

<b>Application No:</b> 12/00040/F	<b>Ward:</b> The Astons and Heyfords	<b>Date Valid:</b> 12.01.2012
<b>Applicant:</b>	Paragon Fleet Solutions	
<b>Site Address:</b>	Paragon Fleet Solutions, Heyford Park, Camp Road	
<b>Proposal:</b>	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 1 <sup>st</sup> April 2015	

<b>1. Site Description and Proposal</b>	
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. In terms of the uses on site, its military use ceased in 1994 and since then the site has been used for a series of temporary uses.
1.2	<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. This 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 predominantly on the Flying Field and crosses a number of character zones as classified in the Conservation Appraisal which can be summarised as:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 3 Runway East Terminal: This area has some of the characteristics of 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</li> </ul>

	<p>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"> <li>• 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.</li> <li>• 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.</li> </ul>
1.3	<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 in January 2010 but this application seeks to extend the use of the remainder of the site for which planning permission was not granted for a further temporary period until April 2015.</p>
1.4	<p>The current application is a resubmission 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. A previous application for the same proposal was withdrawn prior to its consideration by Committee in October last year. That application sought consent until 30 June 2013, the applicant now seeks permission until 1<sup>st</sup> April 2015. The details of the transfer are set out in a number of documents that accompany the application but namely a Transitional Arrangements Document, Planning Statement and Design and Access Statement.</p>
1.5	<p>There are also several buildings within the redline site boundary but the majority of those are now authorised by the appeal or subsequent planning 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>

<b>2. Application Publicity</b>	
2.1	<p>The application was advertised in the press and by site notice. It was clear for determination on 10<sup>th</sup> February 2012. No public comments have been received.</p>

<b>3. Consultations</b>	
3.1	<u>Upper Heyford Parish Council</u> : No objection. Support the employment brought by paragon to the site
3.2	<u>Steeple Aston PC</u> -No objection
3.3	<u>English Heritage</u> : Do not wish to comment
3.4	<u>Oxfordshire County Council (as Highway Authority)</u> : No objection
3.5	<u>Highways Agency</u> : No objection
3.6	<p><u>CDC-Economic Development Officer</u>:  Paragon is an important employer that has over the years contributed to the maintenance of the fabric of Heyford Park. It has provided direct and indirect employment and skill development in a wide range of office, technical and transport activities. The proposed continuation of activity supports the aspirations of the Cherwell Economic Development Strategy to assist the success of local businesses and the wider economy.</p> <p>Whilst it is unfortunate that the transitional arrangements have not been fully adhered to, the long-term benefits of Paragon are clear. I therefore support the proposal which should enable Paragon to continue to prosper in Cherwell on the condition that the proposed new schedule will be strictly adhered to, and that day-to-day operation will respect the sensitivity of its surroundings.</p> <p>Head of Strategic Planning and the Economy (Planning Policy)  Any temporary or transitional measures required to facilitate the implementation of the lasting arrangement for the site should not prejudice, discourage, or provide a disincentive to, implementing that lasting arrangement.</p>

<b>4. Relevant Planning Policies</b>	
4.1	<p>National Planning Guidance contained in:</p> <ul style="list-style-type: none"> <li>• PPS1-Delivering Sustainable Development</li> <li>• PPS4-Planning for Sustainable Growth</li> <li>• PPS5-Planning for the Historic Environment</li> <li>• PPS7-Sustainable Development in Rural Areas</li> <li>• PPS13-Transport</li> </ul> <p>The Government also published last year the new National Planning Policy Framework although at this stage it is a consultation document rather than</p>

