part of the island site. The two existing bungalows are now shown retained. In addition there have been changes to the design of the houses, to approve their appearance and to aid natural surveillance,
- 2.3 The application has been supported by a considerable amount of documentation including:
- Planning, Heritage and Design Statement
 - Aborigicultural Impact assessment and Protection Plan
 - Construction Specification
 - Parking Matrix
 - Habitat and Bat Survey
 - Flooding Risk and Drainage Assessment

3. Relevant Planning History

| <u>App Ref</u> | <u>Description</u> | <u>Status</u> |
|---------------------|---|---------------------------|
| 08/00716/OUT | OUTLINE application for new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08). | UNDET Appeal permitted |
| 08/01076/CLUE to | Certificate of Lawful Use Existing - Residential dwelling formerly RAF and US Air Force accommodation | PER |
| 08/01103/CLUE | 13-44 Trenchard Circle | |
| 10/01642/OUT | Outline - Proposed new settlement of 1075 dwellings including the retention and change of use of 267 existing military dwellings to residential use Class C3 and the change of use of other specified buildings, together | PER |

with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure

4. Response to Publicity

4.1 The application was publicised by way of neighbour notification letters and notices displayed on and near to the site. Comments were received from 5 local residents (on the application as originally submitted and first revision) and are summarised as follows:

- We were assured by the developer's representatives at Dorchester Living at the time we purchased our bungalow (No 34 Trenchard Circle) that all the bungalows on the inner circle would remain and be refurbished, although it was proposed that the outer circle of bungalows would be demolished and replaced with houses.
- Confusion over the description and address for the development
- If Nos. 30 and 32 are to be demolished they should be replaced with identical bungalows to maintain the historical integrity and aesthetics of the site.
- If bungalows 30 and 32 are demolished and replaced, as rumoured, with large detached houses, it will destroy our privacy and that of all the bungalows in the oval as the proposed dwellings will overlook all the rear gardens. Ours will be the most affected, also No 28, as we are directly adjacent to bungalows 30 and 32. We will also lose our light if large detached houses are built there.
- We were assured by 3 different agents of Heyford Residential Ltd trading as Dorchester Living, that all the bungalows in the oval would remain as bungalows and be refurbished.
- We bought a bungalow at Trenchard Circle having been assured by Dorchester that their "Contemporary Collection" would be a unique quaint little estate of 30 bungalows with gardens not being overlooked on. We now hear that Dorchester is planning to build 2 and 2.5 storeys townhouses on the uneven numbers side of the road as well as on the 2 end bungalows (now plot 356, 357 and 358). This is in total contradiction with their selling arguments and knowing this, we might not have purchased the property. We are prepared to accept the building of 2 storey houses on the uneven numbers side of the road but certainly not on bungalows number 30 and 32 which would be very unpleasant for the already built bungalow (no 34) who's garden would be overlooked on. This will totally denature the neighbourhood and we therefore strongly disagree with the idea.
- Trying to change the building permit without even consulting the 5 present owners does not speak in Dorchester's favour.
- The proposed properties will tower over the existing Bungalows and look ridiculously out of place, in complete juxtaposition to the existing houses.

- At no point in our sale were we made aware that there was a possibility the inner circle would not be preserved.
- The size of the new houses means that the privacy of all the existing bungalows will be destroyed. We also believe a shadow fall analysis diagram should be provided to residents living at the bottom of Trenchard Circle (34). The results of 2.5 storey housing making up part of the inner circle will result in us feeling a great sense of enclosure. We therefore strongly object to the application.

N.B. These comments have been received with regard to the initial submissions. As mentioned in the report, the plans have changed again and the two bungalows, 30 and 32 Trenchard Circle, are no longer proposed for demolition. Residents have been re-consulted and Committee will be updated if any further comments are received.

5. Response to Consultation

Parish/Town Council: The Upper Heyford Parish Council has no objection to this application.

Heyford Park Residents and Community Development Association: we object to the demolition of the 2 bungalows at the northern end of Trenchard Circle numbers 30 and 32 (inner circle). If bungalows 30 & 32 are demolished and replaced with x3 houses (356, 357 & 358 as per the plan) it will destroy the privacy of all the bungalows in the oval as the proposed dwellings will overlook all the rear gardens. The Residents Association also supports the Objection from the owners of number 34 Trenchard Circle as theirs will be the most affected, due to being adjacent to the proposed demolition and rebuild. If the 2 bungalows (30 & 32) are demolished they should be replaced with identical bungalows to maintain the historical integrity and aesthetics of the site. The Residents Association also questions the impact on the character of the area with such large houses overlooking the bungalows and questions the density replacement being exactly the same as what is being demolished. We believe the address listed in the application is also an error as 34 Trenchard Circle is already purchased. In addition a number of Residents are concerned that this will set a precedent for bungalow demolition. In the subject application it lists the requirement to retain 267 bungalows as a condition. Therefore we would like to ensure this application must not breach that limit.

