

**SUPPLEMENTARY INFORMATION****Planning Committee****13 January 2022**

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If you need any further information about the meeting please contact Lesley Farrell / Aaron Hetherington, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

Planning Committee 13 January 2022 – Public Speakers

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker - Support
8	15/01357/F	Land East of Larsen Road, Heyford Park	None	None	Nigel Pugsley – Agent
9	21/01224/OUT	Land at former RAF Bicester, Bicester, Oxfordshire OX26 5HA	Cllr Barry Wood – Local Ward Member	Martin Arroyo -Stratton Audley Parish Council	Jonty Ashworth – Applicant
10	21/01454/F	Former Rodney House, Private Drive off Graven Hill Road, Ambrosden	Cllr Dan Sames – Local Ward Member	Paul Troop, Secretary, Bicester Bike Users’ Group	None
11	21/01818/F	Pakefield House, St Johns Street, Bicester, OX26 6SL	None	Alison Frecknall – local resident Paul Beaumont – local resident	Laura Baker, Agent
12	21/03444/F	7 Churchill Road, Kidlington, OX5 1BN	Cllr Ian Middleton – Local Ward Member	None	Jack Piccaver - applicant
13	21/03468/F	Green Oak Barn, School Lane, North Newington, OX15 6AQ	Withdrawn		
14	21/03565/F	32 Orchard Way, Bicester, OX26 2EJ	None	Stephen Jeacock, Neighbour	Adrian White - Applicant

15	21/02857/F	Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS	None	None	None
16	21/04037/F	Calthorpe Street West Short Stay Car Park, Calthorpe Street, Banbury, OX16 5EX	None	None	None
17	21/04039/F	Claremont Car Park, Land at Victoria Road, Bicester OX26 6PH	None	None	None
18	21/04040/F	Kidlington Centre Car Park, High Street, Kidlington, OX5 2DL	None	None	None
19	21/04089/F	The Light Cinema, Spiceball Park Road, Banbury, OX16 2PQ	None	None	None

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

13 January 2022

WRITTEN UPDATES

Agenda item 7.

Proposed Pre-Committee Site Visits

A request has been received from Cllr C. Clark for a committee site visit to be held for application 21/00549/F. This relates to a proposal for a development of a single storey extension to create radiology areas, upper floors to provide Staff Room and new Boardroom and additional car parking at The Foscoote Clinic, 2 Foscoote Rise, Banbury, OX16 9XP.

Cllr Clark highlights:

“Of particular importance are the ground levels between the hospital site and residential properties in Foscoote Rise which is not evident from plans and can only be appreciated when viewed from the hospital site and the rear of the residential properties themselves”

In relation to Council's Planning Committee Procedure Rules (Section 11.3), the reasoning put forward to support this request is considered to meet the following criteria:

- Illustrative material is insufficient to convey the issues
- A judgement is required on visual impact
- The setting and surroundings are particularly relevant to the determination or conditions being considered

Officer recommendation

Section 11.3.6 of the Council's Planning Committee Procedure Rules relates to unaccompanied site visits. It highlights that members of the Planning Committee have a long-established practice of undertaking their own visits to sites before Committee meetings.

The Procedure Rules highlights that the disadvantage of these unaccompanied, informal visits is that:

- They can be used by applicants, agents and objectors to undertake unwarranted lobbying
- Where a Member visits private property it can be interpreted as showing favour to the person visited. Therefore Members are advised against entering private land, even if invited to do so, but to view the site only from public vantage points.

The concern raised by Cllr Clark concerns viewpoints that are not available from public vantage points. On this basis, the recommendation of officers is that a formal committee site visit would be necessary in order to see the relationships referenced by Cllr Clarke in his request.

Agenda Item 8

15/01357/F

Land East of Larsen Road, Heyford Park

The site plans on the agenda need to be slightly corrected to the northern boundary and amended plan(s) has been produced. These are provided at Appendix 1

There are two corrections to the s106 financial requests in para 9.86 of the report. These should be:

- Outdoor Sport Provision-£179,515.67
- Public Art/Public Realm-£19,936

An obligation to enter into a S278 Agreement will be required to secure highway works including the site access onto Camp Road and a footway / cycleway connection to Chilgrove Drive.

In addition the County Council also request a monitoring fee. The final amount will be based on the OCC's scale of fees and will adjusted to take account of the number of obligations and the complexity of the S106 agreement.

Para 9.19 refers to the draft AMR which was confirmed by Executive on 10 January 2022 that CDC has a 3.8 year supply position for 2021-2026 and 3.5 years for the period 2022-2027 (the latter being effective from 1 April 2022).

The draft conditions have been shared with the applicant and minor changes have been requested as follows:

- Condition 3- It has been pointed out the application site is separated from the main Heyford Park site by a track to Letchmere Farm therefore connectivity cannot be achieved as part of the current application. This is recognised by Officers who are seeking to future proof the overall development of the area and formulate a design to allow connectivity to take place when an additional piece of land, as identified in the Local Plan, comes forward for development. This is also applied being to Dorchester in terms of access from Larsen Road/Trenchard Circle
- Condition 24 has been queried but this is a condition imposed by virtue of the site licence for great crested licencing imposed by Nature Space Partnership (NSP)

Under Planning Notes:

- 1-should refer to National Planning Policy Framework (March 2021)

It is also recommended that condition 3 is amended to include an energy statement

- 3 The development permitted shall not be begun until details of the following additional matters have been submitted to, and approved in writing by, the Local Planning Authority:
- The siting, layout and design of the proposed treatment plant
 - A proposed scheme of access for pedestrians and cyclists to Larsen Road
 - An energy statement demonstrating how all the dwellings will achieve a 19% reduction in carbon emissions above Part G of the building regulations and a water efficiency of not more than 110 litres/person/day.

Reason: - For the avoidance of doubt, to enable the Local Planning Authority to give further consideration to these matters, to ensure that the development is carried out only as approved by the Local Planning Authority, In the interests of creating

Sustainable new development in accordance with the requirements of Policies ESD1, ESD2, ESD3, ESD4 and ESD5 of the Cherwell Local Plan 2011-2031 and to achieve a comprehensive integrated form of development in compliance with Policy Villages 5 of the adopted Cherwell Local Plan and to comply with Government guidance contained within the National Planning Policy Framework.

Additional representations received

None received.

Recommendation

As set out in the published report subject to the amended conditions and S1016 Heads of Terms set out above.

Agenda Item 9

21/01224/OUT

Land at former RAF Bicester, Bicester

Administrative clarification – Ward Members

During consideration, the application was amended to remove part of the site (former Quarry area) from the redline application site. The whole of the redline site area is now contained within Launton and Otmoor Ward only and the Ward Members are:

- Cllr Timothy Hallchurch
- Cllr Simon Holland
- Cllr David Hughes

Additional representations received

Stratton Audley Parish Council:

The Parish Council reiterated their objection raising the following points:

- Noise and pollution to both residents and wildlife
- Increased traffic
- The proposal would support the further development of the wider site, especially the quarry area
- Development short sighted in view of global warming, the need to reduce pollution and the future of Bicester. It may provide jobs and prosperity today but does not ensure a future for our children. Cherwell should be looking at more sustainable and enduring development.

