

Application No: 11/01247/F	Ward: The Astons and Heyfords	Date Valid: 10.08.2011
Applicant:	Paragon Fleet Solutions	
Site Address:	Paragon Fleet Solutions, Heyford Park, Camp Road	
Proposal:	Change of use to allow the continued use of land, buildings and other structures and continued retention of security trench, concrete rings and temporary lamp posts until 30 June 2013	

1. Site Description and Proposal	
1.1	The application site for this proposal covers part of the former RAF/USAF Upper Heyford base. It is identified on the appended site plan and measures approximately 61 hectares in size, the Heyford base being approximately 505 hectares in total.
1.2	In terms of the uses on site, the military use ceased in 1994. Since 1996 the site has been used for a series of temporary uses including occupation of the existing dwellings on the site. For the last two years by the Dorchester Group. In that period the base has accommodated approximately 1,000 jobs and homes for around 750 residents.
1.3	<p>The base was designated a conservation area in 2006, its primary architectural and social historic interest being its role during the Cold War. The nature of the site is defined by the historic landscape character of the distinct zones within the base. The designation also acknowledges the special architectural interest, and as a conservation area, the character of which it is desirable to preserve or enhance and provides the context and framework to ensure the setting and appearance of the Cold War landscape are preserved. This application includes a small part of the Technical Area but is largely on the Flying Field and crosses a number of character zones as classified in the Conservation Appraisal:</p> <ul style="list-style-type: none"> • 1A Central Runway- Open landscape dominated by the uniform planes of meadow grassland and hard surfaces and by the wide horizons. The area is surrounded by HASs (Hardened Aircraft Shelters) and includes the control tower. The CWS (County Wildlife Site) is located towards the eastern end of the area. • 1D South Aircraft Shelters- The open aircraft shelters located in this area lack the dominant presence of the HASs. Current usage has robbed the landscape of any defining characteristics. • 3 Runway East Terminal- This area has some of the characteristics of

	<p>1A but the land dips slightly to the east and there are wide views across the more-or-less level surrounding farmland of the Fritwell and Caulcott Plateaux. The overall character is therefore very different from 1A and the area lies outside the 1940s core, having been constructed in the 1950s.</p> <ul style="list-style-type: none"> • 6 Southeast HASs- This area has a distinctive character because the HASs and ancillary structures are relatively close together. But the visual link with the major part of the Landscape of Flexible response is poor and it lacks the simplicity and openness of Area 1. • 7. The Tanker Area- This is an indeterminate area dominated by the grassland of the tanker standings. It is largely without a character of its own and is influenced by the mass of buildings beyond the boundary to the south.
1.4	<p>The majority of the site is runway, taxiway or other hardstanding and it is the use of this land for storage of vehicles that is the main element of this application. A large part of it (17 hectares) was authorised for “Car Processing” at appeal last year but this application seeks to extend the use of part of the remainder of the site for which planning permission was not granted for a further temporary period until June 2013 and for the reasons which are set out below. There are also several buildings within the redline site boundary but the majority of those are now authorised by the appeal or subsequent appeal decisions in B1, B2 or B8 uses. In heritage terms none of them are listed or scheduled, the nearest statutorily protected building is the control tower (building 340) and the impact upon this building was fully considered at the appeal and indeed the layout of the future entrance to the car process area amended as a result. The other buildings do have a general level of local or regional significance and, in the case of Buildings 350,172 and 151 (A Frame Hangers); 370, Squadron Headquarters; and 125, Station Armoury (Paragon’s HQ Building) are of national significance.</p>
1.5	<p>The current application is seeking planning permission for a phased and structured transfer of the car processing use on to the land authorised by the appeal decision in 2010. This is set out in detail in a number of documents that accompany the application but namely a Transitional Arrangements Document, Planning Statement and Design and Access Statement.</p>

2. Application Publicity

2.1	<p>The application was advertised in the press and by site notice. It was clear for determination on 29th September 2011. No public comments have been received.</p>
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3. Consultations