Cherwell District Council:

The Planning Policy Team (on the original submission)

The former RAF Upper Heyford site is identified as a strategic site in the Adopted Cherwell Local Plan under Policy Villages 5.

Policy Villages 5 provides that the site will provide for approximately 1,600 dwellings (in addition to the 761 (net) already permitted).

Delivery of the dwellings allocated in the Local Plan Part 1 and detailed in the Local Plan housing trajectory at the former RAF Upper Heyford site is integral to the delivery of the strategy of the plan as a whole and meeting identified housing needs.

The Council has jointly commissioned, with site owners the Dorchester Group, a Development Framework Plan prepared by LDA Consultants to demonstrate how the level of growth identified within Policy Villages 5 could be delivered. This has not yet been published.

The application does not propose a net increase in the number of dwellings at the application site; 16 dwellings are to be demolished and 16 constructed.

The application site lies within the 'settlement area' encompassed by the site boundary of approved planning application 10/01642/OUT. The proposal is for redevelopment. Policy BSC 2 of the Adopted Cherwell Local Plan sets out that the Council will encourage the re-use of previously developed land.

The application site, the Trenchard Circle area, also forms part of the Former RAF Upper Heyford Conservation Area, Character Area 10c, which consists of former airmen's housing and bungalows. It is understood that the value of this area in terms of heritage assets and architectural merit is lower relative to other parts of the site and the conservation area. There are no listed buildings within the application site. Nonetheless it is important to ensure that the overall character and appearance of the Conservation Area can be preserved or enhanced.

Policy Villages 5 sets out that proposals must demonstrate that the conservation of heritage resources, landscape, restoration, enhancement of biodiversity and other environmental improvements will be achieved across the whole of the site. New development should reflect high quality design that responds to the established character of the distinct character areas. Retained features should be integrated into a high quality place that creates a satisfactory living environment. The scale and massing of new buildings should respect their context. Areas for development adjacent to the flying field will need special consideration to respect the historic significance and character.

Policy Villages 5 sets out that development should be designed to encourage walking, cycling and use of public transport rather than travel by private car, with the provision of footpaths and cycleways that link to existing networks. Improved access to public transport will be required. Layouts should enable a high degree of integration with development areas within the overall Local Plan allocation, with connectivity between new and existing communities.

Policy Villages 5 and Policy ESD 10 require a net gain in biodiversity.

Policy Villages 5 and Policy ESD 7 require the provision of sustainable drainage including SuDS.

The replacement of the bungalows on a 'one-for-one' basis results in 16 dwellings on a site of 1.18ha, a proposed building density of 14 dwellings per hectare. Policy BSC 2 of the Adopted Cherwell Local Plan states that new housing should be provided on net developable areas at a density of at least 30 dwellings per hectare unless there are justifiable planning reasons for lower density development. It should therefore be considered whether the character and appearance of this part of the site provides sufficient justification for a low density to be retained having regard to overall housing requirements.

The application proposes 2No. 4 bed houses and 14No. 5 bed houses (drawing 0521-TR-102). Policy BSC 4 of the Adopted Cherwell Local Plan seeks to secure a mix of housing that reflects the needs of an ageing population, a growth in smaller households and which meets the requirements for family housing. Paragraph B.123 states that the Strategic Housing Market Assessment for Oxfordshire advises that there is a greater need for 3 bed properties in Cherwell and that the overall mix identified is focused more towards smaller properties. The mix of housing proposed does not meet the objectives of policy BSC4.

The proposal comprises solely market dwellings with no affordable housing provided. Paragraph 8.3 of the submitted Planning, Heritage and Design Statement explains that this is a result of there being no restriction on the occupancy of the existing dwellings and no net increase in the numbers of dwellings as a result of the proposal. Policy BSC 3 requires affordable housing provision onsite (35% affordable housing on sites suitable for 11 dwellings or more (gross) outside of Banbury and Bicester) with offsite contributions only acceptable in exceptional circumstances. The proposal is not compliant with policy BSC3, or Policy Villages 5 which requires at least 30% affordable housing at this strategic site.

Policy Villages 5 requires that all development proposals will be expected to contribute as necessary towards the delivery of infrastructure provision through onsite provision or an appropriate off-site financial contribution to education, health, open space, community, transport and utilities infrastructure.

The submitted Construction Specification document states that the dwellings will achieve a water usage limit of 125 litres per person per day. Policy ESD 3 of the Adopted Cherwell Local Plan requires all new dwellings to achieve a limit of 110 litres per person per day (a higher standard of water efficiency, given that Cherwell District is in an area of water stress).