Historic England (Rachel Fletcher):

Having read the committee report, HE wants to add emphasis to our comments that the perimeter of the flying field where the experience buildings are proposed to be located is part of the historic operational flying field, and an important part of it, because of the low take-off height of the planes and their high risk cargo (bombs). Without this area remaining open it will give the impression that planes took off at a much steeper angle than they did and that they didn't require safety overrun areas. The other areas of the site where developments have been permitted were assessed as being of less significance to the character and appearance of the conservation area (i.e., of less functional significance). The openness of the proposal site is more functionally important than those other areas (they didn't need to be kept open for the same reasons) and as such building on it in the manner proposed would result in harm that is higher. Policy Bicester 8 remains relevant and has not been

undermined by earlier decisions, because those decisions supported development that was broadly sensitive to the historic interest of the conservation area *because* they avoided the more sensitive areas.

It is important to highlight that HE does not consider the majority of the 'heritage benefits' set out by the applicant as such. They do not represent benefits to heritage, and HE recommend that they are not considered as such for the purposes of the weighing up exercise that the Council planning committee must undertake.

CPRE (A copy of this letter has been circulated directly to members of the committee):

Dear Councillor,

Re 21/01224/OUT Outline planning application for Automotive Experience Quarter comprising Commercial, Business and Services uses (Class E), Light Industrial (Class B2), Local Community and Learning Uses (Class F) and vehicle circuits (Sui Generis) with all matters reserved aside from that of access).

Statutory consultee objections and other unresolved concerns related to impact on Bicester World War II airfield Scheduled Monument designation, 1021455 and Bicester Airfield Local Wildlife Site designation, 52X10

As you will be aware, the above application to build on part of Bicester Airfield Listed Scheduled Monument and Bicester Airfield Local Wildlife Site is due for consideration at this Thursday's planning meeting, January 13th 2022. CPRE maintains its strong objections to these proposals and suggests to Councillors that there should be much more thought before approving an application that is also subject to an outstanding statutory objection from Historic England regarding a high level of harm to the historic assets of the site – in particular the unique open grass flying field and the setting for the buildings in the Conservation Area (Historic England consultee report, May 25th 2021).

Beyond this, CPRE are seriously concerned about a number of matters raised in the Officer's Report. There are many objections from local residents to the prospect of increased noise and traffic associated with increased visitor activities and intensified motorsport uses and CPRE support the valid objections and concerns of Launton, Stratton Audley and Caversfield Parish Councils. Apart from its historical and ecological significance, the site is also of high archaeological importance and we note that Oxfordshire County Council officers request trial trenching and a written report before a planning decision is made. This of itself presents a strong case for deferral of the decision.

This application represents one of a series of incremental applications to build over portions of the Bicester Airfield Local Wildlife Site (LWS), including a hotel, a car park and six employment buildings called the 'Innovation Quarter' which have previously been given planning permission by your Council. All these developments will reduce the area and quality of the wildlife site and will entail loss of irreplaceable habitat resources – in particular of the priority habitat Lowland Calcareous Grassland for which the Council has statutory duties under the Natural Environment and Rural Communities Act 2006 and latterly the Environment Act 2021 which became law very recently in November. CPRE has raised objections to the destruction of the LWS and its irreplaceable habitats at each of these applications. When the scoping application for the Experience Quarter was submitted, CPRE challenged your officer's decision not to ask for an Environmental Impact Assessment (EIA) which would have taken into account the cumulative negative effect on the LWS of the current with the previous proposals. CPRE also flagged up that the decision letter dismissed the site as an industrial development site and made a legal error in not referring to the site

having the major sensitivities of being a Scheduled Monument and also a LWS. These challenges were not addressed by planning officers. The lack of communication from planning officers was the subject of a formal complaint COM000983.

By submitting applications for sequential chunks of the airfield Local Wildlife Site to be developed- in a tactic known as 'salami slicing' - the developers have sought to (and hitherto been allowed to) avoid due scrutiny of the cumulative impact of these several applications on the environment. If it continues to facilitate the tactical 'salami-slicing' approach of the applicant, the council will lay itself open to legal challenge as such an approach to projects that would normally trigger EIA has been found by the courts to be unlawful. For example, in its judgement *R (Larkfleet Limited) v South Kesteven District Council* [2016] Env. L.R. 76, the Court of Appeal held when dealing with significant cumulative impacts that: "What is in substance and reality a single project cannot be "salami-sliced" into smaller projects which fall below the relevant threshold so as to avoid EIA scrutiny."

On October 24th 2021, CPRE requested a deferral of the decision about the current application (21/01224/OUT) until the matter regarding the EIA and other concerns were settled. On November 4th 2021, CPRE received an e-mail from the Planning Committee Chair, Councillor Reynolds, promising that a full response to these matters would be sent but none has been received to date.

Finally, CPRE are extremely sceptical that the mitigation measures proposed for the destruction of calcareous grassland in the LWS caused by the construction of the 'Experience Quarter' will be successful. CPRE have sought expert advice on this matter from specialist consultant ecologists who have exposed flaws in the Biodiversity Net Gain (BNG) calculations put forward by the applicant, and consider that the mitigation and compensation proposals are based on unsupported leaps of faith best characterised as 'wishful thinking'. The BNG calculation is heavily reliant on converting a large area of the grass flying field to 'open mosaic habitat' in compensation for the loss of the rare calcareous grassland. This is a long-term process which may take 10 years or more to achieve even with continuous nurturing and which is essentially incompatible with the use of the same areas for motorsport events, spectator management and the other proposed uses.

If the Council is satisfied that what is little more than a leap in the dark in terms of mitigation and compensation is acceptable, in order to comply with its duties under the NERC and Environment Acts we suggest that additional checks and balances are required, even if permission were to be granted. The proposed Landscape and Environmental Management Plan condition (condition 20) does not provide adequate assurance that the claimed BNG will be delivered and therefore in the event Councillors believe the application should be permitted, we strongly advise the following additional condition to ensure compliance with local and national policy and statute:

Suggested additional condition if Councillor's are minded to approve:

No development shall take place until a Biodiversity Net Gain Plan (BNGP), including a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The BNGP shall specify the following matters in accordance with the requirements of Schedule 14 of the Environment Act 2021:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the anticipated post-development biodiversity value of the onsite habitat, including technical justifications as to the achievability of target habitats;

- d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development;
- f) provision for independent monitoring of the delivery of the BNG;
- g) provision for remedial actions in the event that the anticipated BNG is not delivered.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework and to ensure that any unavoidable losses are adequately compensated in accordance with the District Council's resolution dated 07 October 2019 that all new development should achieve 10% net gain in biodiversity consistent.

It should be emphasised that the suggestion of this additional condition is without prejudice to CPRE's position that this application should be refused or at least deferred for the other reasons set out in this letter.

To re-cap and conclude, CPRE maintains that this application should be deferred or rejected for the following reasons.

