

**Land Adj To Promised Land Farm Wendlebury
Road Chesterton**

22/03730/DISC

Case Officer: Laura Bell

Recommendation: Approve

Applicant: Albion Land Limited (c/o Quod)

Proposal: Discharge of Condition 28 (Landscape and Ecology Management Plan)
of 19/01746/OUT

Expiry Date: 6 February 2023

Extension of Time: 23 June 2023

APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site relates to a parcel of land to the south of Bicester and east of Wendlebury Road comprising an existing chicken farm and associated buildings. The land benefits from outline planning permission for B1 office employment development. Planning permissions were granted under refs: 19/01746/OUT and 19/01740/HYBRID.

CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This submission seeks to discharge condition 28 of 19/01746/OUT in full.

RELEVANT PLANNING HISTORY

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

Application: 19/01746/OUT Permitted 24 September 2020

Outline planning application (with all matters reserved excluding access) for B1 development (B1a and/or B1b and/or B1c); access and associated landscaping and infrastructure works

Application: 20/02647/DISC Permitted 21 June 2021

Discharge of condition 22 (Archaeological scheme of investigation)
19/01746/OUT

Application: 21/01598/DISC Permitted 23 June 2021

Discharge of condition 14 (construction management plan), 15 (construction environmental management plan) of 19/01746/OUT

Application: 21/03424/DISC Permitted 10 December 2021

Discharge of condition 26 (Proposed Water Routing) of 19/01746/OUT

Application: 21/04143/DISC Permitted 11 March 2022

Discharge of condition 22 (Archaeological Written Scheme of Investigation) of 19/01746/OUT

Application: 22/01945/REM Permitted 12 October 2022

Reserved matters application to 19/01746/OUT - layout, scale, appearance and landscaping details for employment development (10,195sqm GIA), with associated landscaping and infrastructure works.

Application: 22/03729/DISC

Partial discharge of Condition 49 (Landscape and Ecology Management Plan) pursuant to Phase 2 of 19/01740/HYBRID

RESPONSE TO PUBLICITY

4.1 N/A

RESPONSE TO CONSULTATION

- 5.1. CDC Ecology - The updated LEMP addresses my previous comments in point 7.4. The LEMP condition can be discharged.
- 5.2. CDC Landscape - Relevant Standards and Legislation I would also include the most current recommendations for trees BS 8545: 2014 Trees: from nursery to independence in the landscape – Recommendations. Shrubs Species and cultivars are to be pruned particularly to maximise flowering and berrying for amenity and wildlife.

APPRAISAL

- 6.1. Condition 28 states the following:

Prior to the first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

- 6.2. The applicants have agreed to the additional minor requirements set out by the Landscape and Ecology Officers and amended the LEMP to include it and as such, the requirements of the condition are considered to be met.

- 6.3. It is noted that there are several other LEMP's that have been discharged under condition 28 as part of earlier phases.
- 6.4. The original application was EIA development. This application is not a 'subsequent application' as it is not a pre-commencement requirement. The ES accompanying the original application is still considered adequate to consider the content of this submission. The species surveys accompanying the ES confirmed that the site has limited value to protected species (except for bats) and the creation of wetland habitat remains an important enhancement for ecology and biodiversity. The LEMP sets out, inter alia, how the wetland areas will be appropriately managed and maintained, along with measures to increase structural diversity and species composition across the site, which is compatible with the conclusions of the ES. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

1. RECOMMENDATION

That Planning Condition 28 of 19/01746/OUT be discharged based upon the following:

Condition 28

- The Landscape and Ecological Management Plan dated 12 June 2023, for units 10,11,12 and 13 – RM5 report no.LB291/R04d/AL/DB Rev e.

Case Officer: Laura Bell

DATE: 20 June 2023

Checked By: Caroline Ford

DATE: 22 June 2023
