

**CONSULTATION WITH OXFORDSHIRE COUNTY COUNCIL
AS STRUCTURE PLAN AUTHORITY**

Report to the Head of Sustainable Development

**NEW SETTLEMENT OF 1,075 DWELLINGS WITH ASSOCIATED FACILITIES ,
HEYFORD PARK, FORMER RAF UPPER HEYFORD**

Application No: 07/02291/OUT

District Council:
Cherwell District Council

Applicant:
North Oxfordshire Consortium (NOC)

Development Proposed (site area 505ha)

1. NOC have submitted an outline application for 1,075 dwellings, together with associated works and facilities including employment uses, community uses, a school, playing fields and other physical and social infrastructure. A breakdown of the proposed uses and development within the new settlement area and on the wider airfield is set out in annex 1 to this report. The application is accompanied by an illustrative Masterplan; all details are reserved for subsequent approval.

Location (see plan attached)

2. Former RAF Upper Heyford air base (known as Heyford Park), 4.5 miles north west of Bicester and about 2 miles from Lower Heyford station

Site Features Relevant to Structure Plan

3. The former airbase is on an exposed plateau above the Cherwell Valley and is served by a rural road network. The site contains a large number of former military buildings and associated runways and hardstandings within the technical area and on the airfield north of Camp road. To the south of Camp Road lies the main residential housing area, former supermarket, school, petrol station, gymnasium, hospital and recreation facilities.

Planning Policies Affecting Proposal

4. (a) Strategic Policy Area: remainder of Cherwell
- (b) Structure Plan Policies (copies available in full on request):
G1, G2, G3, G6, T1, T2, T3, T5, T8, EN1, EN2, EN4, EN6, EN9, EN10, E1, E3, E4, E5, E6, H1, H2, H3, H4 and R2. For ease of reference, policy H2 is reproduced in full in annex 2 to this report
- (c) Saved policies from the adopted Cherwell Local Plan 1996: no relevant site-specific policy
- (d) Non-Statutory Cherwell Local Plan 2011 (NSCLP): policies UH1-3 allow for permission to be granted for proposals for a new settlement provided that they meet a number of criteria, include a scheme for landscaping and environmental improvement across the whole of the

former airbase and would not have unacceptable impacts. Policy UH 4 sets out the approach which should be taken in principle to the design of

the new settlement .

(e) Adopted Revised Comprehensive Planning Brief (RCPB) - Supplementary Planning Document to Structure Plan policy H2 - sets out the following principles to guide a future planning application:

(i) Location and extent: the new settlement should be located in the existing technical core and residential areas and not provide for further growth.

(ii) Settlement components: a mix of dwellings, sizes and tenures, a neighbourhood centre including a primary school, retail, community hall, social and healthcare facilities. A range of employment opportunities to meet the needs of residents: the number should remain in balance with the economically active resident population.

(iii) Transport: measures required to encourage cycling, walking and use of public transport and to minimise the impact of traffic on the local road network.

(iv) Sustainability: design of settlement and buildings should follow best practice and allow for the introduction of sustainable technologies.

(v) Future management: a management plan will be required.

(vi) Environmental improvements: the removal or remediation of contamination sources, including the petrol oil lubricant (POL) system; enhancement and extension of ecological interest; removal or scarification of parts of the runways and hardstandings; removal of the security fencing apart from where it contributes to the setting of a scheduled ancient monument; demolition of buildings of lesser historic value where this would preserve or enhance the character and appearance of the area.

(vii) Public access: various on and off site improvements are required. Proposals should include a small museum facility.

(viii) Conservation of heritage assets: proposals should protect the core area of historic significance; buildings of international and national significance should be retained and sufficient can be put to low key storage use to fund the management of the site; unlisted buildings of national significance should be retained and monumentalised with the exception of buildings in the northwest of the airfield which should be demolished; ancillary buildings of lesser significance should be demolished.

(ix) Satisfactory living environment: proposals should ensure a satisfactory interface between the flying field and the settlement; various unlisted and ancillary buildings should be demolished.