- It has attracted a statutory objection from Historic England due to the degree of harm to a Scheduled Monument and one of Bicester's most important historic assets. We agree with Historic England that other more sensitive means to deliver sustainable end-uses for the site in accordance with Policy Bicester 8 and these have simply not been adequately explored.
- It should not be determined until the archaeological evaluation recommended by OCC has been carried out.
- The proposal will result in irreparable damage to a designated Local Wildlife Site (and likely loss of that designation) and loss of irreplaceable 'Priority' habitat with the proposed mitigation and compensation likely being ineffective, in part due to conflicts with other uses. This will lead to net loss of biodiversity in conflict with the NPPF and Local Plan policy ESD10.
- The proposal represents part of a wider suite of applications for the site that are clearly interrelated and capable of having significant cumulative effects on the environment, and therefore the absence of EIA provides grounds for legal challenge of any decision to approve on the grounds that it represents a 'salami slicing' approach found to be unlawful in the courts.

We urge councillors to take on board the above comments and vote to defer or refuse this application on the 13th January.

Bicester Motion - Applicant (A copy of this letter has been circulated directly to members of the committee):

Introduction

The Experience Quarter offers a landmark opportunity for Bicester to become a world-leading destination to celebrate the past, present and future of automotive and aviation culture. The site will host guests from the local community as well as national and international visitors.

The Quarter will become home to a collection of inspirational automotive, aviation, cycling and activity brands set within cutting-edge buildings and landscape.

This new hub will provide unrivalled facilities, including an active airfield, driving training and handling tracks, as well as walking and cycling trails, enabling businesses to showcase their brand and technology.

Planning Policy

The Experience Quarter is located within the area designated as Policy Bicester 8 in the Cherwell Local Plan 2011-2031 as a Strategic Development site for heritage tourism uses, leisure, recreation, employment and community uses.

The application has been subject to several years pre-application engagement working with Officers. We thank them for their engagement and welcome the positive recommendation with no technical objections.

We have engaged with stakeholders throughout the planning process and have sought to address any concerns where possible.

Benefits and Opportunities

The proposal provides a significant range of benefits and opportunities on a local, regional and national scale.

Community Benefits

- The public will be able to explore the historic site and participate in multiple activities.
- The Experience Quarter will provide inspirational experiences and opportunities for all.
- It will create skilled apprenticeship and employment opportunities in automotive technology, leisure and business.
- It creates a long-term management plan for ecology and bio-diversity on the site.
- It provides significant transport network improvements for a local workforce. Regional and National Benefits
- It supports a sustainable future for a significant heritage asset.
- It supports continued aviation on the site historic, present and future.
- It will provide Bicester with dynamic international exposure as a world-leader in Motion.
- It will provide major investment and growth opportunity on a local, regional and national level, and attract world-leading businesses to Bicester.
- Help boost the economy and supporting recovery post Covid-19, particularly in the challenged leisure and tourism sector.
- The economic impact by the proposed construction expenditure is £44 million with close to 600 jobs supported in the UK economy. (Oxford Brookes – Economic Benefits Assessment)
- The economic impact by estimated visitor expenditure is nearly £17 million with 322 jobs supported in the UK economy. (Oxford Brookes – Economic Benefits Assessment).

“A major investment in a development such as this would be a vote of confidence for the UK tourism sector. A world-class development can put a destination on the global map. We therefore support both development and planned growth that could aid an industry that accounts for 10% of all jobs.” Andrew Stokes England Director - Visit England

“This new development will open up countless opportunities for Bicester and Oxfordshire and create significant benefits locally and nationally – including economic growth,

training/job opportunities and new cultural leisure activities for residents and visitors alike.”
Nigel Tipple Chief Executive – OXLEP

All Party Parliamentary Group on General Aviation

Dear Rebekah,
Re: Bicester Airfield Application 21/01224/OUT - APPG-GA Letter of Objection -

Firstly, may I apologise to you and your committee for this very late letter of objection. Somehow the application was missed by everyone. I hope you will be able to give it some consideration.

We object to this application and ask that, as the relevant planning authority, Cherwell District Council give full consideration to the detrimental effects the granting of approval would have on Bicester's significant heritage, continued airfield use, the valuable ecology that has evolved on and around the Airfield and the future of sport Gliding both in the region and nationally.

I am a Fellow of the Royal Aeronautical Society and a General Aviation (GA) pilot. I Chair the Airfields Working Group of the All Party Parliamentary Group for General Aviation and, am Vice Chair of the General Aviation Awareness Council, representing the interests of more than 30 GA organisations comprising over 40,000 people currently involved in the industry and the 250,000 in the Remotely Piloted Vehicle (Drone) industry that recently joined us.

We work with the Department of Transport on airfield matters, our principle role is to support the government in achieving its stated objective of making the UK a global leader for General Aviation (GA) and our objection relates to the permanent damage the loss of Bicester would do to this aspiration now and in the long term.

Bicester Airfield is the sole surviving, purpose built inter war RAF Bomber base incorporating an airfield offering a 360 degree capacity for take offs and landings. The view across the airfield and original buildings around the perimeter are listed to preserve its character for future generations, a status recognised in Policy 8 of your own Local Plan and supported by a requirement that it remain a centre for Gliding.

This proposal cuts across all of these policies and preservation measures and creates the potentially dangerous situation of mixing uses on an airfield thereby increasing risks for both aviators and motor sport users. In the recent past the GAAC has been involved with the issues of mixed use on airfields and is well aware of the need to avoid it whenever possible, a view reinforced by those who have tried it and closed the facility within a year.

The applicant has already stated its aspiration to emulate other centres where both aircraft and cars operate such as Goodwood and Thruxton but in both cases the activities take place on separate parts of the estate. Perhaps the only airfield to achieve a successful blend is Turweston where the airfield is closed on certain Friday's to allow the local Formula 1 manufacturers to demonstrate their products to the general public.

The impact of this proposal is likely to be the steady eradication of aviation from Bicester as the demands of the motoring fraternity are given ever increasing precedence. Although the

proposal defines two runways, which would be acceptable for modern GA aircraft it is too proscriptive for the vintage aircraft the applicant claims to want on site as they generally require the capacity to land into wind, which is not always in the direction of a runway.

Bicester was the national centre for UK Gliding and hosted major international events and was nominated by Sport England as a Centre for Gliding. Its loss would also contravene the councils policy of maintaining Gliding on the site.

This proposal would prevent Gliding becoming viable both practically and financially. The previously resident gliding club had to achieve 10,000 launches per annum to produce a modest profit. Some 90% of these were done using the cheaper option of winch launching, which allowed more use of runway 24. Winch launching requires strict control to ensure that launch ropes are operated safely, both on take off and return to earth. The proposed arrangement would require air tows substantially reducing the number of possible launches while significantly increasing launching costs. The proposal to put race tracks within the perimeter track will effectively prevent the safe operation of gliders as the safety margins are too small and the hazard of hitting a vehicle too great for clubs, with their strong emphasis on training, to accept the risks.