	policy.
4.2	<u>Regional Spatial Strategy for the South East (The South East Plan) 2009 (SEP)</u> <ul style="list-style-type: none"> <li>• CC7: Infrastructure and Implementation</li> <li>• CC1/CC2/CC4: Sustainable Development</li> <li>• NRM11: Energy Efficiency/Renewable Energy</li> <li>• BE6: Management of the Historic Environment</li> <li>• RE3 Employment</li> <li>• T4: Parking</li> <li>• T7: Rural Transport</li> </ul>
4.3	<u>Oxfordshire Structure Plan 2016 (OSP)</u> <ul style="list-style-type: none"> <li>• Saved Policy H2-Upper Heyford</li> </ul>
4.4	<u>Adopted Cherwell Local Plan 1996 (ACLP)</u> <ul style="list-style-type: none"> <li>• C23: Conservation Areas</li> <li>• C18: Historic Buildings</li> <li>• TR1: Transportation Measures</li> <li>• TR7: Traffic on Minor Roads</li> </ul>
4.5	<u>Non Statutory Cherwell Local Plan (NSCLP)</u> <ul style="list-style-type: none"> <li>• UH1, UH2, UH3, and UH4-Upper Heyford</li> <li>• TR1-TR3 Transport Travel</li> <li>• TR3 Mitigation</li> <li>• TR5 Road Safety</li> <li>• TR6 Public Transport</li> <li>• TR8 Cycling/Walking</li> <li>• TR16 Large vehicle Traffic</li> <li>• TR36 Traffic in rural Areas</li> <li>• D7 Mixed Uses</li> <li>• EM1/EMP4 Employment</li> <li>• EN1/EN2 Environmental Protection</li> <li>• EN7 Noise</li> <li>• EN46 Heritage-Enabling Development</li> </ul>
4.6	<u>Cherwell Local Development Framework (LDF)</u> <u>Draft Core Strategy-February 2010</u> <ul style="list-style-type: none"> <li>• The draft document went through the first round of public consultation in the spring of 2010. A revised 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.</li> </ul>
4.7	In addition: <ul style="list-style-type: none"> <li>• RAF Upper Heyford Conservation Area -Designated April 2006</li> </ul>

	<ul style="list-style-type: none"> <li>RAF Upper Heyford Comprehensive Planning Brief (SPD adopted 5<sup>th</sup> March 2007) (RCPB)</li> </ul>
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## 5 Planning Policy and the Development Plan

	<u>Background</u>
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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.
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	<u>Oxfordshire Structure Plan</u>
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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><b><i>Upper Heyford</i></b>  <b><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 with Cold War associations to be conserved, compatible with achieving a satisfactory living environment.</i></b>  <b><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</i></b></p>
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	<p><b><i>will be achieved across the whole of the former air base in association with the provision of the new settlement.</i></b></p> <p><b><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></b></p>
	<p><u>The Revised Comprehensive Planning Brief 2007 (RCPB)</u></p>
5.3	<p>The RCPB was adopted as a Supplementary Planning Document (SPD) in March 2007. While it does not form part of the statutory development plan, it expands on, supplements and provides guidance to Policy H2 of OSP 2016. 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"> <li>• 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;</li> <li>• necessary supporting infrastructure for the settlement including primary school appropriate community, recreational and employment opportunities</li> <li>• conservation of heritage interest</li> </ul>
5.5	<p>The RCPB sets out the vision for the site and identifies seven elements Including, and relevant to this application:</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>
	<p><u>Adopted Cherwell Local Plan 2001 (ACLPL)</u></p>
5.6	<p>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</p>

	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 and the new 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 and as such 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"> <li>1. Protection of the Historic Buildings and Landscape</li> <li>2. Vulnerability of the site to fragmentation</li> <li>3. Reuse of the retained buildings</li> <li>4. Incorporation of a new settlement</li> </ol>

## 6 Planning History

6.1	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
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	<p>included policy H2 which sought to address the future of the site. Policy H2 identified:</p> <ul style="list-style-type: none"> <li>• the site for a development of about 1,000 dwellings and supporting infrastructure including employment opportunities;</li> <li>• that the future of the site be guided by a comprehensive planning brief adopted by the Council;</li> <li>• substantial landscaping and other environmental improvements be provided; and that</li> <li>• the new settlement be designed to encourage journeys by foot, cycle or public transport rather than by car.</li> </ul>
6.2	<p>A Comprehensive Planning Brief (CPB), as required by OSP 2012 Policy H2, was first 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, English Heritage (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. A Revised Comprehensive Planning Brief was adopted as an SPD in March 2007. In the RCPB approximately 7 hectares were set aside 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.</p>
6.5	<p>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</p>



	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 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 basis 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: <a href="http://cherweb.cherwell-dc.gov.uk/AnitePublicDocs/05757874.pdf">http://cherweb.cherwell-dc.gov.uk/AnitePublicDocs/05757874.pdf</a> .
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; Design Principles and PPS1; and Housing and Sustainability of location. There was also a fourth matter, planning conditions and obligations.
6.10	On policy, the SoS thought the development was in general conformity with the Oxfordshire Structure Plan policy H2 which sought to provide a community of about 1000 dwellings with schools and employment opportunities, though not the Council's Development Brief for the site, and

