

Planning and Building Control
Cherwell District Council
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Date: 10 November 2020
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FAO Andrew Lewis

Dear Sirs

Development at Former RAF Upper Heyford – Phase 9

As you will be aware planning permission was granted for the development of land known as 'Phase 9' at the Former RAF Upper Heyford on 7 April 2020 following completion of an agreement pursuant to section 106 of the Town and Country Planning Act 1990 on 6 April 2020 ('the Phase 9 Agreement').

Pursuant to the Fourth Schedule of the Phase 9 Agreement, the Owner is prevented from causing or permitting the Occupation of any more than 200 Dwellings comprising the Development at Phase 9 unless and until it has secured both the Heritage Land and the Strategic Ecology Land. These areas are to comprise 20 hectares and 10 hectares for a heritage project and habitat improvements respectively, for schemes which are to be delivered on land at Heyford Park (as defined in the Phase 9 Agreement) in connection with the 'Allocation', being land allocated for a mixed use development pursuant to Policy Villages 5: Former RAF Upper Heyford in the Cherwell Local Plan 2011-2031 Part 1 adopted 20 July 2015.

An application reference 18/00825/HYBRID is currently with the Council for determination for demolition, outline planning permission and changes and continuations of use of the land allocated pursuant to Policy Villages 5. This application was reported to the Council's planning committee on 5 November and secured a resolution to grant permission subject to conditions and the prior completion of a section 106 agreement.

The current application includes a number of proposals that comprise heritage projects as set out in the officer report to committee and which will be secured through the grant of planning consent in due course. The report also acknowledges the site's large area of calcareous grassland, that it contains buildings of unusual construction suitable for nesting and roosting, is close to streams and a river, and that there are a number of mature trees and hedgerows both within and adjacent to the site. It is noted that the plans proposed to increase the overall net gain for biodiversity through an area of created grassland.

The report proposes the imposition of a number of conditions on the grant of permission in due course, which have been endorsed by the Committee, which will secure (inter alia) the heritage and ecological measures proposed as part of the development pursuant to the Allocation.

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Taking account of the proposals comprising planning application 18/00825/HYBRID and the conditions to be imposed on the grant of consent in due course, we would be grateful if you would confirm that identification of areas for the provision of heritage projects and for the improvement of habitats as part of the Allocation will provide at least the required Heritage Land and Strategic Ecology Land necessary to discharge the obligations in the Phase 9 Agreement, that they are being made available for the required purposes, and that you are willing to discharge these obligations.

Yours faithfully

Eversheds Sutherland (International) LLP