The applicant may point to the current use by self launching motor gliders but these are a sub group within gliding to enable more flexible use criteria using a self powered take off and flying with or without power. The UK is a World leader in gliding and competes in high performance competition gliders (effectively Formula 1 machines) which cannot self launch and only have a small motor for use in emergency. The existing motor gliding does not refine the necessary competition skills and will soon decline as the operating costs are beyond the next generation.

In terms of the Green Belt, the application is neither compliant or consistent with the prevailing local and National planning policy of retaining Green Belt wherever possible. However, as large Green belt areas to the north and south of the airfield have already been given consent for industrial development it would seem the council has limited concern over the loss of more Green Belt. The report and intrinsic attitude of the Ecology Solutions report is not encouraging. Calcereous grassland is part of the 'pasture' group of flora types that has largely been eradicated from the UK. Estimates from official sources put the loss at 97% of pre war largely due to the use of artificial fertilisers and insecticides. Major initiatives are now in place to improve the situation, something not mentioned in the ES report.

For all of the reasons set out above the APPG objects to the Application, and any others that threaten the future of Bicester Airfield, in the strongest possible manner and asks you to consider the best interests of General Aviation and UK plc in the mid/long term as a priority.

This application is contrary to Government policy on both Aviation and Environmental grounds. It ignores the contribution the airfield can make to the sport of Gliding, at which we are a world leader, our aviation and architectural heritage and we therefore strongly urge you to ignore the officer recommendation, prioritise the long term interests of your region and **REFUSE** this proposal.

Officer comment

Ecology

If Members are minded to support the Officer recommendation for delegated authority to approve this application, CPRE have suggested inclusion of an additional condition relating to a requirement for a plan of biodiversity net gain (including details of implementation).

The case officer has considered this requests and does not consider it necessary. The Council's ecologist has provided several detailed consultation responses on the issue of biodiversity net gain and is satisfied with the applicant's proposals. Condition 20 (as recommended in the officer report) would require the submission, approval and implementation of an Landscape and Ecology Management Plan (LEMP) which would include the areas where biodiversity net gain is to be achieved.

Heritage

Historic England has submitted an additional response which reiterates the points raised in their full consultation response. No new issues have been raised and these their original comments have been fully considered as set out in paragraphs 9.31-9.39 of the officer report. The proposal represent 'less than substantial harm' and therefore paragraph 202 of the NPPF applies which requires the public benefits of the scheme to be weighed against the 'less than substantial harm'. In this proposal, the public benefits include wider economic and social benefits and are not limited to heritage benefits.

The CPRE letter included in this update refers to 'Bicester Airfield Listed Scheduled Monument' which is incorrect. As a point of clarity, the airfield forms part of the RAF Bicester Conservation Area. There are Scheduled Monuments located on the airfield and within the historic technical site, but none are within the application site boundary.

Environmental Impact Assessment

Complaint made to the Council in October 2021 on behalf of CPRE relating to the Screening Opinion (reference 21/01374/SO) associated with this application (reference 21/01224/OUT). This Council's assessment of the Scoping Opinion took into account the specific details of the development proposed, and the control measures envisaged which might avoid or prevent significant adverse effects on the environment. The viewed reached was that an Environmental Impact Assessment was not required. The advice was given at this time was if CPRE (or any other party) disagreed with the conclusions of the Council, that the appropriate route for challenge is to submit a request to the Secretary of State to make a Screening Direction.

Aviation

The all party parliamentary group on general aviation has submitted an objection on the grounds of impact on aviation and specifically impact on gliding.

Paragraphs 9.124-9.128 considers the impact on the proposal on aviation and concludes that the proposals would not prevent the continuation of aviation use on the airfield. This conclusion was support by a report by an independent aviation specialist that was commissioned by the Council. The report concluded that '*In summary, the conclusion drawn from the meeting and material presented at it is that a development of the nature of that proposed for the Experience Quarter, with an appropriate footprint that avoids areas along flight paths, should be able to sit comfortably alongside continued safe and efficient operation of Bicester Airfield in accordance with the proposed revised runway layout. Some formal demonstration that an appropriate balance has been struck may be appropriate in support of the application*'.

Detailed designs for the proposed building(s) will be submitted at the reserved matters stage. At this stage the designs/footprints can be reviewed to ensure they do not negatively impact on the use of the overrun areas.

Whilst it is acknowledged that the type of frequency of gliding has reduced at the site in recent years, this due to factors outside of the Council's control. The airfield remains an operational and active airfield and the Council cannot prescribe the type of aircraft that should utilise it.

Requirement to enter into a Section 278 agreement with the Local Highway Authority.

Oxfordshire County Council require the applicant to enter into a Section 278 agreement to secure mitigation/improvement works, including:

- Junction mitigation scheme at the A4421 Skimmingdish Lane / Buckingham Road / A4095 roundabout junction as shown indicatively in Drawing No. J32- 3684-PS-205
- Junction improvement scheme at the A4421 Buckingham Road / Bicester Road (to Stratton Audley) priority junction as shown indicatively in Drawing No. J32- 3684-PS-008
- Site access junction from the A4421 Buckingham Road as shown indicatively in Drawing No. J32-3684-PS-201. Pedestrian and cycle facilities, connections and crossings at the site access junction to be agreed with OCC.
- Improvements to / reinstatement of the site access junctions along Bicester Road (to Stratton Audley) including safe pedestrian and cycle access. To be agreed with OCC.

This requirement would be secured as part of the Section 106 agreement.

Recommendation

As set out in the published report subject to the addition of the S278 works to the S106 Heads of Terms.

Agenda Item 10

21/01454/F

Former Rodney House, Private Drive off Graven Hill Road, Ambrosden

The site plans on the agenda need to be corrected. These are provided at Appendix 2.

Additional representations received

Cllr Les Sibley (Bicester West) wrote to the Planning Chairman and other Committee members:

“Dear Planning Chairman

I wish to request that the CDC planning committee at its next meeting on Thursday 13th January 2022 consider and agree to defer the planning application no 21/01454/F - Former Rodney House - Graven Hill Bicester.

The reasons for deferment and formal site visit:

- *is the lack of any recent formal consultation and communication between Cherwell District Council (CDC)) and Bicester Town Council (BTC) with regards to this planning application.*
- *to allow more time to obtain relevant and clarifying information before the planning application report is considered in detail by the CDC Planning Committee*
- *to enable a formal site visit to be undertaken by OCC Highways, CDC Planning Officers & Committee Members for the following reasons:*

- *Illustrative material is insufficient to convey the issues.*
- *The setting and surroundings are particularly relevant to the determination and /or conditions being considered.*
- *It is appropriate to make an informed assessment of the proposals which are subject to conflicting claims by applicants and objectors which cannot be adequately expressed in writing, or the proposal is particularly contentious.”*

Officer response:

Bicester Town Council were originally consulted on the 13 May 2021. No response was received. As set out in the officer report the application is currently subject of a consultation exercise due to amendments to the redline This includes a new consultation being sent to Bicester Town Council.

Recommendation

As set out in the published report.

