

## The Planning Inspectorate

### COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

**Appeal Reference: APP/C3105/W/22/3304021**

#### DETAILS OF THE CASE

Appeal Reference

Appeal By

Site Address

#### SENDER DETAILS

Name

Address

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

**YOUR COMMENTS ON THE CASE**

Inspector please see attached documents.

**COMMENT DOCUMENTS**

**The documents listed below were uploaded with this form:**

**Relates to Section:** REPRESENTATION  
**Document Description:** Your comments on the appeal.  
**File name:** CPRE Howes Lane.pdf  
**File name:** Heath- Representation ctd.docx

**PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US**



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3 November 2022

Dear Ms Daniels

**Ref : 22/02922/F Construction of Technical Services Building for Thames Valley Police on land south west of Avonbury Business Park, Howes Lane, Bicester**

CPRE strongly objects to this development at Howes Lane which is out of keeping with other developments on Howes Lane and is not consistent with the Cherwell District Local Plan.

**Consultation**

CPRE questions whether more pre consultation communication could not have taken place particularly with the community nearest the proposed development. In their planning statement the applicant states that this development will meet the need for police infrastructure in Bicester as per para C21 of the Local Plan. Regardless of whether this development is actually providing infrastructure, the proposed development is primarily meeting a Thames Valley need. Para C21 is about key community challenges facing Bicester. It seems odd not to provide any information in advance of this application to the Bicester community that will be most impacted by this development.

CPRE believes that the two major existing local plans pertinent to this application are SLE1 Employment Development and Bicester Policy 1 North West Bicester Eco Town.

**SLE 1 Employment Development**

CPRE would normally expect to see a development of this magnitude to be part of a local plan. The existing plan states in para B46 that it has already identified sufficient employment land supply sites. Outside of this, employment sites in Bicester would have to meet criteria as specified in SLE1. CPRE believes that the applicant has not demonstrated that this development meets the specified criteria.

**Make efficient use of previously developed land**

This development is on agricultural land that has never been developed. CPRE cannot find any evidence that the applicant has considered alternative locations within the wider Thames Valley area, including existing brownfield sites, and therefore CPRE would contend that the applicant has not demonstrated that they have considered use of other suitable sites, some of which may be previously developed land.



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**Make efficient use of existing and underused sites and premises increasing the intensity of use on sites**

The existing site is on agricultural land so this criteria cannot be met.

**Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings**

This site is within close proximity to residential areas, many of which are single story buildings. The applicant is proposing a three storey building, which will be significantly bigger than any of the adjoining buildings. The height of the building will be 15m rising to more than 17m, if roof plant is included. The overall mass will cover an area of approximately 1.178ha. The plans for this building will be out of scale with the rest of the locality.

**Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment**

The proximity of the proposed three-storey Technical Services Building and its supporting energy centre, to existing housing south of Howes Lane, must inevitably result in overlooking of residential areas from corridors, if not from the roof garden. This will cause harm to existing residents. A requirement of Policy Bicester 1 para 25, in the section Key Site Specific Design and Place changing principles, is that employment units should be carefully designed to 'limit adverse visual impact and ensure compatibility with surrounding development'.

Two exhaust chimneys are proposed on roof of the proposed Technical Services Building to extract chemicals used in the building. The potential for contamination and/or nuisance arising from these exhaust chimneys is not defined nor is the frequency of use, or quantity, defined.

**Policy Bicester 1 – North West Bicester**

The development falls within Policy 1 North West Bicester, which is being developed using standards from the eco towns planning policy statement. One of the overriding aims of the eco town is for home and work to be near to each other to reduce commuting travel and for developments to be built to high environmental standards.

The proposed development is situated on land that, under the North West Bicester master plan, is earmarked for residential development. Given the concerns expressed regarding the potential impacts of the applicant's development on adjacent residences, CPRE would contend that the existing residential use of the site would provide a development that is of a more appropriate scale and better respects the character of the area.

Cherwell District Council is currently behind on its housing delivery target. CPRE is concerned that this is leading to inappropriate speculative developments in the countryside surrounding villages. CPRE has responded to three applications in one village close to Bicester in the last two months. CPRE would prefer that land with permission for residential development is pursued to avoid the further erosion of the countryside from speculative developments.

The applicant acknowledges in their planning statement in para 6.2.5 that the use of a site for a police facility could be considered a departure from adopted policy. Whilst the planning statement indicates that housing proposed for this development could be provided nearby, this would need to come forward as a separate planning application. There is no guarantee that this would be approved and the adequacy or otherwise for this housing should not form part of the consideration as to the suitability of this planning application.



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CPRE believes that the standards required for developments in the eco town should be met. The eco town development should be used as an exemplar site for other developments. To approve a development that does not meet these standards would be to set a precedent for future developments under Bicester Policy 1.

The proposed development is not in the eco town masterplan as an employment site. As per Bicester Policy 1, use classes should be B1 with only limited B2 and B8 class uses. The applicant's development is for a class E building which falls outside of the allowable classes allowed for in Bicester Policy 1.

As per policy 1, developments should be to provide one employment opportunity per new dwelling and can be easily reached by walking, cycling and/or public transport. However this development will be a Thames Valley wide development, which will involve transferring staff from other Thames Valley police sites. It will inevitably involve a degree of commuting travel, therefore at the initial stage a significant number of staff will be unlikely to take up sustainable travel options to the development. Whilst this may change over time, as this is a Thames Valley wide development, there is always likely to be a significant number of employees who will need to travel. This is reflected in the applicant's proposal for a 120 bay car park. CPRE is also concerned that the nature of the building will lead to an increase in traffic movements throughout the day. A strategic objective of the current Cherwell Plan, as articulated in para SO12 is 'to reduce the dependency on the private car as a mode of travel, increase the attraction of and opportunities for travelling by public transport, cycle and on foot'.

