

OUTLINE PLANNING APPLICATION FOR UP TO 60 DWELLINGS AND PUBLIC OPEN SPACE

**HEYFORD PARK, UPPER HEYFORD, BICESTER,
OXFORDSHIRE**

PLANNING & HERITAGE STATEMENT

ON BEHALF OF THE DORCHESTER GROUP

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004
PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990**

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1. INTRODUCTION

1.1 This Planning and Heritage Statement has been prepared by Pegasus Planning Group on behalf of the Dorchester Group.

1.2 The Statement is intended to support an outline planning application for the development of land to the South of Camp Road, Heyford Park, Oxfordshire for residential development. The description of development is as follows:

“Outline planning application for residential development comprising up to 60 dwellings with associated infrastructure”.

1.3 The application site comprises a parcel of land within the former RAF Base at Upper Heyford, now known as Heyford Park that is designated for use as a Primary School as part of a comprehensive masterplan for a new settlement for 1075 dwellings. As set out in this Statement further to proposals for a Free School elsewhere on Heyford Park the site is surplus to requirements and as such an alternative use for this brownfield site is sought.

1.4 All matters are reserved as part of this application and will be the subject of a reserved matter submission.

1.5 This Planning Statement considers the relevant National and Local Planning Policy against which the application should be determined with particular reference to the “saved” policies of the Cherwell Local Plan (1996) and the emerging policies contained within the Cherwell Local Plan (2011 – 2031) which has still to be considered at Public Inquiry.

1.6 The Planning and Heritage Statement also deals with ecological and contamination issues and is submitted alongside a Design & Access Statement, Tree Survey and Transport Statement as well as various other documents required to meet the Council’s Validation Check List. A full list of the accompanying documents is provided within the covering letter for the planning application.

1.7 This Statement is not intended to duplicate matters referred to in other reports but brings together the overall land use and planning merits of the development, judged against the relevant planning policies.

2. THE APPLICATION SITE & SURROUNDINGS

2.1 The application site comprises 2.81 hectares of brownfield land which lies immediately to the south of Camp Road within the former RAF Base at Upper Heyford, now known as Heyford Park. The site is currently occupied by a series of former military buildings lying to the west and south-west of a former Parade Ground. The western boundary of the site is formed by a narrow service road which provides access to two storey residential properties on the eastern side of Carswell Circle. All of the existing buildings on the site have Conservation Area Consent for their removal and a list of these properties together with their floorspace is attached as Appendix 1. Also forming part of Appendix 1 is a Schedule of Photographs showing the current condition of the site and the buildings on it.

APPENDIX 1: LIST OF PROPERTIES & SCHEDULE OF PHOTOGRAPHS

- 2.2 As indicated above, the site lies entirely within the existing Upper Heyford Air Base which is proposed for regeneration and redevelopment (see below). Most of the buildings immediately to the east surrounding the Parade Ground are scheduled for demolition apart from a few RAF buildings around the former Parade Ground which are retained within the new Master Plan (Buildings 455, 457, 485 and 488).
- 2.3 Immediately to the west of the site lie an attractive series of two storey terrace dwellings dating from 1920s aligned north-south around an open green area known as Carswell Circle. Further to the south and west of these properties are a larger number of single storey bungalows constructed at a later date. All these residential properties were previously occupied by service personnel. More recently planning permission has been granted (December 2011) for permanent non military residential occupation of the residential properties as part of the re-use and regeneration of the former Military Base.
- 2.4 Further to the north of the application site lies Camp Road an east-west thoroughfare which splits the former Military Base into two parts. To the north of Camp Road is a continuation of some residential properties together with an area referred to as the Technical Area with larger buildings servicing the flying activities. Further to the north again lies the wider Flying Field which has a series of Hardened Aircraft Shelters and other associated buildings and structures around a long east-west runway.

2.5 The whole of the former RAF Upper Heyford Air Base has historic significance in the context of the Cold War in the 1950s and 1960s as well as having earlier historic significance as a Flying Field. The whole of the former Base has been designated as a Conservation Area in 2005 and therefore the effect of development on the Heritage aspects are of particular significance and will be addressed in Section 7.

3. PLANNING HISTORY

- 3.1 The former RAF Upper Heyford Air Base has an extensive planning history although little of this is of direct relevance to the current proposals which only affect a small part of the Base. The most significant applications affecting the site are two recent decisions involving the redevelopment of the whole of the Upper Heyford Air Base. The first of these decisions followed an appeal to the Secretary of State and was issued in January 2010. This scheme involved a proposed New Settlement of 1,075 dwellings, together with associated works and facilities, including employment uses, community uses, a primary school, playing fields and other physical and social infrastructure. This application was accompanied by a large number of documents including an Illustrative Master Plan which identified the application site as a 2.2 hectare site with a 1FE Primary School.
- 3.2 A second outline planning application was granted by Cherwell District Council in December 2011 where the Master Plan for the New Settlement Area incorporating the 1,075 dwellings was replaced with a new Master Plan. This involved a fundamentally different concept from that set out in the Master Plan accompanying the 2010 approval, insofar as it retained virtually all of the existing residential properties within the Base with an additional new 764 new dwellings being introduced on various parts of the site. The application site on this revised Master Plan was again occupied by a 1FE Primary School capable of being expanded to a 2FE should the need arise.
- 3.3 Both applications/permissions were accompanied by Design & Access Statements and Environmental Statements. These both show the proposed Primary School located on the current application site with the proposed school building being located at the northern end of the site with open areas and pitch provision on the southern part of the site.
- 3.4 More recently the owners of Heyford Park have put forward a proposal to promote a "Free School" at Heyford Park incorporating both Primary and Secondary provision. Following the receipt of provisional approval from the Secretary of State for Education, Pegasus Planning submitted an application for conversion and change of use to Class D2 of the former Officers' Mess (Building 74) lying north of Camp Road on behalf of the Education Funding Agency and the Heyford School Trust (LPS ref: 12/01711/F). A separate application has also been submitted on behalf of these two parties for the use of Building 583 partly as a school gymnasium and partly as internal sports provision for the wider

