

**Case Officer:** Andrew Thompson

**Recommendation:** Approve

**Applicant:** Heyford Park Estates Limited

**Proposal:** Discharge of Condition 8 (bus stop facilities) of 17/00610/REM

**Expiry Date:** 15 March 2019

**Extension of Time:**

## 1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The submission relates to the discharge of a condition relating to the Camp Road Village Centre Highway Infrastructure Works, which forms part of the wider former RAF Upper Heyford redevelopment proposals.

## 2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The application seeks to discharge Condition 8 (bus stop facilities) to the Reserved Matters Approval 17/00610/REM. Condition 8 states:

*Prior to the commencement of the development, full details of the locations and facilities to be provided at each bus stop including Real Time Information and a programme of delivery shall be submitted to and approved in writing by the Local Planning. Thereafter the bus stops and facilities shall be provided and retained in accordance with the approved details.*

*Reason - To ensure facilities to enable convenient use of public transport and in accordance with Government guidance contained within the National Planning Policy Framework.*

- 2.2. The applicant highlights that in connection with Transport and Sustainable Travel matters, it is noted that Schedule 11, Paragraph 14 of the accompanying S106 Agreement, requires the payment of a Bus Stop Contribution (BSC) of £20,000+ to Oxfordshire County Council prior to the occupation of the 316th dwelling.
- 2.3. The Agreement defines the BSC as: "means the sum of £20,000 Baxter Index-Linked towards the costs of provision and installation of real time information display units at new shelters to be erected on Camp Road (and if necessary in Middleton Stoney)."
- 2.4. The BSC payment was made to the County Council on the 11th May 2015, with safe receipt confirmed by the Council at the time and in subsequent correspondence. Paragraph 22.7 of Schedule 11 of the Agreement further obligates the County Council to only use the BSC solely for the provision and installation of real time information displays at new bus shelters on Camp Road and if applicable Middleton Stoney. Reserved Matters Approval 17/00610/REM to which Condition 8 applies, was approved pursuant to outline permission 10/01642/OUT and is therefore subject to the obligations set out within the Agreement.
- 2.5. The applicant sets out that in respect of compliance with Condition 8, it is clear that regard must be had to the existing obligations set out in Schedule 11 of the Agreement and their relationship to Condition 8. In this regard recent

correspondence with David Bellchamber, Bus Infrastructure Officer at the County Council, has confirmed that not only are the Council in possession of the BSC, but also that it is to be used by the Council to provide two bus shelters on Camp Road.

- 2.6. The applicant also sets out that the bus shelters would be located adjacent to the bus stop clearways indicated on drawing HEYF-5-230 B 'Village Centre – S.278 General Arrangement', approved as part of reserved matters decision 17/00610/REM for Camp Road. Mr Bellchamber has also confirmed that real time information displays would be incorporated within the shelters themselves rather than on freestanding flag poles. Indeed, the former is the preferred option of the Council.
- 2.7. Given this situation, the applicant concludes that it is readily apparent that the physical provision of bus shelters and real time information is to be undertaken by the County Council in line with the obligations set out in Schedule 11 of the Agreement. However, in assisting this provision, it has been further agreed with Mr Bellchamber, that the two bus stop shelters will be provided with electric services and associated ducting to facilitate and power the subsequent bus shelter / real time information provision.
- 2.8. To this end submitted drawing EN0014504-1\_5 of 12 Appendix, indicates the location and provision of unmetered electric feeder pillars required to service the proposed shelters and real time information displays.
- 2.9. Therefore, the applicant highlights that this facilitating work will be undertaken by the applicant and represents the scheme of works submitted in respect of Condition 8. With regard to delivery of these facilitating works, it was anticipated that they would be completed by the 30th April 2019 as part of on-going infrastructure works. This implementation timetable would then enable the County Council to carry out their works to provide the bus shelters and real time information in line with their aforementioned obligations.

### **3. RELEVANT PLANNING HISTORY**

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

17/00610/REM - Reserved Matters to Approval 10/01642/OUT - Access for Camp Road Village Centre Highway Infrastructure Works. The original outline application was accompanied by an Environmental Statement.

10/01642/OUT - Outline - Proposed new settlement of 1075 dwellings including the retention and change of use of 267 existing military dwellings to residential use Class C3 and the change of use of other specified buildings, together with associated works and facilities, including employment uses, a school, playing fields and other physical and social infrastructure.

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

- 4.1. OCC Highways - Objected - The proposed bus stop locations are acceptable. However, there are no details as to what facilities would be provided or a programme of delivery.

### **5. APPRAISAL**

- 5.1 The comments of OCC Highways are noted and the details are considered acceptable. The s106 for the development sets out the delivery mechanisms and the required delivery in accordance with the s278 Agreement and highways legislation.

As such, whilst the condition calls for a delivery programme this has already been agreed by way of the concurrent s106 as part of 10/01642/OUT and s278 Agreements. As such the details are considered acceptable.

- 5.2** The original application was EIA development which still forms the basis for the determination of the approved details and the basis of the development. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

## **6. RECOMMENDATION**

That Planning Condition 8 of 17/00610/REM be discharged based upon the submitted details subject to the implementation of the approved details based on the agreed mechanisms and as follows:

### Condition 8:

The comments of OCC Highways are noted and the details are considered acceptable. The s106 for the development sets out the delivery mechanisms and the required delivery in accordance with the s278 Agreement and highways legislation. As such, whilst the condition calls for a delivery programme this has been agreed by way of the concurrent s106 as part of 10/01642/OUT and s278 Agreements. As such the details are considered acceptable.

The agreed plans are:

EN0014504-1\_5 of 12 Appendix Rev 4-0

HEYF-5-230 B 'Village Centre – S.278 General Arrangement

Case Officer: Andrew Thompson

DATE: 10 February 2023

Checked By: Andy Bateson

DATE: 10<sup>th</sup> February 2023

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