

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

PLANNING AND COMPULSORY PURCHASE ACT 2004

LAND AT HEYFORD PARK, CAMP ROAD, HEYFORD PARK

**PLANNING APPLICATION FOR FULL PLANNING FOR ENGINEERING WORK IN ASSOCIATION WITH
THE FORMATION OF THE BUS LOOP SERVING THE DEVELOPMENT PREVIOUSLY APPROVED UNDER
18/00825/HYBRID**

PLANNING STATEMENT

MAY 2024

1.1 This Planning Statement has been prepared in support of the above development, which proposes engineering works (of around 30 metres in length) in association with the approved bus route, within an established road corridor. The road corridor lies adjacent to the existing residential Phase 2 and the development approved under planning permission 18/00825/HYBRID.

1.2 Heyford Park benefits from formal planning permission for comprehensive mixed use development granted on 9th September 2022 under reference 18/00825/HYBRID following the prior completion of a Planning Obligation. The Obligation contains a raft of requirements, including the provision of social and physical infrastructure, fully in accordance with the overarching principles of policy PV5 of the adopted Cherwell Local Plan 2011-2031. The full description of the development permitted under 18/00825/HYBRID is set out below.

- 1,175 new dwellings (Class C3);
- 60 close care dwellings (Class C2/C3);
- 929 m2 of retail (Class A1);
- 670 m2 comprising a new medical centre (Class D1);
- 35,175 m2 of new employment buildings, (comprising up to 6,330 m2 Class B1a, 13,635 m2 B1b/c, 9,250 m2 Class B2, and 5,960 m2 B8);
- 2,415 m2 of new school building on 2.45 ha site for a new school (Class D1);
- 925 m2 of community use buildings (Class D2); and 515 m2 of indoor sports, if provided on-site (Class D2);
- 30m in height observation tower with zip-wire with ancillary visitor facilities of up to 100 m2 (Class D1/A1/A3);
- 1,000 m2 energy facility/infrastructure (sui generis);
- 2,520 m2 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.

In addition, the approved development also involves a 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 x/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 2.1 ha 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.

1.3. This application for full planning permission should also be read in conjunction with a separate Reserved Matters application which seeks approval of details of access, layout, scale, external appearance and landscaping for the wider infrastructure works to upgrade Chilgrove Drive and form

an associated signalised junction, which is expressly identified on the approved Composite Parameter Plan as part of the overarching planning permission.

1.4 The following reports and associated documents accompany this application. The application has been lodged via the Planning Portal.

- Application form.
- Planning application fee.
- Drawing pack comprising a site location plan and engineering drawing.
- A Lighting Strategy. Please bear in mind that detailed lighting design associated with the infrastructure would be determined in due course by the Highway Authority under Section 38 of the Highways Act.
- A completed ecology/ BNG checklist and associated letter, which references the detailed terms and requirements of the extant hybrid permission.

1.5 Legislation relating to the Built Historic Environment is primarily set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 which provides statutory protection for Listed Buildings and Conservation Areas. This legislative context is amplified in the Heritage Assessment which accompanies the parallel RM application. It has also been included within the current application pack for completeness.

1.6 The determination of a planning application is to be made pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with Section 70(2) of the Town and Country Planning Act 1990. Section 38(6) requires LPAs to determine planning applications in accordance with the Development Plan, unless there are material considerations which indicate otherwise. Section 70(2) provides that in determining planning applications the Local Planning Authority (LPA) shall have regard to the provisions of the Development Plan, as far as material to the application and to any other material considerations.

1.7 For the purposes of this application, the extant Development Plan comprises the following:

- Cherwell Local Plan 2011-2031 Part 1, adopted 20/07/15: and
- Cherwell Local Plan, adopted November 1996 (only those policies saved by the saving direction issued by the Secretary of State and which have not been subsequently superseded by the adoption of the Part 1 Plan); and The Mid Cherwell Neighbourhood Plan made on 14/05/19
- The Mid Cherwell Neighbourhood Plan adopted on 14th May 2019

Other material planning considerations include national policy and guidance, include:

- Planning permission 18/00825/HYBRID
- National Planning Policy Framework (December 2023)
- National Planning Practice Guidance

1.8 The extant planning permission (18/00825/HYBRID), including its constituent Composite Parameter Plan and associated Planning Obligation is critical to the assessment of this application, as set out in subsequent paragraphs.

1.9 As stated above, the Development Plan includes the **adopted Cherwell Local Plan Part 1 2011-2031** (adopted 20th July 2015). Relevant policies from the adopted Local Plan relevant to the determination of this RM application are considered below.

1.10 Paragraph B.96 sets out that the Local Plan seeks to deliver growth in accordance with the NPPF's Core Planning Policies including, inter alia, seeking to secure high quality design and a good standard of amenity by developing new neighbourhoods and achieving regeneration and redevelopment of key sites, and encouraging the effective re-use of existing land and buildings and bring forward sites that contain land of lesser environmental value such as at the Former RAF Upper Heyford.

