

FULL PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING OF UPTO 57 RESIDENTIAL UNITS WITH ASSOCIATED PARKING, INFRASTRUCTURE AND LANDSCAPING.

PLANNING STATEMENT (INCLUDING HERITAGE AND AFFORDABLE HOUSING STATEMENTS, S.106 HEADS OF TERMS)

DORCHESTER PHASE 5D, PHASE 8C AND TRENCHARD CIRCLE, HEYFORD PARK, CAMP ROAD, UPPER HEYFORD.

ON BEHALF OF HEYFORD PARK SETTLEMENTS LP

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

Pegasus Group

Pegasus House | Querns Business Centre | Whitworth Road | Cirencester | Gloucestershire | GL7 1RT

T 01285 641717 | **F** 01285 642348 | **W** www.pegasusgroup.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester | Peterborough

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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1. INTRODUCTION

- 1.1 This Planning, Heritage and Affordable Housing Statement has been prepared by Pegasus Group on behalf of Heyford Park Settlements LP (“the Applicant”).
- 1.2 The Statement is in support of a full planning application for the development of three areas of land located within the confines of Heyford Park, Camp Road, Upper Heyford, Oxfordshire for residential development. The description of development is as follows:

“Erection of up to 57 residential dwellings (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of vehicular and pedestrian accesses, public open space, landscaping, infrastructure, and site clearance.”

- 1.3 The application sites comprise three parcels of land within the former RAF Base at Upper Heyford, now known as Heyford Park, with the individual parcels identified as Dorchester Phases 5D and 8C, together with Trenchard Circle.

Planning Statement Structure

- 1.4 This Planning Statement considers the relevant National and Local Planning Policy against which the application should be determined with particular reference to: the adopted policies contained within the Cherwell Local Plan (2011-2031) and the National Planning Policy Framework (NPPF).
- 1.5 The Statement will seek to demonstrate, with reference to the plans and documents listed below, that the proposed development is compatible with local and national planning policies, and that all material considerations can be adequately addressed.
- 1.6 This Statement is structured as follows:
- Section 2: Site and Surrounding Area – Provides a description of the application sites and their immediate surrounding context.
 - Section 3: Planning History – Sets out the planning background to Heyford Park, with particular reference to its extensive planning history and its continuing role as a Strategic Allocation for the Cherwell District.

- Section 4: The Proposed Development – Provides a summary of the proposed development and describes the proposed access, layout, scale, appearance and landscaping strategy.
- Section 5: Application Background – Sets out the relationship of the proposals with the wider redevelopment of Heyford Park and current related planning proposals which have an holistic relationship to this application.
- Section 6: Provides an outline on the Oxfordshire Housing and Growth Deal and its objectives and connections to the application proposals.
- Section 7: Planning Policy and Guidance – Provides a summary of the key relevant planning policy and guidance at a national and local level which form the development plan and material considerations.
- Section 8: Affordable Housing – sets out the level and form of affordable housing proposed having had regard to the relevant development policies.
- Section 9: Planning Obligations and S.106 Heads of Term– provides a summary of the draft obligations and their securement in line with the operation of the S106 regime.
- Section 10: Planning and Heritage Assessment – An assessment of the proposed development having regard to the development plan and other material considerations.
- Section 11: Summary and Conclusions – Considers how the various planning considerations should be balanced and the weight to be given.

Supporting Documents

1.7 In addition to this Statement, the following documents are submitted to accompany the application:

- Application form, notices and certificates;
- Arboricultural Statement – Phase 5C, Phase 8C and Trenchard -LANDARB Solutions. 11th February 2019.;
- Design and Access Statements:

- Phase 5D – Focus on Design. 0521-PH5C. 18th February 2019;
- Phase 8C – Focus on Design. 0521-PH8C. 18th February 2019;
- Trenchard – Focus on Design. 0521-TR. Issue 2. 31st January 2019;
- Dorchester Living Construction Specification 2016 (Revision 17);
- Extended Phase 1 Habitat Survey Update – Phases 5D, 8C and Trenchard Circle. – 4 Acre Ecology. Issue 1. 28th February 2019.
- Flood Risk Assessment Compliance Statements:
 - Phase5C – Woods Hardwick. 16871. Version 2. January 2019;
 - Phase 8 – Woods Hardwick. 16871. Rev.5. January 2019;
- Flood Risk Assessment for Trenchard Circle – Woods Hardwick. 16871. Version 6. January 2016;
- Transport Statement – Phases 5D, 8C and Trenchard. – PBA. 39304 February 2019.
- Parking Matrixes:
 - Phases 5, 5D and 5(R). Issue 1;
 - Phases 8A and 8C. Issue 1;
 - Trenchard Issue 1;
- Application Plans (listed in sections below).

Heritage Assessment Methodology

- 1.8 The following methodology will be utilised in order to assess the impact of the proposed development on the heritage significance of the heritage assets within the vicinity of the application sites.

Assessment of Significance

- 1.9 In the NPPF, heritage significance is defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. ¹For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”

1.10 Historic England’s Historic Environment Good Practice advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment² (henceforth referred to as ‘GPA 2: Managing Significance’) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset. In order to do this, GPA 2: Managing Significance also advocates considering the four types of heritage value an asset may hold, as identified in Historic England’s Conservation Principles³; **evidential**, **historical**, **aesthetic** and **communal**. These essentially cover the heritage ‘interests’ given in the glossary of the NPPF, which comprise archaeological, architectural, artistic and historic interest.

1.11 Conservation *Principles* provides further information on the heritage values it identifies:

- **Evidential value:** the potential of a place to yield evidence about past human activity. This value is derived from physical remains, such as archaeological remains, and genetic lines.
- **Historical value:** the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative. Illustrative value is the perception of a place as a link between past and present people and depends on visibility. It has the power to aid interpretation of the past through making connections with and providing insights into past communities and their activities through shared experience of a place. By contrast, associative value need not necessarily be legible at an asset, but gives a particular resonance through association with a notable family, person, event or movement.

¹ NPPF Annex 2, DCLG, 2019

² Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment*

³ English Heritage 2008 *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*

- **Aesthetic value:** the ways in which people draw sensory and intellectual stimulation from a place. Aesthetic values can be the result of conscious design or fortuitous outcome or a combination of the two aspects. The latter can result from the enhancement of the appearance of a place through the passage of time.
- **Communal value:** the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. This can be through widely acknowledged commemorative or symbolic value that reflects the meaning of the place, or through more informal social value as a source of identity, distinctiveness, social interaction and coherence. Spiritual value may also be part of communal value.

1.12 Significance results from a combination of any, some or all of the values described above.

1.13 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

1.14 As defined in the NPPF:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”⁴

1.15 Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”⁵

1.16 Therefore, setting can contribute to, affect an appreciation of significance or be neutral with regards to heritage values.

Assessing change through alteration to setting

1.17 How setting might contribute to these values has been assessed within this report with reference to *Historic Environment Good Practice Advice in Planning Note 3*

⁴ NPPF Annex 2, DCLG, 2019

⁵ Ibid

(*Second Edition*): *The Setting of Heritage Assets*⁶ (henceforth referred to as *GPA 3: The Setting of Heritage Assets*), particularly the checklist given on page 11. This advocates the clear articulation of ‘*what matters and why*’.

- 1.18 In *GPA 3: The Setting of Heritage Assets*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess “*whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciate*”. The guidance includes a (non-exhaustive) check-list of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists points associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, land use, accessibility and rarity.
- 1.19 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to “*maximise enhancement and avoid or minimise harm*”. Step 5 is to “*make and document the decision and monitor outcomes*”.
- 1.20 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

Levels of significance

- 1.21 In accordance with the levels of significance articulated in the NPPF, three levels of significance are identified:
- **Designated heritage assets of the highest significance**, as identified in paragraph 194 of the NPPF comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields

⁶ Historic England, 2017, *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets*

(and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 63 of the NPPF;

- **Designated heritage assets of less than the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and
- **Non-designated heritage assets.** Non-designated heritage assets are defined within the Government's Planning Practice Guidance as "buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets⁷".

1.22 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

1.23 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

1.24 In order to relate to key policy, the following levels of harm may potentially be identified:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013⁸ that this would be harm that would "have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced"; and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

⁷ DCLG, Planning Practice Guidance, Paragraph: 039 (ID: 18a-039-20140306, Revision date: 06 03 2014)

⁸ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

- 1.25 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this⁹. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.
- 1.26 Preservation does not mean no change; it specifically means no harm. *GPA 2: Managing Significance* states that "Change to heritage assets is inevitable but it is only harmful when significance is damaged". Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.
- 1.27 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in *GPA 3: The Setting of Heritage Assets*, described above. Again, fundamental to the methodology set out in this document is stating 'what matters and why'. Of particular relevance is the checklist given on page 13 of *GPA 3: The Setting of Heritage Assets*.
- 1.28 It should be noted that this key document states that:
- "setting is not itself a heritage asset, nor a heritage designation"¹⁰**
- 1.29 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.
- 1.30 With regards to changes in setting, *GPA 3: The Setting of Heritage Assets* states that "conserving or enhancing heritage assets by taking their settings into account need not prevent change".
- 1.31 Additionally, it is also important to note that, as clarified in the Court of Appeal¹¹, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that

⁹ EWHC 1895, R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC, West Kent Housing Association and Viscount De L'Isle

¹⁰ Historic England, 2017, *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets (paragraph 9)*

¹¹ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061 (04 November 2016)

any harm, however minor, would necessarily require planning permission to be refused.

Benefits

- 1.32 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence significance of the assets concerned.

2. SITES AND SURROUNDING AREA

- 2.1 The application site forms of part of the Former RAF Upper Heyford, its military use having ceased in 1994. The Heyford base extends to approximately 520 hectares in total and the location of the application site is identified on the Location Plan that accompanies the application.
- 2.2 The former airbase base is located approximately 7km north-west of Bicester, 13km south-east of Banbury and 3km south-west of Junction 10 of the M4 Motorway, in Oxfordshire.
- 2.3 The airbase as a whole was designated as a Conservation Area in 2006, reflecting the key role that the airbase played in the Cold War years, and the distinctive architecture and layouts which arose from that use. The Trident layout at the centre of Heyford Park and the Parade Ground just south of Camp Road are just two elements of the original plans and represent military and airfield layouts typical of their era.
- 2.4 The application relates to three distinct areas within the former military base, which can individually be identified as Phase 5D, Phase 8C and Trenchard Circle and are collectively indicated on **Location Plan 0521-PH5D-8C-TR-101**.

Phase 5D

- 2.5 The application site for Phase 5D 0.29 hectares of brownfield land which lies central to the former Airbase, immediately to the south of Camp Road, opposite the Heyford Park Heritage Centre in Building 103.
- 2.6 The site was formerly partially occupied by Buildings 492 and 493 and their associated forecourt, which as part of the previous military occupation provided petrol and retail facilities. These buildings, together with Building 459, have been demolished in line with previous approvals as part of on-going residential development in the area.
- 2.7 The northern boundary of the site is formed by Camp Road with the western boundary contained by Dow Street, which provides access from its junction with Camp Road into the adjacent residential phases.
- 2.8 The eastern boundary abuts the remaining original curtilage of Buildings 492 and 493, which makes up the proposed development of Dorchester Phase 5C with proposed Village Centre South (VCS) facility beyond.

2.9 In a similar manner, the south western and southern boundaries immediately adjoin the residential land of Dorchester Phase 5, which is subject to on-going development as part of the implementation of permission 13/01811/OUT for 60 dwellings, with which the site has a holistic and integral relationship.

Phase 8C

2.10 The second part of the application site, identified as Phase 8C, comprises 0.25 hectares of further brownfield land which lies central to the former Airbase, to the north of Camp Road, within the wider area identified as the Trident.

2.11 The wider Trident area is located on the northern side of Camp Road, comprising an area formerly occupied by a range of military buildings set within a radial internal road layout, accessed from Camp Road to the south.

2.12 As suggested by its name, the Trident area is characterised by a series of internal tree lined roads, which in linking to the main radial road around the outer boundary, replicate a 'trident' and have the effect of subdividing the internal area into a series of quadrants.

2.13 The Phase 8C application forms part of one such quadrant located to the immediate western of the central spine road and contained by Trident Road 3 to the immediate south west and retained former military office building 133 to the north west.

2.14 At the current time the wider area is subject to redevelopment for residential purposes, with Bovis Phases 4a and 4b approved to the west of the application site, and Dorchester Phase 8 to the north and east. This redevelopment is being undertaken in accordance with reserved matters approvals granted by the Council for the Trident area.

2.15 In connection with this, the Phase 8C application site, was formerly part of the wider Dorchester Phase 8 parcel and also benefits from approval for residential development.

Trenchard Circle:

2.16 The third part of the application site relates to Trenchard Circle, an area of former military housing located to the north east of Camp Road.

- 2.17 The 1.0 hectare site forms part of an area of retained, former airman's housing on the eastern edge of Heyford Park accessed from Camp Road via Larsen Road.
- 2.18 In connection with this previous residential use, Trenchard Circle consisted of 30¹² bungalows, some of which have refurbished¹³ and others which have been demolished as part of previously development proposals approved under reference 16/00196/F.
- 2.19 The current application site for Trenchard Circle, relates wholly to this area of land created by such demolition works.
- 2.20 In contextual terms the application site borders the new Dorchester housing developments of Phase 2 on Soden Road and Hampden Square to the west, with the retained bungalows to the east and further retained, former military housing to the south.
- 2.21 As set out in more detail in Section 3 of this Statement, all three application sites benefit from planning approvals for residential redevelopment and have been previously prepared in connection with the on-going and anticipated implementation of such schemes.