(x) Future of the wider airfield: for transport sustainability reasons the predominant employment location is to be in the settlement area rather than the wider airfield; no uses on wider airfield involving external storage or activity due to impact on conservation area and other impacts; restraint of employment activity but as a secondary location for employment, sufficient re-use for low-key employment use of those buildings to be retained for their historic significance would be considered in order to fund conservation of heritage and ecological interest; personal and temporary consents may be given to uses beyond the settlement area subject to a legal agreement to reduce their extent/use within an agreed timescale linked to the grant of a permanent consent; monumentalisation (no use) of other buildings retained for heritage interest.

(f) Draft SE Plan: the site lies outside of the Central Oxfordshire sub-region in the Rest of Oxfordshire.

Planning History/Background

5. Relevant history is set out in annex 2 to this report.
6. The application is accompanied by a large number of documents providing supporting information, copies of which are available for inspection within the directorate. These include:
 - a) Supporting letter: NOC consider that the application complies with Structure Plan guidance and the thrust of the RCPB; the main differences relate to the proposed use of retained buildings outside the settlement area. NOC say that numerous businesses have established themselves on the flying field under temporary consents and now wish to continue operating from their existing buildings. The application incorporates these buildings as NOC seek to retain the jobs as part of the “lasting arrangement” for the base. Neither the application or management plan proposes monumentalisation of any buildings nor does NOC provide any viability justification for the occupation of such buildings. In promoting employment development on the flying field, NOC say they have taken full account of English Heritage’s views and would expect occupation of buildings to be subject to conditions and control through the management plan. NOC have submitted draft obligations/heads of terms for a s106 agreement and should negotiations fail, they reserve the right to submit a unilateral undertaking.
 - b) Planning Statement: this sets out how the applicants consider the proposals meet the approach in policy H2. NOC argue that the balance of the objectives in the policy has been changed by the designation of the base as a conservation area to give more weight to the protection of historic and cultural assets and reducing the opportunities for visual improvements. They say that the proposed development is not “enabling development” as defined by English Heritage. NOC consider their approach to the reuse of buildings for employment to be in accordance with advice in PPG15 (Planning and the Historic Environment) which notes that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. NOC explain that

there are about 900 existing jobs on the site. Although they say it is difficult to predict job generation, they anticipate a rise to about 1,500 jobs on the airfield and within the new settlement under their proposals. NOC consider the approach in the RCPB limiting employment growth to 1300 jobs and focussing it within the settlement is inappropriate.

- c) Employment Statement prepared by Roger Tym & Associates: this explains that the proposals would generate some 1,449 jobs in B-space and 183 non B-space jobs but argue a 6% vacancy rate would apply at anyone time. The statement concludes that (i) in regional terms the site, being outside the Central Oxfordshire sub-region, offers the chance to retain uses other than those focused on a knowledge based economy; (ii) in Structure Plan terms, the site could provide for local firms and is a location suitable for employment and land extensive uses eg B8; (iii) in relation to the RCPB, the site should provide for a range of employment to meet the needs of the "local area" defined as including Caversfield, Chesterton and Ambrosden wards (adjacent to Bicester) and to reduce out-commuting.
- d) Environmental Statement: this concludes that there are no overriding environmental constraints or planning policies which would preclude the proposed development. Where necessary, mitigation measures would ensure that the environment is properly protected and any adverse impacts from the development would be minimised.
- e) Transport Assessment: this concludes that the impact of the proposed development would be minimal and with the implementation of the following proposed measures there would be no transport related reasons why permission should not be granted. Those identified measures are (i) enhancement of existing bus services (ii) an HGV routeing agreement (iii) minor improvements to Middleton Stoney crossroads (iv) minor improvements to M40 junction 10 (v) travel plan. The developers also propose, following public consultation events, to consider village traffic calming.
- f) Base Management Plan: this sets out NOC's proposals for the long term management and conservation of the site, including ecological management, public access arrangements and the functions of the proposed heritage centre, taking account of historical and ecological interest. It proposes (i) a Management Company to oversee the day to day running of the airfield and commercial area, including activities related to County functions eg ecology and rights of way and (ii) a Liaison Group comprising representatives from various interests (including from the County Council); this group would make recommendations to the Management Company on the protection of retained buildings and ecological enhancement.
- g) Draft s106 Heads of Terms: NOC propose the following obligations should be contained within a s106 agreement which would be attached to an outline planning permission:
 - (i) 30% affordable housing
 - (ii) provision of a 2 form entry primary school with foundation class on site and contribution to secondary school provision in Bicester and special educational needs
 - (iii) contributions to public transport and the enhancement of off-site