community (ClassD1/D2) (LPA ref: 12/01710/F). Both of these applications have a resolution to grant subject to a S106 agreement.

- 3.5 A further more detailed application has also been submitted and validated for the conversion of Building 583 (LPA ref: 13/00343/F) and which sets out the design of the building and its surroundings. This is currently under consideration by the officers.
- 3.6 If these planning applications receive an approval from the District Council then the current site previously identified for a new Primary School becomes redundant, hence the current application for residential development of the site.
- 3.7 It is relevant to note that the application red line area incorporates a small parcel of land identified in the new settlement permission for "Local Centre Class A1-A5 / D1 and C3 use". This would enable this parcel of land to accommodate 2 rows of dwellings which at present is too shallow to accommodate 2 rows of dwellings. The "second row" of dwellings on land previously identified for primary school use and their gardens provided on land identified for "local centre and C3 uses".

4. THE PROPOSED DEVELOPMENT AND DESIGN AND ACCESS

- 4.1 The Dorchester Group wishes to apply for outline planning permission for up to 60 dwellings and associated public open space over the 2.81 hectares application site at an average density of 30 dwellings per hectare.
- 4.2 A mix of dwellings will be provided ranging from 3-5 bedroom units. Properties will be a maximum of 3 stories in height with 2 storey properties located near existing urban form and 3 storey dwellings in key locations to provide distinctiveness in the street scene.
- 4.3 The development will be based around two character areas that will help to achieve the creation of a sense of place and provide continuity with the adjoining proposed housing development areas which are controlled by the approved design code. Character Area CA1: Village Green will be to the east of the application site fronting onto the proposed village green providing a strong sense of formality responding to existing facilities and barracks in adjacent areas. In this respect the use of the site for residential purposes represents a better solution in design terms compared to the previous arrangement with a Primary School with significant amounts of open space attached as the arrangement of these buildings did not provide the best solution in terms of providing complete enclosure of the Village Green.
- 4.4 Character Area CA2: Core Family Housing will be simple in format reflecting the form of the existing base layout with the character of development to be inspired by the simple Arts and Crafts form found in Carswell Circle and the Officer's housing.
- 4.5 In accordance with the Field in Trust (formally National Playing Fields Association) Six Acre Standard 0.35 hectares of Public Open Space will be provided. This will be in the form of small pockets, a landscaped avenue and a larger central Local Area of Play (LAP), supplementing and extending existing green spaces that are an integral part of Heyford Park.
- 4.6 There are opportunities for vehicular access via Camp Road to the north and Dow Street to west with further opportunities for pedestrian and cycle links connecting the site to the wider Heyford Park.
- 4.7 Further details of the proposals are set out in the Design & Access Statement.

5. PLANNING POLICY BACKGROUND

Introduction

5.2 This section of the Planning Statement considers the National Planning context and the policies set out in the Development Plan. In this case the Development Plan comprises only the “saved” policies of the Cherwell Local Plan (adopted 1996).

(i) National Planning Policy Framework (NPPF)

5.3 The NPPF was published in March 2012 and sets out the Government’s “presumption in favour of sustainable development that is the basis for every plan, and every decision”.

5.4 Paragraph 14 states that for decision-taking this means (unless material considerations indicate otherwise):

- “ • **Approving development proposals that accord with the development plan without delay; and**
- **Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:**
 - **Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or**
 - **Specific policies in this Framework indicate development should be restricted”.**

5.5 The restrictive policies in the NPPF are then set out in a Footnote (Footnote 9) which indicates that policies such as Green Belts, AONBs etc should be regarded as restrictive. In this case, as the site lies within a location where redevelopment is proposed and the site is a brownfield one, there is a strong case for stating that the proposal falls within the NPPF definition of “sustainable development”.

5.6 Paragraph 17 highlights the ‘Core Planning Principles’ that should underpin the planning system. Of relevance to the proposed development, it states that planning should:

- “• **Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;**

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environment value, where consistent with other policies in this Framework;
- Actively manage patterns of growth to make fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”.

5.7 Section 6 of the NPPF considers the delivery of a ‘wide choice of high quality homes’.

5.8 The emphasis of the NPPF is that the planning system must look to increase housing delivery. The NPPF is clear at paragraph 47 where it seeks:

“To boost significantly the supply of housing”

5.9 In order to achieve this, Local Planning Authorities should:

“Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”

5.10 As will be explained in Section 10 of this report it has been independently held at a number of recently reported appeals that CDC does not currently have a 5 year housing land supply.

