

Case Officer: Chris Wentworth **Recommendation:** Part Approval

Applicant: Heyford Park Developments Ltd

Proposal: Discharge of Condition 38 (Flying Field strategies) of 18/00825/HYBRID

Expiry Date: 29 August 2023 **Extension of Time:** 15th January 2024

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The former USAF/RAF Upper Heyford airbase site 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 been designated a Conservation Area in view of the international importance of the site and the significant Cold War heritage interest.
- 1.3. There are several designated Scheduled Monuments and listed buildings, and other non-designated heritage assets of national importance on the former airbase site, as well as other unlisted buildings that cumulatively make a positive contribution to the character or appearance of the conservation area, and much of the airfield at its western and particularly eastern ends is also of ecological importance including a Local Wildlife Site towards the eastern end of the old airbase.
- 1.4. The parent permission (planning reference 18/00825/HYBRID) of September 2022 to which this application relates, secured outline consent, in part, for 1,175 dwellings to the Heyford Park settlement and additional commercial and community use development alongside associated infrastructure.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This application seeks the partial discharge of Condition 38 (Flying Field Strategies) of planning reference 18/00825/HYBRID at Heyford Park.
- 2.2. The original submission included a Fencing Strategy which has subsequently been removed from the current application. The applicant has indicated that this will be submitted under a separate condition approval application. In addition, the Parking Strategy relates only to part of the Flying Field and further details will be required in respect to Buildings 299, 325, 327, 328 and 340, the Quick Response Area and Northern Bomb Stores and the Car Processing Compound storage area. Therefore, the application as revised seeks only a partial discharge of Condition 38.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

Application Reference 18/00825/HYBRID

- Hybrid planning application wherein permission was granted, in part, for 1,175no. new dwellings – Approved September 2022.

Application Reference 22/030/17/DISC

- Partial discharge of Condition 32 (contamination remediation strategy) (Phase 10 only) of 18/00825/HYBRID – Approved October 2022.

4. RESPONSE TO CONSULTATION

4.1 *CDC Ecology – No objection.*

- The cat and dog proof fence plans are in line with the recommendations in the ES.

4.2 *OCC Highways – Objection.*

- This application is to discharge condition 38 of 18/00825/HYBRID, which calls for the approval of various strategies in relation to the Flying Field. This does not include the area to be developed for housing and employment, but it includes some rights of way.
- The Fencing Strategy has implications for public rights of way requirements. It does not provide for the perimeter fence to be changed to reflect:
 - The requirement to reopen Aves Ditch. This was condition 30 on the 2011 planning permission (and in the S106 agreement) and required details of the Aves Ditch route to be submitted within three months of that planning permission and implementation within 18 months of that. Despite repeated reminders, details have still not been submitted, 12 years later. Aves Ditch is a critical local bridleway link that must be reopened in the interests of sustainable transport connectivity and affording leisure opportunities to local people that are currently denied to them. OCC expect that CDC will not discharge condition 38 of 18/00825/HYBRID until this is resolved.
- The requirement relating to the Heritage Trail on the northern perimeter of the flying field, where the legal line of footpath 349/13 (which forms part of the trail) runs inside the boundary. The perimeter fence must be moved to accommodate the legal line of the footpath or Dorchester must negotiate a diversion by working with neighbours. If progress is being made towards the latter, this must be referred to in the strategy and the strategy must be conditional upon this, with regard to a requirement to move the perimeter fence. OCC require an update on this matter. Whilst unresolved, this is again denying legitimate leisure opportunities to local people.
- The opening up of the extension of Chilgrove Drive, which is to form the main bus and HGV route into the development. This will necessitate widening the opening in the fence.
- It also does not acknowledge Portway bridleway, which has already been opened and fenced off across the western edge of the flying field.

