



South Oxfordshire Local Plan 2033
 Publication Version
 Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

South Oxfordshire
 Local Plan 2033

Please return by 5pm on Thursday 30 November 2017 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@southoxon.gov.uk

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

2. Agent's Details (if applicable)

Title	Mr	Mrs
First Name	James	Vicky
Last Name	Martin	Fowler
Job Title (where relevant)	Joint Managing Director	Partner
Organisation representing (where relevant)	Killinchy Aerospace Holdings Limited and Martin-Baker Aircraft Company Limited	Gowling WLG
Address Line 1	Lower Road	4 More London Riverside
Address Line 2	Higher Denham	
Address Line 3		
Postal Town	Near Uxbridge	London
Post Code	UB9 5AJ	SE1 2AU
Telephone Number		0207 759 6650
Email Address		vicky.fowler@gowlingwlg.com

Sharing your details: please see page 3

Part B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	STRAT 9	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is: *(Please tick as appropriate)*

4. (1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4. (2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4. (3) Complies with the Duty to Cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

5. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Chalgrove Airfield is currently identified as a strategic housing site in draft Local Plan Policy STRAT 9. Chalgrove Airfield is, however, leased to Killinchy Aerospace Holdings Limited ("Killinchy"). Killinchy's lease is not due to terminate until March 2063 and is a protected lease under the Landlord and Tenant Act 1954 allowing Killinchy to apply for a new lease in March 2063. The delivery of development at Chalgrove Airfield, therefore, requires the agreement of Killinchy to surrender its lease.

The use permitted by the lease is for buildings, constructions, runways, taxi tracks, access roads and hardstandings for research and development work of aircraft ejection equipment, the supply, testing and fitting of aircraft ejection equipment and the provision of technical and administrative facilities in connection with that use. This includes the operation of aircraft used for research and development work on aircraft ejection equipment and the test dropping of such equipment and also for aircraft operated either by the tenant or its customers or prospective customers. The remainder of the premises can be used for that purpose or for agriculture.

Killinchy's operating subsidiary, Martin-Baker undertake the development and testing of aircraft ejection equipment and the operation of a pyrotechnic facility at Chalgrove Airfield and also use the runway at Chalgrove for the landing and take-off of its own aircraft as well as the aircraft of customers. Martin-Baker has been the world leader in the design and manufacture of ejection and crashworthy seats for nearly 70 years. As a company Martin-Baker have delivered over 70,000 ejection seats to 93 air forces around the world. Alongside ejection seats, Martin-Baker also develops a range of special crashworthy seats for helicopters and fixed-wing aircraft, currently equipping over 60 helicopter variants. Altogether, Martin-Baker has saved over 7,500 lives with its ejection seat technology.

Martin-Baker's latest designs offer unprecedented life-saving capabilities, with over 17,000 seats currently in service in 54 different aircraft types across 84 countries and these numbers are ever

growing. Martin-Baker own over 53% of the global ejection seat market and this is forecast to grow in the coming years.

Martin-Baker operates from two sites in the United Kingdom, Denham and Chalgrove and operates a track testing facility at Langford Lodge in Northern Ireland. Pyrotechnics have always played a large part in the design and production of Martin-Baker's ejection seats and, most importantly, their ejections. Martin-Baker manufactures and tests all of its own pyrotechnics at Chalgrove Airfield. The operations at Chalgrove Airfield also provide a world class testing centre approved to US and NATO military standards. Testing undertaken at the airfield includes airborne ejection tests from 2 specially modified aircraft.

The business operations undertaken by Martin-Baker have, therefore, not just national importance but also global importance in terms of the centre being approved by Defence Departments around the world and being only one of two such testing facilities in the World. Martin-Baker needs to continue its operations at Chalgrove Airfield for the foreseeable future.