Heritage Assets

- 2.22 The application sites are located within the RAF Upper Heyford Conservation Area which is a designated heritage asset as defined by the NPPF.
- 2.23 The former RAF Upper Heyford military base was, as a whole, designated as a Conservation Area in 2006, reflecting the key role the military base played in the Cold War years and its distinctive military architecture and layout. The RAF Upper Heyford Conservation Area Appraisal (CDC, April 2006) divided the wider site in to a number of 'Character Areas' as shown on the extract plan provided at **Appendix 1**, with the Phase 5D application site being within the 'Residential Area', and specifically 'Area 10B', the Phase 8c application site being within 'Technical Site, Area 9' and Trenchard application site within the 'Residential Area, Area 10C'.

APPENDIX 1: RAF UPPER HEYFORD CONSERVATION AREA APPRAISAL – CHARACTER AREAS PLAN

¹² 14 no. formerly located within the application site.

¹³ 16 no. retained and outside of the application site.

2.24 The Appraisal describes 'Area 10B' as:

"RAF Domestic and Residential Section: 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 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 Technical 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 the 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."

2.25 Area 10c is described as:

"Airman's Housing and Bungalows: To the east of the Parade Ground is Carswell Circle (datestone 1925) short terraces of garden city style rendered buildings located originally in an open setting. The later southern second circle is a marriage of an open setting with the prevailing house design styles of the 1940s-50s. Red brick, estate house, smaller cousins to the officers' housing built on Larsen Road.

There are a number of areas covered in prefabricated bungalows; south of Camp Road and north of Larsen Road. There is perfunctory attempts at landscaping, but the monotony of repeated structures is unrelenting. The bungalows themselves are functional but have not architectural merit."

2.26 Area 9 is described as follows:

"Technical Site: This area is characterised by the 'campus' layout of deliberately site, mix function buildings, in an open setting with organised tree planting. The variation in building type is both a function of their differing use and the fact that there has been continual construction within the site as part of the different phased of development within the airbase. The setting of the 1930s aircraft hangers in an arc on the northern edge of the site provides a visual and physical edge to the site. The access to the Technical Site is dominated by Guardroom (100) and Station Office (52). To the east of these is the impressive 1920s Officer's Mess (74) set within its own lawns. The style of these 1920s, red brick, RAF building is British Military."

2.27 The significance of the application sites was also considered within the Archaeology and Cultural Heritage Chapter of the Environmental Statement produced in support of the 'The Outline Consent' granted in January 2010 (a copy

of the relevant Character Areas Plan is provided at **Appendix 2**). The Phase 5D application site was within the part of the site known as Area 3A which was described as:

"AREA 3A: STORE/PETROL STATION

Significance: Low

This small area is dominated by open hard surfaces and built up edges, with Camp Road to the north and the edge of the petrol station tarmac to the east. This Character Area is interesting from a social history point of view, in depicting life on the Airbase and the creation of 'little America', but the individual structures are not of significance."

APPENDIX 2: 2010 ENVIRONMENTAL STATEMENT CHARACTER AREAS PLAN

2.28 The Phase 8c application site was within the area known as Area 5B, which was described as:

"AREA 5B: SERVICE AREAS

Significance: Low

This is a complex area with a wide range of building materials and types, but does not contain any major dominant structures. It consists largely of yards/parking areas and single storey buildings and clusters of minor 1920s red brick structures, with Post-War (mainly office) structures to the east. A prominent characteristic is the plan form and radiating avenues which is considered to be of medium significance. The Character Area includes the Scheduled Monument of the telephone Exchange, which is a Hardened Cold War structure."

2.29 The Trenchard application site was located within the area known as Area 6B which was described as:

"AREA 6B: NORTH BUNGALOWS

Significance: Low

The uniform 1960s/70s bungalows characterise this area layout in a compact unit with gardens to the rear, and trees forming much of the perimeter boundaries."

2.30 Notwithstanding the above, the sites have clearly been subject to significant change since the above assessments were made, and now has the appearance of development sites, with the former buildings located within the sites being cleared. The sites therefore currently contribute very little to the significance of the Conservation Area in their current form, although it is of course important to

consider the impact that the proposed new development will have on the character and appearance of the Conservation Area going forward.

- 2.31 With regards to the other designated heritage assets within the boundaries of the Conservation Area (the Scheduled Monuments and Listed Buildings) it is not considered that the application site forms part of the setting of these assets which specifically contributes to their significance due to the limited intervisibility due to intervening built form. Therefore, it is considered proportionate that any potential impact upon these designated assets are considered as part of the wider assessment of the impact upon the Conservation Area as a whole.

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 affect only a small part of the Base overall. The most significant applications affecting the site are two 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, application reference 08/00716/OUT, known as the 'Lead Appeal'. 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.
- 3.2 Following the purchase of the site by the Dorchester Group, a revised scheme for the redevelopment of the New Settlement Area, comprising 1,075 dwellings including the retention and change of use of 267 existing military dwellings to residential 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, was approved by the District Council in December 2011, application reference 10/01642/OUT. The outline application contained a fundamentally different concept from that set out in the masterplan accompanying the 2010 approval, insofar as it retained virtually all of the existing residential properties within the base, with an additional 762 new dwellings being introduced on various parts of the site. The New Settlement Area application was accompanied by both a Design and Access Statement and Environmental Statement.
- 3.3 Several further related planning applications have been determined following the comprehensive planning permissions with other advanced proposals pending final determination by the Council.
- 3.4 In respect of the current application sites, the most relevant decisions are set out below with direct regard to their relationship with the Phase 5D, 8C and Trenchard areas.

Phase 5D:

- 3.5 As highlighted earlier, the Phase 5D application site has a holistic relationship with both the wider Dorchester Phase 5 and a subsequent Phase 5C. To this end,

the application site benefits from two earlier permission which overlap the extent of Phase 5D.

- 3.6 The southern section of the site, falls with the extent of Outline Permission 13/01811/OUT granted in March 2016 for the erection of 60 dwellings with associated works and open space.
- 3.7 Pursuant to this outline planning permission, reserved matters approval for residential use was subsequently achieved under reference 16/00627/REM in August 2016. This scheme indicated that the wider scheme would consist of two main areas of development, divided by an internal estate road running east-west across the site, linking Howard Road to Dow Street.
- 3.8 53 dwellings were proposed on land to the south of this internal road, with the remaining 7 dwellings located on the northern side. This northern area is common to the current Phase 5D proposals as well as amended Phase 5 proposals also submitted at this time.
- 3.9 The wider Phase 5 permissions and approvals have been implemented with the remainder of the phase currently under construction at the time of writing.
- 3.10 In respect of the northern, Camp Road frontage area of the current Phase 5D application site, this area benefits from reserved matters approval 17/00973/REM granted pursuant to outline permission 10/01642/OUT.
- 3.11 Approval 17/00379/REM was granted in March 2018 and relates to the provision of 17 residential units across both the Phase 5D site and the adjacent land to the east abutting the Village Centre South.

Phase 8C:

- 3.12 The Phase 8C application site formed part of the wider Phase 8 Trident land, which formed part of reserved matters approval 16/00864/REM granted in December 2016 for the erection of 91 dwellings. This reserved matters approval was again achieved pursuant to outline planning permission 10/01642/OUT.
- 3.13 To facilitate the delivery of the Dorchester Phase 8 'Trident' housing, full planning permission was also granted in June 2017, for the amendment and alteration to the existing road infrastructure in the Trident area, under reference 17/00663/F. As a direct result of this permission, the internal estate road to the immediate

south of the application site was reclassified from its original classification as a Tertiary Street ST.3 within the approved design code to a Secondary Street ST.2.

- 3.14 Alongside this, similar reserved matters approval for the construction of 29 open market and 71 affordable housing units on Bovis Phases 4A and 4B, within the western Trident quadrants were granted by the Council in August 2018, under reference 17/00983/REM.
- 3.15 As previously highlighted, at the time of writing, construction is on-going with regard to the delivery of both the Bovis and Dorchester Phases, with the associated road infrastructure also undertaken.

Trenchard Circle:

- 3.16 Full planning permission was granted in August 2016, under reference 16/00196/F, for the demolition of the existing bungalows and the erection of 13 dwellings on land common to the current Trenchard application site.
- 3.17 The approved proposals related to the demolition of 14 of the previously retained bungalows and their replacement with 13 new dwellings with associated infrastructure.
- 3.18 It is readily apparent from the planning history that the application site and its component parts of Phase 5D, Phase 8C and Trenchard Circle all benefit from extant permissions and approvals for residential redevelopment.
- 3.19 In terms of the wider overall site, the development of the New Settlement Area pursuant to outline planning permission ref: 10/01642/OUT is underway, with various phases of reserved matters applications being implemented by both the Dorchester Group and Bovis Homes.
- 3.20 Alongside the implementation of existing outline permission 10/01642/OUT, application 18/00825/HYBRID is currently before the Council for the mixed-use redevelopment of future areas of Heyford Park for residential, commercial, education and leisure activities in line with the allocation of Heyford Park under Policy Villages 5 of the Cherwell Local Plan.
- 3.21 In addition, at the 20th September 2018 meeting of the Planning Committee, the Council 'Resolved to Grant' application 16/02446/F for the erection of 296

dwelling on land to the South West of Camp Road, Heyford Park. This proposal is known as Dorchester Phase 9.

4. APPLICATION PROPOSALS

4.1 The application relates to a full application submission for erection of up to 57 residential units located across three sub-areas of Heyford Park, identified as Phases 5D, 8C and Trenchard Circle.

Phase 5D Proposals

4.2 Phase 5D comprises the erection of 11 dwellings located on the northern side of the internal east-west estate road of the previously approved proposals for the wider Phase 5 development, as well as on the Dow Street and Camp Road frontages.

4.3 The units would comprise a pair of a semi-detached 4 bed units fronting onto Camp Road with a second 4 bed pair fronting Dow Street together with a detached 3 bed unit.

4.4 A further 3 bed detached unit and two pair of semi-detached 3 bed units would be located to the northern side of the previously approved internal estate road on Phase 5.

4.5 The remaining 3 bed unit on this frontage, would form the western end of a terrace of 3 identical units, with the central and eastern end units falling with the proposed Phase 5C development (please refer to Section 5 of this Statement).

4.6 Parking for each unit is proposed by means of a mix of on-plot parking to the front, rear parking courts and garaging, varying in respect of the particular frontage and aspect of the units.

4.7 Access to the parking areas for the units within the former Phase 5 area would be taken direct from the internal east-west estate road. The remaining units would be served from new accesses off either Dow Street or Camp Road.

4.8 In addition, the proposals also include landscaping and footway works along the Dow Street, Camp Road and the internal estate road frontages, which would be adopted following completion of works

4.9 The plans listed in the table below set out the submission for the Phase 5D proposals:

Drawing Title	Number
Planning Layout	0521-PH5D-102
External Works Layout	0521-PH5C-5D-5(R)-104
Vehicle Tracking	0521-PH5C-5D-5(R)-105
External Detailing	0521-PH5C-5D-5(R)-106
Adoption Plan	0521-PH5C-5D-5(R)-107
Materials Layout	0521-PH5C-5D-5(R)-108
Garages, Bin Store and Cycle Store	0521-PH5C-5D-5(R)-109
Refuse Plan	0521-PH5C-5D-5(R)-111
Planting Proposals	1619 A8 5C 01 Rev.H

- 4.10 The dwellings proposed by the application comprise 100% open market housing consisting of:

Market Housing	
No. of Beds	No. of Units
3	7
4	4
Total Market Housing	11
GRAND TOTAL	11

- 4.11 The plans detailing the appearance and floor plans of the proposed dwellings are shown in the Housetype Booklet **0521-PH5C-5D-5(R)-HTB Issue 2** and are listed in the table below:

Drawing Title	Number	Plot
DL2 Plans & Elevations	0521-PH5C-5D-5(R)-201	8
DL6 Plans & Elevations	0521-PH5C-5D-5(R)-200	9, 10, 11 and 12
Type 1A-SA Plans & Elevations	0521-PH5C-5D-5(R)-204	13 and 14
SP7B Elevations	0521-PH5C-5D-5(R)-207	15

SP7B Plans	0521-PH5C-5D-5(R)-208	15
SP7C Elevations	0521-PH5C-5D-5(R)-205	16
SP7C Plans	0521-PH5C-5D-5(R)-206	16
SP2-V3 - Elevations	0521-PH5C-5D-5(R)-209	17 and 18
SP2-V3 - Elevations	0521-PH5C-5D-5(R)-210	17 and 18
SP2-V3 – Plans	0521-PH5C-5D-5(R)-211	17 and 18

4.12 As can be seen the units fronting Camp Road would be 3 storey in scale with gables at right angles to the road. On Dow Street the units would reduce to a mix of 2½ and 2 storey, with the remaining units all being of 2 storey scale with ridges running parallel to the internal estate road.

Phase 8C Proposals

4.13 The Phase 8C proposals comprise the erection of 15 apartment units, with associate landscaping and car parking. All of the units would be of affordable tenures.

4.14 The apartments would be provided by way of a two linked apartment blocks set back from the adjacent Trident Road 3. The apartment blocks would form the southern half of a series of four similar buildings, creating a courtyard of units served by an open car parking court to the east, accessed from the adjacent road.

4.15 As set out in Section 5, the northern apartment blocks and areas of the car parking court would be provided in conjunction with amended proposals for the adjacent sub-phase 8A of the wider Phase 8 scheme.

4.16 Pedestrian access to the apartments would be taken via a series of footpaths created within the retained and enhancement open landscape areas, with access to the surrounding facilities proposed in the Village Centre readily achievable.