3.1	<p>Upper Heyford Parish Council: No objection</p>
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3.2	<u>Middleton Stoney Parish Council</u> : No objection
3.3	<u>Steeple Aston Parish Council</u> : No objection
3.4	<u>English Heritage</u> : Do not wish to comment
3.5	<u>Natural England</u> : No comments
3.6	<u>Environment Agency</u> : No comments
3.7	<u>Oxfordshire County Council (Strategic Policy)</u> : In determining the application we would expect your Council to take full account of relevant policies in the SE Plan, Structure Plan saved policy H2 and the strategic objectives of Oxfordshire 2030 relating to economic growth.
3.8	<u>Highways Agency</u> : No objection
3.9	<u>Oxfordshire County Council (as Highway Authority)</u> : No objection
3.10	<p><u>Internal Comments</u>:</p> <p><u>CDC-Economic Development Officer</u>: I support the application for the updated transitional plan to 2013. Paragon is extremely important for the district and has both contributed to the safeguarding of the Upper Heyford site whilst also employing around 500 staff, many of whom are skilled. This proposal should contribute to the safeguarding of those jobs, and in so doing protect the wider site, and is therefore in accordance with the Cherwell Economic Development Strategy 2011-16.</p> <p><u>CDC- Head of Planning Policy & Economic Development</u>: The supporting documents submitted with the application set out in detail the proposed transitional arrangements for moving from the footprint currently occupied to the new permanent area over a 3 year period. There are no policy objections to this temporary and transitional proposal subject to it being considered that the granting of consent will not discourage, or provide a disincentive to, implementing the lasting arrangement for the site, and that the 3 year transition period proposed is considered an appropriate timeframe.</p>

4. Relevant Planning Policies	
4.1	<p>National Planning Guidance contained in:</p> <ul style="list-style-type: none"> • PPS1-Delivering Sustainable Development • PPS4-Planning for Sustainable Growth

	<ul style="list-style-type: none"> • PPS5-Planning for the Historic Environment • PPS7-Sustainable Development in Rural Areas • PPS13-Transport <p>The Government have also recently published the new National Planning Policy Framework although at this stage it is a consultation document rather than policy.</p>
4.2	<u>Regional Spatial Strategy for the South East (The South East Plan) 2009 (SEP)</u> <ul style="list-style-type: none"> • CC7: Infrastructure and Implementation • CC1/CC2/CC4: Sustainable Development • NRM11: Energy Efficiency/Renewable Energy • BE6: Management of the Historic Environment • RE3 Employment • T4: Parking • T7: Rural Transport
4.3	<u>Oxfordshire Structure Plan 2016 (OSP)</u> <ul style="list-style-type: none"> • Saved Policy H2-Upper Heyford
4.4	<u>Adopted Cherwell Local Plan 1996 (ACLP)</u> <ul style="list-style-type: none"> • C23: Conservation Areas • C18: Historic Buildings • TR1: Transportation Measures • TR7: Traffic on Minor Roads
4.5	<u>Non Statutory Cherwell Local Plan (NSCLP)</u> <ul style="list-style-type: none"> • UH1, UH2, UH3, and UH4-Upper Heyford • TR1-TR3 Transport Travel • TR3 Mitigation • TR5 Road Safety • TR6 Public Transport • TR8 Cycling/Walking • TR16 Large vehicle Traffic • TR36 Traffic in rural Areas • D7 Mixed Uses • EM1/EMP4 Employment • EN1/EN2 Environmental Protection • EN7 Noise • EN46 Heritage-Enabling Development
4.6	<u>Cherwell Local Development Framework (LDF)</u> <u>Draft Core Strategy-February 2010</u> <ul style="list-style-type: none"> • The draft document went through the first round of public consultation in the spring of 2010. The second draft is due out shortly for further

	public comment. Heyford is identified as the major single location for growth other than Banbury and Bicester. Of course the Strategy is an emerging document that has little weight at the present time.
4.7	In addition: <ul style="list-style-type: none"> • RAF Upper Heyford Conservation Area -Designated April 2006 • RAF Upper Heyford Comprehensive Planning Brief (SPD adopted 5th March 2007) (RCPB)

