

# Comment for planning application 21/03268/OUT

<b>Application Number</b>	21/03268/OUT
<b>Location</b>	OS Parcel 2636 NW Of Baynards House Ardley
<b>Proposal</b>	Outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure
<b>Case Officer</b>	David Lowin
<b>Organisation Name</b>	john chapman
<b>Address</b>	26 Brackley Road Hazlemere Buckinghamshire HP15 7HA
<b>Type of Comment</b>	Objection
<b>Type</b>	neighbour
<b>Comments</b>	<p>Before I list my objections, a brief word about my links to Stoke Lyne and why I am objecting to this proposed development. Although I live in Buckinghamshire I provide childcare support to a family who live in the village of Stoke Lyne. This requires me to locate myself in the village for at least one day per week and sometimes for as many as three days. During my stay I use the roads to access the village as well as other activities such as; school runs and shopping trips. I also use the various pathways, bridle paths and woods for leisure and educational activities with the children. The roads are already hazardous (its rural so pedestrian footpaths are thin on the ground) and a development of this nature, will have a further detrimental impact on road congestion, safety and severely detract from the rural characterisation of the parish. In particular the siting of a huge development next to Stoke Woods which is woodland of ancient origin enjoyed by the wider public (not just locals), would have a detrimental impact on the public, wildlife and pollinators who use and admire the open landscape - End There are compelling reasons why this application should be refused as the proposal comprises of inappropriate development within the open countryside. Overall, the proposal is contrary to both local and national planning policies and does not comply with the definition of sustainable development. In particular the following harm will result: Failure to achieve sustainable development Failure to build a strong competitive economy Failure to promote sustainable transport Failure to meet the challenge of climate change Failure to conserve and enhancing the natural environment The above concerns will be listed below following a brief review of the prevailing local and national planning policy context. Planning Policy Context - Insights In July 2021, the Government published the latest version of National Planning Policy Framework (NPPF). The NPPF the Government's planning policies for England, sets out how they are expected to be applied. Paragraph 2 of the NPPF states that, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Paragraphs 7 and 8 confirm that the purpose of the planning system is to contribute to the achievement of sustainable development, which comprises of economic, social and environmental dimensions. Whilst the NPPF retains a presumption in favour of sustainable development, paragraph 11 reaffirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. It should be noted that the new NPPF of July 2021 has been significantly changed and now requires any planning decision to mitigate climate change and adapt to its effect. It seems reasonable to assume that it's the government's intention to have climate change and its effects, foremost in the decision making process. For the avoidance of doubt, I have listed section 11(a) from the 2019 NPPF and 2021 NPPF side by side to show the change in emphasis 2021 NPPF - Extract 11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects 2019 NPPF - Extract 11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) Plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change Another point that is worthy of mention is the fact that the Courts have held that Central Government's policy is a material consideration that must be taken into account by the decision maker. The following is a</p>

summary of some of the more important national policies that are pertinent to this case: National Planning Policy Framework (NPPF) 2021 Chapter 2. Achieving sustainable development Chapter 6. Building strong competitive economy Chapter 9. Promoting sustainable transport Chapter 14. Meeting the challenge of climate change, flooding and coastal change Chapter 15. Conserving and enhancing the natural environment The Cherwell Development Plan Specifically the local 2011-2031 adopted plan C2 Bicester Policy SLE 1 Employment development Policy SLE 4 Transport and connections DETAILED REASONS FOR OBJECTION Achieving Sustainable Development National Planning Policy Framework (NPPF) July 2021, Chapter 2, paragraphs 7 - 10 inclusive states; the purpose of the planning system is to contribute to the achievement of sustainable development, and its objective must be to consider how development can meet present needs, without compromising the ability of future generations to meet their own needs. In order to meet the sustainable development threshold, planners must ensure that they strike a strategic balance between the economic, environmental and social elements, when deciding on the outcome of a planning application. Planners cannot view an application in isolation, as all new developments will impact upon and alter the effects of previous developments and especially so, because the success of this planned development relies heavily on vital, shared local and national infrastructure. It is difficult in these circumstances to understand how this application could possibly be viewed as meeting the criteria of sustainable development, how it fits with Cherwell's balanced plan-making, and how its approval would meet the three overarching objectives of sustainable development namely; economic, social and environmental, in any way that could be viewed as achieving a mutually beneficial outcome. Accordingly, the proposal does not meet the criteria of sustainable development and should be rejected Highway Safety and Promoting Sustainable Transport The NPPF identifies that planning permission should be refused on highways grounds, if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The volume of traffic using the B4100 has been increasing in recent years and it is noticeable that queues for the Baynards Green intersection, are getting longer and more common outside of rush hour. Given the plethora of developments taking place across the Bicester area, cumulative traffic volumes and congestion are almost guaranteed to get worst for the foreseeable future, so the impact on a key junction such as Baynards Green will be significant. In this case there would be an unacceptable impact on highway safety, adding to increasing congestion and this will have knock-on impacts on pollution. It is understood that the site will be entered via an access point from the B4100, with new a roundabout situated on a fast single lane busy highway. How is this compatible with the orderly flow of traffic along what is effectively a de-facto main arterial route into Bicester Town. The NPPF and Cherwell local plan envisages climate friendly modes of transport that reduce reliance on personal car use. Indeed the local plan emphasises good public transport along with attractive and well-designed walking and cycling networks with supporting facilities. This proposal does little to promote these alternative forms of transport. During construction the proposed development will result in significant movements along what is a constrained part of the highway network and it will have a severe residual impact on other traffic and safety. Accordingly, the proposal is clearly contrary to the NPPF and local planning policy and should be rejected Building a Strong Competitive Economy The local plan emphasis the need to ensure diversification of the economy and lever on Bicester's unique location, to develop high tech/innovative/knowledge based industries. As per the local plan, the Council aim to promote development opportunities for innovative commercial development in connection with the Oxford-Cambridge Arc. Cherwell is a key component of the Oxford-Cambridge Arc and hence has a key role in shaping our areas development and truly delivering transformational change. The local plan highlights the fact that development needs to encourage and support projects that seek to provide high skilled/higher wage jobs, apprenticeships and training opportunities. Sadly to-date, development appears to have allowed the commercial market to deliver what it wants to deliver and this has resulted in the construction or planned construction, of a disproportionate number of large logistical storage units which provide low skilled/low paid jobs. There is real danger that the logistics sector is being given pre-eminence over other sectors and thus a further increase in warehouse provision of this nature, would have the effect of severely unbalancing the local economy and effectively putting an end to the realisation of the local plan. For avoidance of doubt I have extracted a small section from the local plan, Policy SL1 Employment states:- Employment proposals at Banbury, Bicester and Kidlington will be supported if they meet the following criteria: 1. Are within the built up limits of the settlement unless on an allocated site 2. They will be outside of the Green Belt, unless very special circumstances can be demonstrated 3. Make efficient use of previously-developed land wherever possible 4. Make efficient use of existing and underused sites and premises increasing the intensity of use on sites 5. Have good access, or can be made to have good access, by public transport and other sustainable modes 6. Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings 7. Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment. By what criteria does a development of this nature qualify as having met the criteria of very special circumstances? Furthermore it's also within the Green Belt and it's not an allocated site identified within the local plan.

Accordingly, the proposal clearly detracts from realising the objectives of the local plan and should be rejected Meeting the Challenge of Climate Change, Flooding and Water Usage Under government guidance on determining planning applications, it is stated that the courts have taken the view that 'material considerations' in planning should be concerned with 'land use in the public interest'. In light of recent disastrous heatwaves in Australia, Canada, USA, Greece, Spain, Italy, Russia and other countries and the appalling floods in Germany, Belgium, Holland as well as nearer to home in London, it is clear that maintaining our green spaces and in fact improving them is vital. Climate change has meant that such extreme weather should now be expected (in Canada the 1000-year heatwaves are now expected every seven years) and the temperature of the planet is going up from the current 1.1 C (likely to reach 1.5 C around 2030 according the recent IPCC report). It is clear that the likely damage and human suffering from future extreme weather conditions must now be considered a 'material consideration' and 'land use in the public interest' in the Bicester area, must take into account prevention of and adaptation to such likely scenarios. The same government guidance also states; the local planning authority may depart from the development plan policy where material considerations indicate that the plan should not be followed. This power is contained in article 32 of the Town and Country Planning (Development Management Procedure) England Order 2015. I respectfully propose that the current huge number of climate disasters all around the World and the certainty that similar disasters will befall the UK, and therefore the Bicester area in the very near future, should be a material consideration. That being the case it would follow, that this would allow the local planning authority to decide not to follow the Local Plan and to determine there should be no development in the area subject to the application. Another significant point is the fact that Cherwell has declared a climate emergency and committed to action to address this. It should be noted that In addition to Cherwell's commitment, the recently updated NPPF 2021 (paragraph 11a) now requires decisions to 'mitigate climate change and adapt to its effects'. It is safe to assume that this commercial development will be predominantly covered with hard surfacing, so rainwater and particularly storm water (not forgetting the impact of climate change) will likely run off the land more quickly into the drains (not sure about responsibility for keeping the drains and ditches in good order) and ditches. This will significantly intensify the amount of water that the drains and ditches need to carry. Where existing ditches and drains cannot cope with the increased speed of flow, it is inevitable that there will be an increased chance of flooding, which may spill onto the highway and adjoining land. Accordingly, the proposal is not sufficiently robust in explaining how the proposal mitigates and adapts to the threats posed from climate change and should be rejected Conserving and Enhancing the Natural Environment I enjoy the wonderful walks, trails and bridle paths and I am desirous of maintaining the areas rural characterisation, nature of the landscape and the peaceful tranquillity of the village of Stoke Lyne and Stoke Woods. This new development would significantly change that balance and lead to additional noise, light pollution and traffic. Currently a constant humming from the A43 can be heard whilst walking between the areas of Lower Farm and Stoke Bushes and a development of this nature would likely add to that noise pollution. A leisurely walk around the area also reveals the huge number and variety of plant, pollinators and wildlife, who forage and make their homes in the connecting corridors between Stoke Lyne, Stoke Woods and Stoke Bushes. The ecological impact of this scheme, with the potential for a significant biodiversity loss has not been properly addressed. Accordingly, this application must be rejected on the grounds of harm to biodiversity, and non-compliance with the requirement to mitigate climate change.

**Received Date**

02/02/2022 08:41:00

**Attachments**