4.17 The plans listed in the table below, set out the submission for the Phase 8C proposals:

Drawing Title	Number
Planning Layout	0521-PH8C-102

Street Scene	0521-PH8A-8C-103
External Works Layout	0521-PH8A-8C-104
Vehicle Tracking	0521-PH8A-8C-105
External Detailing	0521-PH8A-8C-106
Materials Layout	0521-PH8A-8C-108
Refuse Plan	0521-PH8A-8C-111
Character Areas	0521-PH8C-112
Storey Heights	0521-PH8C-113
Density Plan	0521-PH8C-114
Service Easements	0521-PH8A-8C-115
Detailed Planting Proposals (Sheet 1 of 2)	1619 A5 06 Rev.C 8A
Detailed Planting Proposals (Sheet 2 of 2)	1619 A5 07 Rev.C 8A

4.18 The units proposed within Phase 8C comprise 100% affordable housing comprising:

Affordable Rent	
No. of Beds	No. of Units
1	9
Rented Sub-Total	9
Intermediate	
No. of Beds	No. of Units
1	3
2	3
Intermediate Sub-Total	6
GRAND TOTAL	15

4.19 The proposed accommodation would consist of a mix of one bed maisonettes and flats, with affordable tenures split across one block containing the 9 rented units and the other the 6 intermediate ones.

- 4.20 The plans detailing the appearance and floor plans of the proposed apartments are indicated on the following plans:

Drawing Title	Number	Plot
SPF2(A) Plans & Elevations	0521-PH8C-200	410 to 418
SPF3 Plans & Elevations	0521-PH8C-201	434-438

- 4.21 These drawings indicate that the apartment block would be 3 storey in scale.

Trenchard Circle Proposals

- 4.22 The proposals for Trenchard Circle comprise the erection of 31 dwellings with associated car parking and landscaping. The dwellings would be located on the western side of Trenchard Circle immediately along the western and northern site boundaries, opposite the existing retained bungalows in the central part of the wider site.
- 4.23 The dwellings would be laid out via a series of detached, semi-detached and short terraced units, orientated along a linear access road running through the site.
- 4.24 Parking for the dwellings would be provided by way of a combination of detached garaging set to the side and rear of units together with open parking to the front of other units.
- 4.25 The proposals include the visitor parking at both the northern and southern ends of the internal road, with tree planting along the length of the road and within the open parking areas.
- 4.26 The plans listed in the table below indicate the submission for Trenchard Circle:

Drawing Title	Number
Planning Layout	0521-TR-1002 Rev.A
Street Scene	0521-TR-1003
External Works Layout	0521-TR-1004 Rev.A
Vehicle Tracking Sheet 1 of 2	0521-TR-1005-1
Vehicle Tracking Sheet 2 of 2	0521-TR-1005-2
External Detailing	0521-TR-1006

Adoption Plan	0521-TR-1007
Materials Layout	0521-TR-1008
Garages	0521-TR-1009
Refuse Plan	0521-TR-1011
Detailed Planting Proposals (Sheet 1 of 2)	1619 A4 01 Rev.M
Detailed Planting Proposals (Sheet 1 of 2)	1619 A4 02 Rev.M
Detailed Planting Proposals (Sheet 1 of 2)	1619 A4 03 Rev.D
Cat and Dog Proof Fence Details	D.0341_10C
Trenchard Circle Tracking	HEYF-5-907 A

4.27 The dwellings proposed in Trenchard Circle are a mix of open market and affordable housing and would comprise the following:

Market Housing	
No. of Beds	No. of Units
3	26
4	3
Sub-Total	29
Affordable Housing – Intermediate	
No. of Beds	No. of Units
3	2
Sub-Total	2
Total Market Housing	29
Total Affordable Housing	2
GRAND TOTAL	31

4.28 The proposals include that the accommodation would be provided by way of three 4 bed detached units, two 3 bed detached units, seven pairs of semi-detached 3 bed units and four terraces of three 3 bed units.

4.29 The plans detailing the appearance and floor plans of the proposed dwellings are shown in Housetype Booklet **0521-TR-HTB Issue 1** and are specified on the following plans:

Drawing Title	Number	Plot
SP4 Plans & Elevations	0521-TR-2005	1 and 25
Type 1 Plans & Elevations	0521-TR-2003	2, 10, 11 and 28
Type 1 Plans & Elevations	0521-TR-2004	3, 4, 18, 19, 26 and 27
DL2 Plans & Elevations	0521-TR-2002	5, 6, 7, 8, and 9. 12, 13, 14, 15, 16 and 17 20, 21, and 22
DL6 Plans & Elevations	0521-TR-2001	23 and 24
DL6 Plans & Elevations	0521-TR-2000	29 and 30
SP4 Plans & Elevations	0521-TR-2006	31

4.30 As can be seen all of the dwellings would be of 2 storey scale, with the intermediate affordable housing consisting of a terrace of three 3 bed units.

Cumulative Proposals

4.31 As stated earlier this application relates to the provision of 57 residential units across the three development phases of 5D, 8C and Trenchard Circle.

4.32 The overall cumulative nature of the accommodation proposed in terms of both unit size and its tenure, is summarised in the table below:

Market Housing	
No. of Beds	No. of Units
3	33
4	7
Sub-Total	40
Affordable Housing – Rented	
No. of Beds	No. of Units

1 bed flat	7
1 bed maisonette	2
Sub-Total	9
Affordable Housing – Intermediate	
No. of Beds	No. of Units
1 bed flat	3
1 bed maisonette	3
3 bed dwelling	2
Sub Total	8
Total Market Housing	40
Total Affordable Housing	17
GRAND TOTAL	57

4.33 This Statement includes an Affordable Housing Statement, which sets out the approach in this regard in more detail.

5. BACKGROUND TO THE PROPOSALS AND THE WIDER REPLAN OF PHASE 5, PHASE 8 AND TRENCHARD CIRCLE

- 5.1 As is evident from the submitted plans, the application sites form part of a series of amendments sought for the wider Dorchester Phases 5 and 8 areas as well as for Trenchard Circle, with the submitted Planning Layout drawings indicating plots / units proposed with the current application but also additional plots located on adjoining development plots.
- 5.2 In seeking to achieve additional housing growth and accelerated delivery in line with market requirements, the Applicant has undertaken a review of the remaining development parcels available within Phases 5, 8 and Trenchard Circle.
- 5.3 This review has identified that additional growth can be achieved via the use of higher densities within the previously approved areas of Phase 5, Phase 5C, Phase 8A parcels, arising from revised layouts and accommodation mixes, which make more efficient use of the available land. A similar more efficient approach achieving additional growth has also been taken to Trenchard Circle.
- 5.4 In this regard, the submitted Planning Layout demonstrates that the combined effect of this re-plan of the remaining phase areas enables better coverage to be achieved, securing:
- 31 residential units in lieu of the previously approved cumulative 24 across the combined Phase 5 / 5C / 5D area as indicated on Planning Layout 0521-PH5D-102;
 - 88 residential units in lieu of the previously approved cumulative 91¹⁴ across the combined Phase 8A / 8B / 8C area as indicated on Planning Layout 0521-PH8C-102;
 - 31 residential units in lieu of the previously approved 13 across Trenchard Circle as indicated on Planning Layout 0521-TR-1002 Rev.A;
- 5.5 This uplift is achieved primarily by the use of smaller and different house types within the previously approved north eastern most section of Phase 5, which enables the 7 residential units originally approved across the whole of the northern section of Phase 5 to be achieved on land originally approved for only 4.

¹⁴ This figure includes the 49 units approved under 16/00864/REM for Phase 8B located to the eastern section of Phase 8 which remain unaffected by the review.

- 5.6 This in turn releases this previously approved Phase 5 developable land, located immediately adjacent to Dow Street, for additional residential development and growth. This land is identified as Dorchester Phase 5D and form parts of the current application proposals.
- 5.7 In accommodating this growth, the Planning Layout indicates residential units on plots 8-18 on Phase 5D.
- 5.8 A similar approach via the use of smaller house types and a more efficient, dense layout also enables the uplift in housing provision on Trenchard Circle to achieve 31 units on land originally approved for only 13.
- 5.9 In respect of Phase 8 and the overall change in units from the 91 approved via reserved matters 16/00864/REM to the cumulative 88 now proposed, the minor reduction in unit numbers arises from the provision of appropriate accommodation types required for affordable housing provision.
- 5.10 Whilst the number of units proposed within Phase 8C to which the current application relates has fallen, a substitution of affordable dwellings in place of the approved open market and affordable apartments in the northern section of the adjacent sun-Phase 8A, has given rise to the reduction.
- 5.11 This amendment arises in connection with the achievement of the previously agreed affordable housing provision required in pursuance of outline permission 10/01642/OUT to which Phase 8A relates.

Planning Submissions to achieve Additional Phase 5, Phase 8, Trenchard Circle and wider Heyford Park Growth

- 5.12 In respect of the existing planning permissions in place for Heyford Park and Phase 5, it is acknowledged that reserved matters application submitted pursuant to Outline Permission 10/01642/OUT (NSA outline) cannot exceed the creation / retention of 1,075 residential units,
- 5.13 Similarly, additional controls restrict reserved matters made against outline permission 13/01811/OUT (Phase 5 outline) to no more than 60 residential units.
- 5.14 In terms of associated current reserved matters submissions made in connection with outline permission, 10/01642/OUT, it is highlighted that a number of

reserved matters proposals for Heyford Park have previously approved by the Council and are in the process of being constructed at the time of writing

- 5.15 Indeed, proposals for Dorchester Phase 5C, 7A and 8A as well as Phase 5 have been submitted simultaneously to this application.
- 5.16 Having considered the number of residential units approved under such approvals against the combined 1,178 restriction of outline permissions 10/01642/OUT and 13/01811/OUT together with full permission 16/00263/F for Phase 6, it is acknowledged that the current application for 57 units would exceed the planning restrictions in place.
- 5.17 Therefore, if this additional growth is to be delivered within Heyford Park, a fresh grant of planning permission is required, which is the subject of the current submission.
- 5.18 In respect of the remaining amended housing delivery proposed on the wider Phase 5 and Phase 8 areas, this can be achieved by way of modified reserved matters submissions for new sub-phases within the extent of the original phases and which can made pursuant to outline planning permissions 10/01642/OUT and 11/01811/OUT.
- 5.19 In summary the submission strategy for the proposed amendments in respect of Phase 5, Phase 8 and Trenchard can be summarised as follows:

APPLICATION AREA	UNITS PROPOSED	PLOT No:	SUBMISSION TYPE
Phase 5			
Phase 5C	13	19-31	Reserved Matters pursuant to outline 10/01642/OUT
Phase 5 Replan	7	1-7	Reserved Matters pursuant to outline 13/01811/OUT
Phase 5D Additional Units	11*	13-18	New Full Planning Permission
Phase 8			
Phase 8A	24	419 422, 442 to 448	Reserved Matters pursuant to outline 10/01642/OUT

Phase 8B	37	361 to 392, 405-409	No submission required – scheme delivered as per 16/00684/REM
Phase 8C	15*	410 to 418, 434 to 439	New Full Planning Permission
Phase 8D	12	393-404	Delivered via application 18/00825/HYBRID
Trenchard Circle			
Trenchard	31*	1-to 31	New Full Planning Permission

- 5.20 In respect of the New Full Planning Application* this application will ultimately relate to an overall quantum of 57 residential units and it is to this additional housing on Phases 5D, 8C and Trenchard Circle that the current submission relates to
- 5.21 The form and content of the associated reserved matters applications for Phases 5C, 7A and 8A is set out in the relevant Planning Statements which accompanies those applications.
- 5.22 It is however clearly evident that the key purposes of the overall amendments will promote additional growth in line with the overarching objective of the Oxfordshire Housing and Growth Deal, to which Cherwell District Council is a key party

6. OXFORDSHIRE HOUSING AND GROWTH DEAL

6.1 On the 22nd November 2017, the Government announced that the County of Oxfordshire would receive upto £215 million of new funding in order to support Oxfordshire's ambition to plan for and support the delivery of 100,000 new homes by 2031.

6.2 This funding is to be secured by way of the Oxfordshire Housing and Growth Deal (OHGD) with the key focus of the deal to be:

- Infrastructure Delivery;
- Affordable Housing Programme and accelerated housing delivery linked to infrastructure investment;
- Joint Statutory Spatial Plan / Bespoke Planning Freedoms and Flexibilities; and
- Productivity;

6.3 As part of the OHGD, an Outline Agreement has been made between the Government and the following parties:

- Cherwell District Council;
- Oxford City Council;
- Oxfordshire County Council;
- South Oxfordshire District Council;
- Vale of White Horse District Council;
- West Oxfordshire District Council; and
- Oxfordshire Local Enterprise Partnership (OxLEP)

6.4 The Outline Agreement commits the £215m funding as follows:

- Upto £60m for affordable housing;
- Upto £150m funding for infrastructure to unlock key housing sites (to be administered on the basis of £30m per annum for five years); and
- £5m resource funding to boost capacity to secure a joint plan to support housing delivery;

6.5 Alongside the Government's commitment to provide funding, the local partners (the Councils and the OxLEP) are required to produce an OHGD Delivery Plan, as well as an Oxfordshire Joint Statutory Spatial Plan, with the adoption of the latter by 2021/22.

6.6 This Joint Statutory Spatial Plan will build on the existing Local Plans and will be a fundamental tool in the delivery of 100,000 new homes and associated infrastructure across Oxfordshire.

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- 6.7 In bringing forward the OHGD, the Government recognises that Oxfordshire has a strong and growing knowledge intensive economy making contributions of £21 billion to the UK economy and is a world leader in terms of science and innovation.
- 6.8 As a result, the area has a high housing demand, with house price to earnings ratios of 10.23, far exceeding the national average of 7.72.
- 6.9 In seeking to promote growth, the Oxfordshire approach is focused on removing barriers such as a lack of infrastructure to enable housing and economic growth to be delivered in high quality sustainable developments, which offer good quality of life for new and existing residents.
- 6.10 The deal highlights the importance of ensuring support for meeting the needs of people who cannot afford to buy on the open market with increased emphasis on the delivery and funding of affordable housing in conjunction with the Homes and Communities Agency.
- 6.11 As part of the increased emphasis on growth, the OHGD looks to remove the barriers that prevent new homes being built, with a strategic objective to deliver additional homes faster and increase supply in the local housing market areas.
- 6.12 In connection with the production of the OHGD Delivery Plan, the Government directs that collaboration between the Government and Oxfordshire should focus on such matters as:
- The delivery of planning consents and timely build-outs;
 - Social and community infrastructure, which can support housing and growth.
- 6.13 In delivery of the Deal, the Outline Agreement notes that there will be a requirement to plan for the bringing forward of large-scale development schemes at Garden Town and village scale as well on ex-Military of Defence sites.
- 6.14 Overall the OHGD fundamentally seeks to promote growth, requiring innovative thinking and approaches from the local authorities, which includes Cherwell District Council, to remove any barriers preventing its realisation.

