

Case Officer: Rebekah Morgan

Applicant: Bicester Motion

Proposal: RETROSPECTIVE - Change of Use of land to allow for aviation, vehicle exercising and other uses/events

Ward: Launton And Otmoor
Fringford and Heyfords

Councillors: Cllr. Gemma Coton, Cllr. Julian Nedelcu and Cllr. Alisa Russell
Cllr. Grace Conway-Murray, Cllr. Nigel Simpson and Cllr. Barry Wood

Reason for Referral: Referred by Assistant Director for Planning and Development for the following reasons: The application is considered to have significant local interest.

Expiry Date: 15 July 2024

Committee Date: 11 July 2024

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site and red-line boundary includes the majority of the Bicester Heritage site including the flying field and technical site. Areas that are specifically excluded are a parcel of land in the south east corner of the airfield that has consent for commercial units, the adjacent former quarry site to the north of the airfield and the existing individual buildings on the wider site.
- 1.2. The site is part of the wider former RAF Bicester Airfield, which is located to the north of Bicester on the outskirts of the town. The site is now occupied by Bicester Motion, a company specialising in historic motoring and aviation. The site occupied by Bicester Motion comprises the main 'technical site' area (where most of the buildings are located) and the flying field which extends to the north and east of the main technical site area, totalling around 141.5 hectares.
- 1.3. The whole of the site (including the flying field) is designated a conservation area and most of the buildings within the main technical area are listed (Grade II). The few remaining unlisted buildings are considered to 'make a positive contribution' to the area in the Conservation Area Appraisal and would therefore be considered as non-designated heritage assets. Existing vehicular and pedestrian access to the technical site is gained just north of the roundabout on Buckingham Road. A second access off Skimmingdish Lane serves as access to the airfield. There are residential properties located to the west and southwest of the site. There are also several Scheduled Monuments located on the edges of the flying field and within the main technical area.

2. CONSTRAINTS

- 2.1. The following constraints apply to the site:

- The site is located within the Conservation Area of RAF Bicester;
- The wider Bicester Motion site contains 22 Grade II Listed Buildings, with the remaining buildings making a positive contribution to the character and

appearance of the conservation area and are therefore considered to be non-designated heritage assets;

- The site lies within the wider setting of Scheduled Monuments to the south;
- There is a Site of Special Scientific Interest (SSSI) within 2km of the site (the quarry to the north);
- The site is within a designated Local Wildlife Site, which extends all around the perimeter of the airfield;
- There is an electricity distribution site to the south, beyond Skimmingdish Lane;
- The site lies within an area of archaeological interest;
- The Bicester Motion site is bordered to the south by the A4421 Skimmingdish Lane and to the west by the A4421 Buckingham Road;
- There are residential properties to the south, south-west and west of the Bicester Motion site (on the opposite sides of the bordering roads);
- The site is allocated in the Cherwell Local Plan for mixed use development including employment uses (Policy Bicester 8)

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks a retrospective change of use of the land to allow for aviation, vehicle exercising and other uses/events. The planning statement lists the following as 'typical uses': airfield flying operations, promotional (including film and photoshoot), Bicester Heritage tenant use (test driving etc.), external experience days (for example, young driver training), vehicle exercising, community and leisure uses (e.g. bike club training, triathlon training), event uses (including Bicester Heritage event days, external events and car club meets) and promotional videos/filming.
- 3.2. It is noted that whilst the application is described as retrospective, the nature, frequency and intensity of the uses have changed overtime. Therefore, whilst it is acknowledged the application seeks to regularises 'uses' that may have occurred historically, the frequency/intensity of the proposed uses may not be retrospective.

4. RELEVANT PLANNING HISTORY

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

18/01253/F: Erection of hotel and conference facility with associated access, parking and landscaping. Application permitted.

18/01333/F: Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping. Application permitted.

It should be noted that subsequent Section 73 applications (19/02275/F, 20/00475/F, 20/00832/F and 20/00842/F) relating to application 18/01333/F have also been granted consent to allow change of use and external alterations to individual buildings within the Technical Site area.

19/02708/OUT: Outline: Provide new employment units comprising B1 (Business), B2 (General Industrial), B8 (Storage) and D1 (Education) uses with ancillary offices, storage, display and sales, with all matters reserved except for access. Application permitted.

It should be noted that subsequent Section 73 application (23/01941/F) to vary the parameter plans and reserved matters applications (23/03438/REM and 24/00380/REM) for the detailed design have been granted.