The directors of Killinchy/Martin-Baker have been in discussions with the Homes and Communities Agency (HCA) (who now own the freehold of part of the airfield) on a non-committal basis to see if there are solutions which would meet the HCA's desire to ensure that an appropriate amount of housing is delivered at Chalgrove Airfield but which also ensures Martin-Baker's ability to operate at Chalgrove Airfield is protected.

The directors recognise the role of the HCA and the need for housing in South Oxfordshire District Council and why the Council have selected Chalgrove Airfield as a strategic site. As noted above, however, Martin-Baker's operations are of global importance. Importantly Martin-Baker has unrestricted use of the airfield in terms of its testing facility and flights taking off and landing on the runway and is able to operate a globally significant pyrotechnic facility. The directors of Killinchy/Martin-Baker continue to have concerns with the siting of such a large number of residential units next to a world-class and internationally important testing facility. Martin-Baker need to have the comfort that its existing operations at Chalgrove Airfield and its use of the runway would not become restricted either through planning conditions imposed on the use of a relocated runway or its existing facilities or through nuisance claims being brought.

Martin-Baker acknowledges that the HCA has done a lot of work on master-planning to seek to provide that comfort and discussions have continued to date. At this point in time there is no agreement between Killinchy/Martin-Baker and the HCA in respect of the surrender of Killinchy's lease over that part of the site required for redevelopment and the relocation of the existing runway to facilitate the redevelopment of the scale proposed by the HCA. Until Martin-Baker are satisfied on the issues raised in this representation Killinchy' are unable to agree to a surrender of its lease.

If Martin-Baker is unable to be satisfied on the issues raised, so that there is no agreement to surrender their lease, there can be no certainty of delivery of the proposal within the plan period.

(Continue on page 4 /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 5 above. (NB Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy STRAT 9 currently requires that the strategic allocation safeguards land for the future operations of Martin-Baker. As explained above, Martin-Baker's concerns are wider than having land safeguarded for its future operations it needs to operate unhindered. The policy, if it is to remain, should require the strategic allocation to deliver:

"a layout and form that respects and protects Martin-Baker's existing operations continuing unhindered and to ensure that the relocation of the existing runway enables Martin-Baker to have unrestricted use in terms of aircraft movements and the operation of its pyrotechnic facility".

Martin-Baker reserves the right to make representations to the Inspector conducting the Examination (at the Inspector's request) as to whether the above modification is achievable and, therefore, whether the policy is deliverable. If the development supported by the policy is not deliverable then the allocation should be removed given the importance of Martin-Baker's operations.

The supporting text should also make reference to the noise assessment required to support this proposal paying careful attention to the relationship of the site to the existing and relocated runway and that appropriate mitigation must be incorporated within the proposal to enable Martin-Baker to have unrestricted use in terms of aircraft movements.

The inclusion of 3 pitches for Gypsies and travellers should be removed from the allocation. This requirement imposes an additional land-use requirement on a site where the developable area would need to be constrained to protect Martin-Baker's operations.

(Continue on page 4 /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Killinchy and Martin-Baker would wish to reserve their position. As noted discussions are continuing. This is, however, a strategic allocation and given Martin-Baker's operations are of global importance it is right that the strategic allocation and the relationship between residential development and Martin-Baker's operations are fully considered by the inspector examining the plan.

Please note the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Date:

Sharing your personal details

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of

the Local Plan after the Publicity Period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the council and the Inspector and respondents and the Inspector.

Representations cannot be treated as confidential and will be published on our website alongside your name. If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations are available for public viewing at our council office by prior appointment. All representations and related documents will be held by South Oxfordshire District Council for a period of 6 months after the Local Plan is adopted.

Would you like to hear from us in the future?

I would like to be kept informed about the progress of the Local Plan

I would like to be added to the database to receive general planning updates

Please do not contact me again

Further comment: Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**

Alternative formats of this form are available on request. Please contact our customer service team on 01235 422600 (Text phone users add 18001 before you dial) or email planning.policy@southoxon.gov.uk

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