Agenda Item 11

21/01818/F

Pakefield House, St Johns Street, Bicester

Update

Para 9.5 refers to the draft AMR which was confirmed by Executive on 10 January 2022 that CDC has a 3.8 year supply position for 2021-2026 and 3.5 years for the period 2022-2027 (the latter being effective from 1 April 2022).

Recommendation

As set out in the published report.

Agenda Item 12

21/03444/F

7 Churchill Road, Kidlington, OX5 1BN

Additional representations received

The applicant has submitted a supporting sunlight survey to address concerns raised over the impact the development would have on the light and outlook to bedroom number three at the adjacent property No.9 Churchill Road. The report outlines that the Council have used the general 45 degree rule when assessing the application and the applicant argues that The BRE 209 site layout, planning for daylight and sunlight assessment is accepted as a much more comprehensive and accurate way to determine the impact of a development to a neighbouring building. The applicant has included a Mid summer sun throw model against 9 Churchill Road and concludes that the overall effect on additional sunlight shading to the neighbouring window in question is 0.7% when averaged out across the full year and across the 4 seasons.

Also included within the report are 3D models that have been used to highlight the impact the development would have on No.9, including a model of the view out the window that shows the outlook that would be seen were the proposals to be built. In terms of outlook, the report concludes that the development only has an outlook impact on the clear sky figure, which is reduced from 33% of the view to 31% with the new proposal making up for 2% of the total outlook. The applicant has argued however that when considering also the removal of the conservatory the net effect increases the amount of sky viewed by 1% which would not have a detrimental impact.

Further to the supporting document, the applicant has also queried some of the measurements quoted in the report and has stated the following:

Section 9.24 - The new proposal does not extent past the rear of the current building by 10.8m but actually 7.66m.

Section 9.26 - The proposal extends past the neighbouring property by 3m and not 3.7m as stated.

Officer response:

Para 9.6 refers to the draft AMR which was confirmed by Executive on 10 January 2022 that CDC has a 3.8 year supply position for 2021-2026 and 3.5 years for the period 2022-2027 (the latter being effective from 1 April 2022).

To clarify the points noted by the applicant with regards to the measurements within the report, it should be noted that the building currently benefits from a kitchen extension that extends further to the rear on the south western end of the rear elevation. When measuring the extension from this part it is agreed that the proposal would extend past this area by 7.66 metres. However, when measuring the extension from the rear of the original dwelling and not the kitchen extension, it does extend by 10.8 metres. It is agreed that the proposal would extend past the rear elevation of the extension seen on number 9 by 3 metres, however the measurement stated in the report was referring to the rear elevation of the original building on number 9 that the window serving bedroom number 3 is located on. There was however an error made in the report as the it should read that the proposal extends further into the rear garden by an additional 7.66 metres not 3.7 metres.

In terms of the evidence submitted within the supporting sunlight survey, when considering the seasonal data submitted it is agreed that the impact on light to this window is likely to be minimal, as the positioning of the sun for large portions of the day would result in extension of number 9 itself causing much of the shadowing. While there would be an impact on the light to bedroom 3, it is not considered to be so detrimental to warrant a reason for refusal.

When considering the impact on outlook it is acknowledged that a judgement is to be made by officers based on our assessment being guided by Government guidance and the Council's policies. The Cherwell Home Extensions and Design Guide (2007) states that an assessment of the effect on a neighbour's amenity will be based on an angle of 45 degrees taken horizontally from the mid-point of the nearest habitable room window. While the orientation of the property may make the impact on light acceptable, the proposals would still contravene the 45 degree angle significantly and the development is therefore considered to have a detrimental impact on the outlook amenity of number 9 Churchill Road.

Recommendation:

The recommendation of officers is that the reason for refusal should be amended to:

"By virtue of the size and massing, the proposed development would have an overbearing impact on number 9 Churchill Road that will be detrimental on the outlook amenity of the neighbouring property. The proposal is therefore contrary to Saved Policy C30 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained with the National Planning Policy Framework."

Agenda Item 13

21/03468/F

Green Oak Barn, School Lane, North Newington, OX15 6AQ

This application has been WITHDRAWN

Agenda Item 14

21/03565/F

32 Orchard Way, Bicester, OX26 2EJ

Update

Para 9.5 refers to the draft AMR which was confirmed by Executive on 10 January 2022 that CDC has a 3.8 year supply position for 2021-2026 and 3.5 years for the period 2022-2027 (the latter being effective from 1 April 2022).

Recommendation

As set out in the published report.

Agenda Item 15

21/02857/F

Woodgreen Leisure Centre, Woodgreen Avenue, Banbury, OX16 0HS

Update

Councillors attention is drawn to the site plan shown within the agenda for 21/02857/F Woodgreen Leisure Centre. Due to an administrative error the plan shown is incorrect and shows the siting of a storage container which was part of the initial proposals for this development. Through discussions with officers this storage unit is no longer part of the proposals and a new scheme for the solar thermal heating system is applied for instead. Amended plans are provided at Appendix 3.

Recommendation

As set out in the published report.

Agenda Item 16

21/04037/F

Calthorpe Street West Short Stay Car Park, Calthorpe Street, Banbury, OX16 5EX

Additional representations received

Environmental Health (CDC) has responded to the consultation to state they have no comments to make with regards to the proposals.

Archaeology (OCC) have submitted comments summarised as follows:

An archaeological watching brief carried out 50m to the east of the carpark recovered no archaeological remains. Though the carpark lies in an area of archaeological interest, near to the historic centre of Banbury, the area has been developed in the recent past and so any archaeological remains have likely been truncated and so there are no archaeological constraints to this scheme.

Conservation (CDC) have submitted comments summarised as follows:
Historic England's response to 2019 proposed planning reforms for EV charging in off-street parking not within the curtilage of a dwelling house highlighted the need for Conservation Areas to be given greater consideration:

'Whilst increasing the provision of charging points for electrical vehicles is welcome in principle, allowing a larger upstand in advance of the technological advancements that would render this necessary appears premature, and might actually discourage innovation that would result in smaller facilities with reduced overall impact on the character and appearance of the built environment. Concerns about such impact are compounded by the fact that the current permitted development right (PDR) has limited regard to the historic environment, only requiring planning permission in respect of sites designated as scheduled monuments, or within the curtilage of a listed building: there is no reference to other Article 2(3) land or heritage assets (including conservation areas), or their setting. Further, the PDR allows one upstand for each parking space, which could lead to a proliferation of tall and visible structures.'

The proposed black distribution cabinet appears to be 2250 high x 2700 long facing Calthorpe Street x 600 deep. This is over 7 feet tall and will be a substantial cabinet in the streetscene and setting of listed buildings. Historic England's 'Streets for All' publication highlights that street cabinets are a target for flyposting. The advice also states street cabinets should be sited to avoid intruding into key view lines.

While the principle of providing EV charging points is supported, there is no justification to say that this is the only possible location within the car park site. The design of the street cabinet does not help to convince me of its acceptability in the proposed location. I consider a more sensitive location within the car park may be less harmful to the streetscape of the Conservation Area and setting of the listed buildings, including views of St Mary's from Calthorpe Street.