5 Planning Policy and the Development Plan	
	<u>Background</u>
5.1	As Committee will be aware, these are changing times in which applications to develop land are being considered, both nationally and locally. However, the main policy issues over the fundamental matter of whether to allow development, any development, at Heyford have been resolved. A short explanatory background is required however to put the current application into context and to set out the relevant development plan policies applicable.
	<u>Oxfordshire Structure Plan</u>
5.2	<p>The Structure Plan (OSP) which had effectively been replaced by the South East Plan (SEP) included, unusually for such a strategic document, a site specific policy for Upper Heyford. This policy, H2, was saved by the SEP and remains in place despite the proposed revocation of the regional plan. Although the thrust of the OSP was to direct development towards urban centres, paragraph 7.7 of the Structure Plan advises that; “Land declared surplus by the Ministry of Defence at the former airbase at Upper Heyford represents an opportunity to achieve an appropriate balance between environmental improvements to a rural part of Oxfordshire, conservation of the heritage interest from the Cold War, and reuse of some existing buildings and previously developed land located in the former technical and residential areas of the base.” Policy H2 provided for a new settlement of 1000 dwellings including ... employment opportunities and required the development of the base to be in accordance with a comprehensive development brief for the site.</p> <p>The policy in full states:</p> <p><i>Upper Heyford</i> <i>H2 a) Land at RAF Upper Heyford will provide for a new settlement of about 1000 dwellings and necessary supporting infrastructure, including a primary school and appropriate community, recreational and employment opportunities, as a means of enabling environmental improvements and the heritage interest of the site as a military base</i></p>

	<p><i>with Cold War associations to be conserved, compatible with achieving a satisfactory living environment.</i></p> <p><i>b) Proposals for development must reflect a revised comprehensive planning brief adopted by the district council and demonstrate that the conservation of heritage resources, landscape, restoration, enhancement of biodiversity and other environmental improvements will be achieved across the whole of the former air base in association with the provision of the new settlement.</i></p> <p><i>c) The new settlement should be designed to encourage walking, cycling and use of public transport rather than travel by private car. Improvements to bus and rail facilities and measures to minimise the impact of traffic generated by the development on the surrounding road network will be required.</i></p>
	<p><u>The Revised Comprehensive Planning Brief 2007 (RCPB)</u></p>
5.3	<p>The purpose of the RCPB was to elaborate on and provide guidance supplementary to Policy H2 of OSP 2016. It was adopted as a SPD in March 2007. While it does not form part of the statutory development plan, it expands on and supplements OSP 2016 Policy H2. The RCPB 2007 SPD is a significant material consideration in the processing of planning applications concerning the site at the former RAF Upper Heyford airbase.</p>
5.4	<p>The Brief specifically intends to assist in the quality delivery of:</p> <ul style="list-style-type: none"> • a settlement of about 1,000 dwellings as a means of enabling environmental improvements, conservation of the site's heritage interests while achieving a satisfactory living environment; • necessary supporting infrastructure for the settlement including primary school appropriate community, recreational and employment opportunities • conservation of heritage interest
5.5	<p>The RCPB sets out the vision for the site and identifies seven elements Including:</p> <p>ii) A community that is as sustainable as possible, in the provision of community facilities and in balancing dwellings and employment opportunities, given the site's location</p> <p>iii) The preservation of the stark functional character and appearance of the flying field beyond the settlement area, including the 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.</p> <p>iv) The achievement of environmental improvement within the site and of views of it to include 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, enhancement of ecological interest and reopening of historic routes.</p>