5.11 Paragraph 49 is pertinent to the application where it states:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

5.12 Paragraph 50 of the NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, Local Planning Authorities should:

- “• **Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community;**
- **Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and**
- **Where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time”.**

5.13 The NPPF attaches great importance to good design of the built environment. In order to achieve good design, Paragraph 66 expects applicants to work closely with those directly affected by the proposals to evolve design and take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably. The application seeks Outline Planning Permission. The design principles of the proposals are addressed within the accompanying *'Design and Access Statement'*.

5.14 The NPPF also promotes the protection and enhancement of valued landscapes. Paragraph 111 states that the planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that is not of high environmental value.

5.15 As the whole of the RAF Upper Heyford Air Base is a Conservation Area Paragraph 128 of the NPPF is of relevance. This states that when determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. However, it goes on to indicate that the level of detail should be proportionate to the importance of the assets and no more than is sufficient to understand the potential impact of the proposal on their significance. A detailed assessment has been carried out (and formed part of the Environmental Statement submitted with the outline application for the new settlement) of the whole of the RAF Upper Heyford Air Base in terms of its significance for historic purposes and Section 7 of this Statement deals with the Heritage matters specifically relating to the current proposals. This shows that, despite being within the Conservation Area, none of the buildings on the application site at present has any significance in terms of the historic aspects of the Base. All the buildings are of low significance and were approved for removal at the time when the site

was proposed as Primary School site. Therefore there are no significant heritage objections to the redevelopment of the site for residential purposes.

- 5.16 Paragraphs 186 to 207 of the NPPF set out advice relating to decision-taking i.e. decisions on individual applications. Paragraphs 186 and 187 advise authorities to approach decision-taking in a positive way and to look for solutions rather than problems. Paragraph 193 goes on to advise authorities to publish a list (Validation Check List) of the information requirements for individual applications. It goes on to indicate that these should be proportionate to the nature and scale of the development proposals and reviewed on a frequent basis. In order to avoid a proliferation of material which may only be partially relevant, authorities are advised to only request supporting information that is relevant, necessary and material to the application in question. In this case it is important for the Authority to be aware of the baseline position is that this site forms part of a cleared site for primary school use in the context of the redevelopment of the New Settlement Area. This represents a “fallback” position for the applicant albeit that, when planning permission is granted for Building 74 and Building 583, then the likelihood of the implementation of a Class D1 Use on the site, will inevitably fall away.
- 5.17 The paragraphs of the NPPF set out in Annex 1: Implementation, are important given that Cherwell District Council does not have an up-to-date Local Plan. The Adopted Local Plan is now over 15 years old and did not anticipate the redevelopment of the Airfield (see below). Paragraph 214 indicates post 2004 Local Plans may be taken into account even if there is a limited degree of conflict with policies in the framework; however the implication is clear in that pre 2004 Plans are unlikely to be sufficiently up-to-date to be in accordance with the NPPF Guidance. This is the case even where, (as applies in Cherwell), they are the only parts of the Adopted Development Plan still in place with some “saved” policies.
- 5.18 However, Paragraph 216 of the NPPF indicates that decision-takers may also give weight to emerging plans with increasing weight being given depending on how advanced the preparation of these documents is taken to be. However, unresolved objections to proposed new policies may mean that less weight is attached to them. Moreover, there is a need to ensure a degree of consistency between the emerging Plan policies and the policies in the framework.

(iii) South East Plan Oxfordshire Structure Plan

5.19 The South East Plan and Oxfordshire Structure Plan (2016) were revoked in March 2013 with the exception of Policy H2 of the Structure Plan which has been “saved”. The Policy deals with the redevelopment of Upper Heyford and anticipates the redevelopment of the former RAF / USAAF base as a small new settlement.

(iv) Cherwell Local Plan (1996)

5.20 The Cherwell Local Plan was prepared and adopted well before the cut off date set out in the NPPF of 2004. Moreover, it was prepared prior to the Oxfordshire Structure Plan Review identifying Upper Heyford as a suitable location for redevelopment (see preceding paragraph). Therefore the number of policies contained within the Plan that have relevance to these proposals, is severely limited.

5.21 On balance, the view is taken that because the site is brownfield, within an area identified for redevelopment, there are no specific policies of relevance in the Cherwell Local Plan.

(v) Emerging Cherwell Local Plan (2011 – 2031)

5.22 After some period in preparation the District Council’s revised Local Plan is now nearing submission to the Secretary of State (SoS) following endorsement of the Draft Submission Local Plan by a meeting of Full Council on 21st October 2013. Following submission of the Local Plan to the SoS there will be an Examination before an independent Inspector. As such, the emerging Plan is a material consideration in determining the planning application but does not yet have the full statutory weight applied to the policies contained within it of an adopted Plan with policies. Nonetheless, there are several parts of the emerging Local Plan which will be of relevance in determining this application.

5.23 The Plan’s Strategy for Development indicates that the Spatial Strategy for the District Council is for most of the growth to be directed towards locations within or immediately adjoining the main towns of Banbury and Bicester (Paragraph A10). Away from these two towns the largest single location identified for growth is Upper Heyford which will deliver over 760 homes in accordance with its planning permission.