7. PLANNING POLICY

7.1 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.

7.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

7.3 In the 2014 Court of Appeal judgement in relation to the Barnwell Manor case¹⁵, Sullivan LJ held that:

“Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”

7.4 A judgement in the Court of Appeal¹⁶ (‘Mordue’) has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 version of the NPPF, the requirements of which are now given in paragraph 196 of the revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.

7.5 With regards to development within Conservation Areas, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

7.6 Scheduled Monuments are protected by the provisions of the Ancient Monuments and Archaeological Areas Act 1979 which relates to nationally important archaeological sites. Whilst works to Scheduled Monuments are subject to a high

¹⁵ East Northamptonshire District Council v SSCLG (2015) EWCA Civ 137

¹⁶ Jones v Mordue Anor (2015) EWCA Civ 1243

level of protection, it is important to note that there is no duty within the 1979 Act to have regard to the desirability of preservation of the setting of a Scheduled Monument.

- 7.7 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, so far as material to the application and to any other material considerations”.

- 7.8 The extant Development Plan comprises the:
- Cherwell Local Plan 2011-2031 Part 1, adopted 20 July 2015; 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 Cherwell Local Plan 2011-2031 Part 1).
- 7.9 Other material planning considerations include national and local policy and guidance, comprising the:
- National Planning Policy Framework (February 2019);
 - National Planning Practice Guidance (various dates); and
 - The Emerging Mid-Cherwell Neighbourhood Plan.
- 7.10 Cherwell District Council are in the early stages of preparing their Local Plan Part 2: Development Management Policies and Sites. The Local Plan Part 2 is to conform to the strategic policies and overall development strategy set out in the Local Plan Part 1 and cover the same time period, 2011 to 2031. The purpose of the Local Plan Part 2 is to provide detailed planning policies to assist with the implementation of strategic policies and the development management process, to identify smaller, non-strategic development sites for housing, employment, open space and recreation, travelling communities and other land uses.
- 7.11 Consultation on the Proposed Submission Plan was originally programmed for late 2016 / early 2017, but this timetable has been superseded via the Partial Review of the Part 1 Cherwell Local Plan 2011-2031, which was submitted for examination in March 2018.

- 7.12 This Partial Review has itself now been delayed due to the forthcoming preparation of an Oxfordshire Joint Statutory Local Plan, which is to be produced by the six Oxfordshire Councils through the Oxfordshire Growth Board.
- 7.13 This requirement arises from the agreement of the Oxfordshire Housing and Growth Deal signed by the six Councils and the Government in March 2018.
- 7.14 This section will now identify the relevant planning matters contained within the Development Plan and other material planning considerations pertinent to the planning application under consideration.

The Development Plan

Cherwell Local Plan 2011-2031

- 7.15 The Development Plan comprises the policies of the adopted Cherwell Local Plan 2011-2031 (adopted 20th July 2015). The relevant policies from the adopted Local Plan are considered below.
- 7.16 The Executive Summary to the Local Plan confirms that an objective of the Plan is to boost significantly the supply of housing and meet the objectively assessed need for Cherwell identified in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014 – some 1,140 dwellings per annum or a total of 22,800 from 2011 to 2031.
- 7.17 **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.
- 7.18 In line with this approach **Policy PSD1: Presumption in Favour of Sustainable Development** states that the Council will take a proactive approach to reflect the presumption in favour of sustainable development as contained in the NPPF, work proactively with applicants to jointly find a solution and to secure development that improves the economic, social and environmental conditions of the area. Furthermore, that the Council will approve applications that accord with

the policies of the statutory Development Plan without delay unless material considerations indicate otherwise.

7.19 With regard to the former airbase, **paragraph C.288** indicates that the site was previously subject to a policy from the Oxfordshire Structure Plan 2016 (Policy H2) which was saved by the South East Plan and retained upon the South East Plan's revocation. However, **Policy Villages 5**, discussed below, replaces Policy H2 in guiding future redevelopment of the site, as Policy H2 has now been superseded by the adoption of the Local Plan and therefore carries no weight.

7.20 **Policy Villages 5 (Former RAF Upper Heyford)** 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).

7.21 **Policy Villages 5** sets out the description of the allocation as:

"This site will provide for a settlement of approximately 1,600 dwellings (in addition to the 761 dwellings (net) already permitted) and necessary supporting infrastructure, including primary and secondary education provision and appropriate community, recreational and employment opportunities, enabling environmental improvements and the heritage interest of the site as a military base with Cold War associations to be conserved, compatible with achieving a satisfactory living environment. A comprehensive integrated approach will be expected."

7.22 **Policy Villages 5** also sets a range of 'key specific design and place shaping principles' which apply, in whole or part, to the entire allocated site unless specifically stated, of which those most relevant to this planning application are:

"• 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 site identified as Policy Villages 5

• In order to avoid development on the most historically significant and sensitive parts of the site, new development is to be focused to the south of the flying field and on limited greenfield land to the south of Camp Road (and one greenfield area to the north of Camp Road, east of Larsen Road)

• The areas proposed for development will need special consideration to respect the historic significance and character of the taxiway and entrance to the flying field, with development being kept back from the northern edge of the indicative development areas

- The settlement should be designed to encourage walking, cycling and use of public transport rather than travel by private car, with the provision 258 Cherwell Local Plan 2011-2031 Part 1 Section C - Policies for Cherwell's Places of footpaths and cycleways that link to existing networks. Improved access to public transport will be required
- Development should accord with Policy ESD 15 and include layouts that maximise the potential for walkable neighbourhoods with a legible hierarchy of routes
- Retention and enhance of existing Public Rights of Way, and the provision of links from the development to the wider Public Rights of Way network, ...
- Layouts should enable a high degree of integration with development areas within the 'Policy Villages 5' allocation, with connectivity between new and existing communities
- Measures to minimise the impact of traffic generated by the development on the surrounding road network will be required through funding and or physical works, including to any necessary capacity improvements around junction 10 of the M40, and to the rural road network to the west of the site and around Middleton Stoney including traffic calming and management measures ...
- Development will provide for good accessibility to public transport services and a plan for public transport provision will accompany any planning application
- Design and layout should reflect the management and mitigation of noise impacts associated with the development
- A Travel Plan should accompany any development proposals ...
- Integration of the new community into the surrounding network of settlements by reopening historic routes and encouraging travel by means other than private car as far as possible.
- The preservation of the stark functional character and appearance of the flying field beyond the settlement area, including retention of buildings of national interest which contribute to the area's character (with limited, fully justified exceptions) and sufficient low key re-use of these to enable appropriate management of this area
- 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 ...

- The conservation and enhancement of the ecological interest of the flying field through appropriate management and submission of an Ecological Mitigation and Management Plan, with biodiversity preserved and enhanced across the site ... and wildlife corridors enhance, restored or created, including provision for habitat for great crested newts and ground nesting birds in particular. A net gain in biodiversity will be sought
- Development should protect and enhance the Local Wildlife Site (including the new extension to the south)
- Provision of a range of high quality employment opportunities, capable of being integrated into the fabric of the settlement, and providing that the use would not adversely affect residents or other businesses and would not have an unacceptable impact on the surrounding landscape, historic interest of the site, or on nearby villages
- New and retained employment buildings should make a positive contribution to the character and appearance of the area and should be located and laid out to integrate into the structure of the settlement
- A full arboricultural survey should be undertaken to inform the masterplan, incorporating as many trees as possible and reinforcing the planting structure where required
- New development should reflect high quality design that responds to the established character of the distinct character areas where this would preserve or enhance the appearance of the Former RAF Upper Heyford Conservation Area
- New development should also preserve or enhance the character and appearance of the Rousham, Lower Heyford and Upper Heyford conservation Area ... and their settings
- Management of the flying field should preserve the Cold War character of this part of the site, and allow for public access. New built development on the flying field will be resisted to preserve the character of the area
- Proposals should demonstrate an overall management approach for the whole site
- The removal or remediation of contamination or potential sources of contamination will be required across the whole site
- The scale and massing of new buildings should respect their context. 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
- Public art should be provided

- **Recycling and potential reuse of demolition materials where possible**
- **Public open space should be provided to form a well connected network of green areas, suitable for formal and informal recreation**
- **Provision of Green Infrastructure links to the wider development area and open countryside ...**
- **Provision of sustainable drainage including SuDSS in accordance with Policy ESD7: Sustainable Drainage Systems (SuDS) taking account of the Council's Strategic Flood Risk Assessment development should be set back from watercourses**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD1 – 5**
- **Development on the site will be required to investigate the potential to make connections to and utilise heat from the Ardley Energy Recovery facility to supply heat demands of residential and commercial development on the site.**
- **An archaeological field evaluation to assess the impact of the development on archaeological features.**
- **In all instances development proposals will be subject to the other appropriate development plan policies."**

7.23 **Policy Villages 5** is accompanied by a corresponding **Policy Villages 5 Insert Map** contained in Appendix 5 of the Local Plan, which sets out the extent of Upper Heyford and annotates 'Areas with potential for additional development identified under Policy Villages 5'.

7.24 The Application Sites falls within the extent of the allocation area so identified on the Insert Map.

7.25 Other policies contained within the adopted Local Plan of relevance to this application are summarised below.

7.26 **Policy SLE4: Improved Transport and Connections** supports, inter alia, the implementation of key transport proposals including "Transport Improvements at ... the Former RAF Upper Heyford in accordance with the County Council's Local Transport Plan and Movement Strategies". **Policy SLE4** also provides for new development to provide financial and/or in-kind contributions to mitigate the transport impacts of development, and seeks that all development, where feasible, should facilitate the use of sustainable modes of transport.

Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported

7.27 **Policy BSC 1: District Wide Housing Distribution** sets out the housing requirements across the district and in respect of this planning application is surpassed by the site specific allocation **Policy Villages 5: Former RAF Upper Heyford** above

7.28 **Policy BSC 2: The Effective and Efficient Use of Land – Brownfield Land and Housing Density** states an expectation to make effective and efficient use of land through encouraging re-use of previously developed land, requiring at least 30 dwellings per hectare density unless justified otherwise.

7.29 **Policy BSC 3 (Affordable Housing)** advises that all developments at Banbury and Bicester that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 30% of new housing as affordable homes on site. Whilst at Kidlington and elsewhere, all proposed developments of the same thresholds will be expected to provide at least 35% of new housing as affordable homes on site. Furthermore, all qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes.

7.30 **Policy BSC 4 (Housing Mix)** continues that the Council will not only aim to increase the supply of housing but to encourage a mix that can help improve the functioning of the housing market system, make it more fluid, and enable households to more easily find and move to housing which they can afford and which better suits their circumstances.

7.31 The supporting table to **Policy BSC4** seeks the following housing mix:

	1 bed	2 bed	3 bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

- 7.32 The supporting text to **Policy BSC 3** at paragraph B.114 indicates that **Policy BSC 4** is only the starting point for assessing the mix of affordable housing and that the mix will be further informed by the Council's Housing Register and local housing need surveys. There has been considerable survey work at Heyford Park over recent years which has informed the derivation of a local lettings policy and assessment of needs in this particular instance.
- 7.33 **Policy ESD1: Mitigating and Adapting to Climate Change** sets out the measures that will be taken to mitigate the impact of development within the district on climate change at a strategic and development level.
- 7.34 **Policy ESD2: Energy Hierarchy and Allowable Solutions** seeks the promotion of the 'energy hierarchy' which comprises: reducing energy (e.g. use of sustainable design and construction); supplying energy efficiently and giving priority to decentralised energy supply; renewable energy; and make use of allowable solutions.
- 7.35 Policy ESD3: Sustainable Construction** is intended to facilitate the reduction in energy use as set out in the provisions of **Policy ESD2** and reflects the objective of the Local Plan to secure the delivery of sustainable development.
- 7.36 **Policy ESD4: Decentralised Energy Systems** encourages the use of decentralised energy provision (heat and/or power), with a feasibility assessment required for all applications of 100 dwellings or more, informed by the renewable energy map (Appendix 5 of the Local Plan) and heat demand densities by DECC (see Appendix 3 of the Evidence Base).
- 7.37 **Policy ESD5: Renewable Energy** encourages the use of renewable energy where there is no unacceptable impact including cumulative impact on the identified features. A feasibility assessment is required for all applications of greater than 100 dwellings or more, to assess whether renewable energy is deliverable and viable.
- 7.38 **Policy ESD6: Sustainable Flood Risk Management** requires the application of the sequential approach to managing flood risk in accordance with the NPPF and NPPG.
- 7.39 **Policy ESD7: Sustainable Urban Drainage** requires the implementation of surface water drainage system (SUDS) to manage surface water run-off.

- 7.40 **Policy ESD8: Water Resources** seeks to protect water quality, ensure adequate water resources and promote sustainability in water usage.
- 7.41 **Policy ES10: Protection and Enhancement of Biodiversity and the Natural Environment** seeks to protect and enhance biodiversity through a range of measures including seeking net gains in biodiversity; encouraging the protection of trees; encouraging the reuse of soils; protecting against significant harm arising from development proposals and the safeguarding of identified habitats and designated sites.
- 7.42 **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.
- 7.43 **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. The policy requirements set out in **ESD 15** apply to all types of development, including housing.
- 7.44 **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**.
- 7.45 The criteria given in **Policy ESD15** are:
- **Be designed to deliver 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**
 - **Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions**
 - **Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity**

- **Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting**
- **Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged**
- **Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.**
- **Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages**
- **Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette**
- **Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features**
- **Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed**
- **Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space**

- **Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation**
- **Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation**
- **Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout**
- **Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)**
- **Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality**
- **Use locally sourced sustainable materials where possible.**

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. ..."