Officer response

Having regard to the above comments submitted by the Conservation Officer, while the proposed location of the distribution cabinet will be prominent, it is noted that the site is not located within an active frontage area of the town centre. It would be located behind the existing post and rail fencing surrounding the site, which would set it back from the footpath and slightly soften its appearance.

Further to this, the applicant has agreed to consider options for mitigating the impact including changing the colour of the kiosk, cladding the sides visible within the public domain, or appropriate landscaping. This can be handled appropriately through condition.

It is therefore considered that while some harm will be caused by the scheme, with the appropriate mitigation methods the public benefit of providing more sustainable transport options would on this occasion outweigh the harm caused.

Recommendation

The recommendation is therefore as set out in the published report with the addition of an appropriate condition requiring further details of the proposed kiosk or potential landscaping.

Agenda Item 17

21/04039/F

Claremont Car Park, Land at Victoria Road, Bicester OX26 6PH

Additional representations received

Environmental Health (CDC) has responded to the consultation to state they have no comments to make with regards to the proposals.

Recommendation

As set out in the published report.

Agenda Item 18

21/04040/F

Kidlington Centre Car Park, High Street, Kidlington, OX5 2DL

Additional representations received

Environmental Health (CDC) has responded to the consultation to state they have no comments to make with regards to the proposals.

Recommendation

As set out in the published report.

Agenda Item 19

21/04089/F

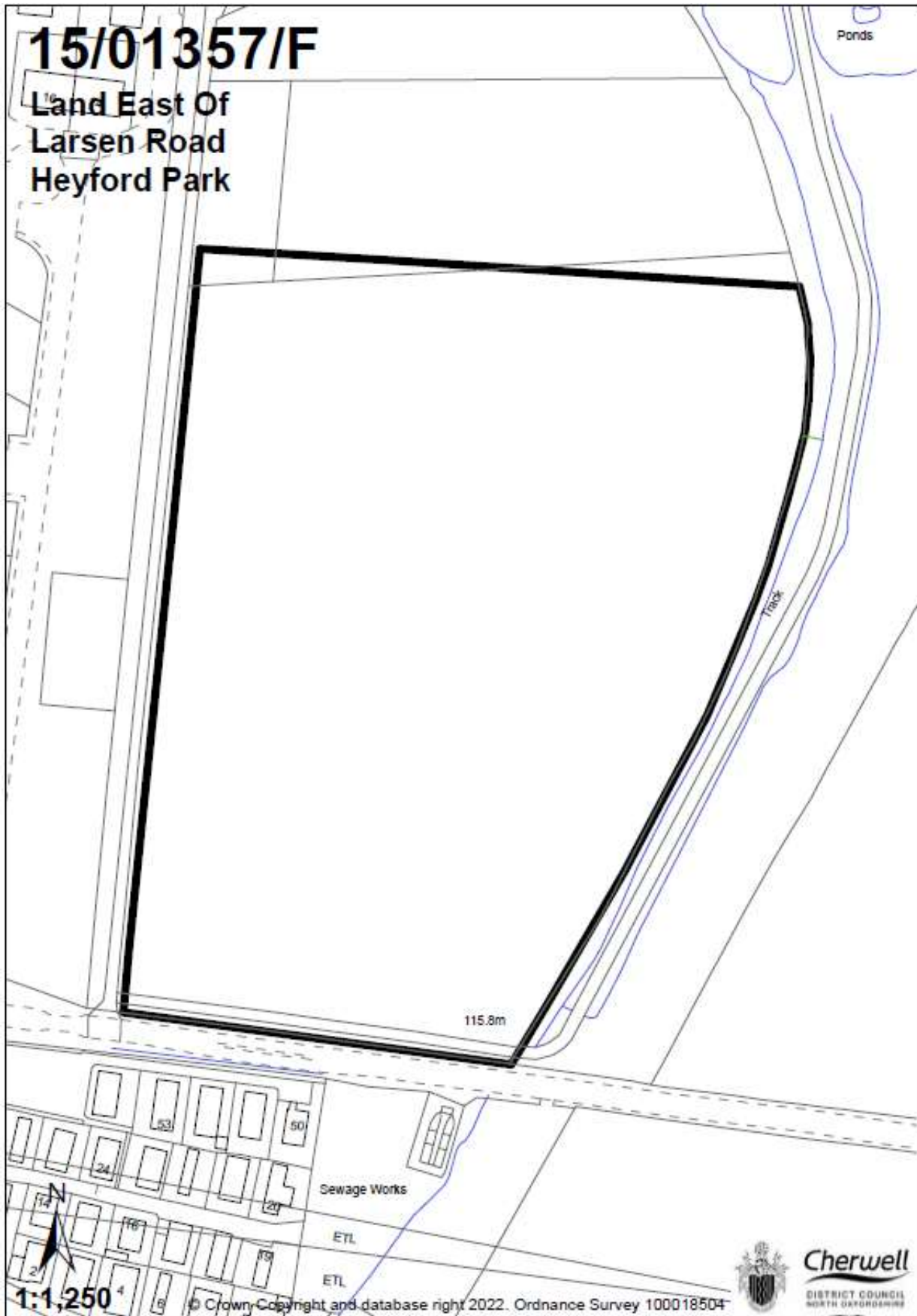
The Light Cinema, Spiceball Park Road, Banbury, OX16 2PQ

Additional representations received

None received.

Recommendation

As set out in the published report.