5.24 Although the whole RAF Base has outline planning permission for redevelopment the emerging Local Plan includes a specific policy (Policy Villages 5: Former RAF Upper Heyford) setting out various requirements that are needed within the Settlement Area. This Policy is fairly detailed and includes a list of key site specific design and place shaping principles, including:

- “• **Proposals must demonstrate that the conservation of heritage resources, landscape, restoration, enhancement of biodiversity and other environmental improvements will be achieved across the whole of the former airbase in association with the provision of the settlement.**
- **The settlement should be designed to encourage walking, cycling and use of public transport.**
- **The achievement of environmental improvements within the site and of views to it including the removal of buildings and structures that do not make a positive contribution to the special character or which are justified on the grounds of adverse visual impact, including in proximity to the proposed settlement, together with limited appropriate landscape mitigation, and reopening of historic routes.**
- **New development should respond to the established character of the district character areas where this would preserve or enhance the appearance of the Conservation Area.**
- **Building materials should reflect the locally distinctive colour palette and respond to the materials of the retained buildings within their character area, without this resulting in pastiche design solutions”.**

5.25 Whilst Policy BSC3 expects residential development proposals outside Banbury, Bicester and Kidlington to provide at least 35% affordable housing Policy Village 5 (Upper Heyford) only requires the provision of 30% affordable housing at Upper Heyford.

5.26 In the context of housing provision generally **Policy BSC2 “The Effective and Efficient Use of Land – Brownfield land and Housing Density”** makes it clear that housing development in Cherwell will be expected to provide for approximately 45% of new homes on previously developed land and that the density of new housing should be provided on net developable areas at a density of at least 30 dwellings per hectare (unless there are justifiable planning reasons for lower density development).

5.27 Policy BSC4 expects new residential development to provide a mix of homes to meet current and expected future requirements having regard to the Council's most up-to-date evidence on housing need and available evidence from developers on local market conditions.

5.28 Policy BSC11 requires development proposals to contribute towards the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The Policy continues to state that the amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs likely to be generated by it although provision should usually be made on site in accordance with the minimum standards of provision set out in 'Local Standards of Provision – Outdoor Recreation'.

6. OTHER DOCUMENTS OF RELEVANCE TO THE PLANNING APPLICATION

a) Conservation Area Statement

6.1 In 2005 Cherwell District Council decided to designate the whole of the RAF Upper Heyford Air Base as a Conservation Area. This includes the Flying Field, the Technical Area and the Settlement Area. The application site falls within the latter sub area but this was not specifically identified as having any major heritage issues directly affecting the site. There are a number of general comments contained within the Conservation Area Support Document which need to be taken into account in the preparation of detailed design but these are not of direct relevance to this outline application.

b) RAF Upper Heyford Revised Comprehensive Planning Brief (RCPB) (2007)

6.2 In accordance with the requirements of Policy H2 of the Oxfordshire Structure Plan, Cherwell District Council undertook a review of its early Planning Brief for RAF Upper Heyford and adopted this in 2007. This took the form of a very long Revised Comprehensive Planning Brief (RCPB) which was to form the basis for determining any planning applications. To some extent the RCPB has been superseded by the subsequent planning permission as referred to above but parts of the document may still be of relevance to this application. Within the areas identified as representing constraints to development (see Figure 3 (Page 16) of that document) it should be noted that the application site contains no features of relevance either in terms of key open space, county wildlife sites, or unlisted buildings of national or local significance. The adjoining buildings on Carswell Circle are noted as being unlisted buildings that make a positive contribution to the Conservation Area and which should be retained so far as possible.

6.3 Overall the application site lies within a sub area designated as 10B within the RCPB. The RCPB sets out a series of general guidelines for the integration of new built form within Area 10B. These include: -

- 1) suitable land uses include residential and mixed use, in particular with the development of a local commercial centre, some civic buildings;
- 2) retention and re-interpretation of at least the northern half of the northern Parade Ground as a key neighbourhood space;
- 3) the incorporation of new public buildings, such as a school building offers opportunities for architectural expression, to generate a sense of place and to provide a strong landmark focal points;

- 4) the incorporation of contemporary architecture, with a common theme, ideally responding to the established colour palette;
- 5) buildings offering quality and permanence, being knitted into the fabric of the settlement;
- 6) new linkages particularly with the development to the west and new shared spaces;
- 7) strong building lines to define spaces and streets;
- 8) the eastern and southern boundaries will need some landscape mitigation.

6.4 The application proposals accord with these general guidelines.

6.5 In addition to this the RCPB contains a number of sections dealing with the design of individual areas. The current application proposals fit within this conceptual design and also fit within the Master Plan which has been prepared and granted outline approval in December 2011. To that extent the proposals not only accord with the RCPB but also with the general strategy as set out in the Indicative Master Plan associated with the 2011 consent.

7. HERITAGE ASSESSMENT

7.1 A full assessment of the relevant planning policy is provided above; however, this Section specifically focuses on national guidance relating to the historic environment and provides an assessment of the historical significance of the Site and the buildings within it, as well as an assessment of the potential impact of the development proposals against this significance.

National Policy Guidance

7.2 National policy and guidance is set out within the Government's National Planning Policy Framework (NPPF) published in March 2012. The NPPF replaced the previous suite of national Planning Policy Statements, and Planning Policy Guidance notes and some Circulars, including those related to heritage and archaeology, with a single, streamlined document.

7.3 The NPPF set out 12 no. core planning principles for delivering sustainable development. In terms of the historic environment regard should be had to core principle 10, which states at paragraph 17 that planning should:

"conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations."