- 7.46 **Policy ESD17: Green Infrastructure** seeks to maintain and enhance the District's green infrastructure through: pursuing opportunities for joint working to maintain and improve the network; protecting and enhancing sites and features forming the network and improving sustainable connectivity; ensuring the green infrastructure network is integral to the planning of new development; and incorporation of green infrastructure in strategic sites (i.e. those allocated under Section C of the Local Plan).

[Cherwell Local Plan 1996](#)

- 7.47 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:-
- 7.48 **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.
- 7.49 **Policy C25: Development affecting the site or setting of a scheduled ancient monument** seeks to protect the site and its setting of a scheduled monument as well as other nationally important archaeological sites and monuments, for which the Council will have regard to the desirability of maintaining its overall historic character including its protection, enhancement and preservation.
- 7.50 **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.

Statement of Common Ground

- 7.51 During the Examination Hearings for the now adopted Local Plan, a **Statement of Common Ground (SoCG)** was agreed between the Dorchester Group and Cherwell District Council. The signed SoCG represents the most up-to-date position of the District Council and was presented to the Examination to clarify the Council's position and interpretation of Policy Villages 5 and its implementation.
- 7.52 The SoCG confirms that:

"Both the Dorchester Group and Cherwell District Council believe that the Proposed Modifications to allocate additional development through Policy Villages 5 represents an appropriate response to the uplift in housing requirements necessary to ensure that the Local

Plan addresses the objectively assessed housing need.”
(Paragraph 3.2)

“That the provision of additional growth at Former RAF Upper Heyford can be accommodated so that it consolidates and complements the on-going creation of a distinctive new community. Growth at Upper Heyford is being supported by the delivery of new affordable housing and new services and facilities” (Point 2 under the matters that the Parties agree)

“The implementation of the approved scheme and the development of identified brownfield land in particular should not be delayed.” (Point 9 under the matters that the Parties agree)

- 7.53 In terms of the longer-term opportunities for development at the Upper Heyford site the SoCG states:

“The parties agree that to secure a high-quality development (for housing and employment) there will be a need for a comprehensive review of the proposed development at the site that considers the important heritage landscape setting of the site and how additional development can be successfully integrated within existing consented development. This will provide the means to secure development incorporating high quality design that relates closely to the history of the site”.
(Paragraph 6)

- 7.54 There is therefore consensus with the District Council that the Upper Heyford site has an important role to play both in terms of meeting identified housing needs, and to accommodate significant additional employment.

National Planning Policy

National Planning Policy Framework

- 7.55 **The National Planning Policy Framework (NPPF)** in its revised form, was published on 19th February 2019. **The NPPF** sets out the Government’s overarching planning policies for England.
- 7.56 **Paragraph 11** of the **NPPF** sets out a presumption in favour of sustainable development, which for decision taking means:

“c) approving development proposals that accord with an upto-date development plan without delay

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) **the application of policies in this Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or**
- ii) **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.”**

7.57 In achieving sustainable development, the **NPPF** sets out three overarching objectives which are interdependent and underpin the achievement of further topic based objectives and principles running throughout the **NPPF**.

7.58 The three overarching objectives set out in **Section 2: Achieving Sustainable Development** are:

“a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. ”

7.59 **Section 2** continues to outline the approach to sustainable development through both plan making and decision taking and reaffirms the planning balance. It confirms that the **NPPF** does not change the statutory status of the Development Plan as the starting point for decision making. It confirms that proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise in line with **Paragraph 11** stated above.

7.60 **Section 4: Decision Making** provides guidance on how LPAs should approach decision making, identifying at **Paragraph 38** that decision makers are to be proactive:

“Local planning authorities should approach decision on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.”

7.61 **Paragraph 48** sets out the weight that can be afforded to emerging plans dependant on the stage of preparation, the extent of unresolved objections and the degree of consistency with the **NPPF**. **Paragraphs 49 and 50** then state that grounds of prematurity are unlikely to be justified unless there are exceptional circumstances.

7.62 **Paragraphs 54 to 57** provide guidance on the use of planning conditions and obligations and sets out that conditions should only be imposed where they are necessary to make a development acceptable, are directly related to the development and reasonably related to the scale of the development. This chapter also includes the need to agree pre-commencement conditions as set out in latest amendments to Section 100ZA of the Town and Country Planning Act 1990, now in force.

7.63 **Section 5: Delivering a Sufficient Supply of Homes** continues to confirm the Government objective of significantly boosting the supply of houses (**Paragraph 59**) but now introduces a standardised methodology and the Housing Delivery Test.

7.64 The **NPPF** requires local planning authorities to be able to demonstrate a five year supply of deliverable housing sites in line with the methodology and Housing Delivery Test with **Paragraph 73** stating that:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.”

7.65 In respect of how housing sites are to be considered ‘deliverable’, **Annex 2** of the **NPPF**, defines this as:

“Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

7.66 To maintain a 5-year supply of deliverable housing sites, **Footnote 7 to Paragraph 11** confirms that for the purposes of **Paragraph 11** policies which relate to the control of housing will be considered out of date, stating that:

“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1. ”

7.67 In such circumstances **Paragraph 11d** would direct the decision maker to carry out the tilted balance, with the presumption in favour of granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits.

7.68 **Paragraph 61-64** concerns the provision of affordable housing and requires major schemes to provide 10% of units for affordable home ownership.

7.69 **Paragraph 77** relates to the supply of rural housing, requiring planning policies and decisions to be responsive to local circumstances and to reflect local needs.

7.70 **Section 9: Promoting Sustainable transport** provides the approach to directing development to the most sustainable locations (**Paragraphs 102 to**

104). The **NPPF** sets out that in making decisions, regard should be had to the opportunities to promote sustainable development (**Paragraph 108**).

7.71 **Paragraph 109** states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

7.72 **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. **Paragraph 122** sets out further guidance on the achievement of appropriate densities in development proposals.

7.73 **Section 12: Achieving Well-designed Places** sets out the approach to securing good design through **Paragraphs 124-132**. **Paragraph 127 a)-f)** clarify how planning policies and decisions should ensure that developments are well designed and respond to the local character.

7.74 **Section 15: Conserving and Enhancing the Natural Environment** highlights that the planning system should contribute to and enhance the natural and local environment. This will include minimising the impacts on biodiversity and providing net gains where possible (**Paragraphs 174- 177**).

7.75 **Paragraph 172** highlights that great weight should be given to the protection of National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of landscape protection.

7.76 **Section 16: Conserving and Enhancing the Historic Environment** directs local planning authorities to take a positive strategy to the conservation and enjoyment of the historic environment stating at **Paragraph 184** that:

“These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. ”

7.77 **Paragraph 185** goes on to confirm that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, which should include:

“the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation.”

7.78 As a general principle, the **NPPF** requires applicants to describe the significance of any heritage asset and the contribution made by their setting; however, the **NPPF** guides that this should be to the level of detail proportionate to the asset’s importance and no more than is sufficient to inform the understanding of the potential effects of the Proposed Development upon their significance (**Paragraph 189**).

Planning Practice Guidance

7.79 On 6th March 2014 the Department for Communities and Local Government (DCLG) launched the **Planning Practice Guidance (PPG)** web-based resource, which is updated on a periodic basis.

7.80 In terms of design, the PPG largely reflects the policies set out in the NPPF. It again reiterates that pre-application discussions are an opportunity to discuss the design policies, requirements and parameters that will be applied to a site whereby the Local Authority can explain the design issues they feel are most important and the developer can explain their own objectives and aspirations.

7.81 With regard to Design Codes, it is recommended that LPAs should consider using one to help deliver high quality outcomes where for example they wish to ensure consistency across large sites which may be in multiple ownership and/or where development is to be phased and more than one developer and design team is likely to be involved. It goes on to say that design codes should wherever possible avoid overly prescriptive detail and encourage sense of place and variety (unless local circumstances can clearly justify a different approach).

7.82 Matters relating to the historic environment are addressed within the section entitled ‘Conserving and Enhancing the Historic Environment’. 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.

7.83 The PPG also provides guidance in respect of non-designated heritage assets such as buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions, but which are not formally designated heritage assets.

The Emerging Mid -Cherwell Neighbourhood Plan (MCNP)

7.84 The MCNP has been prepared in conjunction with a consortium of 11 parishes, including Upper Heyford Parish, within which the application sites lies, together with the Heyford Park Resident's Association and the Dorchester Group.

7.85 The MCNP was submitted for Examination October 2018, with the Inspector's Report produced in December 2018.

7.86 Following consideration of the Inspector's Report and the Council's agreement with the recommendations proposed, the MCNP will now proceed to a formal referendum later this year.

7.87 Subject to a positive outcome from the referendum, the MCNP will then become part of the formal Development Plan.

7.88 The MCNP recognises the role played by Heyford Park as a Strategic Allocation under **Policy Villages 5**, and identifies that the provision of the existing education facilities and planned community facilities within the allocation, have a beneficial impact on the MCNP area.

7.89 Although the MCNP does not include dedicated policies relating to Heyford Park, it does include topic specific policies such as:

- PD4 – Protection of Important Views and Vistas;
- PD5 – Building and Site Design;
- PD6 – Control of Light Pollution;
- PH1 - Open Market Housing Schemes;
- PH5 – Parking and Garaging Provision;

Supplementary Planning Documents

- Developer Contributions – February 2018

- RAF Upper Heyford Conservation Area Appraisal – April 2006.
- RAF Upper Heyford Revised Comprehensive Planning Brief 2007

8. AFFORDABLE HOUSING STATEMENT

Affordable Housing Planning Policy Context

National Planning Policy

- 8.1 The **National Planning Policy Framework (NPPF)** was published in February 2019 with a central aim being to significantly boost the supply of housing.
- 8.2 **Paragraph 60 and 61** state 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 look:

“60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

62. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and**
- b) the agreed approach contributes to the objective of creating mixed and balanced communities”**

Local Planning Policy

- 8.3 The Development Plan for the area consists of the Cherwell Local Plan 2011-2031 (adopted July 2015) and includes Former RAF Upper Heyford, of which the application site forms part, as a Strategic Allocation.

8.4 **Policy Villages 5 (Former RAF Upper Heyford)** allocates this 520-hectare site for, inter alia, a settlement of approximately 1,600 dwellings (in addition to the 761 dwellings (net) already permitted). **Policy Villages 5** sets out the position in respect of housing, including the requirement for affordable housing, as follows:

"Housing

- **Number of homes – approximately 1,600 (in addition to the 761 (net) already permitted**
- **Affordable housing – at least 30%"**

8.5 The adopted Local Plan also contains a specific policy on affordable housing - **Policy BSC 3 (Affordable Housing)**. This policy reads as follows: -

"Policy BSC 3: Affordable Housing

At Banbury and Bicester, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 30% of new housing as affordable homes on site.

At Kidlington and elsewhere, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as affordable homes on site.

Where this policy would result in a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances.

All qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes. Social rented housing will be particularly supported in the form of extra care or other supported housing. It is expected that these requirements will be met without the use of social housing grant or other grant.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an in house economic viability assessment can be undertaken. Where it is agreed that an external economic viability assessment is required, the cost shall be met by the promoter.

Where development is demonstrated to be unviable with the above requirements, further negotiations will take

place. These negotiations will include consideration of: the mix and type of housing, the split between social rented and intermediate housing, the availability of social housing grant/funding and the percentage of affordable housing to be provided.

The Council will require active consideration of proposals for community self-build or self-finish housing in particular where it is to a high design standard and will result in suitable empty properties being brought into residential use. Self-build and Self-finish should contribute towards meeting the need for affordable housing.

Affordable Housing will also be delivered through Policy Villages 3: Rural Exception Sites.”

- 8.6 Whilst given the scale of the proposed development (57 no. dwellings) **Policy BSC 3** would normally be applicable as a standalone policy requirement, the provision of affordable housing for Heyford Park is specifically controlled by the requirements of Strategic Allocation **Policy Villages 5** for the wider Former RAF Upper Heyford which sets a threshold of at least 30%.
- 8.7 **Policy BSC4 (Housing Mix)** states that the Council will not only aim to increase the supply of housing but to encourage a mix that can help improve the functioning of the housing market system, make it more fluid, and enable households to more easily find and move to housing which they can afford and which better suits their circumstances.

Proposals

- 8.8 This application seeks full permission for Phases 5D, 8C and Trenchard Circle comprising the erection of 57 residential units of which 17 would be affordable provided by way of the following mix:

Affordable Housing – Rented	
No. of Beds	No. of Units
1 bed flat	7
1 bed maisonette	2
Sub Total Rented	9

Affordable Housing – Intermediate	
No. of Beds	No. of Units
1 bed flat	3
2 bed flat	3
3 bed dwelling	2
Sub Total Intermediate	8
Total Affordable Housing	17

Original Residential Units on Trenchard Circle.

- 8.9 As previously stated in Section 3 of this Statement, the Trenchard Circle application site, together with the adjacent bungalows formed part of the original housing accommodation for military personnel stationed on the base in connection with its operation.
- 8.10 Following the cessation of the military occupation, outline planning permission 10/01642/OUT granted permission for the bungalows to be used for independent residential occupation as part of authorised C3 uses for a number of similar properties across the base.
- 8.11 In this regard the Schedule of Development permitted by Outline Planning Permission 10/01642/OUT specifically refers to:
- 1) Class C3 (residential dwelling houses: up to 1,075 dwellings (including the retention and change of use of the majority of military housing and the change of use of various buildings comprising:**
 - a) 46 existing dwellings already benefiting from planning permission or a Certificate of Lawful Use or Development for Class C3;**

b) Change of use of 253 dwellings to Class C3.

