

**Case Officer:** Nick Wyke

**Recommendation:** Approve

**Applicant:** Heyford Park Developments Ltd

**Proposal:** Discharge of Condition 31 (approved SuDS details) (Phase 10 only) of  
18/00825/HYBRID

**Expiry Date:** 8 July 2024

**Extension of Time:**

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

- 1.1. The former USAF/RAF Upper Heyford Airbase is located approximately 7km northwest of Bicester. It fell within the parishes of Upper Heyford, Somerton and Ardley, which is now designated its own parish of Heyford Park.
- 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 make a positive contribution to the character or appearance of the conservation area, and much of the airfield is also of ecological importance including a Local Wildlife Site.
- 1.4. The permission to which this discharge of condition application relates, is an approved Hybrid application (LPA Ref; 18/00825/HYBRID) which included in part, an outline consent for 1,175 new residential dwellings.

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

- 2.1. This application seeks to partially discharge condition 31 (SuDS) but for Phase 10, in part, only (drainage ponds Basins 2 and 3).
- 2.2. Condition 31 states:

*Prior to occupation within a phase (save for existing uses already in occupation at the time planning permission granted), a record of the approved SuDS details shall be submitted to and approved in writing by the Local Planning Authority for deposit in the Lead Local Flood Authority Asset Register. The details shall include:*

- i. As built plans in both .pdf and .shp file format;*
- ii. Photographs to document each key stage of the drainage system when installed on site;*
- iii. Photographs to document the completed installation of the drainage structures on site.*

## **3. RELEVANT PLANNING HISTORY**

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

Application 18/00825/HYBRID	Permitted	09 <sup>th</sup> September 2022
<p>A hybrid planning application consisting of:</p> <ul style="list-style-type: none"> <li>• demolition of buildings and structures as listed in Schedule 1;</li> <li>• outline planning permission for up to: <ul style="list-style-type: none"> <li>&gt; 1,175 new dwellings (Class C3);</li> <li>&gt; 60 close care dwellings (Class C2/C3);</li> <li>&gt; 929m<sup>2</sup> of retail (Class A1);</li> <li>&gt; 670m<sup>2</sup> comprising a new medical centre (Class D1);</li> <li>&gt; 35,175m<sup>2</sup> of new employment buildings, (comprising up to 6,330m<sup>2</sup>;</li> <li>&gt; Class B1a, 13,635m<sup>2</sup> B1b/c, 9,250m<sup>2</sup> Class B2, and 5,960m<sup>2</sup> B8);</li> <li>&gt; new primary school building on 2.33ha site (Class D1);</li> <li>&gt; 925m<sup>2</sup> of community use buildings (Class D2); and 515m<sup>2</sup> of indoor sports, if provided on-site (Class D2);</li> <li>&gt; 30m in height observation tower with zip-wire with ancillary visitor facilities of up of 100m<sup>2</sup> (Class D1/A1/A3);</li> <li>&gt; 1,000m<sup>2</sup> energy facility/infrastructure (sui generis);</li> <li>&gt; 2,520m<sup>2</sup> additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use (Class D1);</li> <li>&gt; creation of areas of Open Space, Sports Facilities, Public Park and other green Infrastructure;</li> </ul> </li> <li>• The change of use of the following buildings and areas: <ul style="list-style-type: none"> <li>&gt; Buildings 3036, 3037, 3038, 3039, 3040, 3041, and 3042 for employment use (Class B1b/c, B2, B8);</li> <li>&gt; Buildings 217, 3052, 3053, 3054, 3055, 3102, and 3136 for employment use (Class B8);</li> <li>&gt; Buildings 2010 and 3009 for filming and heritage activities (Sui Generis/Class D1e);</li> <li>&gt; Buildings 73 and 2004 (Class D1);</li> <li>&gt; Buildings 391, 1368, 1443, 2005, 2006, 2007, 2008 and 2009 (Class D1/D2 with ancillary A1-A5 use);</li> <li>&gt; Building 340 (Class D1, D2, A3);</li> <li>&gt; 20.3ha of hardstanding for car processing (Sui Generis); and</li> <li>&gt; 76.6ha for filming activities, including 2.1ha for filming set construction and event parking (Sui Generis);</li> </ul> </li> <li>• The continuation of use of areas, buildings and structures already benefiting from previous planning permissions, as specified in Schedule 2; and</li> <li>• Associated infrastructure works, including surface water attenuation provision and upgrading Chilgrove Drive and the junction with Camp Road.</li> </ul>		