rights of way

(iv) contributions to improved library facilities in Bicester and, if necessary, to social and healthcare facilities (upgrading daycare facilities in Bicester)

(v) provision of waste management facilities plus contributions to waste disposal sites and recycling initiatives

(vi) procurement of a museum/record centre offering visitor tours

(vii) provision of sports, community and play facilities, funding of public art and provision to offer a range of retail services.

(viii) management of the flying field through the operation of a Management Plan

- h) Other supporting documents include a Sustainability Statement, a Design and Access Statement, Waste Minimisation Statement, demolition schedule and plan, change of use schedule and plan and a Flood Risk Assessment.

7. The application does not include the removal of the POL system.
8. The application is accompanied by a series of separate Conservation Area Consent applications for the demolition of existing buildings, structures and stretches of security fencing as part of the lasting arrangement of the new settlement on which the Council as Structure Plan authority has made no comment and which the District are dealing with under delegated powers.
9. Local members have been informed of the consultation on the application but have not raised any issues relating to the application ahead of this report.
10. The application is expected to be considered by Cherwell's Southern Area Planning Committee on 28 February 2008.

Comments:

11. The principle of a new settlement of about 1,000 dwellings and necessary supporting infrastructure on land at former RAF Upper Heyford as a means of enabling environmental improvements and conservation of the site's heritage interest has been established through site-specific Structure Plan policy H2 (reproduced in full in annex 2). This requires that the proposals reflect the RCPB adopted by the District Council and demonstrate how the policy objectives of Structure Plan policy H2 would be achieved. It also requires the proposals to be designed to minimise travel by private car and provide measures to minimise traffic impacts on the surrounding road network. This report assesses to what extent the application meets the requirements of policy H2 and other relevant Structure Plan policies.

12. **Scale of the residential development:** the application is for 1075 dwellings. Policy H2 places a limit of "about 1000 dwellings" on the scale of the enabling residential development. The proposed additional 75 dwellings lie within 10% of 1000 dwellings and is not strategically significant. I therefore consider the proposed development would be in general conformity with the policy H2 in this respect.

13. The application provides for various **dwelling types and sizes**; however, some specific provision for older people in the form of extra care housing should be required to ensure that the development meets the needs of all sections of the community in line with Structure Plan policy H3 and this Council's emerging Extra Care Housing strategy. The application proposes 30% **affordable housing**; to be

fully in accordance with Structure Plan policy H4 in meeting local need, an element of this should be extra care housing.

14. Sustainable construction: there is little information on how the development would incorporate best practice in energy efficiency and resource conservation. If permitted the development should achieve a minimum of BREEAM standard “very good” and preferably “excellent” (or the equivalent in the Code for Sustainable Development) in line with Structure Plan policy G6.

15. Employment Uses: There are a number of concerns which suggest that the application could result in inappropriate employment development, contrary to policy H2 and which could prejudice the success of Structure Plan and regional policy objectives for Bicester as a focus for employment growth:

- a) The application proposes the retention and reuse for employment of a wider range of buildings and hardstandings on the airfield (beyond the new settlement) than proposed by the RCPB to allow for existing businesses in temporary accommodation to continue in operation. This Council has consistently argued that the issue of temporary permissions for employment should not prejudice the implementation of the RCPB. The permanent spread of employment uses across the wider airfield contrary to the RCPB raises transport sustainability issues; employees and visitors to businesses would be dependent for access on private motorised transport as the airfield cannot be served adequately by public transport and many buildings are beyond walking distance from the settlement and bus routes. The traffic impact of the proposed employment uses on the local (and strategic) road network has yet to be fully assessed; there are concerns that the proposals are contrary to Structure Plan policies G1, G2, T1, T8 and E1. Given that the new settlement is a means of enabling environmental improvements and the conservation of heritage interests, the applicants should provide financial justification for the reuse of buildings/hardstandings beyond that envisaged in the RCPB.
- b) The application includes proposals for use of an area of 17ha for car storage activities on the flying field; this would be contrary to the RCPB which provides for limited car storage to continue as part of a wider operation on an area of 7ha within the new settlement area only and provides transitional arrangements to allow the company to reduce and relocate its operations. (For information, a potential alternative site for the element of car storage use which it is not essential to locate adjacent to company headquarters at Upper Heyford exists in Cherwell. Shipton-on-Cherwell quarry has an extant permission for 22ha hardstanding for car storage for 10 years and the County Council resolved earlier this month to grant permission, subject to a s106 agreement, for comprehensive redevelopment of the quarry which includes the temporary change of use for 16.3ha for car storage and a Pre Delivery Inspection building). If the District is minded to approve the application, permission should be subject to a mechanism to ensure that the car storage area does not revert to alternative employment (or other) use in the event that car storage operations cease.
- c) Upper Heyford is an unsustainable rural location, unsuitable for a major employment centre. However to give residents of the new settlement the chance to work close to home, the RCPB allows for employment uses

but requires a balance between the numbers of jobs on the site and the number of economically active residents with about 1,300 jobs for 1,000 dwellings. This approach is in line with Structure Plan policy E1 which requires that employment development should not be of a scale which would give rise to large increases in out-commuting. It would be reasonable to apply a pro rata increase to the RCPB figures to achieve a balance of 1,398 jobs for the number of economically active residents in 1,075 dwellings. The applicants say that their proposals would generate about 1,500 jobs ie about 100 over the figure needed to achieve a balance. On its own, an additional 100 jobs may not be significant. However, the job generation figures provided by NOC seem to show some inconsistencies between the various supporting documents and may be an underestimate for the amount and type of employment floorspace proposed. I am also concerned that there would be no effective control of future job generation on the wider airfield should the existing low key businesses be gradually replaced with more labour intensive uses. Over time, the proposals are unlikely to achieve and/or maintain a jobs/residents balance which in turn would be likely to result in out-commuting to Upper Heyford from elsewhere in Oxfordshire eg Bicester, mainly by private car, contrary to policies G1, G2, E1 and E3 and give rise to pressure for further housing growth at the new settlement. If the District Council is minded to permit the application, it should consider the imposition of personal occupancy conditions on the reuse of those buildings on the wider airfield where it is considered important to allow existing temporary businesses to remain in their existing premises to fund the management of the base.

- d) The accompanying Employment Statement argues that the proposed development of Upper Heyford as an employment location would bring benefits to the "local area" in terms of providing a number and range of jobs to meet the skills of the local population and to reduce out-commuting from the local area, including to Bicester. However the applicant's definition of the "local area" includes wards immediately within Bicester's sphere of influence as an employment centre (Caversfield, Chesterton and Ambrosden), which have within them a large amount of relatively unskilled MOD employment and which are being considered through the LDF process as areas of search for the expansion of Bicester to accommodate SE Plan housing and employment-growth. This distortion of the "local area" undermines the local employment benefits argued by the applicant.
- e) Employment development at Upper Heyford on a scale larger than that required to support the new settlement would compete with Bicester - a preferred location for growth under the Structure Plan general strategy and the draft SE Plan - to attract investment in employment generating uses. As such, I have concerns that the proposals could prejudice the strategic objectives of Structure Plan policies G1, E1 and E3 and policies CO1 and CO5 for Central Oxfordshire in the draft SE Plan.