- 4.2. The above site history represents the three major developments that have been permitted on the wider Bicester Motion site; the hotel, extension to the technical site area and employment development to the southeast of the flying field. The original technical site has a detailed planning history with several planning applications and listed building consent applications associated with individual buildings, including a site wide consent for commercial uses.
- 4.3. The general approach taken on the technical site has been to allow changes of use that fit with the commercial nature of the site and minor physical changes to the buildings to ensure their long-term use and viability with an aim of conserving the heritage assets on the site.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **15 June 2023**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. The comments raised by third parties are summarised as follows:

Objections:

- Noise concerns relating to cars being driven around the tracks and increased level of activity on the site
- Noise impacts on amenity of neighbouring residential properties
- Traffic impacts and road congestion
- Increased traffic makes it more difficult to use cycle and pedestrian lanes and public transport in the area
- Lack of traffic management for large events
- Impact on ecology and the SSSI at Stratton Audley
- Impact on the character and appearance of the Conservation Area
- Air pollution
- Light pollution
- Impact local residents overall well being
- Residents receive no benefits such as free access to events
- Impact of race track on ecology
- Music festival causes noise and disruption to residents
- Increased aircraft activity and noise will impact on residents
- No community benefits
- Not regularisation of existing activities – it's an increase in activity
- Would not want a retrospective application to permit activity beyond those currently taking place without consent
- Excessive amount of large events are proposed – increase in frequency and intensity

Support:

- The site has brought a great deal to the town
- The site creates jobs that boost the local economy
- Bicester Motion are a considerate and thoughtful neighbours
- The noise will be closely monitored

- Track is useful for demonstrating and testing vehicles, so there is no need to use local roads
- No other location within the areas offers these facilities for our business
- Provides a safe environment for the testing of vehicles
- Events support the businesses on the site
- Events attended by many local residents and families
- Events allow local charities (include those on site) to raise awareness and funds
- Positive impacts for tourism

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

7.2. STRATTON AUDLEY PARISH COUNCIL: **Object**, a detailed letter of objection has been submitted. The concerns are summarised as such:

- The retrospective proposal highlights the complete disregard of the applicants for the planning system
- Failure to assess noise impact on Stratton Audley
- Notwithstanding the lack of assessment, vehicle noise limits proposed are excessive
- Aviation – no details of the type or movements of aircraft
- Significant expansion of large events on the site
- Traffic and community nuisance
- Radio controlled aircraft flying appears to be unregulated at the site

7.3. LAUNTON PARISH COUNCIL: No comments or objections to the proposal.

7.4. BICESTER TOWN COUNCIL: Welcomes this application and the boost in tourism and employment it will have to the town.

7.5. OCC HIGHWAYS: **No objection**, *The Highway Authority understands that this application proposes to formally regulate the activities that have already been taking place at the Bicester Motion site for a number of years and that a significant increase in the frequency or type of events held at the site is not planned. It is also noted that planning permission for the Experience Quarter has recently been granted and that there appears to be a fairly significant degree of overlap between the existing activities and those permitted under that application. On this basis the county council does not object to the application.*

I note that the planning application proposes to enable larger events to be held at the site, as have been for a number of years. These typically take place during the weekend, usually on a Sunday, when traffic levels on the local highway network are typically lower than on weekdays. However, these events do still have the potential to cause disruption and congestion it is therefore necessary to ensure that all larger events are subject to Event Day Traffic Management Plans which are to be agreed with the Highway Authority prior to such events taking place. The Highway Authority would welcome a suitably worded condition to ensure that this occurs.

- 7.6. HISTORIC ENGLAND: In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest you seek the views of your specialist conservation and archaeological advisers.
- 7.7. CDC CONSERVATION OFFICER: **No objection**, it understood that the application is for a continuation of the use of the site for a range of activities and events. In terms of heritage only the continuation of uses is not considered to result in harm to the significance of any of the heritage assets.
- 7.8. CDC ENVIRONMENTAL PROTECTION OFFICER: No comments with regards to contaminated land, air quality, odour or light.

Noise: Having read the noise report provided I am satisfied with its methodology and findings. As this is a retrospective application for the current usage of the site the proposals will improve the noise management on the site and will ensure that the noisiest vehicles are limited to the days and length of times in those days they can operate. I would like the following conditions added to any permission granted:

The noise management plan shall be supplied to and agreed with the LPA within 1 month of the date of the permission being granted. Thereafter any updates to the plan shall be agreed with the LPA prior to their use.