7.4 Heritage Assets are defined in Annex 2 of the NPPF (page 52) as:

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets includes designated heritage assets and assets identified by the Local Planning Authority (including Local Listing)."

7.5 The NPPF goes on to define a designated Heritage Asset on page 51 as:

"A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, registered Park and Garden, registered Battlefield or Conservation Area designated under the relevant legislation." (our emphasis)

7.6 Significance is also defined (page 56) as:

"The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."

7.7 Section 12 of the NPPF relates to 'Conserving and Enhancing the Historic Environment' and states at paragraph 129 that:

"Local planning authorities should identify and assess the particular significance of any heritage assets 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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal".

7.8 Paragraph 131 goes on to state that:

"In determining planning applications, local planning authorities should take account of:

- **the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;**
- **the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and**
- **the desirability of new development making a positive contribution to local character and distinctiveness."**

7.9 With regard to Conservation Areas, paragraph 137 states that:

"Local planning authorities should look for opportunities for new development within Conservation Areas ... and within the setting of heritage assets to better enhance or reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

7.10 Paragraph 138 goes on to confirm that ***"not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance"***, and that the relevant significance of the element affected and its contribution to the significance of the Conservation Area as a whole, should be taken in to consideration when assessing the impact of proposals. Paragraph 138 goes on to explain:

"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the

significance of the Conservation Area or World Heritage Site as a whole.”

7.11 In the context of the above it should be noted that paragraph 133 reads as follows:

“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply . . . ”

7.12 However, in cases where development proposals do not lead to substantial harm to, or total, loss of significance of a designated heritage asset, the relevant test will be that which is set out in paragraph 134, which reads as follows:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

7.13 As set out later in this Statement, it can be demonstrated that the proposals would help to preserve the character and appearance of the designated heritage asset comprising the former RAF Upper Heyford Conservation Area. They would also make a positive contribution to the area as a whole and to the setting of other designated and non-designated heritage assets in the vicinity of the application site.

PPS5: Planning for the Historic Environment – Practice Guide

7.14 Whilst PPS5 was cancelled by the publication of the NPPF, the related Practice Guide remains a valid and Government-endorsed document pending review of guidance supporting national planning policy. The references in the document referring to PPS5 policies are now redundant. However, given that the intent of the NPPF is similar to that of PPS5 the Practice Guide remains useful and relevant to the application of the NPPF.

7.15 Paragraph 86 confirms the view that heritage assets, such as Conservation Areas, can accommodate change and states:

“Not all designated assets are of equal significance or sensitivity to change. Some Grade II Listed Buildings and Conservation Areas will be particularly important or

sensitive to change, while others may be more capable of accommodating it. (our emphasis)

- 7.16 With regard to consideration of proposals within Conservation Areas, paragraph 178 goes on to state that:

“The main issues to consider in proposals for additions to heritage assets, including development in Conservation Areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest forms of extension that might be appropriate.”
(our emphasis)

- 7.17 Whilst the site forms part of the former RAF Upper Heyford Conservation Area, none of the buildings have been statutorily Listed as being of special historical or architectural significance and thus it is considered that the replacement of these buildings would be acceptable. Indeed both planning permission (LPA ref: 10/01642/OUT) and Conservation Area Consent (LPA ref: 10/01619/CAC) have been granted for the clearance of the site and the construction of a primary school.

Existing Use

- 7.18 Whilst the site and buildings were originally used in association with the operation of the airbase for barracks and other facilities during the military use of Heyford Park, the majority of this part of the wider site is currently vacant and disused.
- 7.19 Permission was previously granted through the ‘Lead Appeal’ (LPA ref: 08/00716/OUT) for the clearance of the site and the construction of a primary school with associated playing fields comprising 2.2 hectares. A similar scheme was also consented following the recent approval of the application for the revised New Settlement Area (LPA ref: 10/01642/OUT) which saw permission being granted for a primary school on 2.2 hectares. To date neither of these permissions have been implemented in respect of this element of the wider development.
- 7.20 Photographs of the site are provided at Appendix 2.

APPENDIX 2: SITE PHOTOGRAPHS

Assessment of Significance

7.21 The site is designated as being within Character Area 4: Barracks and Institutions, within the ACTA Landscape Character Assessment of the Airbase South of the Cold War Zone report (March 2006) which identifies the area as being a ***“complex and incoherent landscape”*** due to the infilling around two very simple layouts: the barracks and other buildings set around the parade ground at the north end, dating from 1925-26, and the late 1930s layout of the Institute and H-block barracks to the south. It concludes that the overall characteristics of the area are therefore:

- “ • **jumble of periods and styles;**
- **groups of large buildings contrasting with open areas, whether hard surfaces or grassland;**
- **dominance of large institutional buildings.”**

7.22 Given the complexity of this part of the site, the report then goes on to divide this area into four further distinct areas being:

- 4A: Store / Petro Station
- 4B: Parade Ground Buildings
- 4C: East Barracks
- 4D: 1930s Area

7.23 As shown on the Character Areas Plan provided at Appendix 3, the site, with the exception of the connecting access road to Camp Road, runs across two of these areas, 4B (Parade Ground Buildings) and 4C (East Barracks) which are summarised as follows:

Character Area 4B: Parade Ground Buildings

- **confusing mixture of buildings in varying styles, materials and quality;**
- **1920s buildings usually in dark brick with pitched slate roofs surrounded by later structures;**
- **very varied tree cover;**
- **scattered prefabricated buildings in several different materials.**

Character Area 4C: East Barracks

- **dominance of rectangular barrack blocks of purely functional design;**

- large areas of hard surface;
- absence of tree cover in contrast to adjacent areas.