The proposed dwellings will be constructed to energy efficiency standards required by the Building Regulations. Policy ESD 3 of the Adopted Cherwell Local Plan states that the strategic sites are expected to provide contributions to carbon emissions reductions and to wider sustainability and the applicants are encouraged to consider energy efficiency performance above the Building Regulations. Policy Villages 5 requires that development at the Former RAF Upper Heyford site provides an exemplary demonstration of compliance with the requirements of Policies ESD1-5. This is particularly important in the context of this particular proposal which involves demolition. Policy ESD 3 encourages development proposals to make use of the embodied energy within buildings and re-use demolition materials wherever possible. This is also a requirement of policy Villages 5.

(No further comments were made with regard to the amended plans)

Urban Design (a summary based on the various amendments):

Provided that the loss of the bungalows and replacement with houses has been accepted in principle then these proposals are generally satisfactory.

Layout and Connections: The existing site is at the head of an existing long cul-de-sac accessed from Camp Road. Ideally there should be a street connection with the development parcel to the west of the site to achieve a better-connected and integrated development although this need was not identified in the Heyford Park masterplan.

House Types and Surveillance is now satisfactory

Street Trees: The separation distance and proposed street trees will help mediate the scale difference between the proposed houses and the bungalows. The requested tree adjacent to the side rear boundary of plot 355 has been added and additional street trees are shown as requested

Sub-Station

The sub-station at the southern end of Trenchard Circle is in a very prominent position at the termination of the view down the street. I do not agree with the applicant that this is a 'minor issue' Can this be located in a less obtrusive location? I note the addition of close-boarded fencing enclosure to the sub-station. Close-boarded fencing should not be used in such a prominent location. The additional planting will partially screen the enclosure from the north and west, the south and east elevations remain exposed. A brick walled enclosure to the sub-station would be preferable although a better quality fence may be acceptable subject to submission of details of materials and construction.

Enclosure

Enclosing plot frontages with hedges and gates helps to clearly differentiate between public and private space. Frontage boundary treatments are now shown enclosing plot divisions as requested. Pedestrian rear garden gates are now match-boarded as requested.

Although not enhancing surveillance the proposal to enhance the security of the rear garden boundaries of plots 343-345 with 2025mm high boundary walls is an improvement over the previously proposed close-boarded fence.

Pumping Station: Access to the hidden rear and sides of the pumping station are now shown enclosed and secured with close-boarded fencing as part of a fenced enclosure of the pumping station. Whilst most of the close-boarded fencing will not be visible it would be preferable if the pumping station was enclosed with brick walls and match-boarded gates.

Visitor Parking: The location of the visitor parking has been satisfactorily adjusted so that it doesn't now terminate the view down the street.

Tree Officer: Minimal tree loss and only of reasonably low quality.

Landscape Officer (on the original submission): With consideration of the landscape proposals, in reference to drawings: Detailed Planting Proposals 1 of 2 and 2 of 2 (dwg nos. 1619 A4 01C and 02C), we provide the following response.

Proposed Trees

1. The propensity to plant Tilia 'Greenspire' should be overcome with a mixture of tree species for the sake of enhanced amenity to the street for the benefit of residents, and better biosecurity (reduced risk of the spread of disease amongst trees). Recommended tree species: Corylus colurna, Acer Campestre, Ginkgo biloba, Betula pendula 'Fastigiata'.
 2. The estimated eventual size of the tree canopies for each species is to be indicated on the landscape drawings to ensure that this important design constraint has been considered.
 3. Increase the number of trees:
 4. Delete the B. p 'Fastigiata' tree south of the pumping station to reduce risk a damage to paving.
 5. Tree soil volume is to be a minimum of 15 m³ to ensure that there is enough growing media to provide a successfully established healthy tree – this is to be confirmed for each tree.
 6. With constructor's soil compaction (historic and current) tree soil amelioration strategy along with a tree soil specification is crucial to ensure the successful establishment of trees on this site. The on-site soils are supposed to be lime rich.
 7. The most current utility layout is to be considered in respect of the tree planting positions, and should be used as a base layer to the detailed planting proposals.
- The shrub planting proposals are acceptable.

Investment and Growth Team Leader

Ordinarily there would be an affordable housing requirement of 30% in this location and should this application be taken in isolation this would be the case. However after carefully considering the context of this application within the wider Heyford Park redevelopment we have come to the conclusion that in this instance there will be no requirement for additional affordable housing requirement, due to the original 16 residential units being included in the wider masterplanning of the area. This decision is based on exceptional circumstances within a wider masterplanning framework and should in no way detract from the Council's planning policy requirement for affordable housing provision on applications for gross residential development.

Oxfordshire County Council (as Highway Authority)(on original submission):

Recommendation: No objection subject to conditions

Key issues

The development is unlikely to have a significant impact on the transport network.

Vehicle tracking analysis will be required for service and emergency vehicles.

A residential Travel Information Pack will be required.

Larsen Road would need to be brought up to adoptable standard before OCC would adopt Trenchard Circle.

Further drainage information will be required.

Detailed comments

The planning application is for the replacement of 16 bungalows with 16 larger houses, and therefore represents a slight intensification of transport activity at the development site.