15/01357/F

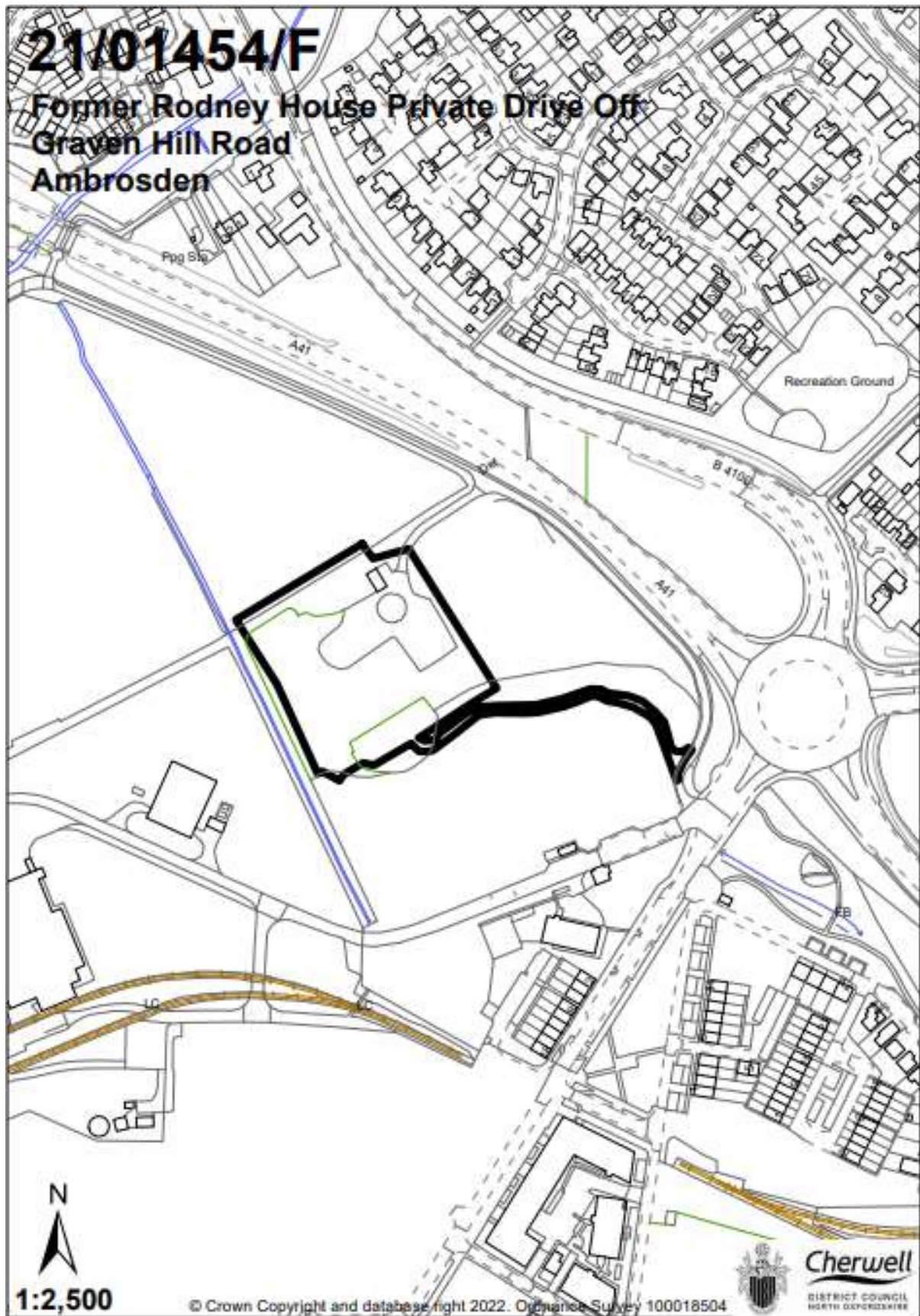
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Larsen Road
Heyford Park**



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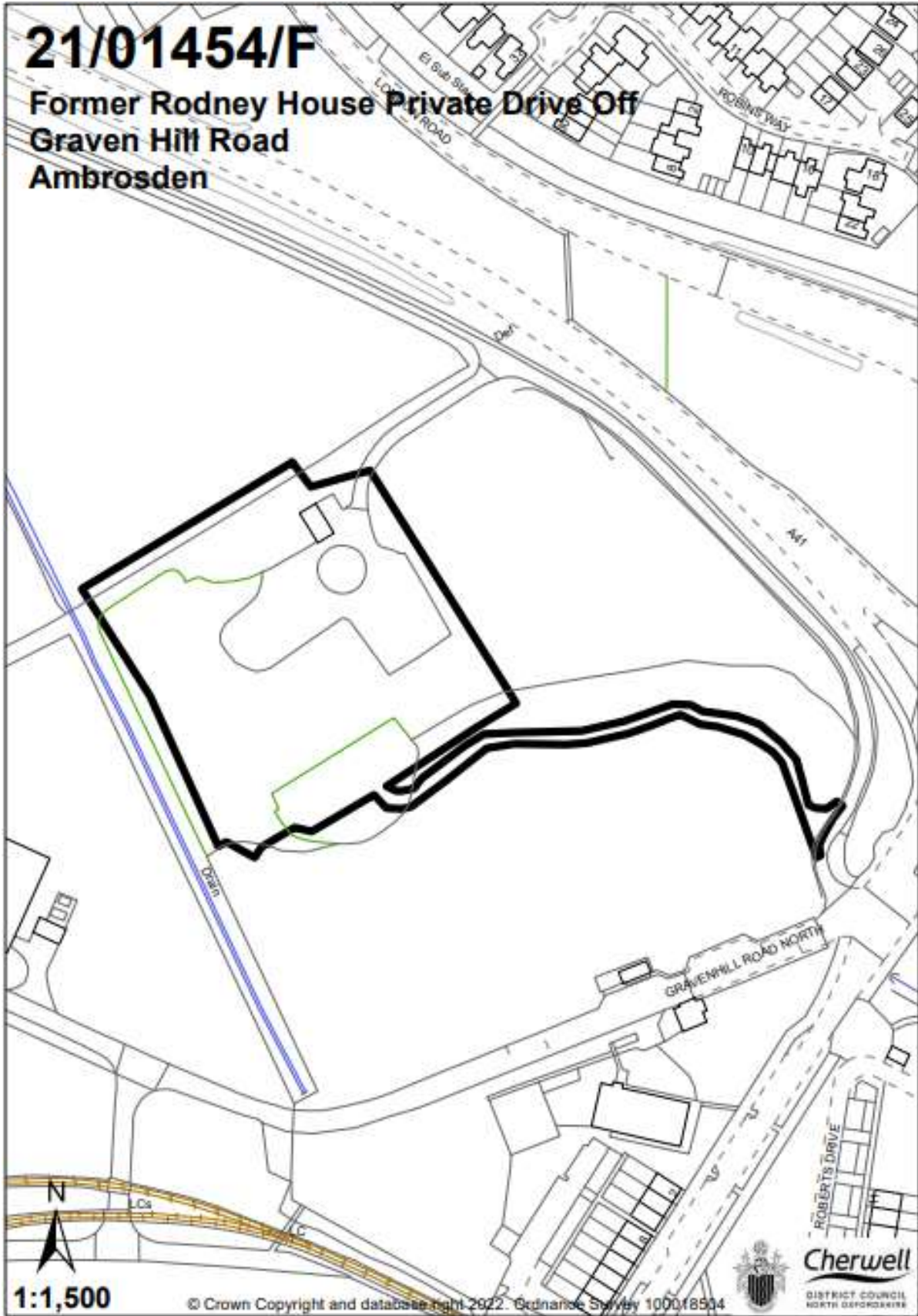
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21/01454/F