- 8.12 At the time outline permission 10/01642/OUT was granted, the area of Trenchard Circle to which the current application proposals relate, contained 14 bungalows.
- 8.13 Whilst these bungalows were demolished in preparation for the implementation of permission 16/00196/F, the quantum of retained housing of open market tenure for the Trenchard Circle application site remains 14 units.
- 8.14 It is therefore apparent that the Trenchard Circle application site has an established residential use (14 units) which should be taken into account when assessing the nature and form of any planning obligations that arise.
- 8.15 This approach has been formally accepted by the Council in the consideration and determination of application 16/00196/F in August 2016, when a permission which related to the construction of 13 dwellings did not attract any affordable housing despite exceeding the 10 unit threshold specified in **Policy BSC 3**.
- 8.16 In line with this agreed approval, it is apparent that **Policy BSC 3** should only be applied to the uplift in the new residential units above this established 14 unit baseline. In respect of the current Trenchard Circle proposal the policy should only be applied to the additional 17 units out of the proposed 31¹⁷.
- 8.17 In cumulative terms this would reduce the overall amount of housing to be considered in light of **Policy BSC 3**, to 43 units.

Affordable Housing Provision arising from Outline Permission 10/01642/OUT

- 8.18 As has been explained in Section 5, the application sites have an holistic relationship with the remaining development phases of Dorchester Phase 5 and 8 being delivered by way of reserved matters applications made pursuant to outliner planning permissions 10/01642/OUT and 13/01811/OUT respectively.
- 8.19 The provision of affordable housing across the wider Heyford Park development is primarily controlled by the Deed of Variation (the DoV) dated 12th October 2017 between the owners of Heyford Park and the Council.

¹⁷ 17 units arises from the subtraction of the original 14 unit baseline from the proposed 31 unit scheme.

- 8.20 The DoV specifies both the tenure and mix of affordable units to be provided, stating that a total of 309 affordable units are to be provided with a tenure split of 52% affordable rent and 48% Intermediate / Shared Ownership.
- 8.21 The DoV goes on to confirm that across these tenures a range of 1 and 2 bed flats and maisonettes as well as 3 and 4 bed dwellings are required, as per those contained in the current application proposals.
- 8.22 Although the majority of the provision required by the DoV, has been and can be secured through both the approvals granted in respect of permission 10/01642/OUT and the amendments currently proposed Phases 5C, Phase 5 and 8A, there is an outstanding requirement for 2 units affordable units to be constructed if the overall quantum of 309 units is to be achieved.
- 8.23 This remaining affordable provision relates to a need for two 1 bed maisonettes, which due to the overarching design and physical constraints, have not been to date in earlier phases.
- 8.24 In seeking to ensure that the requirements of the DoV are met these two 1 bed maisonettes units are proposed within the Phase 8C scheme, where they can be readily and more appropriately delivered as part of the wider apartments based scheme proposed in that phase.
- 8.25 When viewed alongside the retained housing baseline arising in respect of Trenchard Circle, this factor further reduces the overall cumulative housing provision to 41 units.
- 8.26 Therefore it is to this figure of **41 units** that **Policy BSC 3** should be applied.

Development Plan Compliance.

- 8.27 In line with the operation of Policy BSC 3, and a 30% threshold of provision, a cumulative scheme for 41 units, is required to provide 12¹⁸ units of affordable accommodation.
- 8.28 As can be seen from the table above, the cumulative application proposals deliver 17 affordable units, however this includes the two units transposed from outline permission 10/01642/OUT.

¹⁸ 30% of 41 units is 12.3 units which is rounded down to 12 units.

- 8.29 The true level of provision is therefore 15 units (37%), which not only complies with **Policy BSC 3** but clearly exceeds it by way of 3 additional affordable units.
- 8.30 In straightforward policy terms, Policy BSC requires 12 units of affordable housing to be provided, which is clearly achieved by the application proposals.
- 8.31 In terms of the tenure of these 12 affordable housing units, 7 units (58%) are proposed to be in the form of affordable rent, with 5 (42%) as intermediate housing. Whilst this would not accord with **Policy BSC3** in so far that the policy requires 70% of affordable units to be affordable rent and 30% intermediate. it is important to note that the underlying objective of the proposals is to secure a more efficient form of development across the three application parcels, thereby enabling additional growth and housing growth to be achieved.

Oxfordshire Housing and Growth Deal - Addtionality

- 8.32 As set out in Section 6 of this Statement, the County of Oxfordshire, of which Cherwell District forms part, has been identified as an area where additional housing growth of circa 100,000 new homes is to be delivered by 2031.
- 8.33 In seeking to secure this growth, the Government and the six Oxfordshire Councils as well as OxLEP, have signed up to the Oxfordshire Housing and Growth Deal, with the key tenet being enhanced delivery of housing across the county and the creation of additional opportunities for home ownership.
- 8.34 As part of the Growth Deal, express support is given for levels of affordable housing provision which exceed normal planning requirements, such as those set out in **Policy BSC 3**, with such extra provision being considered under the term 'additionality'.
- 8.35 In direct response to this Government led objective, the application proposals include enhanced levels of affordable housing provision by way of three additional units of shared ownership tenure.
- 8.36 These units are provided as 'additionality', representing additional benefits which fall outside of normal requirements and associated planning obligations.
- 8.37 This approach in seeking to ensure additional delivery of affordable housing stock, fully accords with the fundamental objective of the Oxfordshire Housing and Growth Deal and represents a tangible and realistic opportunity to secure

enhanced levels of home ownership and growth within the identified and allocated sustainable settlement of Heyford Park.

Summary

- 8.38 The proposed development has been designed to not only be policy compliant in its own right but also to complement the overall number, type and range of sizes of affordable units within the Heyford Park development in line with Local Plan Policies **BSC3, BSC4 and Policy Villages 5** in this regard.
- 8.39 Notwithstanding this predominant development plan compliance, the level of affordable housing provision exceeds policy requirements, bringing forward additional and tangible opportunities to deliver increased levels of affordable housing, thereby providing additionality in direct accordance with the overarching aims and objectives of the Oxfordshire Housing and Growth Deal, advanced by the Government.
- 8.40 The proposed development will therefore assist in delivering an inclusive and mixed community in accordance with central Government and local objectives and, accordingly, is considered acceptable in this regard.

9. SECTION 106 HEADS OF TERMS / PLANNING OBLIGATIONS

9.1 In advance of detailed negotiations with both the District and County Councils it is not possible to be precise about the exact nature of the S106 Agreement.

9.2 However, it is anticipated that contributions are likely to relate to the following areas:

- Affordable Housing;
 - Proposed to be 30% provision in line with the operation of **Policy BSC 3**.
- Education – contributions towards education provision both on and off-site;
- Open Space – on and off site provision of recreational facilities by way of either direct physical provision or financial contributions in accordance with an agreed formula and management regime;
- Community and Transport facilities – contributions towards library, museum, school transport and social facilities;
- Strategic Waste Management and Refuse Bins;

9.3 The provision of three additional units of affordable housing above policy requirements, is to be considered as 'additionality' in accordance with the administration of the Oxfordshire Housing and Growth Deal and will therefore fall outside of obligations required in accordance with **Policy BSC 3**.

9.4 With regard to securing the obligations, it is highlighted that the S.106 Agreement attached to Outline Planning Permission 10/01642/OUT for the overarching New Settlement Area, includes an ability to include additional development proposals on the NSA as 'qualifying applications'.

9.5 When termed as a 'qualifying application', a relevant Deed of Variation to the original NSA Agreement has enabled subsequent permissions and applications for additional development to fall within the scope of the NSA Agreement and the obligations therein.

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- 9.6 Such a Deed of Variation would also include relevant amendments to the contributions which arise in light of the additional development proposed, noting that the purpose and range of such contributions has been previously agreed.
- 9.7 Given that this approach has been accepted and implemented in respect of separate permissions granted for Phases 5 and 6 (qualifying applications 13/01811/OUT and 16/00263/F respectively), it is envisaged that a similar mechanism can be agreed between the parties for the current application.

Extent of Proposals as a 'Qualifying Application

- 9.8 In respect of the number of units contained with the current application proposals it is noted that both 14 units on Trenchard Circle and 2 overlapping affordable housing units have previously been considered within the original obligations set out in the S.106 Agreement(s) attached to outline permission 10/01642/OUT.
- 9.9 Given that the securement of obligations from these 16 units has already been achieved, no further obligations should be sought, and these 16 units disregarded accordingly.
- 9.10 In seeking to agree the specific level of detail and form of the proposed Heads of Terms for inclusion in an appropriate legal agreement, the Applicant is willing to enter into dialogue with the responsible Authorities during the course of the application.

10. PLANNING AND HERITAGE ASSESSMENT

10.1 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 the planning application at a national and local level.

10.2 To assess whether the Proposed Development would meet the relevant provisions of the Development Plan, the key planning issues are considered to be:

- Principle of Development;
- Design and Heritage;
- Transport and Access;
- Ecology
- Flood Risk and Drainage;

Principle of Development

10.3 The former RAF Upper Heyford base, within which the application sites lie, is a strategic allocation as expressly stated by **Policy Villages 5** of the adopted Development Plan.

10.4 **Policy Villages 5** sets out a clear commitment to the strategic allocation of Heyford Park for approximately 1,600 new dwellings as part of the Council's delivery of new housing across the plan period in line with **Policy BSC 1**.

10.5 The importance of this allocation in meeting the housing needs of the District is emphasised in Paragraph C.291 of the Local Plan which states that:

"The site is allocated in this Local Plan as a means of securing the delivery of a lasting arrangement on this exceptional large scale brownfield site."

10.6 This support for strategic residential growth is reiterated within **Policy Villages 5**, which whilst setting out a number of key objectives for Heyford Park as a whole, clearly supports residential development on land identified as falling within all three application sites.

- 10.7 In support of its allocation of Heyford Park as a Strategic Allocation, the Local Plan clearly recognises that development on the allocation is both necessary for long term housing delivery and that such delivery can be achieved in a sustainable nature.
- 10.8 Indeed, the sustainable credentials of the area arise not only from its undeniable brownfield nature and classification as previously developed land, but also through the long-term enhancement of wider social and community facilities expressly required in compliance with **Policy Villages 5**.
- 10.9 Such facilities form an integral part of masterplan application 18/00825/HYBRID currently before the Council and represent the on-going delivery of Heyford Park as a sustainable settlement, where growth is supported and encouraged by the Development Plan.
- 10.10 The fundamental objective of **Policy Villages 5** is to secure the create of a new settlement at Heyford Park with the supporting text at paragraph C.291 of the Local Plan stating:
- “The former airbase site currently has planning permission for a new settlement of some 1,075 homes (gross), and ‘Policy Villages 5’ provides for additional development proposals through a combination of the intensification of the density of development proposed on the less sensitive previously developed parts of the site, and new, limited, greenfield development around the main airbase site in locations that will be complementary to the approved development.”** [Our emphasis]
- 10.11 It therefore readily apparent that not only is the on-going creation and enhancement of Heyford Park as sustainable a settlement fully supported and advocated by **Policy Villages 5**, but also that where additional development is to occur, it should be secured through higher density development located on the less sensitive, brownfield areas of the site.
- 10.12 In this regard all three application sites lie on less sensitive, brownfield sections of Heyford Park, detached and devoid of any key heritage assets, where enhanced levels of development can be achieved via higher density schemes.
- 10.13 Alongside the formal identification of Heyford Park within the Local Plan, as a sustainable settlement, to which development should be directed, the principle of

residential development on the application sites, has been earlier accepted by way of outline planning permissions 10/01642/OUT and 13/01811/OUT.

10.14 The whole of Phase 8C and significant portions of Phase 5D were identified on the approved Development Uses Parameter Plan for C3 residential use, with Trenchard Circle similarly identified in its role as retained housing stock.

10.15 The remaining areas of Phase 5D were similarly identified for residential development by way of outline permission 13/01811/OUT, following the relocation of the education facilities to Buildings 74 and 583.

10.16 The extant planning baseline of all three application sites, is that of permitted residential parcels, a use which is once again advanced by the current application proposals.

10.17 Indeed, it highlighted that in the absence of the current application proposals, all three application sites could continue to be developed for residential permission in pursuance of the extant permission.

10.18 To this extent the permitted and proposed land use of the application sites remains identical.

10.19 The key difference is not therefore the use to which the land is put, but rather the manner and form in which the use is brought forward.

10.20 The application proposals enable the ability to procure a more efficient use of these identified brownfield sites and to provide additional growth and housing delivery therein.

10.21 This approach mirrors that of **Policy BSC 2**, which explicitly states that:

“Housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations.”

10.22 Through the use of more efficient layouts and higher densities, the principle of additional development at this location fully accords with the identification of Heyford Park as a sustainable settlement within **Policy Villages 5** and the desire to achieve the most efficient use of land as set out in **Policy BSC 2** and **NPPF paragraph 117**.

10.23 Alongside this development plan compliance, the taking of opportunities to provide additional growth and advanced housing delivery across a range of tenures within sustainable settlements and locations, fully embraces the objectives of the Oxfordshire Housing and Growth Deal.

Design and Heritage

10.24 As highlighted in Section 2, the application sites all lie within the wider RAF Upper Heyford Conservation Area, with the individual sites lying in various character areas within the Conservation Area.

10.25 In recognition of the varying characteristics of Heyford Park and the Conservation Area, Condition 8 of Outline Planning Permission 10/01642/OUT, required the submission and approval of Design Code for the future development of the base.

10.26 This Design Code approach seeks to ensure that the unique and varying nature of the various character areas identified in the Conservation Area are reflected in the new development, requiring that all reserved matters submitted pursuant to 10/01642/OUT comply with the Design Code. In this manner not only can a sympathetic and consistent form of development be achieved, but the character and appearance of the Conservation Area preserved or enhanced.