Section 4.1.2 of the Design and Access Statement presents a trip generation analysis comparing the existing 16 bungalows to the proposed 16 houses. No trip generation data is supplied to support the analysis; however the order of magnitude of trip generation presented appears credible. Based on this analysis the development is unlikely to have a significant impact on the transport network.

Proposed parking provision meets the standards set out in the Heyford Park Design Code. Garage dimensions meet the standards set out in the design code.

Vehicle Tracking has been provided but the refuse vehicle shown on the plan is only 9.010m in length. A 10.5m vehicle should be used, and will need to be provided in discharge of condition.

A residential travel information pack should be produced prior to occupation. This document should then be given to all first residents at the point of occupation to make them aware of the travel choices available to them from the outset.

Trenchard Circle will need to connect to the existing highway if it is to be offered for adoption. Therefore Larsen Road will need to be brought up to an adoptable standard before OCC would adopt Trenchard Circle.

Larsen Road is likely to require full depth reconstruction to bring the carriageway and footways up to an adoptable standard. OCC may accept a single footway. This reconstruction is likely to come into conflict with existing tree roots and planting.

Similarly localised areas of no-dig, due to tree roots may make sections of carriageway and footway unadoptable.

If the trees did prevent the adoption of the whole circle, then turning heads will be required.

Refuse vehicle tracking will be required to prove adoptability.

If a road has a footway, then the carriageway cannot be described, or used as a shared surface.

If the Eastern section of Trenchard Circle is to be offered for adoption then ideally it would have at least one footway. However if it is to remain a shared surface, then entrance and exit features will be required for clarity and safety.

Where there is only one footway proposed, Pedestrians exiting plots directly on to the carriageway should be provided with a direct crossing route and access on to the footway opposite. This will require additional dropped kerbs and hardstanding verge crossings.

OCC will require a 800mm adoptable maintenance strip around adoptable carriageway where there is no footway. This can be verge or hardstanding, but should not include for example the planting or gates shown around plots 356-358.

OCC will not adopt perpendicular visitor parking bays like those shown outside plot 343.

The locations of some of the proposed build outs on Trenchard Circle may encourage on-street parking directly opposite driveways.

New and existing trees within the proposed highway will attract commuted sums for future maintenance.

Tree root barriers will be required.

Street lighting will be required.

It is not clear whether the existing footpath links are to be offered for adoption and whether they will be reconstructed and lit.

Drainage:

The flood risk assessment has been updated as part of the amended documents. The drainage condition contained in this response has been updated to reflect this.

There are some questions remaining, for example about the proposed extent of the permeable paving. This is shown on the submitted drawing as largely confined to the North West corner of the site. It is unclear why this needs to be so and potentially the permeable paving could cover the entire site. This needs to be clarified or amended.

A SUDS Management Plan will be required.

Other External Consultees:

Historic England: The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Environment Agency: No objection subject to the inclusion of a condition on contamination

6. Relevant National and Local Planning Policy and Guidance

6.1 Development Plan Policies:

The Cherwell Local Plan 2011-2031 Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the Development Plan. Planning legislation requires planning decisions to be made in accordance with the Development Plan unless material planning considerations indicate otherwise. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

Cherwell Local Plan 2011 - 2031 Part 1 (CLP)

VIL5 - Former RAF Upper Heyford

ESD15 - The Character of the Built and Historic Environment

ENV10 - Development proposals likely to damage or be at risk from hazardous installations

ESD7 - Sustainable Drainage Systems (SuDS)

ESD6 - Sustainable Flood Risk Management

ESD3 - Sustainable Construction

ESD2 - Energy Hierarchy

ESD1 - Mitigating and Adapting to Climate Change

PSD1 - Presumption in Favour of Sustainable Development

BSC1 - District Wide Housing distribution

BSC3 - Affordable Housing

BSC4 - Housing Mix

BSC8 - Securing Health and Well Being

BSC9 - Public Services and Utilities

BSC10 - Open Space, Outdoor Sport & Recreation Provision

BSC11 - Local Standards of Provision - Outdoor Recreation

BSC12 - Indoor Sport, Recreation and Community Facilities

INF1 - Infrastructure

Cherwell Local Plan 1996 (Saved Policies) (CLP96)

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

C28 - Layout, design and external appearance of new development

C30 - Design of new residential development

6.2 Other Material Planning Considerations:

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

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

RAF Upper Heyford Conservation Appraisal 2006 (UHCA)

Although this site was not specifically identified for redevelopment under application 10/01642/OUT, a design code was approved in October 2013 in order to comply with Condition 8 of planning permission of 10/010642/F. This was required to “to ensure that the subsequent reserved matters applications are considered and determined by the Local Planning Authority in the context of an overall approach for the site consistent with the requirement to achieve a high quality design as set out in the Environmental Statement, the Revised Comprehensive Planning Brief for the site, and Policies UH4 of the Non Statutory Cherwell Local Plan, H2 of the Oxfordshire Structure Plan 2016 and comply with Policies CC6, CC7 and H5 of the South East Plan 2009.” So although the design code does not strictly apply to this site it has been used by the architect as a template by which to design the proposed houses and layout.