APPENDIX 3: CHARACTER AREAS PLAN

7.24 The RAF Upper Heyford Conservation Area Appraisal (April 2006) goes on to describe the site and its associated buildings, stating that *“The general ‘military architect’ character of the general area has been diluted by post-war alterations and additional buildings”*. It goes on to provide a description of Character Area 10B ‘RAF Domestic and Residential Section’ as:

“The 1920s, red brick, RAF buildings to the south of Camp Road are laid out around and orientated towards the parade ground. The style of the buildings within the area is again British Military and because of their grid-like orientation the area has a strong ‘campus’ character distinct from the Trenchard Site to the north on the other side of the road. The area immediately south of the parade ground was developed during the period of RAF expansion in the 1930s. The area is dominated by the Institute (488) and H-blocks (489, 498 and 500) set around it. This area has a coherent character distinct from the 1920s buildings. The general ‘military architect’ character of the area has been diluted by post-war alterations and additional buildings.”

7.25 The significance of the site and the buildings within it were also directly considered within the Archaeology and Cultural Heritage Chapter of the Environmental Statement produced in support of the revised (2011) New Settlement Application. This concluded that both Area 3B: Parade Ground Buildings and Area 3C: West Barracks were both classified as being of **‘Low’** significance.

Impact Upon Significance

7.26 The main issue to be addressed with regard to the built heritage is whether the proposals would preserve or enhance the character and appearance of this part of the former RAF Upper Heyford Conservation Area.

7.27 As the application proposals are for outline permission, much of the detail which will be important in preserving and enhancing the character and appearance of the Conservation Area will be detailed within the subsequent Reserved Matters applications once the Outline Permission has been granted. However, it is important to consider how the principle of use of the site for residential use may

affect the historic environment with reference to the illustrative proposed site layout plan.

- 7.28 The application proposes the development of the site for up to 60 dwellings, to replace the previously approved Primary School, which, as discussed above, would no longer be required given the current application to develop a Free School to the North of Camp Road utilising Building 74. The proposals would result in the demolition and clearance of all the existing buildings and structures on the site.
- 7.29 The impact of the proposals to clear the site have been previously considered in full by the LPA during their determination of the approved application for the revised Master Plan (LPA ref: 10/01642/OUT) and in the Archaeology and Cultural Heritage Chapter of the supporting Environmental Statement which concluded that the direct primary impact of the proposals to substantially redevelop the area (including the current application site) resulting in the loss of the large majority of the built heritage would be represent an ***'adverse impact of slight significance'*** on the Character Area and built heritage.
- 7.30 In addition, although there would be considerable change within the site due to the demolition of the buildings, this was considered acceptable as the more significant buildings and areas across the wider site would not be directly impacted upon. Much of the significant historic character would remain as demolition would predominantly be carried out within the less historic or less coherent areas.
- 7.31 It was also considered that as a programme of recording of the buildings and structures to be demolished within the site had been agreed with English Heritage, this would:
- "increase the understanding of modern military history on the Site , and this would be disseminated to a public audience. Both this, and the proposed heritage centre, open days and better site access will make the heritage of Upper Heyford accessible to many. This is a significant beneficial effect of the development proposals overall."***
(our emphasis)
- 7.32 Overall, it is therefore considered that the application proposals represent an acceptable and appropriate form of development that serves to protect the character and appearance of the wider Conservation Area. The principle of development of the site and the loss of the existing buildings has already been

accepted by the Council, by virtue of the existing outline consents for development of the site for a new primary school.

- 7.33 The proposed development would sit alongside both established and proposed areas of residential development and will be carefully designed so as to reflect the principles agreed in the approved Design Code for Heyford Park as well as the surrounding development. As such, it is considered that the use of the site for residential purposes will not only safeguard the significance of the former RAF Upper Heyford Conservation Area, but also complement and enhance the approved masterplan for the wider site including the enhancements to the Parade Ground area. The contribution and value provided by the area generally will be conserved and enhanced, allowing it to continue to be enjoyed by current and future generations.

8. AFFORDABLE HOUSING STATEMENT

- 8.1 The applicant is willing to offer 30% of the proposed dwellings as affordable units, in accordance with the outline planning permission for the New Settlement Area and emerging Local Plan Village Policy 5.
- 8.2 A mix of affordable housing sizes and tenures is to be provided on the site however the applicant is willing to negotiate both the size and tenure mix of affordable housing provision further with CDC as part of the detailed S106 package.

9. S106 HEADS OF TERMS

9.1 Proposed S106 Heads of Terms:

- Affordable housing – proposed to be 30%, at a mix of 70% rent and 30% shared ownership, and in this and other regards to be consistent with the approach proposed in the Affordable Housing Scheme that already been agreed for the remainder of the new settlement area;
- Public open space and play space– provisions for the amount and future maintenance arrangements, to include provision of a Local Area for Play and POS totalling 0.35 hectares;
- Education – provisions to release the site from the former S106 undertaking, however no additional contributions are necessary due to the capacity available at the Heyford Free School;
- Transport and sustainable travel – provisions committing to travel plan obligations already established in the new settlement area;
- Other such matters as may be raised in consultation, including potentially contributions towards library provision and healthcare provision.

