

Oxfordshire County Council  
Strategic Planning Views

**Proposal: Outline application for Proposed new settlement for 1075 dwellings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure.**

Location: <b>Heyford Park Camp Road Upper Heyford Bicester</b>		Division	<b>Otmoor and Kidlington</b>
		Local Member	<b>Cllr Hallchurch</b>
Application No.	<b>10/01642/OUT</b>	District Planning Authority	<b>Cherwell District Council</b>
Applicant	<b>Dorchester Heyford Park Group Ltd</b>		
		21 days or agreed response deadline	<b>31st January 2011</b>

Proposed Development:

- 1. The proposal is for a hybrid planning application incorporating both an outline application in respect of the erection of new buildings, and also the change of use of specified buildings across the application site. The proposed development within the New Settlement Area now includes:**
  - Up to 1,075 dwellings
  - Primary School on 2.2 hectares
  - Changes of use that would result in a variety of uses:
    - o Place of worship / church hall (6,170 sq m)
    - o Hotels, and Residential Schools and Colleges (5,682 sq m)
    - o Shops, financial services, restaurants and hot food take aways (3,113 sq m)
    - o Business, industry and storage (26,704 sq m)

Relevant Background:

- 2. Planning permission for redevelopment at the former RAF Upper Heyford base (Heyford Park) was granted on appeal in January 2010 following a public inquiry. That permission enables the demolition of existing ex-MoD dwellings and building of up to 1,076 new dwellings, together with commercial development and associated infrastructure.**
- 3. The extant planning permission has with it a comprehensive planning obligation (S106) which secures amongst other things a site for a new primary school and £11.3M to help deliver the primary school and the proposed third secondary facility at Bicester to be provided on the South West Bicester development site (as well as other education related services). There is also provision for support for a bus service to Upper Heyford. A summary of the County service elements in the extant S106 is provided in annex 1.**
- 4. A new planning application (10/01642/OUT) has been submitted which focuses on the commercial and residential elements of the permitted scheme. The main reasons behind the application is that the applicant now wants to keep and refurbish the existing dwellings rather than replace them with new build, and to sort out various detailed development issues which they need to update.**

5. As part of the current planning application (10/01642/OUT), the applicant has requested that any new S106 agreement has provision to either:
- a. Transfer ownership of the primary school site and make the education payments (as per the extant S106 see annex 1), or;
  - b. Provide education at Heyford Park through the provision of a “Free School” (subject to DfE agreement and planning).

The applicant has clarified that the Free School would provide primary aged education. The applicant is also discussing with us the idea of a Free School, on a different part of the application site that would provide an all through facility (aged 3-15 years) for about 1,000 pupils.

6. The question of whether or not as a matter of principle the County Council should agree to enter into an agreement with the “either/or” covenant outlined above (para 5) was raised at the Council’s Capital Programme Board. The Board considered that entering in to such an agreement would set a precedent such that other developers could bring forward plans for Free Schools which would have implications for future provision of school infrastructure. It requested that officers take a paper to Capital Investment Board to pursue the County Council’s position with regard to Free School provision. In the meantime we should respond to the application submitted.

Relevant Development Plan and other Policies:

South East Plan (SE Plan) Policies: **CC7 (Infrastructure and Implementation).**

Structure Plan 2011: **policy H2 (a site specific saved Structure Plan policy which is not superseded by the South East Plan).**

Cherwell Local Plan 1996: **saved policy TR1 (Covers provision of new highways, highway improvement works, traffic-management measures, additional public transport facilities or other transport measures that would be required as a consequence of allowing the development).**

Non statutory Cherwell Local Plan 2011: **policy UH1 (criteria including infrastructure provision, measures to reduce reliance on the private car).**

**Oxfordshire 2030 Sustainable Community Strategy & County Council Priorities:**

- **Healthy and thriving communities, and**
- **Reducing inequalities and breaking the cycle of deprivation.**

Comments:

Main Policy issues:

7. **Structure Plan Policy H2 requires that the development be in accordance with a revised comprehensive planning brief adopted by Cherwell DC; that brief was adopted in March 2007. Cherwell District Council remains best placed to determine the merits of refurbishing homes as opposed to building new ones. However, they need to ensure that, should permission be given for this application, the infrastructure requirements for the whole of the airfield site could still be delivered and that the planning conditions relating to the whole of the airfield site would remain enforceable.**
8. **The infrastructure requirements of the proposed residential development are substantially the same as the extant permission. Those requirements include the provision of an on-site primary school. However the suggested inclusion of an “either / or” option for a proposed Free School**

**gives cause for concern. The applicants are pursuing the free school proposal with the DfE, at the same time as providing the infrastructure payments to OCC. If a s106 agreement is agreed on the lines suggested by the applicant and required school places are provided through the free school route, the Council would have to return to the applicants any unspent funds. If at a later date the Free School were to be closed the County would be in the position of having to fund the provision of a new school or the purchase of the free school assets, in order to take it over and ensure continued education provision. The Developer Funding Team is pursuing changes to the legal agreement that will provide the infrastructure that is necessary for the development. Those requirements are set out in annex 2.**

- 9. Oxfordshire currently subsidise some parts of the service on the Upper Heyford to Bicester and Oxford route. The applicants would be paying a contribution to improve service provision to take total provision up to the minimum level that meets national and local policies. The combination of subsidy, the developer contributions and travel plan work would provide an opportunity for people in, what would otherwise be an unsustainable location, to use public transport. The full transport development control response is set out in annex 3. .**
- 10. If Cherwell District Council is minded to allow the application, permission should be subject to new legal agreements to secure the infrastructure improvements and contribution payments as set out in annexes 2 and 3 of this report.**
- 11. Detailed Countryside, Archaeology, Mineral Consultation Areas, Social and Community Services, and Ecology are contained in annex 4.**
- 12. No Local Member views have been received.**
- 13. Conclusion: the County Council has no objection to the development as long as a sufficient developer contribution package to cover infrastructure needs can be secured by way of legal agreement. The details of our requirements are set out in annex 2 for non transport infrastructure and annex 3 for transport infrastructure.**

**RECOMMENDATIONS:** It is RECOMMENDED that the County Council informs Cherwell District Council that:

- a. It has no objection to the development proposed in application no 10/01642/OUT provided that the infrastructure requirements set out in annexes 2 and 3 of this report are met.
- b. It has a number of detailed comments as set out in annex 4 of this report.

Planning Officer	<b>Kevin Broughton</b>	Date	<b>15<sup>th</sup> January 2011</b>	File No	<b>8.1/5126/1</b>
------------------	------------------------	------	-------------------------------------	---------	-------------------