7. Appraisal

Relevant Background

- 7.1 An outline application that proposed: “A new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08).” was granted in 2010 following a major public inquiry (ref 08/00716/OUT).
- 7.2 The permission with regard to the flying field was implemented but a subsequent second application was submitted for the settlement area. That permission for a new settlement was granted in December 2011 (ref 10/01642/OUT). The permission was in outline so details of layout, scale, appearance, landscaping and access (the reserved matters) have to be submitted within a period of six years. This site is slightly different in so far as although it was shown on the approved parameter plan for residential use, it was envisaged the existing properties would be refurbished and retained. As mentioned above, 16 of the 2 and 3 bedroomed bungalows are being retained but it has been decided to demolish the other 14 and replace them with larger houses. Because of this change in process and the need for demolition of the bungalows to be approved, the applicant has submitted the details as a full application.
- 7.3 The appeal and subsequent planning decisions have already been taken into account by the Council as part of its Local Plan and the development of former RAF Upper Heyford is seen as the major single location for growth in the District away from Banbury and Bicester. This seems a feasible proposition as the outline permission is now in place. Furthermore, in the CLP, additional sites have been allocated for development in and around Heyford including south and east of the application site.
- 7.4 Extensive pre application discussions have been had on this site about the architectural form and detail of this area. As the site is located within the RAF Upper Heyford Conservation Area it is critical that the development reinforces and enhances the character of this area. Many of the residential buildings across the site were built in the early 20th century and have a character that can be best described as a simple / pared back Arts and Crafts character. Greater detail on this can be found in the Design Code although this document technically applies only to the new build development sites on the former base. However, it has been used on this site as a guide to the form and layout of the proposed housing namely to secure a more open form of development in line with the principles for the rural edge set out in the code.
- 7.5 Turning to the detail of the application, Officers’ consider the following matters to be relevant to the determination of this application:
- Planning Policy and Principle of Development;
 - Five Year Land Supply
 - Visual Impact, Heritage and the Conservation Area
 - Density, Affordable Housing and Housing Mix
 - Landscape Impact;
 - Accessibility, Highway Safety and Parking;
 - Effect on Neighbouring Amenity;
 - Ecology
 - Flood Risk and Drainage;

Planning Policy and Principle of the Development

- 7.6 Paragraph 14 of the NPPF makes it clear that there is a presumption in favour of sustainable development and that permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole. There remains a need to undertake a balancing exercise to examine any adverse impacts of a development that would significantly and demonstrably outweigh the benefits of it and also the harm that would be caused by a particular scheme in order to see whether it can be justified. In carrying out the balancing exercise it is, therefore, necessary to take into account policies in the development plan as well as those in the Framework. It is also necessary to recognise that Section 38 of the Act continues to require decisions to be made in accordance with the development plan and the Framework highlights the importance of the plan led system as a whole.
- 7.7 The Development Plan for Cherwell District comprises the saved policies in the adopted Cherwell Local Plan 1996 and the adopted Cherwell Local Plan 2011-2031. Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with applications for planning permission the local planning authority shall have regards to the provisions of the development plan in so far as is material to the application and to any material considerations. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise. This is also reflected in the National Planning Policy Framework (NPPF) at paragraph 11 which makes it clear that the starting point for decision making is the development plan.
- 7.8 Policy Villages 5 of the CLP identifies the former military base as a strategic site in the rural area for a new settlement. The land subject of this application is identified within that policy as part of a potential development area. The policy seeks to achieve a settlement of approximately 1600 dwellings in addition to those already approved. The policy also goes on to lay down specific design and place making principles including avoiding development on more sensitive and historically significant sites, retain features that are important for the character and appearance of the site, encourage biodiversity enhancement, environmentally improve areas, integrate the new and existing communities and remove structures that do not make a positive contribution to the site's special character.
- 7.9 The plans and supporting documentation demonstrate its conformity with the development plan. The significant elements are:
- The removal of buildings that do not make a positive contribution to the special character of the site
 - The environmental improvement of the locality
 - A commitment to high quality design and finishes reflective of the approved Heyford design code
 - Scale and massing of new buildings to reflect their context
 - And commitment to a scheme that will conserve the setting of the conservation area

The main issues will be discussed in more detail below but in principle the application is seen to conform with Policy Villages 5.