	<u>Adopted Cherwell Local Plan 2001 (ACLPL)</u>
5.6	The Cherwell Local Plan was adopted in November 1996. Although the plan was intended to cover the period to 2001 it remains part of the Statutory Development Plan. The Cherwell Local Plan was adopted shortly after the former airbase was declared surplus and therefore does not have any policies specifically in relation to the site.
	<u>Non Statutory Cherwell Local Plan 2011 (NSCLP)</u>
5.7	The Non Statutory Cherwell Local Plan (NSCLP) was originally produced as a replacement for the adopted local plan. The plan was subject to first and second draft deposit stages and pre-Inquiry changes were incorporated. However the decision was taken by the Council to discontinue work on the plan on the 13 December 2004 and withdraw it from the statutory local plan process as there was no realistic prospect of it being adopted prior to Government changes to the planning system coming into force which would have prevented its subsequent adoption. However to avoid a policy void, the Non Statutory Cherwell Local Plan 2011 (NSCLP) was approved by the Council as interim planning policy for development control purposes on the 13 December 2004. The NSCLP therefore does not form part of the statutory development plan. As such, it is of reduced weight but as interim planning policy it is a material consideration in the consideration of the current application. The NSCLP 2011, contains four specific policies, UH1-4, relating to the former airbase, UH1 seeks to create employment opportunities broadly compatible to the number of residents.
	<u>Conservation Area Appraisal</u>
5.8	<p>The RAF Upper Heyford Conservation Area was designated in April 2006. A Conservation Area Appraisal (CAA) was produced for the site and adopted by the Council in April 2006. The CAA includes the historic significance of the site, analyses its character and heritage assets, assesses the special interest, negative factor's affecting the site and summarises the issues. It describes the site as; 'The landscape setting and hardened concrete structures of the former RAF Upper Heyford have the power to communicate the atmosphere of the Cold War.'</p> <p>The CAA identifies the following key areas in the summary of issues;</p> <ol style="list-style-type: none"> 1. Protection of the Historic Buildings and Landscape 2. Vulnerability of the site to fragmentation 3. Reuse of the retained buildings 4. Incorporation of a new settlement

6 Planning History	
6.1	<p>The former airbase was confirmed surplus to MOD requirements in September 1994 just before the current Local Plan was adopted in 1996. The ACLP does not contain any policies specifically relating to the site. A revised Structure Plan was adopted by the County Council in 1998 and included policy H2 which sought to address the future of the site. Policy H2 identified:</p> <ul style="list-style-type: none"> • the site for a development of about 1,000 dwellings and supporting infrastructure including employment opportunities; • that the future of the site be guided by a comprehensive planning brief adopted by the Council; • substantial landscaping and other environmental improvements be provided; and that • the new settlement be designed to encourage journeys by foot, cycle or public transport rather than by car.
6.2	<p>A Comprehensive Planning Brief (CPB), as required by OSP 2012 Policy H2, was adopted by CDC in 1999. The CPB sought to guide development proposals for the base and included the clearance of all structures located beyond the proposed settlement area and restoration of the land. The CPB included draft Local Plan policies which were adopted for development control purposes.</p>
6.3	<p>In 2005, a revised Structure Plan 2016 was adopted. Policy H2 was retained in an amended form identifying the purpose of development on the site as enabling to deliver environmental improvements, conservation of the heritage interest across the whole site, compatible with achieving a satisfactory living environment.</p>
6.4	<p>In November 2005, a Conservation Plan was produced for the flying field. The plan was jointly commissioned by CDC, EH and North Oxfordshire Consortium (NOC). The plan identified the historic importance of the site as a Cold War landscape and the importance of individual structures on the site. The plan identified greater levels of significance for the site than EH had previously identified. A further assessment of the areas excluded from the Conservation Plan was commissioned by CDC and completed in March 2006. These studies were used to inform the decision to designate the whole site as a conservation area in April 2006 and the Revised Comprehensive Planning Brief. A Revised Comprehensive Planning Brief was adopted as an SPD in March 2007. In the RCPB approximately 7 hectares were set aside</p>