10.27 Although it is acknowledged that the current application is not submitted pursuant to outline permission 10/01642/OUT, all three application sites lie within the extent of the outline application site and hence fall under the umbrella of the Design Code.

10.28 Therefore, in ensuring that the objectives of sympathetic and consistent design are achieved across Heyford Park, it is appropriate to consider the current proposals against the requirements of the approved Design Code.

10.29 The overarching Design Code for the New Settlement Area, is version 5.2, dated October 2013. This version was approved by the Cherwell District Council in November 2013 by discharge of Condition 8 (reference 13/00153/DISC dated 07/11/2013).

10.30 The Design Code sets out a series of Character Areas for Heyford Park, which are considered in respect of the individual application sites of Phase 5D, Phase 8C and Trenchard Circle below.

Phase 5D

10.31 Within the Design Code, Phase 5D falls within both Character Area 2 – Village Centre Residential (CA2) and Character Area 8 – Core Housing East (CA8), with the former being primarily associated with the units along Camp Road, and the latter with those to the rear along the internal Phase 5 estate road.

10.32 As set out in the accompanying Design and Access Statement (**0521-PH5C**) for Phase 5D, compliance with the Design Code is achieved as follows:

Layout and Scale:

- The layout of the proposed development, drawing **0521-PH5D-102**, complies with the indicative Building Density Plan for CA2 and CA8 as well as the Indicative Building Heights Plan, with 3 storey proposed to Camp Road, 2½ storey to Dow Street and 2 storey into Phase 5.;
- A medium density of 38dph is provided in accordance with the upper target densities for CA2 and CA8;
- Dwelling units front direct onto Camp Road providing a strong presence and visual continuity with the adjacent Phase 5C proposals, enhanced by the use of semi-detached units with parking to the rear;
- Dual aspect detached and semi-detached plots to Dow Street, provide simple enclose and key frontage to the street with a perimeter layout created along Phase 5 via the use of pairs of semi-detached and terraced units;

Architectural Design:

- Creation of active street frontages through movement at building entrances and visibility through fenestration;
- Visible end elevations treated as part of the street scene;
- Dwellings with have living spaces fronting streets. No bathrooms or ancillary rooms to dominate street frontage / public realm;

Materials:

- As indicated on drawing **0521-PH5C-5D-5(R)-108**, the materials are drawn from a simple pallette of red brick (Ibstock Audley Red or similar) and grey slate (Marley 'Rivendale' or similar).
- This limited palette of materials reflects the 20th Century Art and Crafts Architecture with a maximum of 3-4 finishes on a single elevational composition;

Parking;

- Overall parking will be provided on plot and / or adjacent to properties in rear parking courts or garages, with the size of spaces according with those specified in the design code. No more than 4 parking bays in a rows will be provided on street;
- In total 25 car parking spaces will be provided for the residential properties within Phase 5D, with visitor parking available in the adjacent Phase 5C scheme;

Recycling and Refuse Collection:

- The Refuse Plan, drawing **0521-PH5C-5D-5R-111**, identities that each dwelling will be provided with dedicated refuse and recycling storage areas, positioned to the rear of each unit.
- This arrangement will allow residents to store refuse containers away from public frontages, thereby enhancing the street scene;

Landscaping:

- The existing trees to the west of the site have been retained as part of the proposals, indicated on drawing **1619 A8 5C 01 Rev.H**, with frontage landscaping comprising native low level hedgerow enclosures to dwellings with Hornbeam tree planting proposed along the Phase 5 frontage.
- Additional ground cover and planting within the on plot parking to the rear units will also assist in breaking up the visual appearance of parked vehicles and add relief to the street scene.

Phase 8C

10.33 Within the Design Code, Phase 8C falls within Character Area 3 – Trident Housing, which extends to the whole of the wider Trident area and sub-phases 8A and 8B therein.

10.34 As set out in the accompanying Design and Access Statement (**0521-PH8C**) for Phase 8C, compliance with the Design Code is achieved as follows:

Layout and Scale:

- The layout of the proposed development, drawing **0521-PH8C-102**, complies with the indicative Building Density Plan for CA3 as well as the Indicative Building Heights Plan, with 3 storey proposed throughout the scheme, simultaneously ensuring consistency with the adjacent Phase 8A and Phase 8B proposed and permitted schemes;
- A high density of 60dph is provided whilst exceeding the 50dph of the Design Code results from the apartment based nature of the proposals and reflects the higher density nature of CA3;
- Residential units orientated to create a campus form of accommodation, set with a landscape dominant layout;
- Parking provided by way of a landscaped parking court as directly encouraged by the Design Code for CA3;
- Complimentary scale and form of apartments which enable a bespoke private courtyard to be created within built form set back from the radial Trident Roads;
- New built form aligning with the historic 45 / 90 degree building alignment;

Architectural Design:

- Creation of active street frontages through movement at building entrances and visibility through fenestration;
- Visible end elevations treated as part of the street scene;
- Dwellings with have living spaces fronting streets. No bathrooms or ancillary rooms to dominate street frontage / public realm;

- Bespoke apartments proposed;

Materials:

- As indicated on drawing **0521-PH8A-8C-108**, the materials are drawn from a simple pallette of red brick (Ibstock Audley Red or similar) and grey slate (Marley 'Rivendale' or similar).
- Contemporary materials enabling strong clean lines to be created;
- Use of robust cladding in contrast colours to highlight openings;

Parking;

- Parking will be provided in an open landscape parking courtyard as expressly encouraged within CA3.
- In total 15 car parking spaces will be provided for the residential properties within Phase 8C, with 4 visitor parking spaces available;

Recycling and Refuse Collection:

- The Refuse Plan, drawing **0521-PH8A-8C-111**, identities a communal refuse and recycling storage areas, positioned to south of the apartment block adjacent to Trident Road 3;
- This arrangement will allow residents to store refuse containers away from public frontages, thereby enhancing the street scene, whilst enabling serving from the adjacent road.;

Landscaping:

- Given the apartment nature of the scheme, a private landscaped communal garden will be created in the internal courtyard created by the development and the associated Phase 8A scheme;
- This courtyard will comprise native hedging and ground cover, broken up by Wild Cherry tree planting to create a bespoke and useable communal space.
- As indicated on drawings **1619 A5 06 Rev.A** and **1619 A5 07 Rev.A**, this internal planting will be supplemented by delineation of apartment

frontage by low level hedge planting, with the retention of the existing trees within the adjacent communal grounds;

Trenchard Circle

10.35 Given its location within an area of retained housing, the Trenchard Circle did not fall within the original Design Code. However, given the location of the application site on the eastern edge of Heyford Park adjacent to open countryside, Character Area 6 – Rural Edge (CA6) is considered to be the most appropriate design guidance for this site.

10.36 As set out in the accompanying Design and Access Statement (**0521-TR Issue 2**) for Trenchard Circle, compliance with the Design Code is achieved as follows:

Layout and Scale:

- The layout of the proposed development, drawing **0521-TR-1002 Rev.A**, complies with the indicative Building Density Plan for CA6 with 2 storey proposed in line with the required 2 or 2½ specified on the plan.
- This approach reflects the scale not only of the new Phase 2 development to the immediate west of the application site but also the retained housing on Larsen Road on the approach to the site;
- A medium density of 29dph is provided in accordance with the range specified for CA6;
- Dwelling units are predominantly arranged in perimeter blocks which retain and exploits the pattern of the existing east-west axis development;
- A mix of detached, semi-detached and short terraces forming loose clusters, provide linear symmetry with the existing bungalows to the east and reflects the building topography advocated for CA6;
- Development laid out to maximise views over open countryside;
- Acknowledgment of the relationship of the northern section of the application site to the flying field to the north and Special Condition C of the Design Code requiring:

- Units predominantly arranged to back onto the flying field, providing containment to the residential streets;
- Urban form of predominantly detached 2 storey family homes;

Architectural Design:

- Creation of active street frontages through movement at building entrances and visibility through fenestration;
- Visible end elevations treated as part of the street scene;
- Dwellings with have living spaces fronting streets. No bathrooms or ancillary rooms to dominate street frontage / public realm;

Materials:

- As indicated on drawing **0521-TR-1008**, the materials are drawn from a simple palette of red brick (Ibstock Audley Red or similar) and grey slate (Marley 'Rivendale' or similar). Individual key units would also be of render finish in line with the limited use permitted by CA6;
- This limited palette of materials reflects the 20th Century Art and Crafts Architecture with a maximum of 3-4 finishes on a single elevational composition;

Parking;

- Overall parking will be provided on plot and / or adjacent to properties in garages, with the size of spaces according with those specified in the Design Code;
- In total 70 car parking spaces will be provided for the residential properties within Trenchard Circle, with a further 5 visitor spaces also provided;

Recycling and Refuse Collection:

- The Refuse Plan, drawing **0521-TR-1011**, identifies that each dwelling will be provided with dedicated refuse and recycling storage areas, positioned to the rear of each unit.

- This arrangement will allow residents to store refuse containers away from public frontages, thereby enhancing the street scene;

Landscaping:

- Robust yet simple landscaping planting is indicated on drawings **1619 A4 01 Rev. M**, **1619 A4 02 Rev. M** and **1619 A4 03 Rev.D** comprising frontage landscaping of native low level hedgerow enclosures to dwellings with additional cover to the front.
- Tree planting of Limes along the length of internal estate road, will create an attractive tree lined corridor, with additional ground cover and grass planting assisting in breaking up the visual appearance of parked vehicles and add relief to the street scene.

Summary

10.37 To summarise, in respect of the wider Conservation Area, it highlighted that all of the application sites, have been the subject of earlier extant permissions in line with their previous identification for C3 residential uses as part of the original outline permission, and thus the principle of redevelopment has already been considered acceptable. In addition, the application sites are not considered to specifically, positively contribute to the character and appearance of the Conservation Area.

10.38 As such, notwithstanding the considerable weight attached to the requirements of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation areas) Act 1990, given the above compliance with the Design Code, it is apparent that the continued use of the same parcels for residential development in the manner proposed will safeguard the character and appearance of the Conservation Area as a whole.

10.39 In terms of other heritage assets, the setting and significance of these will similarly remain unaffected.

Transport and Access

10.40 The application is accompanied by a Transport Statement (TS) prepared by PBA (ref: 39304 February 2019).

10.41 The TS has considered the application proposals in the context of the 1,075 units permitted via outline permission 10/01642/OUT, with particular regard to the mitigation works proposed in conjunction with the on-going delivery of the wider New Settlement Area proposals.

10.42 In this regard the TS highlights that a package of mitigation works for outline permission 10/01642/OUT has previously agreed with both the County and District Councils and is set out the S.106 Agreement that accompanies that permission.

10.43 In assessing the trip generation arising from the proposals, the TS notes that parts of the application sites have been the subject to previous assessments as part of both the NSA outline and Phase 5 outline permissions. Hence the impact of these dwellings has already been considered previously and thus such units should be not be 'double counted' within the current highway assessment.

10.44 In line with this approach, the TS notes that 16¹⁹ of the proposed 57 units have been previously assessed, leaving a remaining 41 units to be considered for the purposes of the current proposals.

10.45 Having assessed the Trip Generation arising from these 41 new units, the TA concludes that the level of all purpose trips across all form of transport (car, car passenger, cyclist, pedestrian and public transport) will give rise to an additional 45 trips in the AM peak and 34 trips in the PM peak.

10.46 The TS then goes onto consider the impact of this additional trip generation on the key junctions of:

- M40 J10 / Baynards Green Roundabout;
- Ardley Road / Unnamed Road;
- Middleton Stoney;
- Hopcrofts Holt.

10.47 This junction study concludes that the additional trip generation will have minimal impact on these junction, with any such impact being capable of mitigation by way of the existing package of works already in place as part of the permitted

¹⁹ 14 retained units arise from the Trenchard Circle original housing and 2 new units transposed from the 1,075 NSA scheme.

outline 1,075 scheme (ref: 10/01642/OUT) and that proposed by way of the current masterplan application 18/00825/HYBRID.

10.48 Alongside this lack of impact, the TS also confirms that the current proposals will be covered by the Residential Travel Plans being prepared in connection with the above applications.

10.49 Overall the TS concludes that:

- The development phases are located within the wider Heyford Park development, with access to existing, consented and proposed sustainable transport connections and local facilities.
- Vehicle and cycle parking are provided in accordance with OCC parking standards, and the proposed internal site layouts are appropriate to accommodate refuse and emergency vehicles.
- Local network analysis demonstrates that the proposed 57 dwellings (41 net new dwellings) will have a negligible impact on the local and strategic highway network and can be accommodated without the need for additional mitigation beyond current commitments supporting the S106 agreement for the 1,075 unit NSA scheme.
- It is therefore proposed that the development provides a contribution towards transport infrastructure on a roof tax type basis towards measures associated with the 1,075 unit NSA scheme at the Heyford Park development.
- The proposed development will be covered by the Residential Travel Plan that is in place for the consented 1,075 unit scheme. This includes measures, initiatives and targets for reducing single occupancy car trips to and from the site.
- There is no material reason as to why the development cannot proceed on highway and transport grounds.

10.50 Given these conclusions it is apparent that the application proposal will not have a detrimental impact on highway safety with any residual cumulative effects on the road network capable of mitigation within a previously agreed framework.

Ecology

10.51 In respect of ecological matters, the application is accompanied by an Extended Phase 1 Habitat Survey Update prepared 4 Acre Ecology Limited (**Issue 1 28/2/19**), which has been carried out across all three application sites.

10.52 The survey notes that all three application sites haven been subject to clearance works, with little habitat remaining.

10.53 In this regard the survey highlights that:

- Phase 5D consists almost entirely of hard-standing and bare earth with two trees (to be retained in the proposals) and one laurel hedge (to be removed);
- Phase 8C consists of hard-standing, bare ground and amenity grassland with mature trees (which are to be retained);
- Trenchard Circle was subject to clearance work to demolish the original 14 bungalows, carried out in 2016 with an associated bat survey and avoidance method statement. Since that time vegetation has grown across the site with a area of shallow water located in to the north eastern corner of the site.