Five year land supply

- 7.10 The latest housing figures for Cherwell District Council have shown it has exceeded its five year land supply and can robustly defend against speculative development. The annual monitoring report for 2014/ 2015 undertook a comprehensive review of housing land supply as at December 2015. The figures showed that over three consecutive years Cherwell has continued to exceed its five year land supply due to an increase in housing construction and can now demonstrate a 5.1 year supply for 2014-2019; a 5.3 year supply for 2015-2020 and a 5.6 year supply for 2016-2021.
- 7.11 The Cherwell Local Plan outlines the preferred sites for 22,840 homes and 200 hectares of employment land between 2011-2031. Figures from the annual monitoring report showed 2,052 homes had been completed between 2011 and 2015, of which 946 were built during the 2014/2015. Of those completed over the past financial year, 44 per cent were built on previously developed land and 191 were marketed as affordable, including 22 self-build homes. It is expected that between 2015 and 2020, 9,034 new homes will be built and by 31 March 2021, 12,824 homes will have been built across the district over a ten year period. This equates to an approximate average of 1,282 homes per annum which exceeds the annual requirement of the adopted Local Plan 2011-2031 of 1,142 per annum.
- 7.12 Heyford is seen as a strategic development site by the Local Plan and was envisioned as a point of growth when the policy was drawn up. 1600 dwellings and 1500 jobs are proposed there under Policy Villages 5. This site is part of the land allocated for development in the relevant policy. In the last year 166 dwellings were constructed at Heyford making it one of the three main delivery sites for Cherwell. The Council have signed a statement of common ground with the developer and applicant committing to the expeditious implementation of the policy.

Visual Impact, Heritage and the Conservation Area

- 7.13 This application seeks approval for another phase of development for Dorchester Homes. In this case it aims to achieve this by demolition of a group of bungalows most of which are in poor condition and unlike those on the island site have not been included in the refurbishment programme. The Conservation Appraisal regards them as having fairly low significance in the Conservation Area. They were a later addition to the residential stock of the base built to American specification and are described as being of a “unrelenting design appearing as a remorseless sea of facades and roofs. The layout of the buildings does not provide for vistas or views and therefore the area appears cluttered, in contrast to the more relaxed British Military style of buildings.” The ones proposed for demolition are described as having “a perfunctory attempt at landscaping, but the monotony of repeated structures is unrelenting. The bungalows themselves are functional but have no architectural merit.” Their loss in this location is not seen as harmful to the Conservation Area but more as an environmental improvement.
- 7.14 Extensive work and discussions have been had with the developer to establish a layout and architectural vocabulary for the site which will reinforce and enhance its heritage value. In terms of house design, the Council’s Design Consultant has secured substantial revisions in the architectural styles proposed here. The architect’s use of the Design Code to employ the rural edge style reflects that already approved on phases 1, 2 and 5 south of Camp Road. The added benefit here is the type of house proposed, reflects very closely the scale, form and appearance of the Officer’s housing to the south in Larsen Road which are “characterised by the 1920s red brick buildings, in a ‘leafy suburb’ setting of grass and organised tree planting. The low-density setting of the original buildings is perpetuated in the buildings built adjacent in the 1950s.”
- 7.15 The proposed layout creates a strong frontage development to Trenchard Circle. The houses themselves reflect the arts and crafts style we have sought to achieve elsewhere at Heyford in

reflection of the nearby Larsen Road houses. They have been used elsewhere on earlier development phases where, in terms of house design, the Council's Design Officer secured an almost wholesale revision in the architectural styles proposed. Detailed negotiations took place even to the detail of barge boarding, eaves details and canopy design. As a result we now have a style whereby the housing both reinforces and enhances the character of this part of the RAF Upper Heyford Conservation area. Many of the residential buildings across the wider site were built in the early 20th century and have a character that can be best described as a simple / paired back Arts and Crafts character and this scheme suitably reflects that character as well as establishing an identity as found in the Design Code. There is a wealth of detailing in terms of chimneys, balanced fenestration, bays, gables, porticos and canopies. In line with the code materials are good quality bricks with some render as used elsewhere at Heyford. Roofs are slated. The result is semi-formal and taken together forms a harmonious blend.

- 7.16 The one point of concern to Officers from a design perspective is the proposed substation at the southern end of Trenchard Circle. Our concern is that it is quite a prominent feature in a prominent location. During the course of processing the application, the applicants have agreed to screen it and soften its appearance with landscaping. Relocating it does not seem practical having heard where the services are located in this part of Heyford. So on balance, taking into account the requirement for a substation in this general location, it is felt any harm will be limited now and is outweighed by the public benefit it provides.
- 7.17 The Officers conclude that what is proposed conforms to CLP policies Villages 5 and ESD 15 and CLP96 policies C28 and C30.