#### **4. RESPONSE TO CONSULTATION**

- 4.1 The Local Lead Flood Authority (OCC) were consulted as part of the application and have not objected to the application (TBC).

#### **5. APPRAISAL**

- 5.1 Condition 31 requires a record of the SuDS being installed to be submitted and approved in writing prior to the commencement of development. Information in the form of a site layout plan for phase 10 has been submitted in order to discharge condition 31. Photographs showing the installation of the SuDS also accompanied the proposed discharge of condition 31. Following a review of the photographs and visiting the site it became apparent that only SuDS attenuation ponds Basins 2 and 3 had been installed. Works on the installation of attenuation pond Basin 1 had yet to be completed.
- 5.2 The trigger point for condition 31 is prior to occupation. Cherwell District Council do not wish to unreasonably uphold the lawful occupation of some of the dwellings at Phase 10 whilst works remain ongoing on attenuation pond Basin 1. Condition 31 will therefore only be partially discharged under this application for attenuation ponds Basins 2 and 3 on Phase 10 (in respect to plots 1 – 99) but remain outstanding for attenuation pond Basin 1 and Plots 100 - 138. Once works on the attenuation pond at Basin 1 have been completed a further discharge application will be required to be submitted and approved in writing in order to fully discharge condition 31 in respect to Phase 10 and enable occupation of units on the eastern part of the development parcel (Plots 100 – 138).

#### **6. RECOMMENDATION**

That Planning Condition 31 of 18/00825/HYBRID can be partially discharged in respect to development parcel Phase 10 but only in respect to drainage attenuation ponds Basins 2 and 3 and based upon the following plans and photographs:

- Planning Layout. Drawing No. 0521-PH10-102 (Plots 1 – 99 only);
- Basin as built survey plan - Basin 2 and 3; and
- Schedule of supporting photographs:
  - 0240304\_094326 View north across pond
  - 0240304\_094339 View south across pond to culvert
  - 0240304\_094417 View north across pond
  - 0240313\_084724 View from centre of pond looking NW
  - 0240313\_093027 Lining of pond
  - 0240313\_093120 Lining of pond
  - 0240313\_120403 Lining of pond
  - 0240313\_120406 Lining of pond
  - 0240313\_130823 Lining of pond
  - 0240313\_130825 Lining of pond
  - 0240313\_130827 Lining of pond
  - 0240313\_162810 Lining of pond
  - 0240313\_162952 View across pond to the East
  - 0240314\_100940 View across pond to the North (Airfield)
  - 0240314\_100944 SW view across pond from its northern tip
  - 0240314\_101001 View across pond looking south
  - 0240314\_101021 View across pond towards HAS buildings to the North
  - 0240314\_101024 View across pond looking southwards
  - 0240314\_161826 View across pond looking NW
  - 0240314\_161844 View across pond looking NW
  - 0240315\_095725 Lining of pond
  - 0240315\_095738 View to west across the pond
  - 0240315\_095741 View looking southwards across the pond
  - DJI\_0222 Aerial view

- DJI\_0223 Aerial view
- IMG\_3613 Aerial view
- IMG\_3614 View across pond to the NE
- IMG\_3615 View across pond to the NE

Case Officer: Nick Wyke

DATE: 12 August 2024

Checked By: Andy Bateson

DATE: 13<sup>th</sup> August 2024

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