4.3 *CDC Conservation – No objection.*

4.4 *Canal and River Trust – No objection.*

4.5 *Historic England – No comments to make.*

4.6 *Environmental Health – No objection.*

4.7 *Health Protection – No objection.*

4.8 *Natural England – No comments to make.*

4.9 *National Highways – No objection.*

4.10 *Network Rail – No objection.*

4.11 *Oxford Trust for Contemporary History – Comments*

- Insofar as the applicant and Council are interested in ensuring that the consents applicable to this site are lawful, it should be noted that condition 38 required that the submission of the strategies for lighting, signage, waste, alarms and air con should have been within 3 months of 9 September 2022.
- Notwithstanding the way in which applications at the former RAF Upper Heyford have been dealt with in the past, in considering these strategies the Council will note relevant paragraphs of the NPPF 2021. (There is similar advice in the Local Plan)
 - 189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The ‘significance’ in this case is that the site is acknowledged to represent the best preserved remains from the Cold War and arguably the most important heritage site from the modern era.
 - 189. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations
 - 195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.
- The ‘necessary expertise’ seems to apply to both the assessment of the significance and on assessing the impact of the various strategies. The Council should satisfy itself that this level of expertise (i.e., applicable to the pre-eminent Cold War remains in the UK) is applied to either or preferably both the proposals and their consideration and determination. Not having that particular expertise, I am not qualified to make meaningful representations on the application but would hope that appropriate experts ensure that it is dealt with in a way that the historic interest and heritage value are conserved.

5. APPRAISAL

5.1 Condition 38 to planning reference 18/00825/HYBRID states the following:

- “Strategies for the following matters shall be submitted to the Local Planning Authority for approval in writing and thereafter to be implemented across the Flying Field as follows:

(i) the submission for approval of a Parking Strategy for the whole Flying Field within 6 months of the date of this permission. The strategy as approved shall be implemented:

- a) in respect of any building which was not occupied on the date of this permission before any part of that building is occupied; and
- b) in respect of all existing occupied buildings within 9 months of the date of this permission.

(ii) the submission for approval of an overall Lighting Strategy within 3 months of the date of this permission. The strategy as approved shall be implemented:

- a) in respect of any building which was not occupied on the date of this planning permission before any part of that building is occupied; and
- b) in respect of all existing occupied buildings within 9 months of the date of the approval of the Lighting Strategy.

(iii) the submission for approval of an overall Signage Strategy within 3 months of the date of this permission. The strategy as approved shall be implemented:

- a) in respect of any building which was not occupied on the date of this planning permission before any part of that building is occupied; and
- b) in respect of all existing occupied buildings within 9 months of the date of the approval of the Signage Strategy.

(iv) the submission for approval of an overall Waste Management Strategy within 3 months of the date of this permission. The strategy as approved shall be implemented:

- a) in respect of any building which was not occupied on the date of this planning permission before any part of that building is occupied; and
- b) in respect of all existing occupied buildings within 9 months of the date of the approval of the Waste Management Strategy.

(v) the submission for approval of an overall Fencing Strategy within 6 months of the date of this permission. The Strategy shall thereafter be implemented within 18 months for fencing on the periphery of the Flying Field and thereafter prior to occupation of individual buildings on the Flying Field.

(vi) the submission for approval of an overall Air Conditioning Strategy within 3 months of the date of this permission. The strategy as approved shall be implemented:

- a) in respect of any building which was not occupied on the date of this planning permission before any part of that building is occupied; and
- b) in respect of all existing occupied buildings within 9 months of the date of the approval of the Air Conditioning Strategy.

(vii) the submission for approval of an overall Alarms Strategy within 3 months of the date of this permission. The strategy as approved shall be implemented:

- a) in respect of any building which was not occupied on the date of this planning permission before any part of that building is occupied; and
- b) in respect of all existing occupied buildings within 9 months of the date of the approval of the Signage Strategy.

In respect of any of the above Strategies, if such approval is withheld or an approved scheme is not implemented within the relevant above timescale, the use of any building otherwise permitted by this permission shall cease within 12 months of the date of refusal or the end of the time period for implementation.”

5.2 It is noted that the Fencing Strategy submitted as part of the original application, which attracted objections from the County Council as Highway and Rights of Way Authority, was subsequently withdrawn from the submission. A revised Fencing Strategy will need to be submitted to and approved by the LPA before Condition 38 can be fully discharged.

5.3 Similarly, it is noted that the submitted Parking Strategy does not apply to any of the Listed Buildings on the Flying Field (Buildings 325, 327, 328 & 340), nor any structure within the Scheduled Monuments (the Quick Response Area, Northern Bomb Stores & Building 299), nor to the Car Processing Compound storage area and any works to those building/structures/areas in relation to the matters covered by the Strategies will require the relevant consent from the Local Planning Authority and Historic England, respectively. A supplemental Parking Strategy(s) for these areas will need to be submitted to and approved by the LPA before Condition 38 can be fully discharged.