Density, Affordable Housing and Housing Mix

- 7.18 The proposed development could be seen to conflict with three policies of the adopted plan, namely BSC2 on density, BSC3 Affordable Housing and BSC4 housing mix. Taking them together but sequentially.
- 7.19 Policy BSC2 requires re-use of previously developed land with which this proposal clearly complies. But it expects development to be at a density of 30 dwellings per hectare unless there are justifiable reasons for a lower density. Taking the site area as a whole the density is indeed low about 13 dwellings per hectare. Part of the statistical reason for this is the site includes the pumping station, a substation and a disproportionate amount of highway within the red line application site.
- 7.20 The site is within a conservation area and special attention has to be paid to "the desirability of new development making a positive contribution to local character and distinctiveness." (NPPF-para 131) In this case the character of the area is set by the low density, high quality Officer's housing of Larsen Road. The proposed development is therefore reflecting that character and by not building, in this location, at a high density avoiding harm. It is therefore, in this case, compliant with the NPPF and the design and conservation policies of the Council
- 7.21 Policy BSC 3 sets out the requirement for Affordable Housing. However, Heyford has its own requirement under Policy Villages 5, 30%, which is to be secured on a site wide basis. The Council have secured through an earlier s106 agreement a strategy for the provision of Affordable Housing. Furthermore, a further agreement is being negotiated under terms being drawn up for the provision of the 1600 dwellings required under Policy Villages 5. This part of the site was not envisaged to provide affordable accommodation. The adjacent site, to the rear has 71 units of which 19 are in shared ownership and 7 affordable rented, so affordable housing is being provided in the immediate locale.

- 7.22 Policy BSC4 sets out the suggested mix of homes based on requirements of the Strategic Market Housing Assessment for Oxfordshire (SHMA 2014). Again, this site is one more phase of development of a much bigger development site. The Council are securing a much greater proportion of smaller units elsewhere on Heyford. Indeed, the adjacent retained bungalows are 2 or 3 bed roomed and the development site to the rear provides 71 units all of which are 2 or 3 bed roomed so overall there is an acceptable balance and mix in the wider but surrounding area.

Landscape Impact

- 7.23 The landscape setting is an important part of the existing character of the area. Larsen Road is lined with verges and mature trees. This character was not extended into Trenchard Circle by the base architects and there are a limited amount of existing trees and shrubs. The intention is to create a tree lined verge and plant small groups of trees in strategic positions. Hedging is also proposed as part of the landscaping scheme to help define plots. The applicant has set up a management company responsible for maintenance of the landscaping at Heyford Park. This keeps control of some of the hedging and trees in the public domain. It is concluded that what is provided is therefore an environmental enhancement in compliance with Policy Villages 5.

Traffic, Access and Parking

- 7.24 The existing access to Camp Road via Larsen Road from Trenchard Circle is maintained. Indeed the existing road layout is maintained. The Highway Authority have raised concerns if the applicant wishes the road network to be adopted but confirms that the level of traffic generated will not adversely affect the highway network or highway safety.
- 7.25 The layout and level of parking has been revised. Provision now reflects the standard set out in the Design Code. The larger houses have double garages and 2 parking spaces. Visitor parking is available on street and at the junction with Larsen Road.
- 7.26 The nature of this part of the base means it is not possible to create connectivity required by Policy Villages 5 for vehicular traffic. There are however, routes through Larsen Road that can be used by pedestrians and cyclists

Effect on Neighbouring Amenity;

- 7.27 Prior to the scheme being amended the Officers were concerned that some of the bungalows, 28 and 34 in particular, would suffer overlooking and loss of privacy from the rear outlook of three houses on the north end of the island. The change of the development site area and the omission of the 3 houses mean this is no longer the case.
- 7.28 The distance between the front elevation of the houses and bungalows is never less than 20 metres and the back to back distances between the proposed houses and those under construction to the rear is never less than 30 metres. This degree of separation is above the normal guidelines in addition to which landscaping is proposed to further reduce the physical impact of the new buildings.
- 7.29 There is no adverse impact caused by overshadowing or loss of light because of orientation of the new buildings, their juxtaposition to surrounding dwellings and the degree of separation.

Ecology

- 7.30 The NPPF – Conserving and Enhancing the Natural Environment, requires at paragraph 109, that, ‘the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the overall decline in biodiversity, including establishing coherent ecological works that are more resilient to current and future pressures.
- 7.31 Section 40 of the Natural Environment and Communities Act 2006 (NERC 2006) states that every public authority must in exercising its functions, have regard to the purpose of conserving (including restoring/enhancing) biodiversity and: ‘local Planning Authorities must also have regard to the requirements of the EC Habitats Directive when determining an application where European Protected Species are affected, as prescribed in Regulation 9(5) of the Conservation Regulations 2010, which states that a ‘competent authority’ in exercising their functions, must have regard to the requirement of the Habitats Directive within the whole territory of the Member States to prohibit the deterioration or destruction of their breeding sites or resting places’.
- 7.32 Under Regulation 41 of the conservation Regulations 2010 it is a criminal offence to damage or destroy a breeding site or resting place, but under Regulation 53 of the Conservation Regulations 2010, licenses from Natural England for certain purposes can be granted to allow otherwise unlawful activities to proceed when offences are likely to be committed, but only if 3 strict derogation tests are met:-
1. is the development needed for public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature (development)
 2. there is a satisfactory alternative
 3. is there adequate mitigation being provided to maintain the favourable conservation status of the population of the species
- 7.33 Therefore where planning permission is required and protected species are likely to be found present at the site, or surrounding area, Regulation 53 of the Conservation of Habitats and Species Regulations 2010 provides that Local Planning Authorities must have regard to the requirements of the Habitats Directive as far as they may be affected by the exercise of those functions and also the derogation requirements might be met.
- 7.34 The application is accompanied by an Ecological Survey. Although newts exist in the vicinity of the site none were found upon it. No bats were found in the latest survey. If permission was granted further survey work would be required. The Council’s ecologist accepts the report’s findings and welcomes the mitigation package submitted as part of the application that would see provision of bird and bat boxes through the site and hedgehog fencing holes. Further survey work is suggested as other measures to enhance wildlife.