	for car storage together with use of a number of buildings by the company then operating the car business. However, at the later Public Inquiry this figure was not considered adequate for the company's needs.
6.5	Over the last 10 years numerous applications have been made seeking permission to either develop the whole site or large parts of it and most the land subject of the current application was granted temporary planning permissions pending the long term and lasting arrangement to be secured in line with the OSP. Numerous cases have gone to appeal the most relevant to the current application, and most recent, was application ref 08/00716/OUT. This outline application proposed: "A new settlement of 1075 dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure (as amended by plans and information received 26.06.08)."
6.6	Following a major public inquiry that commenced in September 2008 the Council finally received the appeal decision on the above proposed development in January 2010. The appeal was allowed, subject to conditions, together with 24 conservation area consents that permit demolition of buildings on the site.
6.7	Although the appeal was lodged on the grounds of non-determination the Council resolved to object to the proposal on several grounds including its failure to conform to the Planning Brief for the site, that the development was unsustainable, the type of employment was inappropriate, transport measures were inadequate to cope with the development, damage to the character and appearance of the conservation area and the information submitted was inadequate or failed to justify the proposal. The reasons for refusing the conservation area consents were either the loss of buildings that contributed positively to the conservation area, that a cleared site would detract from the conservation area and/or their demolition was premature without an approved scheme for redevelopment.
6.8	Due to the scale of the development proposed, the appeal was referred to the Secretary of State for Communities and Local Government for determination. The decision letter from the Secretary of State (SoS) can be read in full on the Council's web site: http://cherweb.cherwell-dc.gov.uk/AnitePublicDocs/05757874.pdf .
6.9	The SoS considered there to be three main issues: the policy context for the proposal, with particular reference to the development plan and PPG15;

	<p>Design Principles and PPS1; and Housing and Sustainability of location. There was also a fourth, planning conditions and obligations.</p>
6.10	<p>On policy, the SoS thought the development was in general conformity with the Oxfordshire Structure Plan policy H2 which seeks to provide a community of about 1000 dwellings with schools and employment opportunities, though not the Council's Development Brief for the site, and that it would enable environmental improvements, conserve heritage interests and provide appropriate level of employment. In terms of employment, the SoS recognised that businesses were well established and there were 500 people currently employed in car processing. Economic benefits were a "weighty material consideration" although they did not seem as such to outweigh the harm to the character of the conservation area. However the Inspector refers to the need to balance heritage interests against exceptional circumstances to justify overriding the presumption to preserve and enhance the conservation area. On reuse of buildings, it was considered their retention would outweigh the breach in the number of jobs limited on the site. Shops would provide a service to the community and the employment would stop Heyford becoming a dormitory town.</p>
6.11	<p>The SoS concluded the development would substantially accord with the development plan, meaning Structure Plan policy H2, little weight seems to have been given to the Council's development brief for the site. A sustainable and reasonable balance was secured between retaining the built and natural heritage, and providing an appropriate and proportionate level of employment in the context of the site's location and access to services. In granting the planning permission, it was therefore felt justifiable to allow the 24 conservation area consents, again subject to conditions. As part of the decision, 71 conditions were imposed on the grant of planning permission and 5 on the conservation consents.</p>
6.12	<p>The grant of planning permission authorised many of the uses being undertaken at the site and sets out the template for future development. As far as the overall development of the settlement area is concerned however, it is a long way from the end of the story and Committee will recall that since there has been an application for the permanent change of use of 253 existing military dwellings for residential class C3 (primarily the bungalows) on land south of Camp Road. There was also the application that proposed to revise the settlement area masterplan (ref10/01642/OUT) that was approved by Committee in March.</p>