Parking Strategy

5.4 The submission includes the provision of a parking strategy as outlined in Appendix 2 of the Heyfield Park Flying Fields Strategy report. The strategy outlines the implementation details of the strategy in that:

- Prior to the occupation of any part of a building which was not occupied on 9th September 2022.
- Within 9 months of the date of approval of the Parking Strategy in respect of all buildings occupied on or prior to 9th September 2022.
- The Parking Strategy does not apply to any vehicles or land associated with the approved Car Processing Area as shown on the approved Composite Parameter Plan reference P16-0631_08 rev AM.
- The Parking Strategy also does not apply to any of the listed buildings (Building Nos. 325, 327, 328 & 340) or any of the structures within the Scheduled Monument Areas (the Quick Response Area, Northern Bomb Stores & Building 299).

5.5 The strategy also goes on to state that:

- It is proposed that parking will occur:
 - in areas that were historically used for that purpose as far as possible; and
 - as near to the buildings to which the parking relates;
- Where historical markings are visible the parking area will be provided in that location. Where there are no visible markings present, the parking area will be provided to the side or front of the buildings, dependant on building type;

- Parking areas will be located with due consideration of:
 - Vehicle manoeuvring requirements; and
 - Potential access restrictions to hardstanding areas which may be caused by open hanger doors (potentially restricting access to the side or rear of the buildings in some instances); and
- The level of parking provided for each building will be in accordance with the Council's applicable parking standards.

5.6 The strategy has been assessed by OCC Highways who have raised no objection to the Parking Strategy in respect to the areas that it covers. Therefore, the LPA raise no objection to the partial condition approval request in this regard.

Lighting Strategy

5.7 The submission includes the provision of a lighting strategy as outlined at Appendix 3 of the Heyfield Park Flying Fields Strategy. The strategy outlines the implementation details of the strategy in that:

- Prior to the occupation of any part of a building which was not occupied on 9th September 2022.
- Within 9 months of the date of approval of the Lighting Strategy in respect of all buildings occupied on or prior to 9th September 2022.

5.8 The strategy also outlines acceptable types of luminaires. Where replacement of lighting installed prior to the base closure in 1994 is required, it should, as far as possible, replicate the existing lighting systems in place; and where new lighting is proposed, examples of acceptable luminaires are: Wall mounted flood lighting; Wall mounted street lighting; Wall mounted luminaires.

5.9 The strategy outlines acceptable colours/materials and states that where there is a requirement to directly replace luminaires which were installed prior to the closure of the Air Base in 1994, replacements should as far as practicable match the existing lighting systems in terms of colour, in order to respect the historic character of the area and blend into the surroundings.

5.10 Where new luminaires are proposed in new locations where lighting was not present prior to 1994, these will be coloured as to match the host building where possible. Black, white and silver plain metal finishes are considered acceptable; however, other colours may be appropriate in order to respect the colour of the host building. As per the existing lighting present on the Flying Field, new lighting will be made of glass, metal and plastic.

5.11 The strategy outlines acceptable locations for lighting and states that replacement luminaires should be located in the same position as the existing. Furthermore, the majority of lights will be wall mounted, however given the variety of lighting which was installed prior to the closure of the base in 1994, where existing and in limited circumstances, some lighting may exceptionally be pole mounted.

5.12 Where required to meet Health and Safety requirements, external emergency lighting will be considered on a building-by-building basis, and it is anticipated that this will most often take the form of 'over door bulkhead' lights; and any new lighting required on any Hardened Aircraft Shelter will be installed on the new infill doors and any existing lighting left in situ.

5.13 The lighting strategy outlines details related to nighttime appearance and operation. It states that non-essential lighting should not operate between the hours of 23:00 and 06:00 and outside of these hours should be manually operated by the building occupier, that controls to switch off task lighting when not required

should be installed, that unless required for health and safety reasons, street lighting within the Flying Field will not operate between the hours of 23.30 and 05.30, that movement sensors should be fitted to non-essential lighting to reduce the frequency of light spill, that external lighting should be designed and installed in a manner that creates low angles of illumination and (where possible) lower wattage luminaires are used, that advantage should be taken of any existing screening which may be provided by the surrounding topography or other physical features e.g. buildings, trees or earth embankments and that in the absence of these features, light guards should be fitted to specifically direct light.

- 5.14 The strategy has been assessed by CDC Conservation and Environmental Health who have raised no objection to the Lighting Strategy. Therefore, the LPA raise no objection to the condition approval request in this regard.

Signage Strategy

- 5.15 The submission includes the provision of a signage strategy as outlined in Appendix 4 of the Heyfield Park Flying Fields Strategy. The strategy outlines the implementation details of the strategy in that:

- Prior to the occupation of any part of a building which was not occupied on 9th September 2022.
- Within 9 months of the date of approval of the Signage Strategy in respect of all buildings occupied on or prior to 9th September 2022.