16. Environmental improvements:

- a) Policy H2 requires that the development reflects the RCPB and demonstrates landscape restoration, enhancement of bio-diversity and other environmental improvements across the whole of the base. The RCPB sets out which buildings should be removed within the settlement and on the airfield as part

of the required environmental improvements. The application is accompanied by Conservation Area Consent applications for the limited demolition of buildings and structures but under the main application a number of buildings and structures of little historic importance are proposed for retention with “nil use”, contrary to the RCPB. The application proposes to retain fencing around the employment areas on the airfield for security purposes, thus restricting public access to more limited areas than envisaged the RCPB. There is limited information on landscaping improvements proposed within the new settlement and on the airfield. Also, contrary to the RCPB, the application specifically excludes the removal of the POL system which is a major potential source of contamination - if minded to permit the proposals, the district council would need to be satisfied that its treatment ensures that it poses no risk. I also have concerns about the impacts of the proposed car storage activities (scale of activity, noise, lighting and visual impacts) on the living environment of residents of the new settlement and the wider area. The District Council is best placed to assess the likely impacts of the proposals on the character of the Conservation Area and their compatibility with policy H2 objectives for environmental improvements. In conclusion, the proposals would not provide the range and scale of environmental improvements set out in the RCPB and would therefore fail to meet the enabling objectives of policy H2.

- b) **Ecology:** The County Ecologist has provided detailed comments separately to the district council on the ecological impact of the proposals and the range of mitigating measures put forward in the application. In brief, he argues that more information is required in relation to measures to expand bio-diversity eg scarification and treatment of the runways to extend the County Wildlife Site at the east end of the flying field; the developer should provide this detail in an Ecological Construction Method Statement. The provision of a Conservation Management Plan is welcomed but the current submitted document is not considered sufficiently robust to deliver the main biodiversity aims and objectives for the site, in line with policies H2 and EN2. There is a need for a Wildlife Management Plan as part of a suite of management plans to provide a comprehensive, integrated plan for the whole site. There is a need for a single management committee rather than a separate Management Company Board and Liaison Group to oversee the implementation of a comprehensive management plan. Funding for the implementation of an agreed Base Management Plan should be secured through the s106 agreement.
- c) The **Rights of Way** team have raised a number of issues relating to the provision and treatment of on and off site public rights of way which are being dealt with under the response of the County as Highway Authority. The application includes the restoration of Aves Ditch and Portway as footpaths; the County Council would object to the application if these routes are not to be dedicated as bridleways (under the Highways Act 1980) in line with the County Rights of Way Improvement Plan and policy R2.
- d) The **County Archaeologist** raises no objection to the proposals provided that any planning permission is subject to a condition requiring the implementation of an approved staged programme of archaeological work in accordance with policy EN6, PPG16 and the Local Plan.

Overall, the scale and range of the proposed environmental improvements appears limited and there are deficiencies in the Base Management Plan; the application

would fail to deliver the vision for the site as set out in the RCPB and as such does not comply with policy H2.

17. Conservation of heritage interest: the Structure Plan requires a balance to be struck between the enabling objectives of policy H2 ie between the achievement of environmental improvements and the conservation of heritage resources; an appropriate balance is set out in the adopted RCPB. The applicants place less emphasis on environmental improvements and more emphasis on conserving airbase features than the RCPB. The application proposes the retention of buildings identified for retention in the RCPB but it also retains other buildings and structures not considered worthy of retention and it proposes a large amount of employment use to support the maintenance of the base without justification, contrary to the RCPB and policy H2. As the new settlement, including the proposed employment development, is “enabling development” the applicants should produce the financial justification for the amount of employment use in their proposals.

18. Transport: the comments of the Council as Highway Authority are being dealt with separately in the normal way. An initial analysis has been provided to the District; this identifies a large number of deficiencies, points for clarification/ inconsistencies in the Transport Assessment and other supporting documents which require further information from the applicant to enable a proper assessment of the proposals and the identification of the full range of necessary mitigating measures. On the basis of current information, a holding objection is being submitted on the grounds that the proposals are contrary to policy T8. If the District is minded to permit the development, planning permission should be subject to legal agreements to secure necessary improvements to on and off site transport measures including highway works, traffic calming measures, contributions to BicITLUS, improvements to public transport (bus services and the Bicester- Oxford rail service), improvements to on and off site rights of way (including the canal towpath), the implementation of an agreed Travel Plan and an HGV routeing agreement.