7 Appraisal	
	Background
7.1	<p>Planning permission granted at the appeal included 17 hectares of the flying field (mainly hardstanding and consisting of the former runways and taxiing area) for car processing. This was defined as the inspection, valeting, washing, repairing, tyre replacement, processing and delivery of cars and other car processing activities as may be required from time to time. This area was based on the minimum operational requirement of the business operated by the current applicant. This land was considered to be the least sensitive part of the overall site being outside the core area of national significance, largely concealed from public views and scarcely visible from the Aves Ditch public footpath. The applicant currently has a lease on some 61 hectares of the base although only about 40% of is in operational use.</p>
	<p>Nonetheless, the site was in the Conservation Area and in the view of the Inspector its use would still cause harm but, after weighing up the economic benefits and possible level of job losses, the SoS considered what was approved to be a reasonable balance between what he considered to be exceptional economic circumstances and conservation. The applicant was agreeable to this reduced area of operation.</p>
	<p>However, since that time the applicant has found the need to continue using much of the unauthorised hardstanding for car storage and their logistical operation. This is not only in breach of the permission granted at appeal but contrary to two separate enforcement notices served by the Council in 2008. These were both appealed and if the current application is refused permission the Planning Inspectorate will reactivate the appeals and a further public inquiry may be reconvened to hear them.</p>
	<p>The current application seeks to agree a period of transition in which time the current levels of use over an area of almost 25 hectares will be reduced down to the 17 hectares authorised at appeal, although the final figure is believed to be nearer to 16.2 hectares, and which it seeks to arrive at by June 2013. For information, this time frame has been scaled down both before the application was submitted and during the processing of this application, 3 years were sought when the application was first registered but two years is now the proposed time scale.</p>
	<p>The transitional arrangements have also altered following negotiations during the course of processing the application including the immediate cessation of use of the runaway and the bringing forward of certain other operations. The runway area is approximately 5.4 hectares in size and takes the operational site down to 19.4 hectares. By June 2012 this would drop down to 18</p>

	<p>hectares as the western end of the airfield is reconfigured and down to 16.2 hectares by June 2013 when the eastern taxiway is given up although the former tanker area would then be constructed to enlarge the area of hardstanding.</p>
	<p>As part of the reconfiguration of the western area, by June 2012 the existing prefabricated gatehouse would be removed and Building 3205 converted for such use. This would also coincide with the formation of a new transporter load/unloading area instead of its current operation on the more sensitive eastern runway. A new refuelling facility will also be provided subject to a separate permission being granted.</p>
	<p>By June 2013, not only will the physical footprint be adjusted to that approved but all taller vehicles will be restricted to a smaller less sensitive part of the site and all temporary lighting and security features not benefitting from full permission will be removed.</p>
	<p>Main Issues</p>
	<p>The new application raises a number of issues but the main ones are considered to be:</p> <ul style="list-style-type: none"> • Employment • Impact on the Conservation Area, Heritage and Environment
	<p>Employment</p>
	<p>To make the community sustainable it is necessary to provide employment opportunities and this is set out in OSP H2, RCPB and UH1(iii) of the NSCLP. The RCPB states: Upper Heyford “is located in an unsustainable location and therefore, if it were not for the proposed dwellings, the site would not be viewed as a suitable location for employment generating development. However, to create a sustainable settlement, the opportunity for employment accessible to the residents should be provided. To maximise the opportunities for residents to work close to where they live a range of employment opportunities will be sought. Employment provision should be within and part of the settlement to enable access by foot and be conveniently served by public transport. The premises could support local services and contribute to the vibrancy and vitality of the settlement.”</p> <p>It goes on to say: “A RANGE OF EMPLOYMENT OPPORTUNITIES SHOULD BE PROVIDED TO MEET THE NEEDS OF THE RESIDENTS AND THE NUMBER SHOULD REMAIN APPROXIMATELY IN BALANCE WITH THE ECONOMICALLY ACTIVE POPULATION.”</p>
	<p>Historically, the use subject of the current application has been authorised by temporary consents granted first in 1995 and renewed by short term</p>