	<p>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, limited weight was 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. In terms of the main employment use, i.e. car processing, the SoS agreed with the Inspector that harm would be caused to the Conservation Area and would not achieve environmental improvements. However, it was outside the core historic area, in the least significant part of the site overall and largely concealed from public views. A balance had to be struck between preservation and enhancement and the exceptional circumstances argument put forward by the appellant. In the end, it was resolved to accept the reduced area of 17 hectares and alter the entrance to the site to lessen the visual impact of car storage.</p>
6.13	<p>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 the application that proposed to revise the settlement area masterplan (ref10/01642/OUT) which Committee approved in March, although that has limited relevance to the current proposal.</p>

6.14	Finally, and of more relevance to the current application and as mentioned previously above, permission was sought last year for the same proposal (ref: 11/01247/F), the only difference being the time period for the permission. That had originally requested consent until June 2014 but was negotiated down to June 2013. The current application seeks permission until <u>April 2015</u> .
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## 7 Appraisal

	<b>Background</b>
7.1	Planning permission granted at the appeal included use of 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 taking place 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 from the Aves Ditch public footpath. The applicant currently has a lease on some 61 hectares of the base although only about 40% of it is in operational use.
7.2	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. In the context of the current application it should be noted the applicant was agreeable to this reduced area of operation.
7.3	However, since that time the applicant has found the need to continue using much of the unauthorised hard standing, including the main runway, 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 but put into abeyance. 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. For Committee's information, the enforcement notices were served to come into effect on 6 <sup>th</sup> October 2008 and gave one year for Paragon to comply with the requirements to clear the land. It does not appear to the Officer's that any attempt to comply with these notices (or the appeal decision) has been made by the applicant.

7.4	<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 April 2015. This is based on a three year period by which time elements of the business can be transferred elsewhere and the Heyford site re-configured. In discussions with the applicant before the previous application was submitted, the period of transition had started at 5 years, dropped to 4 years was submitted for 3 years but after even more negotiations whilst processing application 11/01247/F a final end date based on a two year period was agreed. The current application is based again on a three year transition period hence the request for a temporary consent until 2015 as opposed to the previous submission until 2013.</p>
7.5	<p>The actual transition involves a three phased process whereby if permission is granted (according to the Transitional Arrangements Plan):</p> <p>1-On grant of permission vehicles will be removed from the runway; the site area drops from 24.8ha to 19.4ha (61.3 to 47.9 acres).</p> <p>2-By October 2012 the site area drops to 18ha (44.5acres) by the cessation of a taxiway. As part of the reconfiguration of the western area 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>3-In the final phase the eastern taxiway ceases to be used but a new hard stand is created on the former tanker area resulting in the final site area of 16.2 ha (40 acres). So by April 2015, 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>
7.6	<p>A further regression in what is being sought is the somewhat strange situation that the applicant's phased transitional stepped arrangement set out in their documentation starts with the cessation of the use of the main runway except they wish to be permitted to use it if the need arises. So in effect there is no realistic transition at all. The same circumstances also apply to the second phase of transition and the cessation of using the taxiway between the main runway and the Victoria Alert complex.... "to be used in exceptional circumstances".</p>
	<p><b>Main Issues</b></p>
7.7	<p>The new application raises a number of issues but the two main ones are</p>

	<p>considered to be:</p> <ul style="list-style-type: none"> <li>• Employment and</li> <li>• Impact on the Conservation Area, Heritage and Environment</li> </ul>
7.8	<b>Employment</b>
7.9	<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 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"> <li>“i. the use is compatible with the aspirations for the settlement</li> <li>ii. the use would not adversely affect residents or other business through noise, traffic movements, requirement for outside storage, working outside normal business hours</li> <li>iii. the use would not have an unacceptable impact on the surrounding landscape, historic interest of the site or nearby villages.”</li> </ul>
7.10	<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 permitted through the appeal to</p>

	be part of the so called “lasting arrangement” and is not at issue with the current application.
7.11	The Company have also 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.
7.12	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.
	<b>Impact on the Conservation Area, other Heritage Issues and the Environment</b>
7.13	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 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.
7.14	With regard to Policy H2, the Inspector thought “changes of use should serve and be subservient to achieving environmental improvements, securing the heritage interest of the site and achieving a satisfactory living environment (and within those, provide some employment and some of the other necessary infrastructure). Whilst it would not impact adversely on the living environment of the NSA, the 17ha of outdoor car staging would not achieve an environmental improvement and it would seriously harm the character of the Conservation Area.”
7.15	She also considered the defining character of the flying field to be its openness. She agreed with EH that” the southern taxiway relates closely in character and purpose to the main runway and that they are both key features of the Conservation Area <sup>232</sup> . Those features with their ultimate purpose of delivering “flexible response” and all the earlier concepts of Cold

