

**Case Officer:** Richard Greig

**Recommendation:** Approve

**Applicant:** Heyford Park Developments Ltd

**Proposal:** Partial discharge of condition 13 (ecology assessment) (Phase 10 only)  
of 18/00825/HYBRID

**Expiry Date:** 4 November 2022

**Extension of Time:** 10 March 2023

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## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

- 1.1. The application site comprises a part of the former RAF/USAF Upper Heyford airbase site, which is located 7km northwest of Bicester, in an isolated rural location, within the parishes of Upper Heyford, Somerton and Ardley.
- 1.2. The former airbase is located at the top of a plateau and is set within otherwise open countryside. Land to the west falls sharply to the Cherwell valley and Oxford Canal (the Canal itself has been designated a Conservation Area). The Grade I listed Rousham Park is located in the valley to the southwest of the site. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the airbase site, whilst the airbase itself has also been designated a Conservation Area in view of the national importance of the site and the significant Cold War heritage interest.
- 1.3. There are several Scheduled Monuments, listed buildings, and non-designated heritage assets of national importance on site, as well as other unlisted buildings that make a positive contribution to the character or appearance of the conservation area, and much of the airfield is of ecological importance, including a Local Wildlife Site.
- 1.4. The parent permission (Ref: 18/00825/HYBRID) to which this application relates, was a hybrid submission wherein outline consent was granted for 1,175 new dwellings. This application relates to a residential phase (Phase10) of development, which is located to the southwest of the airbase site, on the northern side of Camp Road, at the far west end of the Heyford Park development.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

- 2.1. This application seeks to discharge Condition 13 of the parent permission (Ref: 18/00825/HYBRID) for Phase 10 of the development only. As such this is a partial discharge.
- 2.2. A phasing plan has been submitted under condition 5 (Ref: 22/03016/DISC - pending) of planning reference 18/00825/HYBRID showing the extent of phase 10.
- 2.3. Condition no13 reads as follows:

*Prior to the commencement of any phase of the development, the site subject to that phase shall be assessed by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm 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 mitigation scheme.*

*If the development or a specified phase of development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:*

*i) establish if there have been any changes in the presence and/or abundance of bats, badgers and great crested newts; and*

*ii) identify any likely new ecological impacts that might arise from any changes.*

*Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.*

*Where the approved development is to proceed in a series of phases, further supplementary ecological surveys for bats, badgers and great crested newts shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures required. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines.*

*Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.*

- 2.4. To satisfy the condition for phase 10 and 'update ecology survey' by BSG ecology has been submitted.

### **3. RELEVANT PLANNING HISTORY**

- 3.1. The site has extensive planning history summarised in the committee report for application 18/00825/HYBRID. The following planning history is considered most relevant to the current proposal:

- 3.2. 18/00825/HYBRID - A hybrid planning application consisting of:

- demolition of buildings and structures as listed in Schedule 1;
- outline planning permission for up to:
  - 1,175 new dwellings (Class C3);
  - 60 close care dwellings (Class C2/C3);
  - 929m<sup>2</sup> of retail (Class A1);
  - 670m<sup>2</sup> comprising a new medical centre (Class D1);
  - 35,175m<sup>2</sup> of new employment buildings, (comprising up to 6,330m<sup>2</sup> Class B1a, 13,635m<sup>2</sup> B1b/c, 9,250m<sup>2</sup> Class B2, and 5,960m<sup>2</sup> B8);
  - new primary school building on 2.33ha site (Class D1);
  - 925m<sup>2</sup> of community use buildings (Class D2); and 515m<sup>2</sup> of indoor sports, if provided on-site (Class D2);

- 30m in height observation tower with zip-wire with ancillary visitor facilities of up to 100m<sup>2</sup> (Class D1/A1/A3);
- 1,000m<sup>2</sup> energy facility/infrastructure (sui generis);
- 2,520m<sup>2</sup> additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use (Class D1);
- creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure.
- the change of use of the following buildings and areas:
  - Buildings 3036, 3037, 3038, 3039, 3040, 3041, and 3042 for employment use (Class B1b/c, B2, B8);
  - Buildings 217, 3052, 3053, 3054, 3055, 3102, and 3136 for employment use (Class B8);
  - Buildings 2010 and 3009 for filming and heritage activities (Sui Generis/Class D1);
  - Buildings 73 and 2004 (Class D1);
  - Buildings 391, 1368, 1443, 2005, 2006, 2007, 2008 and 2009 (Class D1/D2 with ancillary A1-A5 use);
  - Building 340 (Class D1, D2, A3);
  - 20.3ha of hardstanding for car processing (Sui Generis); and
  - 76.6ha for filming activities, including 2.1ha for filming set construction and event parking (Sui Generis);
- the continuation of use of areas, buildings and structures already benefiting from previous planning permissions, as specified in Schedule 2.
- associated infrastructure works, including surface water attenuation provision and upgrading Chilgrove Drive and the junction with Camp Road.

3.3. 22/02255/REM - Reserved Matters Approval is sought in relation to Phase 10 of planning permission 18/00825/HYBRID. The REM seeks approval of access, appearance, landscaping, layout and scale for 148 new dwellings with associated roads, footways, parking, drainage, landscaping and open space.

3.4. 21/04073/PREAPP - Proposed 147 residential dwellings (C3 Use Class), Public Open Space/Play Areas, and ancillary infrastructure at Phase 10 Heyford Park. Officers considered that the proposal was in principle acceptable, but The Council's Environment Protection Officer expressed concerns about noise, so some form of noise assessment may be required to demonstrate this should not be a problem to the residential property from nearby commercial activity.

#### **4. RESPONSE TO PUBLICITY**

4.1 This application has been publicised by way of a site notice displayed near the site. The final date for comments was **7 October 2022**.

4.2 No comments have been received by third parties.

#### **5. RESPONSE TO CONSULTATION**

5.1. CDC ECOLOGY: *'I am happy for condition 13 to be discharged for Phase 10 only on the basis of the submitted Update Ecology Survey by BSG. However, I note that the survey is already a year old so is realistically valid for one more year - just to bear in mind in terms of timing of commencement.'*

## 6. APPRAISAL

- 6.1. The parent permission (Ref: 18/00825/HYBRID) was the subject of an Environmental Impact Assessment. The environmental information (as set out under Condition No.4), approved under reference 18/00825/HYBRID remains adequate to assess the environmental effects of the development and is considered sufficient for the purpose of this application.
- 6.2. Condition No.13 requires that prior to the commencement of any phase (on this occasion Phase 10), an assessment of the site by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out.
- 6.3. To support this application a habitat survey has been undertaken and the findings presented in an appropriate report. The findings of the report note that the site has changed little since the original habitat surveys of 2017 and 2019. The subsequent mitigation measures and additional survey work have been endorsed by CDC Ecology and are considered sufficient to ensure that the development does not cause harm to any protected species or their habitats in accordance with the requirements of Condition No.13 and the prescribed policy framework.

## 7. RECOMMENDATION

That Planning Condition 13 of 18/00825/HYRBID be discharged for phase 10 of the development only based upon the following:

Condition 13 (Phase 10 only):

BSG Ecology - Heyford Airfield Plot 10 Update Ecology Survey, dated March 2022.

Case Officer: Richard Greig

DATE: 1 March 2023

Checked By: Andy Bateson

DATE: 6<sup>th</sup> March 2023

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