10. PLANNING ASSESSMENT

Principle of Development

- 10.1 The site lies within a wider brownfield site which is scheduled for redevelopment in both the saved Oxfordshire Structure Plan (Policy H2), and within the emerging Cherwell Local Plan. It also has planning permission as part of the wider new settlement, being specifically identified for Class D2 Primary School. As set out above, the aim is to re-locate this facility within existing buildings (Buildings 74 and 583) and therefore the former primary school site will be available for an alternative use.
- 10.2 The former primary school site is centrally located within the new settlement, adjoining the proposed Village Green to the east and the village centre to the north. The site will therefore make an important contribution to the overall character of the new settlement and as such it is important to find an alternative use for the site.
- 10.3 Residential development of the brownfield site would meet a number of the objectives and policies set out in the NPPF and emerging Cherwell Local Plan, including emerging Local Plan Policy BSC2 that seeks approximately 45% of new residential development to be delivered on previously developed sites. Residential development would also provide frontage development to and a stronger sense of enclosure around the Village Green (continuing the adjoining proposed housing development areas controlled by the approved Design Code for the New Settlement) compared to use of the site for a primary school which did not provide complete enclosure of the Village Green due to the significant amounts of open space attached.
- 10.4 As set out in Section 6 paragraph 47 of the NPPF requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The NPPF continues at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
- 10.5 It has been independently held by a number of recently reported and recovered appeals (as set out in the paragraphs below) that CDC does not currently have a 5 year housing land supply and therefore relevant policies for the supply of housing should not be considered up-to-date and therefore housing applications

should be considered in the context of the presumption in favour of sustainable development and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole:

- APP/C3105/A/13/2189896 – 75 dwellings at Land off Barford Road, Bloxham.
- APP/C3105/A/12/2178521 – 145 dwellings at Land East of Bloxham Road, Banbury.
- APP/C3105/A/12/2189191 – 85 dwellings at Land South of Milton Road, Bloxham.
- APP/C3105/A/12/2184094 – 70 dwellings at Land North of The Bourne and Adjoining Bourne Lane, Hook Norton.

10.6 The application site forms part of a new settlement with planning permission for 1,075 dwellings together with employment uses, community uses and school. Further employment opportunities are also provided at the adjoining Flying Field. The application proposals would therefore deliver additional market and affordable housing in a sustainable location in accordance with the NPPF's clear presumption in favour of sustainable development.

10.7 Paragraph 14 of the NPPF clearly states that for the purposes of decision-taking, the presumption in favour of sustainable development means granting permission for development where the relevant policies are out-of-date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the framework taken as a whole or specific policies in the framework indicate development should be restricted. The application proposals would have a number of sustainability credentials and benefits as explained above that weigh in favour of granting planning permission, as follows:

- The re-use of a brownfield site;
- The delivery of housing to help 'significantly' boost the supply of housing as sought by the NPPF and contribute towards the Council's five year housing land supply requirement;

- The provision of affordable housing to meet local needs;
- The delivery of additional housing in a sustainable location in close proximity to existing community facilities and employment opportunities.

Impact Upon Outline Indicative Master Plan

10.8 The indicative layout associated with this application has been prepared with a view to ensuring that it fits within the overall approach to the redevelopment of this part of the New Settlement Area to ensure that it accords with the “lasting arrangement” set out in the latest, approved masterplan (December 2011) for the New Settlement Area. Bearing in mind that the arrangement has on its eastern flank an important area of open space which is identified as a New Village Green within the Indicative Master Plan, it is important to ensure that in design terms the proposal fits within this arrangement. Therefore, in preparing the Indicative Layout Plan specific regard has been had to the form and function of the dwellings abutting the Village Green with a view to ensuring that the scheme matches the proposals on the opposite side of the square. To that extent the proposal represents a more successful integration of the redevelopment of the site than was the case for the Primary School which would have been a single storey building with a significant amount of open space on the western edge of the Village Green. Arguably this would represent a less successful design outcome than the current proposals. The opportunities presented by the residential development of the site enable the western boundary to the Village Green to be properly closed off to mirror the site on the eastern side of the Village Green.

Access, Highways and Transportation

10.9 The Indicative Master Plan provides opportunities for vehicular access via Camp Road to the north or Dow Street to the west. Detailed access arrangements will be provided as part of the Reserved Matters submission.

10.10 Residential use of the development (as opposed to use as a primary school) will provide opportunities to provide greater pedestrian permeability through the site for the benefit of local residents wishing to access the Neighbourhood Centre to the north by foot.

10.11 A Transport Statement has been submitted as part of the application forming an addendum to the 2007 Transport Assessment. The Transport Statement

concludes that the traffic associated with the proposals would not have a material impact on the operation of the local highway network and that there are not considered to be any valid highway or transportation reasons that should prevent the development proposals being awarded outline planning consent.

Ecology

- 10.12 The Environmental Statement submitted as part of the outline planning application for the new settlement concluded that the majority of habitats on the wider Heyford Park site are of low nature conservation value.
- 10.13 All of the existing buildings on the application site have Conservation Area consent for their removal and the existing trees currently on the site are of low quality. However, in accordance with the Environmental Statement works that may affect nesting birds (e.g. vegetation clearance and building demolition) would take place outside of the breeding season to ensure that impacts on breeding birds are minimised.
- 10.14 The provision of new planting and areas of public open space will provide opportunities for ecological enhancement across the site linking into existing green infrastructure across the wider Heyford Park site.