- 5.16 The strategy outlines the principles of signage on site and that it should be reviewed on a 5-yearly basis. Furthermore, it states that any historic signage relating to the Cold War era should be maintained in situ and that dependent upon location and relative weathering of the number, individual building number signs may need to be replaced as per the design specification outlined in Appendix 4.

- 5.17 The strategy has been assessed by CDC Conservation who have raised no objection to the Signage Strategy. Therefore, the LPA raise no objection to the condition approval request in this regard.

Waste Management Strategy

- 5.18 The submission includes the provision of a waste management strategy as outlined at Appendix 5 of the Heyfield Park Flying Fields Strategy. The strategy outlines the implementation details of the strategy in that:

- Prior to the occupation of any part of a building which was not occupied on 9th September 2022.
- Within 9 months of the date of approval of the Waste Management Strategy in respect of all buildings occupied on or prior to 9th September 2022.

- 5.19 The strategy goes on to state that where compatible with health and safety, waste/recycling should be kept inside until the day of collection and that where internal storage is not possible, waste receptacles should be placed in discrete, ordered and structured locations, directly adjacent to the main building/structure.

- 5.20 The strategy also states that the colour of waste and recycling receptacles will be dictated by the requirements of the individual commercial waste contractors used by the commercial operators of each building and that in some exceptional circumstances, the external screening of waste receptacles will be required in

order to minimise their visual impact upon the wider area and that the detail of such screening will need to be agreed with the Local Planning Authority.

- 5.21 The strategy has been assessed by CDC Environmental Health who have raised no objection to the Waste Management Strategy. Therefore, the LPA raise no objection to the condition approval request in this regard.

Air-Conditioning Strategy

- 5.22 The submission includes the provision of an air-conditioning strategy as outlined in Appendix 7 of the Heyfield Park Flying Fields Strategy. The strategy outlines the implementation details of the strategy in that:

- Prior to the occupation of any part of a building which was not occupied on 9th September 2022.
- Within 9 months of the date of approval of the Air-Conditioning Strategy in respect of all buildings occupied on or prior to 9th September 2022.

- 5.23 The strategy goes on to state details regarding the siting and positioning of the air-conditioning units (general presumption against siting on principal elevations) along with acceptable details regarding the external appearance of the boxes (painted to match background colour and pipework positioned in line with brickwork/mortar lines). Furthermore, the strategy outlines requirements when located on Hardened Aircraft Shelters (i.e., internally where possible or to the rear elevation at low level where other structures assist in obscuring view).

- 5.24 The strategy has been assessed by CDC Conservation who have raised no objection to the Air-Conditioning Strategy. Therefore, the LPA raise no objection to the condition approval request in this regard.

Alarm Strategy

- 5.25 The submission includes the provision of an alarm strategy as outlined in Appendix 8 of the Heyfield Park Flying Fields Strategy. The strategy outlines the implementation details of the strategy in that:

- Prior to the occupation of any part of a building which was not occupied on 9th September 2022.
- Within 9 months of the date of approval of the Alarm Strategy in respect of all buildings occupied on or prior to 9th September 2022.

- 5.26 The strategy goes on to state details regarding the siting and positioning of the alarm boxes (general presumption against siting on principal elevations) along with acceptable details regarding the external appearance of the boxes (plastic, painted to match background colour and positioned in line with brickwork/mortar lines). Furthermore, the strategy outlines requirements when located on Hardened Aircraft Shelters (i.e., not on external side walls or main doors).

- 5.27 The strategy has been assessed by CDC Conservation who have raised no objection to the Alarm Strategy. Therefore, the LPA raise no objection to the condition approval request in this regard.

6. RECOMMENDATION

To partially approve the condition approval request for Condition 38 of Application Number 18/00825/HYBRID based upon the following submitted information, except in relation to the withdrawn Fencing Strategy and elements of the Parking Strategy, which does not apply to the listed buildings (Nos. 325, 327, 328 & 340), nor any structure within the Scheduled Monuments (the Quick Response Area, Northern Bomb Stores & Building 299) nor the Car Processing Compound Storage Area.

Condition 38

- Heyford Park Flying Field Strategies: Heyford Park, Camp Road, Upper Heyford by Pegasus Group, dated 7th March 2023, Ref: P22-1611 - Only in respect to Appendices 2-5 and 7-8.

Case Officer: Chris Wentworth

DATE: 11th January 2024

Checked By: Andy Bateson

DATE: 12th January 2024