**Former Rodney House Private Drive Off
Graven Hill Road
Ambrosden**



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21/01454/F

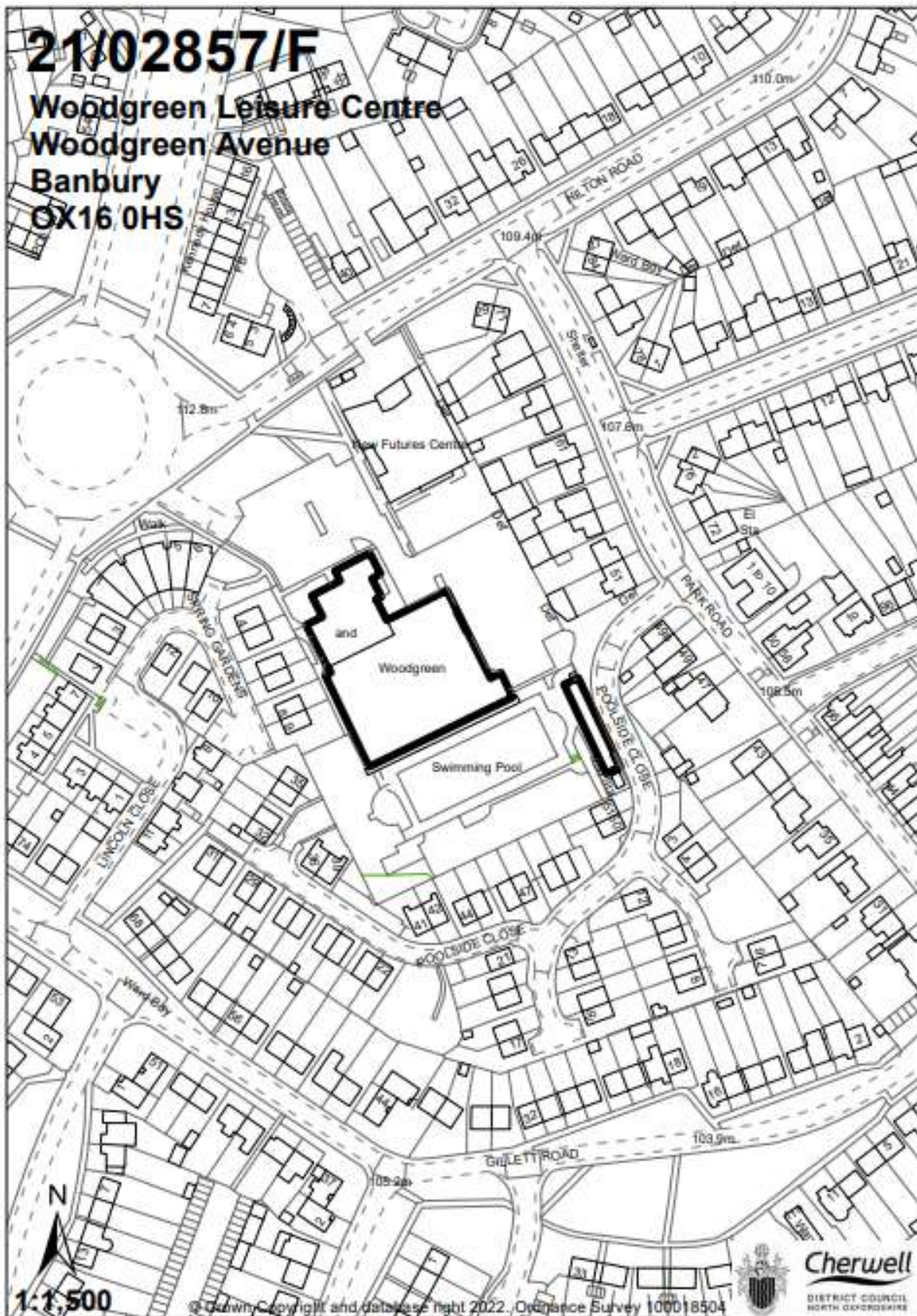
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Graven Hill Road
Ambrosden**



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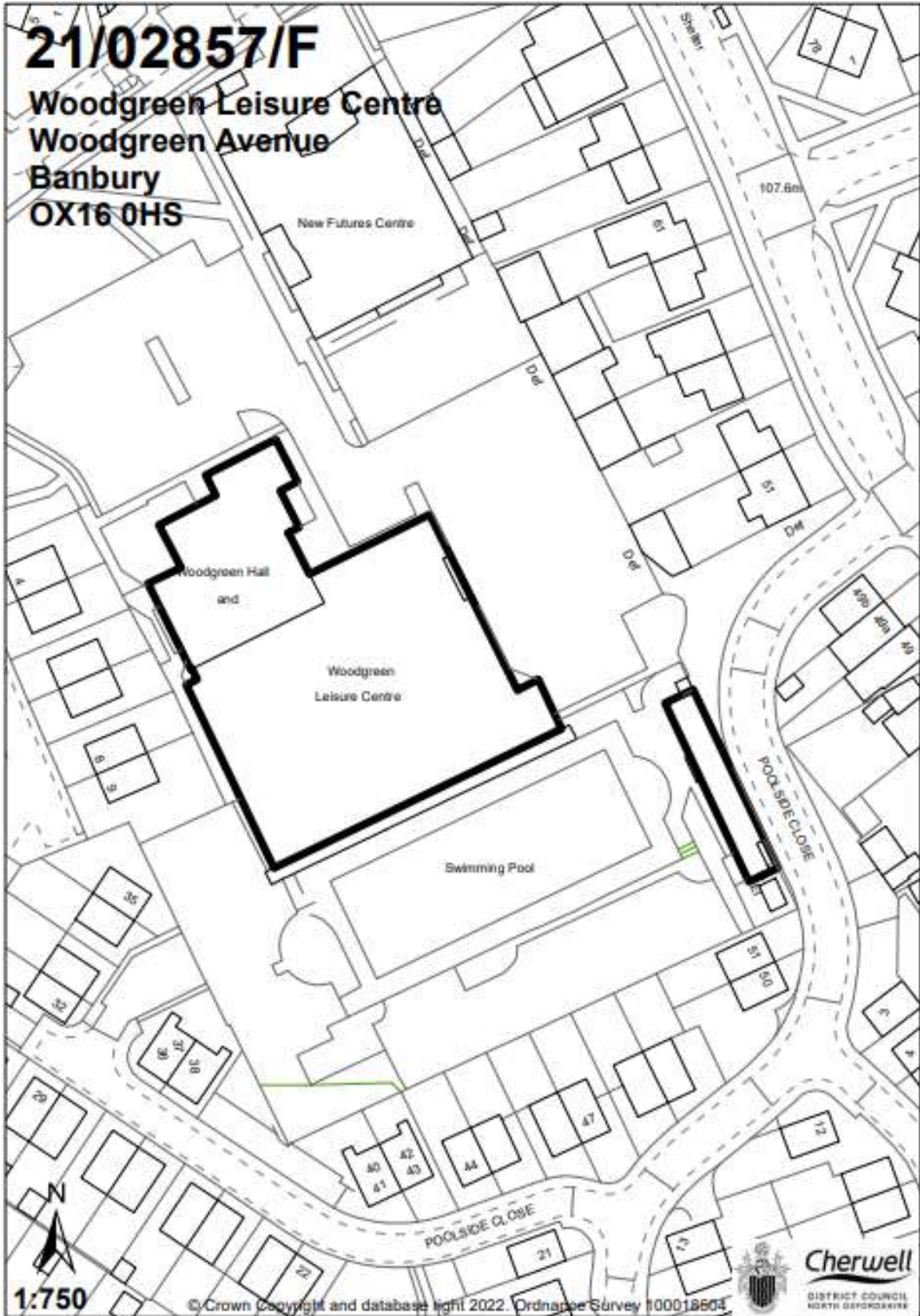
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21/02857/F

**Woodgreen Leisure Centre
Woodgreen Avenue
Banbury
OX16 0HS**



21/02857/F

**Woodgreen Leisure Centre
Woodgreen Avenue
Banbury
OX16 0HS**



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