19. Adequacy of the non-transport s.106 package: the applicant has put forward draft Heads of Terms for the s.106 agreement to mitigate the impacts of the proposed development. At this stage there is no agreement on the full range of items which will need to be included or on the overall scale of the package; this is expected to be the subject of ongoing assessment and detailed negotiation with the applicant. In the meantime, there are some concerns in relation to the non-transport aspects of the proposed package:

- a) Assessment of the impact of the new residential development on the demand for County Council services and facilities must be based on the gross impact of the residents of 1075 dwellings and not the net additional dwellings to those with temporary permission as proposed by the applicant for assessing educational impacts. When the temporary permissions were issued for the re-occupation of the existing dwellings, there was no appropriate and suitable supporting infrastructure on the base. Temporary off site primary educational arrangements were made to provide school places for resident pupils and these cannot form part of the lasting arrangement for the base.
- b) Proposed school site: the application does not provide sufficient information relating to contaminants and proposed mitigating measures relating to the site identified on the Masterplan for a new primary school and therefore County Property officers are not satisfied that an acceptable school site would be provided.

- c) The Environmental Statement does not assess the impact of the proposals on the ability of the Fire and Rescue Service to meet adopted response times or provide for mitigating measures. The site lies outside the areas where the adopted response times would be expected to be met. The need for mitigation measures will be reassessed when further information is received.
- d) An assessment of the full impacts of the proposed development on all County Council services has yet to be completed. There may be a number of requirements which will need to be added to the draft heads of terms; these include (but are not limited to) eg contributions to adult learning facilities and day care provisions for the elderly at Bicester. At the time of writing this report developer funding team officers are not satisfied that all supporting infrastructure necessary to mitigate the impact of the development would be secured in accordance with policies G3 and H2.
- e) The County Council would wish the management of the base to be in the hands of a single management company as detailed in para 16 b above.

RECOMMENDATIONS:

20. It is RECOMMENDED that the County Council as Structure Plan authority informs Cherwell District Council that:

a) on the basis of current information, it objects to the development proposed in application no: 07/ 02291/OUT on the grounds that:

- I. the proposed development would be likely to generate inappropriate employment opportunities in terms of scale, type and location across the site outside the settlement area, contrary to the Revised Comprehensive Planning Brief (RCPB) and Structure Plan policies G1, G2, E1, E3 and H2, and which could prejudice the achievement of the strategic policy objectives for Bicester in the Structure Plan and draft SE Plan strategy for Central Oxfordshire;
- II. the proposed development would be likely to have adverse transport impacts, contrary to principles of sustainability in policies G1, G2, T1,T2,T5, T8, H2 and R2;
- III. the proposals and the accompanying Base Management Plan, together with the proposed mechanisms for the future management and maintenance of facilities would fail to deliver and maintain the scale of environmental improvements required by the RCPB and Structure Plan policies G1, EN2, H2 and R2;
- IV. The County Council is not confident that the range of transport and non-transport items listed in the applicants draft heads of terms and the scale of the overall package would be sufficient to mitigate the full impacts of the development and achieve a satisfactory living environment for the residents in accordance with Structure Plan policies G3 and H2;

b) if the District Council is minded to approve the application, it should be satisfied that the scale of employment is justified enabling development and planning permission should be subject to:

- I. personal occupancy conditions on the use of retained buildings and land on

the airfield for employment purposes where permission is to accommodate an existing businesses operating under temporary permissions;

- II. legal agreements to secure a satisfactory package of necessary improvements to highway and transport infrastructure, services and facilities, an HGV routeing agreement and the implementation of a robust Travel Plan to mitigate the impact of the development in line with Structure Plan policies G3 and H2;
- III. funding for the implementation of an agreed Base Management Plan overseen by a single Management Committee to deliver the bio-diversity objectives and other environmental improvements to the site;
- IV. measures to identify how a minimum of "very good" Ecohomes rating would be met and monitored.

Date:
25 January 2008:

Dealt with by:
Linda Currie

File no:
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