Flooding and Drainage

- 7.35 The site lies within Flood Zone 1 (low risk). A Flood risk assessment has nevertheless been undertaken by the applicants. As the site is in Zone 1 redevelopment of the site for residential development is not precluded. Surface water discharge from the site can be discharged to a new drainage system that can be suds compliant. OCC, the local flood risk authority, will need to see the results of any site soil infiltration investigations and the method of surface water drainage being utilised as a result of further investigations which would need to be conditioned. A separate foul drainage system is proposed Neither the Environment Agency nor TWU have any in principle objections. The EA suggests a condition is imposed on contamination.

Engagement

7.36 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application and the pre-application engagement that preceded it. It does need to be recorded that the applicant has followed our normal procedures and protocols and engaged in pre-application discussions.

8. Conclusion

8.1 It is considered this scheme will now form an area of a distinct character reflecting the design and density of the adjacent site. The houses have a variety of designs reflecting the arts and crafts style and military style seen elsewhere and reflecting the character of Heyford. Taken together they form an appropriate form of development. They provide a decent standard of amenity inside and outside the property. It is recommended that planning permission is granted

9. Recommendation

Approval, subject to the following conditions:

1 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following documents: Application forms , Planning, Heritage and Design Statement, Arboricultural Impact assessment and Protection Plan, Construction Specification, Parking Matrix, Habitat and Bat Survey and Flooding Risk and Drainage Assessment, and drawings numbered:

| | |
|------------------------------------|---------------------|
| Location Plan | 0521 TR 101 |
| External Works Layout | 0521 TR 104-Rev G |
| Planning Layout | 0521 TR Rev H |
| Adoption Plan | 0521 TR 107 Rev G |
| Tracking Layout 1 of 2 | 0521 TR 105 Rev F |
| Tracking Layout 2 of 2 | 0521 TR 105 Rev B |
| Materials Layout | 0521 TR 108 Rev H |
| Refuse Plan | 0521 TR 111 Ref F |
| Detailed Planting Proposals 1 of 2 | 1619 A4 13 |
| Detailed Planting Proposals 2 of 2 | 1619 A4 21 |
| Housetype booklet | 0521 TR HTB Issue 8 |

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

2 The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 No materials other than those as shown on plan No. 0521 TR 108 Rev H are to be used in the new development. There shall be no variation of these materials without the prior written consent of the Local Planning Authority. The development shall be carried out in accordance

with the approved schedule.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 5 That all enclosures along all boundaries of the site shall be as shown on the approved plans and such means of enclosure shall be erected prior to the occupation of any dwelling.

Reason - To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policies C28 and C30 of the adopted Cherwell Local Plan.

- 6 Prior to the first occupation of any of the dwellings hereby approved, all of the estate roads, footpaths (except for the final surfacing thereof) and parking shall be laid out, constructed, lit and drained in accordance with Oxfordshire County Council's 'Conditions and Specifications for the Construction of Roads' and its subsequent amendments.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

- 7 Prior to first occupation of any dwelling hereby approved, a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

- 8 Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and pantechnicon turning within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

- 9 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Version 4. Woods Hardwick, April 2016), and the following mitigation measures detailed within the FRA.

- o Limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the developed site and not increase the risk of flooding off-site.
- o Permeable Paving extent to be approved by LPA (para 2.5 of FRA).
- o The attenuation tanks and filter drains as shown on drawing No.HEYF-5-903 D.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. The drainage scheme shall also include for the maintenance and management of SUDS features to be presented in the form of a Site SUDS Management Plan.

Reason - To protect the development and its occupants from the increased risk of flooding and in order to comply with Government guidance contained within the National Planning Policy Framework.

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 11 Prior to the first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

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

PLANNING NOTES

- 1 The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for any highway works under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

- 2 In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National

Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report. Since submission the details have been revised several times as part of a positive engagement between applicant and Local Planning Authority. Layouts have been modified to reflect character, comply with the design code and to create space for more trees and to create an opportunity for more street planting on the main tertiary road. The layout and design closely follows the Design Codes and advice has been given on the plans and house types following formal written pre application advice. On the back of these comments the design has evolved and a number of changes have been made.

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