	<p>War airborne deterrence is the essential element in the Conservation Area. I saw that Paragon's present use of the main runway is highly destructive to the character of the site." She went on: "The cars cannot sensibly be viewed as a transitory impact. When one leaves the ranks it is replaced by another awaiting processing."</p>
7.16	<p>In terms of direct impact on heritage, in the supporting documentation the applicant's state they propose to cease immediate use of the main runway. This part of the flying field is a Core Area of National Significance and is on the central plateau, a highly prominent feature in the landscape. But in the Planning Statement to accompany the application this is made conditional. In the overview of Heritage, Landscape and Visibility benefits (Table 7.2) they say they may need to use it "in exceptional circumstances". And in a statement produced by the Managing Director (Appendix3-Para 5.0) they "Agree to use the main runway when additional capacity is required which first cannot be accommodated elsewhere within the remainder of the site." And this clearly seems to have been the case since the appeal decision in January 2010. The site has been visited on a number of occasions in the last year. In 2010 it was almost cleared but in the course of last year the number of vehicles parked on the runway grew. Cars have also been observed on the hardstanding between the main runway and the Victoria Alert Complex, due to be cleared by October 2012. This is also within the Core Area of Significance. Again, the applicant says the land will be used "in exceptional circumstances"... "when additional capacity is required which cannot be accommodated elsewhere within the remainder of the site". Without an agreement to cease operations on the whole of this part of the site immediately, because of its landscape sensitivity and importance from a heritage viewpoint, the Officer's have no alternative but to recommend refusal of planning permission.</p>
7.17	<p>The situation is compounded by the proposal to carry on the use of the taxiways on the eastern part of the complex. In the previous submission it was agreed vehicles would be cleared by June 2013, the current submission proposes this will be part of the last phase to be cleared of vehicles so April 2015. 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 is now 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, due to the new time scales involved, this is not something the Officers can support. Also, if permission was granted, there are outstanding matters in terms of landscaping and boundary treatment that would need to be brought forward as part of a package and</p>

	that have yet to be undertaken as part of the conditions of the recent appeal decision.
	<b>Other Issues:</b>
	<b>Transitional arrangements-RCPB Policy</b>
7.18	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. It is accepted the settlement is not likely to be completed for some years but circumstances have changed, most significantly with the appeal decision. The applicant had several years up to the Public Inquiry to prepare a strategy to reorganise the site and indeed the business profile. In fact it is understood one of their other bases has been vacated when there is no clear reason it could not be used for relocating cars from Heyford. Also, the company has already had two years since the appeal decision. No attempt has been made to scale the operation to accord with the SoS's requirements. Indeed it is believed further contracts have been secured that involve a greater use of Heyford.
	<b>Access and Highways</b>
7.19	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.
	<b>Residential Amenity</b>
7.20	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. The proposed use of the tanker area would bring commercial activity much close to the now approved masterplan for the residential development and as this was agreed at appeal the Officers do not think there is likely 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.
8.0	<b>Conclusion</b>
8.1	The Inspector and Secretary of State at appeal, as Officers do now, had to take a balanced view. The appeal decision granted permission for 17 hectares of land for car processing with that size accepted by the appellant,



	now applicant. The applicant has not complied with that decision. A further extension of time is requested.
8.2	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. Officers have given a very sympathetic hearing to the circumstances to the applicant and indeed were recommending the grant of a temporary consent last year for a short term transition period until June 2013. But the continuation of the car processing use until April 2015 flies in the face of the appeal decision and would have an unacceptable impact on the landscape and heritage of the site. It is accepted these are difficult economic times but on balance the application is recommended to be refused and, if Committee agrees with the recommendation, to continue to pursue appropriate enforcement action.

### Recommendation

Refuse planning permission for the following reasons:

- 1 The proposed use is not in accordance with the requirements of Policy H2 of the Oxfordshire Structure Plan 2016 as it fails to secure a lasting arrangement for the future of RAF Upper Heyford and achieve the conservation of the heritage interest and environmental improvements sought for the whole site.
- 2 The proposed car storage / staging use on land outside of the specific area approved by the appeal decision of the Secretary of State dated 11<sup>th</sup> January 2010 for that purpose as indicated in the submitted proposals, is unacceptable as it would damage the character and appearance of the Conservation Area and perpetuate adverse landscape and visual impact. The car storage / staging use would unacceptably perpetuate the visual and functional relationship of the settlement from the flying field and open countryside and as such would be contrary to Policy H2 of the Oxfordshire Structure Plan 2016, Cherwell Local Plan Policies C7 and C10 and Non Statutory Cherwell Local Plan Policies UH1, UH2, UH4, EN34, and EN40.

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