Trees / Landscape

- 10.15 As the site lies within a Conservation Area (see below) all trees on the site are protected. However, a full Tree Survey has been carried out across the whole site as part of the approved application for the new Master Plan. There are no trees of any significance across the site and those which are present are shown on the submitted Tree Survey. Most of these trees within the application site were proposed for removal as part of the earlier Master Plan arrangement. The intention would be to retain relatively few trees across the site since none have any particular value with the aim to start again with an entirely new planting scheme.
- 10.16 As set out above, 0.35 hectares of public open space would be provided as part of the proposals, including small pockets, a landscaped avenue and a larger central Local Area of Play (LAP). Full details of trees to be retained and removed as well as proposed landscaping would be provided as part of a reserved matters application.

Contamination

10.17 The Environmental Statement submitted as part of the outline planning application for the new settlement concluded as follows:

“Localised contamination has been identified within the soils underlying parts of the Site. Contamination has also been found in groundwater to the north of the site. Owing to the historical and current activities on, and adjacent to the site, there is the potential for further contamination to exist within the soils and underlying groundwater.

During demolition and construction operations, construction workers and site occupants could be exposed to ground contamination. Pollution of the underlying groundwater and springs draining the site could also occur as a result of new sources of contamination introduced to the site, together with the mobilisation of existing contamination in the subsurface soils. However, mitigation measures should be implemented, where necessary, to reduce the environmental risks to site users, surface water courses and underlying groundwater to an acceptable level.

The proposed development does not include land uses that would be likely to result in significant contamination of soil, underlying groundwater and surface waters. However, future site users could be exposed to historical contamination in soft landscaped areas and ground gases accumulating in buildings. Runoff attenuation features and building foundations could provide new contamination pathways, introducing contamination to the underlying groundwater. Prior to developing the site, a Ground Investigation should be carried out to ascertain the nature and extent of contamination across the site. Where necessary, the site should be remediated so that ground contamination is reduced to an acceptable level”.

10.18 Condition 11 of the outline planning permission for the wider new settlement subsequently requires a scheme to deal with the risks associated with contamination of the site to be submitted to the LPA prior to any operational development being undertaken. It is therefore suggested that the same condition is attached to any grant of planning permission on this site.

Flood Risk and Drainage

10.19 A Stage 1 Flood Risk Assessment (FRA) was undertaken as part of the Outline planning application for the wider new settlement, a copy of which is attached at Appendix 4.

APPENDIX 4: FLOOD RISK ASSESSMENT

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- 10.20 The FRA concludes that the site is located in an area which has a very low risk of flooding from fluvial sources and a nil risk of tidal flooding. Furthermore, as ground levels would remain as existing and no basements are proposed, there would be no flood risk to the development or increased flood risk off-site.
- 10.21 A preliminary surface water drainage strategy has been developed for the wider new settlement which includes SuDS to attenuate rainfall on-site and restrict the rate of surface water runoff into the local watercourses to the existing rate, including allowing for climate change. It has therefore been concluded that the proposed new settlement would not increase flood risk on-site or elsewhere and would reduce flood risk overall. The application proposals would incorporate SuDS as well as providing permeable surfaces through the public open space and proposed garden areas. The proposed residential use of the application site would not therefore alter the conclusions of the original FRA and as such there would be no flood risk to the development or increased flood risk off-site by virtue of the proposals.

11. CONCLUSION

- 11.1 The current planning application relates to a site lying within a redevelopment area that already has outline planning permission for the development of a New Settlement comprising 1,075 dwellings of which about 750 will be new build. Additionally there will be a Neighbourhood Centre located very close to the proposed residential development.
- 11.2 The application site comprises a parcel of land that is designated for use as a Primary School however, further to proposals for a Free School elsewhere within the new settlement the site is surplus to requirements and as such an alternative use for this brownfield site is sought.
- 11.3 The proposal fits in with the overall, approved Master Plan for the area and provides a satisfactory design solution to closing off the western edge of the New Village Green.
- 11.4 The site is a brownfield site with no ecological or landscape value. The existing buildings on the site have no historic or architectural merit.
- 11.5 The proposals for additional residential development on a site formally identified for Class D1 Primary School use can take place because an alternative location has been found for the school (at Building 74 and Building 583).
- 11.6 The submitted Transport Statement confirms that the proposed development will have no material impact on the operation of the local highway network.
- 11.7 It has recently been upheld at a number of appeals that CDC has an identified 5 year housing land supply shortfall and as such CDC does not have an up-to-date Development Plan. In such circumstances the Council should grant planning permission unless the impact of doing so would significantly outweigh the benefits.
- 11.8 It has been demonstrated that the proposals will not lead to any material harm. The proposals would represent an efficient use of previously developed land which is no longer required for its designated use, delivering both market and affordable housing in a sustainable location as part of an approved new settlement.

APPENDIX 1

LIST OF PROPERTIES AND SCHEDULE OF PHOTOGRAPHS

APPENDIX 2

SITE PHOTOGRAPHS

APPENDIX 3

CHARACTER AREAS

APPENDIX 4

FLOOD RISK ASSESSMENT