The noise monitoring system referred to in the noise report shall be installed within 1 month of the date of the permission granted. This shall be maintained and updated as per the manufacturer's requirements. Any changes to this system shall be agreed with the LPA prior to the changes being made.

Days on where the ambient noise level at the residential monitors is increased by 12dB LAeq,1hr due to circuit activity, should be restricted to 12 days per year, and no more than 90 minutes in a day and details of those days shall be supplied to the LPA and communicated to local residents at least 1 month in advance of those days.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- BICESTER 8: RAF Bicester
- PSD1: Presumption in favour of Sustainable Development
- SLE3: Supporting Tourism Growth
- ESD10: Biodiversity and the Natural Environment
- ESD15: The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28: Layout, design and external appearance of new development
- ENV1: Development likely to cause detrimental levels of pollution
- ENV12: Development on Contaminated Land

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- RAF Bicester Conservation Area Appraisal – November 2008
- RAF Bicester Planning Brief 2009
- The Planning (Listed Buildings and Conservation Areas) Act 1990

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, impact on the character of the area and impact on heritage assets
- Residential amenity
- Highway safety
- Ecology and biodiversity

Principle of Development

Policy context

- 9.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.3. Paragraph 11 of the National Planning Policy Framework sets out a presumption in favour of sustainable development and states for decision taking, this means '*approving development proposals that accord with an up-to-date development plan without delay*'. The presumption in favour of sustainable development is reiterated in Policy PSD1 of the Cherwell Local Plan 2031.
- 9.4. The application site is allocated in the Cherwell Local Plan 2031 under Policy Bicester 8 for '*conservation-led proposals to secure a long lasting, economically viable future for the Former RAF Bicester technical site and flying field*'. The Policy states '*it will support heritage tourism uses, leisure, recreation, employment and community uses*'.
- 9.5. Policy SLE3 supports tourism growth '*in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the District*'.
- 9.6. The Council's five year review of Local Plan policies (February 2023) concluded that policy Bicester 8 was "*...a site-specific policy that is generally consistent with the NPPF and local circumstances do not indicate that the policy needs updating at this time. The policy will be reviewed through the Local Plan Review 2040.*". Policy Bicester 8 refers to a Planning Brief for the former RAF Bicester. Whilst still material to the implementation of the policy and the consideration of the application, the Brief was prepared in 2009 and there has been subsequent development of the site. The document provides only informal development principles and does not have the status of a Supplementary Planning Document. Its stated purpose was '*to respond quickly to provide guidance on the future of this important site to advise potential purchasers*'. Nevertheless, the 2009 Brief was specifically referenced by the Local Plan Inspector in his consideration of Policy Bicester 8 in 2015. As such, the Planning Brief is still relevant. The document sets out the Council's aspirations for the site and future uses that would be considered appropriate.
- 9.7. The site has been occupied by Bicester Heritage (now part of Bicester Motion) since 2013, who have developed the site as a focus for historic motoring interests and technology with associated employment, leisure and apprenticeship opportunities.

Paragraph 85 of the NPPF states '*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'. It goes on to suggest an approach where areas build on their strengths and is particularly important where Britain can be a global leader in driving innovation.

Assessment

- 9.8. The application site is part of the wider RAF Bicester site which is allocated under Policy Bicester 8. The policy seeks to establish uses which will be complementary to, and help enhance, the character and appearance of the Conservation Area and the nationally important heritage value of the site whilst securing an economically viable future for the site. Policy Bicester 8 is a permissive policy setting out a number of acceptable uses including employment uses, tourism, leisure and community uses.
- 9.9. The land allocated within Policy Bicester 8 includes the technical site and the whole of the flying field. The Policy is supportive in general of tourism, leisure and commercial uses on the site. The policy does not stipulate which parts of the overall site are suitable for development, but the policy does state (inter alia) that proposals must maintain and enhance the character and appearance of the conservation area...and preserve the openness of the airfield".
- 9.10. The Planning Brief for the allocated site supports the continued use of the flying field for aviation and non-aviation uses that retain the openness of the flying field. The document states '*Other temporary uses considered appropriate in the 2003 study include temporary festival uses and outdoor concerts. Occasional markets and shows could also be acceptable provided that this did not involve the erection of any permanent structures on the flying field or temporary structures that caused harm*'.
- 9.11. The wider aspirations for the site are to create a tourist destination offering visitor experiences that tie in with the 'automotive' nature of the site. This would complement the future hotel (which has extant planning permission) and would be considered in accordance with Policy SLE3 which seeks to increase visitor numbers to the district and overnight stays in sustainable locations.
- 9.12. The uses set out in the application are linked to the wider use of the Bicester Heritage site providing links with existing business on site but also providing tourism and leisure uses that would link with the extant outline permission for the automotive experience quarter (ref: 21/01224/OUT) which already includes the use of the perimeter track.

Conclusion

- 9.13. The NPPF states that achieving sustainable development means the planning system has three overarching objectives: an economic objective, a social objective and an environmental objective. The objectives need to be balanced to ensure they can be pursued in a mutual supportive way.
- 9.14. The application sets out a range of uses that would support existing businesses on the site and provided tourism and leisure uses that would support the local economy and create additional jobs (including casual roles associated with events), providing economic benefits. The proposal would allow some access for visitors to the historic parts of the sites during events. The tourism nature of the proposal would help meet social needs of the local and wider community. As will be set out in later sections of this report, the proposal would respect the historic and natural environmental context of the site, providing mitigation and enhancement where required, and the use of the site for aviation will not be unduly compromised. Therefore, the development is

considered to constitute *'sustainable development'* and the presumption in favour must apply.

- 9.15. The uses would provide additional commercial, leisure and tourism development on an allocated site in accordance with Policies Bicester 8 and SLE3 of the CLP 2015. The uses accord with the types of uses supported within the 2009 Planning Brief. The principle of employment development on the site is considered to be acceptable.

Design, impact on the character of the area and impact on heritage assets

- 9.16. Policy ESD15 of the CLP 2015 states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development will be required to meet high standards and should respect the historic environment including conservation areas and listed buildings. Policy Bicester 8 of the CLP 2015 also makes it clear that development at this site is to be 'conservation led', therefore meaning that it is what is appropriate for the site in terms of heritage related issues that must be at the forefront at all times.
- 9.17. Both of these policies are supported by Government guidance contained within the NPPF (sections on design and heritage) which states that good design is a key aspect of sustainable development to create better places (para. 131). Section 16 on the historic environment acknowledges that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (Para. 195).
- 9.18. Paragraph 195 of the NPPF states 'Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.
- 9.19. The application site is within the RAF Bicester Conservation Area, and therefore falls into the NPPF definition of a designated heritage asset. There are Scheduled Ancient Monuments elsewhere on the RAF Bicester Site and a large proportion of the original buildings (including the hangars) within the technical site are listed buildings.
- 9.20. Paragraph 203 of the NPPF states 'In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
- 9.21. The application seeks a change of use of the land only and does not propose any permanent built development. Therefore, the overall character and appearance of the site would not change as a result of this application.
- 9.22. The types of uses proposed include event days and festivals which are likely to require temporary structures (such as marques, food trucks, stages etc..). As these are temporary structures and only erected for the period of the event and removed after, they are not considered to cause harm to the heritage assets.

9.23. The proposal would not have a detrimental impact on the character and appearance of the area and would not cause harm to heritage assets. The proposal complies with Policy ESD15 of the CLP 2015 and Government guidance contained within the NPPF.

Residential amenity

9.24. Paragraph 135 of the National Planning Policy Framework includes, as a core principle, a requirement that planning should have a '*high standard of amenity for all existing and future users*'. This is reflected in Policy ESD15 of the CLP 2015, which states that '*new development proposals should: consider the amenity of both existing and future development, including matters of privacy, outlook, natural light, ventilation, and indoor and outdoor space*'.

9.25. The nature of the proposal set out in the application includes a range of activities to take place outside on the airfield including the demonstration and exercising of vehicles and large events. There are residential properties to the east of Buckingham Road and south of Skimmingdish Lane, with the village of Stratton Audley to the northwest of the site. Potential impact upon these residential properties needs to be carefully considered.

9.26. It is noted that a number of objections raises concerns regarding impacts on neighbouring amenity, the objections focus on the following key points:

- Existing noise from vehicles using the site
- Noise from previous events – specifically larger, festival type events
- Existing noise from aviation uses at the site
- Noise from the proposed use of the tracks
- Noise from proposed large scale events including late night music

9.27. With regards to noise from aviation uses at the site, the site is an historic airfield which is still in active use. The use and management of the airfield for aviation purposes is outside of the control of the Local Planning Authority (LPA), as such the LPA cannot restrict the level of use or type of aircraft that utilise the airfield.

9.28. With regards to the use of the perimeter track for the demonstration and exercising vehicles, it should be noted that consent was granted for a similar proposal seeking the re-use of the perimeter track as part of the automotive experience quarter application (ref: 21/01224/OUT), although this also includes the introduction of new tracks.

9.29. With regards to the use of the track, the application concluded that with the correct mitigation the potential noise levels from vehicles could be reduced to low impact as defined by the NPPF. Furthermore, the Council's Environmental Protection Officer considered that correct management of the use of the tracks had the potential to improve the current situation which is unregulated.

9.30. Application 21/01224/OUT includes noise management conditions requiring a comprehensive noise management plan and the use of a live noise monitoring system. As this application seeks consent for a similar use of the perimeter track for vehicles, it would be appropriate to impose similar conditions to safeguard the amenity of the residential properties in the area. By imposing identical conditions, this would also ensure there is no conflict if the extant consent for the automotive experience quarter is implemented.

9.31. The Council's Environmental Protection Officer supports this approach with conditions requiring the submission of the noise management plan and installation of the noise monitoring system within 1 month of the date of a permission. In addition, a condition

would restrict the number of days (maximum 12 days) when ambient noise levels due to track use would exceed a set level, but for no more than 90 minutes on each day. The conditions would encompass all vehicle activities on the track at all times, this would be regardless of them being associated with a larger event or small daily activities related to businesses on the site.

- 9.32. The second area of noise concern raised appears to relate to the larger scale events at the site. This has historically included event days such as scrambles (large event showcasing motor vehicles) and vegan festival (including a music stage). The smaller scale events and leisure activities (such as bike meets and triathlon training) do not appear to raise the same levels of concern.
- 9.33. The larger events, especially if they involve music have the potential to cause a nuisance to neighbouring properties if they are occurring frequently or late at night. The submitted information suggests the frequency of these larger events would be limited and the applicant has suggested limiting the number of events via planning condition.
- 9.34. The applicant has also opted to use the Safety Advisory Group (SAG) to agree details prior to larger events. SAG made up of officers from the district council, county council, police and other relevant bodies who consider matters such as timing of events, noise levels, traffic impacts etc... and then advised and agree the details of events. They also take account of any previous complaints and the frequency of events. Although this is optional, following a discussion with the Council's Environmental Protection Officer, it has been recommended that the applicant be required to use SAG (or its successor at any future point) for all large events exceeding 5000 attendees. It has been advised that using SAG to agree matters such as operating hours for each event is more advantageous than blanket restrictions on timing as various factors including previous complaints can be considered.
- 9.35. Whilst some events may still cause a temporary nuisance/annoyance to some of the surrounding residential properties, with adequate controls on the frequency of larger events and the requirement to agree events with SAG, these are not considered to be harmful to residential amenity.

Highway safety

- 9.36. Paragraph 115 of the NPPF states '*Development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.
- 9.37. Paragraph 117 of the NPPF goes on to state '*All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement so that the likely impacts of the proposal can be assessed*'.
- 9.38. The application has been submitted with a detailed transport assessment that has been reviewed by the Local Highway Authority (LHA), and they raise no objections to the application as they acknowledge there is a fairly significant overlap between the existing activities on the site and those set out in the application.
- 9.39. The application does not propose any additional highway works and would utilise existing access points to the site.
- 9.40. The Local Highway Authority notes a number of larger events are included in the application, although these tend to occur at weekends, usually Sundays, when levels of traffic on the local highway network are typically lower. However, they acknowledge

that these events have the potential to cause disruption and congestion on local network. Therefore, it is recommended that a condition is imposed requiring larger events to submit 'Event Day Traffic Management Plans' for approval by the Local Highway Authority.

- 9.41. Subject to appropriately worded conditions to manage traffic associated with larger events, the proposal would not cause harm to the safety and convenience of highway users and complies with Government guidance contained within the National Planning Policy Framework.

Ecology and biodiversity

- 9.42. Paragraph 186 of the NPPF states 'When determining applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶⁷ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 9.43. The application proposes a change of use only and does not include any built development that would impact on biodiversity or protected species. However, it is acknowledged that parts of the site are more sensitive in terms of biodiversity activity within these areas has the potential to cause harm.

- 9.44. The application has been submitted with an ecological briefing note. The notes states that *'whilst no additional biodiversity impacts are anticipated to arise, it is acknowledged that the completion of certain activities could, in the absence of sensitive management, give rise to potential adverse impacts on faunal species'*. The technical note goes on to set appropriate safeguards and management to ensure events can proceed in a manner which avoids potential ecological harm in accordance with planning policy and legislation of relevance to biodiversity.

- 9.45. The management measures consider aerodrome use, off-road trails, track related events and site wide events. Conditions are recommended requiring compliance with the management measures identified in the technical note.

9.46. With appropriate management, the use of the site would not have a detrimental impact on ecology and biodiversity and accords with Policy ESD10 of the CLP 2015 and Government guidance contained within the NPPF.

10. PLANNING BALANCE AND CONCLUSION

10.1. Achieving sustainable development comprises of three objectives; an economic objective, a social objective and an environmental objective. The objectives need to be balanced to ensure they can be pursued in a mutual supportive way.

10.2. The application sets out a range of uses across the wider site that would support existing business on the site and provide tourism, leisure and community uses that will support the local economy and create additional jobs, providing an economic benefit thereby meeting the economic objective.

10.3. The proposal would not alter the character or appearance of the site, nor would it impact on heritage assets as the application does not propose any built development. The use of the site would allow additional (controlled) access to the historic parts of the site. The creation of jobs and increased access to the historic site contributes to creating vibrant communities thereby meeting the social objective.

10.4. The proposal would respect the historic and natural environmental context of the site, providing careful management of ecologically sensitive areas which would thereby meet the environmental objective. As a result, the development is considered to constitute 'sustainable development'.

10.5. The application site is an allocated site under Policy Bicester 8 of the CLP 2015. The proposal, including the uses applied for, complies with the details of the allocation and the uses considered appropriate with the RAF Bicester Planning Brief.

10.6. As set out in the assessment above, the proposal, subject to condition, is not considered to cause harm to residential amenity, highway safety or ecology.

10.7. The application is therefore considered to comply with the relevant policies of the Development Plan set out in the report, specifically Policy Bicester 8 of the CLP 2015 and Government guidance contained within the National Planning Policy Framework, and permission should be granted.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

Compliance with Plans

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and following approved plans:
 - Planning Statement prepared by Edgars dated April 2023
 - Transport Statement prepared by Mode Transport Planning dated April 2023
 - Environmental Noise Impact Assessment (ref: 28453-AASP-ZZ-XX-DN-Y-1001-S1-P03) prepared by Hydrock dated 13 April 2023

- Ecological Briefing Note prepared by Ecology Solutions
- Drawing number 5002854-RDG-Z05-ST-PL-A-0010 Rev F - [Site Location Plan]

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

2. Within 1 month of the date of this decision, a noise management plan shall be submitted to the Local Planning Authority. The noise management plan shall include a review mechanism which requires the applicant to update the Council's Environmental Health Team as the need arises and should include (but not be limited to) such matters as numbers of days allowed for noisier vehicle use, hours of use, absolute noise limits set, actions taken when these are exceeded and communication with the local community. The approved noise management plan shall be implemented in full from the date of the discharge of this condition and be accorded with for the lifetime of the development.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. Within 3 months of the date of this decision, details of the SPL Track Drive By System or similar shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be implemented and be fully operational within 1 month of the date of the discharge of the condition. The system shall be maintained and operated in accordance with the approved details. Prior to any amendment to the system, full details of the revised/alternative system shall be submitted and approved in writing prior to its installation. The alternative system shall be installed in accordance with the approved details and be operational prior to any further use of the track.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. No event exceeding 5,000 attendees in total during the event shall take place until the applicant has secured the written agreement of the Cherwell Safety Advisory Group or any future successor advisory group.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. No event exceeding 5,000 attendees in total during the event shall take place until an 'Event Day Traffic Management Plan' has been agreed in writing with the Local Highway Authority. The event shall be carried out in strict accordance with the approved Event Day Traffic Management Plan.

Reason: In the interest of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

6. The number of events with the number of attendees between 5000-7000 attendees in total during the event shall not exceed 10 events in any calendar year and such events shall not exceed 3 days in total. Any amendment to these

restrictions shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework..

7. The number of events with the number of attendees exceeding 7,001 attendees in total during the event shall not exceed 3 events in any calendar year. Such events shall not exceed 3 days in total. Any amendment to these restrictions shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. The use of the site shall be carried out in compliance with the safeguards and management of ecological areas in strict accordance with the Ecological Briefing Note submitted with the application.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Planning Notes

1. The applicant should note that the site area excludes all of the existing buildings on the site and therefore the change of use granted by this decision does not apply to any individual buildings on the site.

CASE OFFICER: Rebekah Morgan