

**Case Officer:** Rebekah Morgan

**Recommendation:** Approve

**Applicant:** Motorsport UK

**Proposal:** Relocation of external enclosed plant area (proposed as non-material amendment to 20/00832/F)

**Expiry Date:** 18 January 2021

**Extension of Time:** No

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## **1. APPLICATION SITE AND APPROVED DEVELOPMENT**

- 1.1. The application site comprises part of the former RAF Bicester Airfield which is located to the north of Bicester on the outskirts of the town. The wider site is comprised of 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.
- 1.2. The whole of the site (including the flying field) is designated as a conservation area and most of the buildings within the main technical area are listed (Grade II). There are also several Scheduled Monuments located on the edges of the flying field and within the main technical area. Existing vehicular and pedestrian access to the site is gained just north of the roundabout on Buckingham Road. There are residential properties located to the west and southwest of the site.
- 1.3. For the purposes of this application, the site area and redline relates to a parcel of land situated on the southern edge of the existing technical site totalling 1.61 hectares. This parcel of land is therefore bounded by existing buildings of the technical site to its north and the airfield to the east. Skimmingdish Lane forms the southern boundary of the site, to the south of which there is a care home.
- 1.4. The development to which this application is related is substantially built appearing complete on the exterior. Some of the buildings are complete with the remaining awaiting internal finishing by the future occupiers.

## **2. DESCRIPTION OF PROPOSED AMENDMENT(S)**

- 2.1. This application seeks to make non-material changes relating to the plant/machinery for Building 141 of the command works (previously referred to as the new technical site).
- 2.2. The application proposes the re-positioning of the plant building at the front of building 141. The plant building would be moved approximately 5.5m to the southwest and reduced in size by approximately 50%. The construction materials for the plant building would remain the same as approved.

## **3. RELEVANT PLANNING HISTORY**

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

| <b><u>Application Ref.</u></b> | <b><u>Proposal</u></b>                                                                                                                                                                                                                                                                    | <b><u>Decision</u></b> |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 20/00832/F                     | Variation of condition 1 (plans) of 20/00842/F - to allow for external alterations to Building 141                                                                                                                                                                                        | Application Permitted  |
| 20/00842/F                     | Variation of conditions 1 (approved plans) and 3 (use of buildings) of 20/00475/F – to allow the Change of Use of Building 140 to D1 (education) use at the New Technical Site.                                                                                                           | Application Permitted  |
| 20/00475/F                     | Variation of conditions 1 (approved plans) and 3 (use of buildings) of 19/02275/F – to allow the Change of Use of Building 141 to B1a (Business) use at the New Technical Site.                                                                                                           | Application Permitted  |
| 19/02275/F                     | Variation of condition 2 (plans) of 18/01333/F – various minor changes to approved plans including alterations to the fenestration of the buildings, as required to deliver the proposed buildings.                                                                                       | 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  |
| 18/01253/F                     | Erection of hotel and conference facility with associated access, parking, and landscaping.                                                                                                                                                                                               | Resolution to approve  |
| 17/01847/F                     | Alterations to existing site access including installation of replacement security gates and erection of gatehouse.                                                                                                                                                                       | Application Permitted. |

#### **4. PUBLICITY AND CONSULTATION**

- 4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission.

#### **5. APPRAISAL**

- 5.1. The key issue for consideration in this case is whether the proposed change(s) can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.
- 5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: “A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material”. It is also stated that: “In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted”.
- 5.3. The National Planning Practice Guidance states that: “There is no statutory definition of non-material. This is because it will be dependent on the context of the

overall scheme - an amendment that is non material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application". The judgement on materiality in any particular case is one of fact and degree, also taking into account the likely impacts of the amendment. Materiality is considered against the development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.

- 5.4. The re-positioning of the plant building by 5.5m is considered to be non-material due to the scale of the overall development and the relationship of the plant building to the main building. The re-positioned building would not impact on car parking provision and as a building was already approved, it would not appear out of place.
- 5.5. The size of the plant building will be reduced by nearly 50% because the applicant has re-assessed the need for plant/machinery. There would be no change to the materials used in the construction of the plant building. Given the scale of the overall development, the reduction in size of a plant building is considered to be non-material.

## **6. CONCLUSION**

- 6.1. The proposal is considered to be non-material and the application is therefore recommended for approval.

Case Officer: Rebekah Morgan

DATE: 12 January 2021

Checked By: Caroline Ford

DATE: 18 January 2021

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