	<p>permissions ever since. Permissions were granted as an exception to policies on sustainability and to replace employment lost by the closure of the base and to raise revenue for the MoD. It was recognised in the 2007 RCPB that many of these businesses have now become established with a local workforce and therefore need to be handled with a degree of sensitivity. The criteria for considering each case whether new or existing uses are acceptable was set out in the RCPB:</p> <ul style="list-style-type: none"> i. the use is compatible with the aspirations for the settlement ii. the use would not adversely affect residents or other business through noise, traffic movements, requirement for outside storage, working outside normal business hours iii. the use would not have an unacceptable impact on the surrounding landscape, historic interest of the site or nearby villages.”
	<p>At the moment the car processing operations do provide a stable economic base to the site and probably about a third of the total employment. The long term retention of Paragon on the base was seen to be part of the so called “lasting arrangement” and is not at issue with the current application.</p>
	<p>The Company have nevertheless pointed out that they are responsible for significant levels of direct and indirect employment in the local economy; provide a wide range of employment opportunities including with a high level of skills; it is a recognised centre of excellence in the automotive industry and in IT; it provides considerable training and career development opportunities; and it creates social and economic spinoffs in the local community.</p>
	<p>At present however, the automotive industry is suffering from considerable economic pressures and is not expected to go through a recovery phase for another 2 or 3 years. It is the applicant’s submission that it will not be possible to fully invest and undertake the complete operational requirements placed on them by the appeal decision other than under the arrangements set out in the transitional programme set out as part of this application. In the meantime they intend to focus their main aims on maintaining their economic base at Heyford and helping support the delivery of key economic aims and objectives whilst at the same time scaling down the physical footprint of the car processing operation.</p>
	<p>Impact on the Conservation Area, other Heritage Issues and the Environment</p>
	<p>In terms of local policy, policy H2 of the OSP seeks to “provide for a new settlement of about 1000 dwellings and necessary supporting infrastructure, including ... employment opportunities, as a means of enabling environmental improvements and the heritage interest of the site as a military</p>

	base with Cold War associations to be conserved... The majority of significant heritage assets on site are to be preserved through the main permission and unilateral undertaking secured with it.
	In terms of direct impact on heritage, the applicant's are immediately ceasing use of possibly the most sensitive part of the site they have operated upon, the main runway on the central plateau. This part of the flying field is a Core Area of National Significance and is highly prominent in the landscape. Without an agreement to cease operations on this part of the site it is likely Officer's would have recommended refusal of planning permission. Its omission from the application, even if it had been for a short term use, is welcomed.
	The eastern part of the site has a degree of sensitivity as the realigned Aves Ditch footpath will pass close by. Users of the footpath when it is reinstated will be able to see an area of high density parking on the eastern runway. This was considered at the appeal by the Inspector to be harmful and the applicant agreed to omit it from the overall scheme at the Public Inquiry. However it has been found to be required for operational parking of vehicles pending the hard surfacing of the former tanker area. Previously the use of the land was permitted for parking on short term temporary permissions pending agreement on "the lasting arrangement" which should have been achieved by the appeal decision. Again, this is not something the Officers feel comfortable about but on balance bearing in mind the short term nature of the use, the length of time it has been used for car parking, there is no physical legacy from the use, the limited number of people affected and that by agreeing to this temporary use, the final solution will be in place by 2013.
	It should also be noted that English Heritage has not objected to the proposal.
	Other Issues:
	Transitional arrangements-RCPB Policy
	In the RCPB it was anticipated that the temporary uses governing the commercial operations would be wound down. It was expected this would occur through an agreed timescale which is exactly what is being proposed now. The RCPB envisaged a period of five years as this would be the time anticipated to complete the new settlement. In fact the settlement is not likely to be completed for some years yet so it appears the envisaged transitional phase is still applicable.
	Access and Highways
	Whilst the Highway Authority had some initial concerns they now advise there is no material impact, do not object to the development, and do not

	require any conditions.
	<p>Residential Amenity</p> <p>Whilst the proposal integrates commercial activity close to proposed residential development in line with the guidance contained in the NSCLP and PPS3, the issue of residential amenity has to be a major consideration bearing in mind the industrial operations likely to be undertaken in proximity to the proposed residential buildings. On balance however there is unlikely to be any direct effect to justify refusal of permission, particularly when the uses closest to housing have been in operation as such for some 15 years.</p>