10.54 In undertaking the survey, regard has been had to findings and conclusions of earlier ecological studies carried out as part of the extensive planning history of Heyford Park.

10.55 The data available from these previous studies has been updated and refreshed as appropriate by way of both updated records research and on-site and adjacent site surveys.

10.56 Overall the recent survey concludes that there is no ecological interest arising from the Phase 5D application site, with the sole limiting factor being the need for development proposals to avoid the bird nesting season, given the retained tress.

10.57 In respect of Phase 8C, the survey reached a similar conclusion that given the retained trees, the timing of works to avid the nesting season was the only ecological constraint.

10.58 With regard to Trenchard Circle, the survey noted that the application site is within 250m of off-site ponds where Great Crested Newts (GCN) has been found to be previously present.

10.59 Given the existence of a suitable GCN habitat pond in the NE corner of the Trenchard Circle site, the survey highlights that a further survey to assess the presence or otherwise of GCN will be required at the appropriate time.

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- 10.60 Depending on the outcome of this survey, a GCN translocation survey and mitigation strategy may be required, which can form part of an overall site mitigation plan for GCN.
- 10.61 Alongside this GCN strategy, the survey also recommends that the inclusion of bat boxes or similar within the Trenchard Circle proposals.
- 10.62 Additional enhancements by way of eight bird boxes around Trenchard Circle, two around Phase 5D and four around Phase 8C are also recommended.
- 10.63 These mitigation and enhancement strategies can be readily secured within the application proposals and / or as part of the wider NSA agreed mitigation strategies.
- 10.64 With these safeguards and enhancement in place, ecological interests can be protected in line with **NPPF paragraphs 174 and 175**.

Flood Risk and Drainage

- 10.65 Matters of drainage and flood risk for Heyford Park have previously been considered by way of a comprehensive site wide Flood Risk Assessment prepared by Waterman in October 2010.
- 10.66 This FRA formed part of the original documentation approved via outline permission 10/01642/OUT and represents the baseline against which development on the NSA is considered.
- 10.67 In line with this higher tier document, the application proposals are accompanied by Flood Risk Compliance Statements (Phases 5D and 8C) and a Flood Risk Assessment for Trenchard Circle, which demonstrate how the overall previously approved drainage for Heyford park can be delivered.
- 10.68 At a high level the studies confirm that the application sites lie within Flood Zone 1, the lowest area of flood risk, with attenuation measures and surface water run off rates design to cater for 1 in 100 year flows plus 30% allowance for climate change.
- 10.69 In respect of Phase 5D, ground investigation has indicated that the use of permeable paving or other infiltration measures is not feasible. Attenuation is therefore to be provided by way of an underground tank which will be maintained

by the Water Company or management company. This facility will subsequently connect to the existing Phase 5 drainage network.

- 10.70 This approach has been modelled and demonstrated to cater for flood events and climate change.
- 10.71 With regard to Phase 8C, attenuation will be provided by cellular storage tanks, with suitable hydraulic flow controls limiting discharge into the existing water network and ultimately Gallos Brook.
- 10.72 Again, this approach has been modelled and demonstrated to cater for flood events and climate change.
- 10.73 For Trenchard Circle, surface water will be discharged into the existing ditch to the north of the site via controlled outfalls.
- 10.74 Attenuation will be provided by way of cellular storage tanks, which via suitable control measures, will limit the flow into the aforementioned ditch.
- 10.75 Once again this approach has been modelled and demonstrated to cater for flood events and climate change
- 10.76 Overall it can be seen that an appropriate form of sustainable drainage system can be implemented in line with the requirements of **Policy ESD7** and **NPPF paragraphs 155-165**.

11. SUMMARY AND CONCLUSIONS

- 11.1 The principle of residential development at Dorchester Phases 5D and 8C has already been established through outline planning permissions 10/01642/OUT and 13/01811/OUT together with their associated reserved matters approvals 17/00973/REM, 16/00864/REM and 16/00627/REM.
- 11.2 Similarly, the principle of residential development on Trenchard Circle has been equally established by the granting of full planning permission 16/00196/F.
- 11.3 The continued development of these identified residential parcels, located within a sustainable settlement will remain consistent with **Policy Villages 5**, which confirms Heyford Park as a Strategic Allocation.
- 11.4 The amended layout and form of development across the three parcels will lead to the more efficient use of brownfield land, enabling higher levels of housing to be delivered in direct accordance with Policy BSC2 and the core objectives of the NPPF.
- 11.5 It has been shown that this enhanced delivery can be achieved without harm to designated heritage assets and in full accordance with the prevailing Design Code for Heyford Park.
- 11.6 Alongside this Development Plan compliance, the proposals also enable additional levels of affordable housing to be delivered, exceeding normal policy thresholds and provide a key opportunity to secure heightened and expedited delivery of such housing in line with the fundamental aim of the Oxfordshire Housing Growth Deal, to which Cherwell District Council is a key signatory.
- 11.7 It has therefore been demonstrated within this and the preceding sections that the development proposals for Dorchester Phase 5D, 8C and Trenchard Circle are fully acceptable in planning terms and that there is no reason why permission should not be forthcoming.

APPENDIX 1

RAF Upper Heyford Conservation Area Appraisal – Character Areas Plan

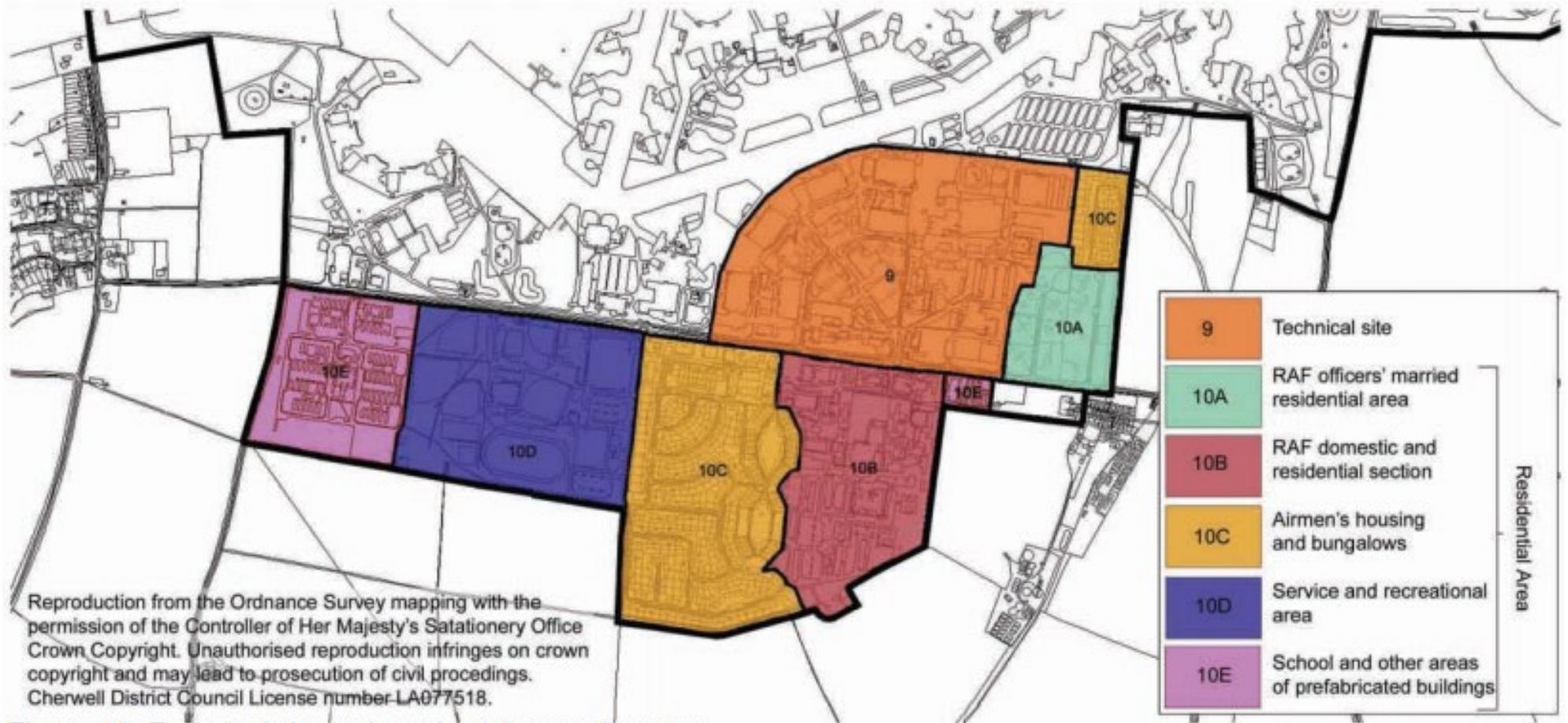
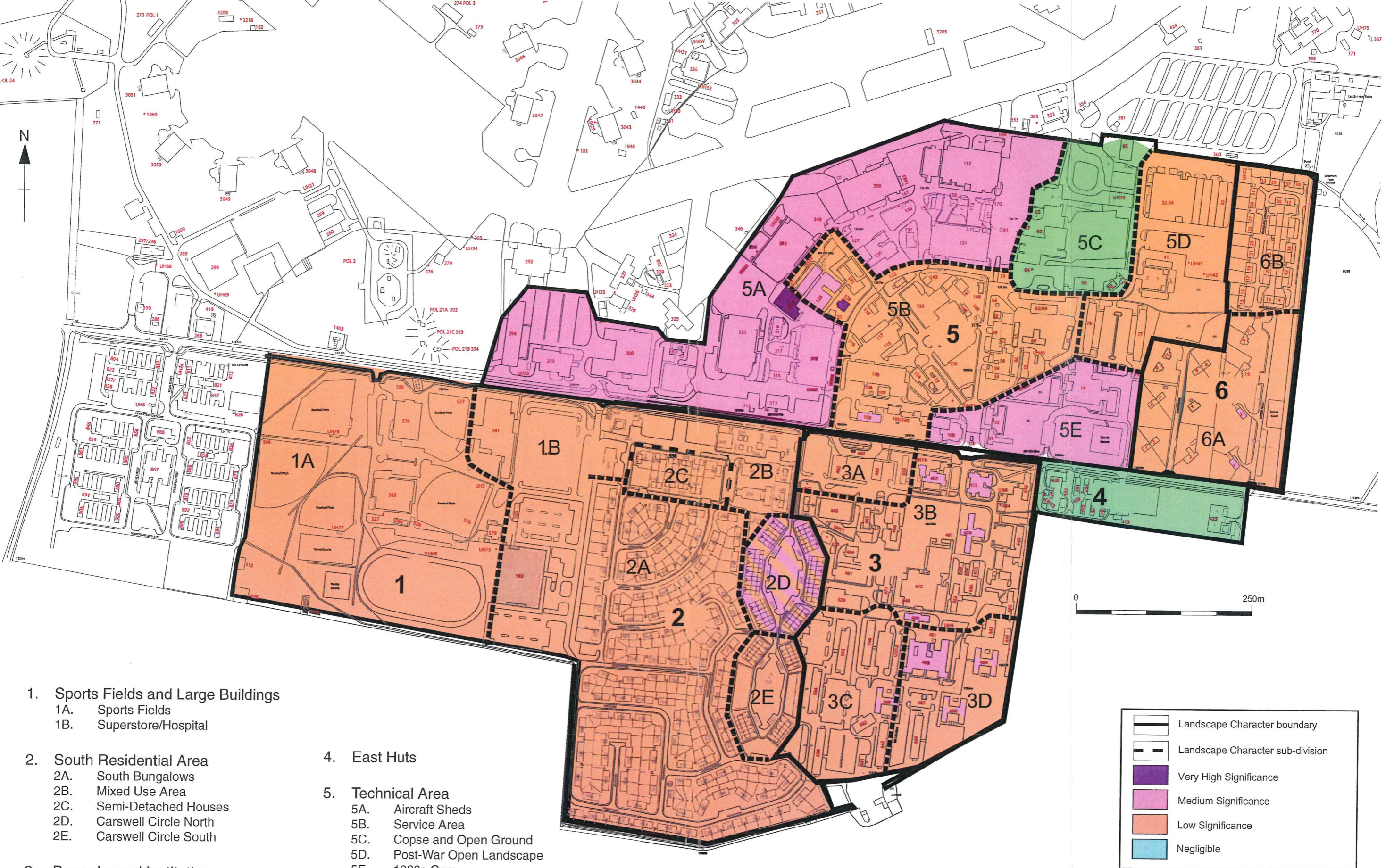


Figure 13: Technical site and residential zone character areas

APPENDIX 2

2010 Environmental Statement Character Areas Plan



- 1. Sports Fields and Large Buildings
 - 1A. Sports Fields
 - 1B. Superstore/Hospital
- 2. South Residential Area
 - 2A. South Bungalows
 - 2B. Mixed Use Area
 - 2C. Semi-Detached Houses
 - 2D. Carswell Circle North
 - 2E. Carswell Circle South
- 3. Barracks and Institutions
 - 3A. Store/Petrol Station
 - 3B. Parade Ground Buildings
 - 3C. West Barracks
 - 3D. 1930s Area

- 4. East Huts
- 5. Technical Area
 - 5A. Aircraft Sheds
 - 5B. Service Area
 - 5C. Copse and Open Ground
 - 5D. Post-War Open Landscape
 - 5E. 1920s Core
- 6. North Residential Area
 - 6A. Officer Housing
 - 6B. North Bungalows

	Landscape Character boundary
	Landscape Character sub-division
	Very High Significance
	Medium Significance
	Low Significance
	Negligible

Figure 11.12: Application boundary: Summary of Significances
 Reproduced from ALTA et. al (2006)