1.11 Policy Villages 5 (Former RAF Upper Heyford) ("**PV5**") specifically allocates this 520-hectare site for, inter alia, a settlement of approximately 1,600 dwellings (in addition to the 761 dwellings (net) already permitted).

1.12 Policy **ESD13** (Local Landscape Protection and Enhancement) advises that development proposals will be expected to respect and enhance the local landscape character, with appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted where they would, inter alia, be inconsistent with local character.

1.13 Policy **ESD15** (The character of the built and historic environment) advises that where development is in the vicinity of any of the District's natural or historical assets the delivery of a high-quality design that complements the asset will be essential.

1.14 Paragraph B.268 highlights the appearance of new development and its relationship with its surrounding built and natural environment as potentially having a significant effect on the character and appearance of an area. The need to secure new development that can positively contribute to the character of its local environment is of key importance and reflects the approach and significant criteria listed under Policy ESD15. The criteria given in Policy ESD15 include the delivery of high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.

1.15 The following saved policies of the **Cherwell Local Plan**, adopted November 1996, remain extant and relevant to the proposed development following the adoption of the Cherwell Local Plan 2011-2031:-

1.16 Policy **C23** (Retention of features contributing to character or appearance of a Conservation Area) states that there will be a presumption in favour of retaining buildings, walls, trees or other features which make a positive contribution to the character or appearance of a Conservation Area.

1.17 Policy **C28** (Layout, design and external appearance of new development) advises that control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as Conservation Areas, the Area of Outstanding Natural Beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.

1.18 The Cherwell Local Plan Review 2040 Regulation 18 consultation took place in the Autumn of 2023. The emerging Plan is the subject of substantial and unresolved objections, including those made by Dorchester Living, and consequently, fractional if not nil weight can be attributed to it at present.

1.19 In terms of the made Mid Cherwell Neighbourhood Plan, it is considered that no policies are applicable to the current proposals.

1.20 In terms of other material considerations, the National Planning Policy Framework (**NPPF**) was revised in December 2023 and sets out the Government's overarching planning policies for England.

1.21 Section 11: Making Effective Use of Land seeks to promote the effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment.

1.22 Section 12: Achieving Well-designed and beautiful places sets out the approach to securing good design. Criteria P a) - f) at paragraph 131 clarify how planning policies and decisions should ensure that developments are well designed and respond to the local character.

1.23 Matters relating to the historic environment are addressed within the 'Conserving and Enhancing the Historic Environment' section of NPPF. The PPG confirms that the consideration of 'significance' in decision taking is important and states that heritage assets may be affected by direct physical change or by change in their setting. It goes on to say that being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

1.24 Section 38(6) of the Planning and Compulsory Purchase Act requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section provides an analysis of the proposal against the extant Development Plan and those matters which are material to the determination of this RM application at a national and local level.

1.25 As a starting point, it is important to reiterate that the principle of providing this key element of infrastructure is firmly embedded in planning permission 18/00825/HYBRID. The approved Composite Parameter Plan, which the development must proceed in strict accordance with, identifies the constituent land uses across the site and associated infrastructure, including the RM proposals.

1.26 Against this established baseline, the key planning issues in the determination of this application are briefly considered in turn. Additional commentary .

1.27 Planning permission 18/000825/HYBRID is accompanied by a comprehensive Planning Obligation which contains a package of monetary payments and physical infrastructure which would mitigate the impact of the development on both the strategic and local highway network. This package followed extensive discussion and negotiation with the Highways Authority.1.28 This proposal would form a small (c 30 metre) section of the bus loop on land which is presently an established road corridor . In the wider context, the bus loop would be integrated with a primary HGV access, a series of internal roads (which will over time also facilitate the delivery of residential and commercial parcels of land), an access link to the Primary School parcel and an associated signalised junction with Camp Road. Taken together, these works accord with the requirements of the extant estate wide planning permission and will facilitate its ongoing delivery.

1.29 Turning to appearance, the proposal would comprise a bituminous carriageway and associated facilities, as per the remainder of the bus loop. This appearance is also similar to existing sections of road in Heyford Park and in the wider locality.

1.30 In terms of landscaping, this is a matter which can be governed by a planning condition relating to this small section of road. It is anticipated that a broad range of indigenous planting would follow the road corridor, including traditional hedgerow species, in a similar manner to the parallel RM application.

1.31 In terms of *layout*, this has been established by the requirements of the extant planning permission.

1.32 The principle of this engineering work to provide key infrastructure has been previously accepted by the LPA within the context of policy PV5 and planning permission 18/00825/HYBRID.

This application seeks planning permission for a very small portion of the overall infrastructure, comprising a short length of road

1.33 It is considered that the proposals would comply with relevant Development Plan policies, particularly the aims and objectives of Policy PV5 (which underpin the extant planning permission) and we therefore respectfully submit that the application should be approved without delay. The net effect of an approval would also provide greater commercial certainty over the detailed design of the works for this a key part of an estate wide development and ultimately, the overall delivery trajectory.