

5 August 2022
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Dear Katherine,

**Non-material amendment to planning application
14/02121/OUT under section 96A Town and Country Planning Act 1990 (NMA)
Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire
On Behalf of Desiman 2 Limited**

This cover letter is in support of an application for a non-material amendment conditions 7-11 and the Decision Notice of outline planning permission reference: 14/02121/OUT on behalf of our client Desiman 2 Limited.

This submission comprises the following:

1. This cover letter
2. Application fee of £234
3. Site location plan, drawing reference: P20-3215_12-00
4. Copy of outline planning permission decision notice reference: 14/02121/OUT

Proposed change

In order to allow submission of details required under the stated planning conditions prior to or alongside submission of the first reserved matters application we propose to alter the first sentence of the five conditions which begin '*Prior to the submission of the first reserved matters application*', that is conditions 7-11 of 14/02121/OUT, to read '*Prior to or alongside the submission of the first application for approval of reserved matters*'. We feel that these conditions do not go to the heart of the permission and that this minor change in wording, to allow flexibility in the order in which submissions can be made, would not constitute a material change to 14/02121/OUT. For clarity see Appendix 1 for details of the suggested conditions.

In addition, the section heading in the decision notice, above condition 7 on page 3, states 'CONDITIONS REQUIRED TO BE COMPLIED WITH PRIOR TO THE SUBMISSION OF RESERVED MATTERS', which we propose is changed to 'CONDITIONS REQUIRING INFORMATION TO BE SUBMITTED PRIOR TO OR ALONGSIDE SUBMISSION OF THE FIRST APPLICATION FOR APPROVAL OF RESERVED MATTERS'. This would prevent a conflict between the section heading and the altered conditions.

Please do not hesitate to contact me with any queries otherwise we look forward to your reply.

Yours sincerely,



John Gale MSc, L-RTPI
Senior Planner
cc. Desiman 2 Limited





Appendix 1.

Complete draft of the newly worded conditions for clarity;

~~CONDITIONS REQUIRED TO BE COMPLIED WITH PRIOR TO THE SUBMISSION OF RESERVED MATTERS~~

CONDITIONS REQUIRING INFORMATION TO BE SUBMITTED PRIOR TO OR ALONGSIDE SUBMISSION OF THE FIRST APPLICATION FOR APPROVAL OF RESERVED MATTERS

7. Prior to **or alongside** the submission of the first **application for approval of** reserved matters ~~application~~, a phasing plan covering the entire site the subject of this application, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the approved phasing plan and development shall proceed in accordance with the approved phasing.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Policy Bicester 1, SLE4 and INF1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

8. Prior to **or alongside** the submission of the first **application for approval of** reserved matters ~~application~~ (other than on the area annotated as 'Other Uses' on Land Use Parameter Plan 4 drawing number 592-PL-103 Rev K where a Masterplan has been approved for that area pursuant to condition 9), a site wide Masterplan and Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall set out the urban design approach for the site to include a regulating plan and supporting information to include:

- Details to provide continuity with adjacent development
- A detailed masterplan for the area fronting the Middleton Stoney Road annotated as 'Other Uses' on Land Use Parameter Plan 4 drawing number 592-PL-103 Rev K showing the location of each of the land uses
- Key approaches to deliver sustainable development that as a minimum meets the Eco Town PPS standards
- The identification of Character areas and for each, the built form and green spaces to include their key features, density, block layout and principles, structure and permeability
- Movement network and principles of streetscape including access locations, hierarchy, street type, form and design, cross sections, surface materials and landscaping, cycleways, footways, crossing points, street furniture, bus routes and stop locations
- Parking strategy including car and cycle parking standards and approach for residential and non-residential uses
- Public realm
- Building heights, scale, form, design features materials, architectural details and frontages
- Boundary treatments
- Key views, vistas, landmarks
- Landscape character, landscape types, green infrastructure, amenity spaces, public open space, play areas including their distribution, existing trees and retained hedges and biodiversity measures
- Provision and details of buffers to retained hedgerows and dark corridors for biodiversity
- Legibility and diversity of built form and landscape
- Landscape and boundary treatment principles for the buffer surrounding Himley Farm
- Drainage including sustainable urban drainage features
- Adaptability

All reserved matters applications shall be made and the development shall thereafter be carried out in accordance with the principles of the approved Masterplan and Design Code.

Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework and Policies Bicester 1 and ESD15 of the Cherwell Local Plan Part 1 2011-2031. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

9. Prior to **or alongside** the submission of the first **application for approval of reserved matters application** and in the event that the Design Code has not been approved, a detailed masterplan for the area fronting the Middleton Stoney Road annotated as 'Other Uses' on Land Use Parameter Plan 4 drawing number 592-PL-103 Rev K, shall be submitted to and approved in writing by the Local Planning Authority. The masterplan shall show the location of each of the land uses, access and parking locations, key frontage and public space conditions and landscape principles. All reserved matter applications for the area covered by the Masterplan approved by this condition 9 shall be made and the development shall thereafter be carried out in accordance with the principles of the approved Masterplan.

Reason: To ensure the creation of a high quality design for the mixed use area in accordance with Government guidance in the NPPF and Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

10. Prior to **or alongside** the submission of the first **application for approval of reserved matters application**, a Bio Diversity Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. Each reserved matter application shall be accompanied by a statement setting out how the Application No.: 14/02121/OUT proposed development will contribute to achieving the Bio Diversity Strategy and net biodiversity gain. The development shall be carried out in accordance with the approved Bio Diversity Strategy.

Reason: To secure net biodiversity gain in accordance with Policies Bicester 1 and ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the Eco Towns PPS and National Planning Policy Framework. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.

11. Prior to **or alongside** the submission of the first **application for approval of reserved matters application**, a full surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, shall have been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Discharge Rates*
- Discharge Volumes*
- Sizing of features - attenuation volume*
- Infiltration in accordance with BRE365*
- Detailed drainage layout with pipe numbers*
- SUDS - Swales, Ponds, Permeable Paving, Filter Strips, