

**Case Officer:** Hansah Iqbal

**Applicant:** Cherwell District Council

**Proposal:** The installation of a marine-ply board for public art murals use on the side of the building and planters either side

**Ward:** Bicester East

**Councillors:** Cllr. Tom Beckett, Cllr. Robert Parkinson and Cllr. Bryonie Wells

**Reason for Referral:** CDC is the applicant

**Expiry Date:** 6 July 2026

**Committee Date:** 2 July 2026

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**SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

1.1. The application site is the side exterior wall of a retail unit which forms the boundary of a pedestrian footpath linking Pioneer Square to Sheep Street. This is a well-used pedestrian corridor linking the town centre with retail and leisure destinations. The wall, which is the subject of this application, is constructed of red brick.

**2. CONSTRAINTS**

2.1. Whilst not within the settings of any listed buildings the site is however located within Bicester Conservation Area. Although not relevant to this application the site is within an area of archaeological interest, and the land is potentially contaminated.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. The proposal originally sought permission for the installation of five mural boards along the application wall. Following amendments approval is now sought for the installation of a single marine-ply board for the purpose of individual or continuous public art murals. Positioned 0.2m above ground level the board would have a length of 5.24m and a height of 2m. Either side of the board it is proposed to site 2m long planters.

**4. RELEVANT PLANNING HISTORY**

4.1. There is no planning history directly relevant to the proposal.

**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 **4 June 2026**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

## **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. CDC Recreation & Leisure: need to consider costs of repair, removal or decommission and maintenance. Public art maintenance costs are 7% of the total cost for artwork and held by responsible party or owner.
- 7.3. CDC Conservation – no objections.
- 7.4. CDC Urban Design – tree would conflict with mural 3, no information on trees, no information on proposed maintenance/managements including of planter, no information on vandalism graffiti.

## **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)

- PSD1: Presumption in Favour of Sustainable Development
- SLE2: Securing Dynamic Town Centres
- ESD1: Mitigating and Adapting to Climate Change
- ESD15: The Character of the Built and Historic Environment
- Bicester 5: Strengthening Bicester Town Centre

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28: Layout, design, and external appearance of new development

- 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990

- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

## 9. APPRAISAL

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

- Design, and impact on the character of the area, including the Bicester Conservation Area

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- 9.2. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 9.3. Conservation areas and listed buildings are designated heritage assets, and Paragraph 205 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy ESD15 of the CLP 2015 echoes this guidance.
- 9.4. Following the comments from the Urban Design Officer, the proposal has been amended to install a single marine ply-board for use of public art mural with two planters either side. The proposed mural would provide some visual interest to the area. The applicant has provided assurances that the mural would be properly maintained. Officers, including the Council’s Conservation Officer, are therefore satisfied that the character and appearance of the Bicester Conservation Area would not be harmed.
- 9.5. Although part of the description of development, due to their size, the planters are considered to be permitted development under Schedule 2, Part 14 of the General Permitted Development Order 2015 (as amended). Regardless of whether they are permitted development, the planters are considered to be visually acceptable.
- 9.6. The proposed development would accord with Policies ESD15, SLE2 and Bicester 5 of the CLP 2015, Policy C28 of the CLP 1996 and government guidance contained within the NPPF.

## 10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report and so is considered to be appropriate development. In accordance with Paragraph 11 of the NPPF, consent should therefore be granted.

## 11. RECOMMENDATION

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

**Time Limit**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Compliance with Plans**

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans: 'Location Plan' and 8469.ASP.7.0 Rev A 'Proposed Elevation/site 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.

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