It is acknowledged by the applicant in their planning statement (para 6.9.3) that the proposed development is not true zero carbon and therefore does not fit the criteria of Bicester Policy 1. CPRE recognises that the nature of the building, and its requirements, may make it difficult for this development to achieve net zero however CPRE does not accept that this should not be given material weight. In CPRE's view this merely strengthens the view that this is not an appropriate building, given the principles for an eco town development. It is a fundamental principle at the core of the policy for developments to be net zero.

### **Impacts of the development on Howes Lane**

CPRE already has existing concerns about the pressures placed on Howes Lane residential properties adjacent to the proposed development. There is little doubt that traffic using this road has increased significantly and the nature of traffic has changed, with a greater proportion of heavy good vehicles using the road with commensurate increases in noise levels, vehicle emissions and pollution and the impact this has on residential amenity. This is an inevitable result of the increase in developments in and around Bicester. Howes Lane is only pedestrianised on one side, for one small section, and this is quite narrow in places. It is unclear when the promised A4095 Strategic Link Road (SLR) will be started, which is a major concern for residents whose properties back on to Howes Lane. CPRE would strongly suggest that until Howes Lane is realigned to support traffic there should be no additional building work undertaken anywhere on Howes Lane.

### **Ecology and Biodiversity**

The biodiversity net gain recorded on the applicant's biodiversity net gain assessment table is shown as 12.12% for non linear habitat and 47.28% for linear habitat. However in the executive summary to the Biodiversity Net Gain Assessment and Biodiversity Strategy Report, the gain in non linear habitat is shown as 20.57% and 62.01% for non-linear habitat. CPRE is unclear as to why these figures are different. If there is a justifiable reason as to why they are different this should be explained in the executive summary.



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Local Plan Policy ESD 10 and NPPF para 174 require developments to demonstrate a biodiversity gain and there is an additional requirement from Cherwell District Council for developments to provide a 10% biodiversity net gain. Having reviewed the calculation CPRE is concerned as to whether a good condition can be achieved for the 0.1654 hectares of created other neutral grassland. CPRE would question whether a moderate condition score is not more realistic. Irrespective as to whether the non - linear habitat projected net gain is 12.12% or 20.57%, it is likely that the development will fall below the stipulated 10% if the created other neutral grassland's condition had been assessed as moderate. Indeed the narrative in the executive summary seems to indicate that a good condition for created neutral grassland is an aspiration as it states that habitat will be managed to achieve a medium condition or higher.

The applicant's Biodiversity Net Gain Assessment and Biodiversity Strategy Report makes it clear that any future biodiversity gains will be subject to appropriate management and monitoring. This will be essential if the targeted good condition is to be achieved in the created other neutral grassland. CPRE is therefore disappointed that the Planning Committee and consultees do not have sight of Landscape and Ecology Management Plan (LEMP) which would give some assurance as to the achievability of applicant's biodiversity net gain assessment.

### **Agricultural land**

There does not appear to be any reference in the applicant's planning statement on the proposed development's agricultural land. Bicester Policy 1's Key Specific Design and Place Shaping Principle bullet point 31 states that an assessment is required as to whether the site contains best and most agricultural land. CPRE is concerned that arable land, some of which may be good, is being developed for housing given the national imperative to ensure future food security. It should also be noted that agriculture does provide local employment opportunities.



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## **Conclusion**

Notwithstanding the impacts that the proposed development will have on residential amenity and the incongruous nature of the proposed building, when compared to other adjacent buildings, the proposed building does not conform to the criteria of an employment site as per Bicester Policy 1 nor does it meet the criteria outlined in SLE1. The site is not identified as an employment site within the eco town masterplan and is not able to meet the strict energy criteria laid out in Bicester Policy 1. Furthermore it will require a degree of home to commuting mileage for at least the immediate future given the Thames Valley nature of the development. Whilst CPRE lament the further loss of countryside at the edge of Bicester, we recognise that this land has been allocated in the current development land but for residential use. This use would not only provide for a less imposing development adjacent to existing residences but would also contribute to meeting the shortfall in Cherwell's housing delivery. If housing is delivered in accordance with the local plan then this will negate speculative development on the edges of our village and the erosion of further countryside around village boundaries which contribute to the character of Cherwell. CPRE requests that this application is refused.

Yours sincerely



Nick Dolden

N Dolden  
CPRE, Cherwell District

Copies to: Robin Oliver, Chairman Cherwell District CPRE  
Helen Marshall, CPRE Director



Dear Inspector,

In addition to my previous representation for your consideration made 19/10/22 I wish to bring to your attention further information.

The appellants statement of case at para 4.34 states: 'there is no prospect of housing being delivered at the site in the foreseeable future'

This is incorrect as residents have recently been notified of a2dominions intention to submit proposals for residential development in the immediate vicinity.

This clearly renders the appellants argument further diluted and inaccurate as clearly there is interest in residential builds should the land be available as such.

I also wish to bring to your attention the second attachment by CPRE. Whilst this is not primarily aimed at the Phase 3 development it adequately articulates the issues surrounding that plot of land and its adjacents . I would be grateful for your time reviewing this also.

Kind regards,

M Heath