

Case Officer: David Lowin

Recommendation: Approve

Applicant: Heyford Park Developments Ltd

Proposal: Discharge of Condition 24 (noise assessment/sound insulation measures) of 18/00825/HYBRID

Expiry Date: 11 November 2022

Extension of Time:

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site is part the former RAF/USAF Upper Heyford base. It is approximately some 457.4 hectares in total. Essentially, the airfield is on top of a plateau which slopes steeply to the west and into the Cherwell Valley and more gently in other directions. The site is about 6 miles from Bicester with its services and transport and 2 miles to junction 10 of the M40 motorway.
- 1.2. The application seeks to discharge condition 24 of the approved application 18/00825/HYBRID (as set out below) insofar as it relates to Phase 10 comprising some 5.7754ha. Phase 10 comprises an area of land located to the immediate north of Camp Road at the far western end of the development. There is currently an application to discharge all reserved matters for this phase, as noted below.

2.1. CONDITION PROPOSED TO BE DISCHARGED

- 2.2. Condition 24 of decision Notice 18/00825/HYBRID requires that:

For each phase or sub phase comprising of the residential development, no works shall be undertaken until such times as a detailed scheme of noise assessment and possible sound insulation measures for the residential units (including a timetable for its implementation) has first been submitted to and approved in writing by the Local Planning Authority. That scheme shall be implemented in accordance with the approved details.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with saved Policies C30 and ENV1 of the Cherwell Local Plan 1996 and guidance in the NPPF.

The application to discharge condition 24 for Phase 10 has been submitted with an Environmental Noise Survey and Acoustic Design Statement Report relating solely to Phase 10 of the Heyford Park scheme currently the subject of an approval of reserved matters application under Ref 22/02255/REM.

2. RELEVANT PLANNING HISTORY

2.1 The following planning history is considered relevant to the current proposal:

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); >929m² of retail (Class A1); 670m² comprising a new medical centre (Class D1); 35,175m² of new employment buildings, (comprising up to 6,330m² Class B1a, 13,635m² B1b/c, 9,250m² Class B2 and 5,960m² B8); 2,415m² of new school buildings on a 2.45ha site for a new school (Class D1); 925m² of community use buildings (Class D2); and 515m² of indoor sports, if provided on-site (Class D2); 30m in height observation tower with zip-wire with ancillary visitor facilities of up to 100m² (Class D1/A1/A3); 1,000m² energy facility/infrastructure (sui generis); 2,520m² additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use (Class D1); and 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.

Planning permission 18/00825/HYBRID constitutes EIA development and was accompanied by an Environmental Statement. The Application was approved on 9th September 2022.

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.

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.

3. RESPONSE TO CONSULTATION

3.1 The Environmental Protection Officer of CDC having considered the submitted noise appraisal was satisfied, so recommended that the condition could be discharged.

4. APPRAISAL

- 6.1. The original application was EIA development and is considered to continue to be relevant. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application. The view of the Council's EPO when considering the application and the submitted noise report is considered by Officers to be sufficient to allow the discharge of the condition.

5. RECOMMENDATION

That Planning Condition 24 of 18/00825/Hybrid be discharged.

Condition

1. Condition 24 of planning approval 18/00825/Hybrid hereby discharged in respect to construction Phase 10 of the Heyford Park scheme shall be implemented in accordance with the approved details. and to the standards set out in the Environmental Noise Survey and Acoustic Design Statement Report Ref: 23195/ADS1-10 (Rev 2) Dated 8th September 2022.

Reason: For the avoidance of doubt and to ensure an acceptable level of residential amenity and ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with saved Policies C30 and ENV1 of the Cherwell Local Plan 1996 and guidance contained in the NPPF.

Informative

In accordance with Regulations 3 and 9 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Cherwell District Council as Local Planning Authority in this case, is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this application.

Case Officer: David Lowin

DATE: 9 November 2022

Checked By: Andy Bateson

DATE: 9th November 2022