8.0	Conclusion
	<p>It is unfortunate that the applicant has not complied with the terms and conditions on the planning permission granted at appeal or with the accompanying legal agreement. However these are difficult economic times and Upper Heyford is not a normal development site. Whilst there will be harm to issues of heritage and to the conservation area they will be relatively short term when viewed over the period since the base was closed and car processing commenced here, and as the Secretary of State and Inspector did, they need to be balanced against the benefit of securing local employment of a type that fits the heritage context of the base. The application is therefore recommended for approval subject to conditions.</p>

Recommendation	
Approval subject to the conditions set out below	
<ol style="list-style-type: none"> 1. That at the expiration of 21 months from the date hereof the uses specified in your application shall be discontinued and the land shall be restored to its former condition on or before that date. <p>Reason – To enable the Council to review the position at the expiration of the stated period and as the long term use of the land for car parking is considered harmful to the character and appearance of the Conservation Area and permission is only granted in view of the special/personal circumstances of the case which are such as to override basic planning objections to the development.</p> <ol style="list-style-type: none"> 2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the Revised Transitional Arrangements Document dated September 2011. 	

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Central Government guidance contained in PPS1: Delivering Sustainable Development.

3. Within three months of the date of this permission, a lighting strategy shall be provided. The strategy as approved shall be implemented within 6 months of the date of this permission and the development shall be undertaken in accordance with the details as approved

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

4. Within three months of the date of this permission, a scheme for the construction of a hard surfaced parking area on the former tanker area shall be provided. The parking area shall be constructed and available for use as approved within 18 months of the date of this permission and the development shall be undertaken in accordance with the details as approved

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

5. The area of the application site comprising open hardstanding identified for car processing (defined so as to comprise the inspection, valeting, washing, repairing, tyre replacement, processing and delivery of cars and other car processing activities as may be required from time to time) shall only be used for activity which is related to car processing, and specifically shall not be used for the parking of any other vehicle associated with any other use or activity present on the application site.

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

6. No car rental or related activities for use by members of the public shall be permitted from the identified car processing area

Reason – Such use would be inappropriate on the flying field, generate an inappropriate level of traffic and be contrary to Central Government guidance contained in PPS1: Delivering Sustainable Development.

7. A scheme and programme for the provision of security for the car processing area including below ground pressure sensors and infra red cameras and the removal of the existing concrete rings shall be submitted for approval to the Local Planning Authority within 3 months of the grant of planning permission and approved in writing. Thereafter the approved scheme shall be implemented in accordance with the approved timescale.

Reason - In order to safeguard the visual amenities, character and appearance of the conservation area in accordance with Policy C23 and C28 of the adopted Cherwell Local Plan.

PLANNING NOTES

Attention is drawn to a Legal Agreement related to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.

Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 0300 060 2501.

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Government advice contained within PPS5, in accordance the Revised Comprehensive Planning Brief, the development plan and other material considerations. The development is considered to be acceptable on its merits as part of a transitional arrangement in which the scale of operation is reduced in accord with an agreed timeframe in order to secure a lasting solution on the use of this part of the flying field. The Council have taken into account and balanced the potential harm to the character and appearance of the Conservation Area against the need to provides a balanced mix of employment opportunities sought through saved policy H2 of the Oxfordshire Structure Plan. The development is considered to be acceptable on its planning merits as the proposal is in accordance with Policy H2 of the Oxfordshire Structure Plan 2016 and UH1 of the Non Statutory Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

CONTACT OFFICER:

Andrew Lewis

TELEPHONE NO:

01295 222183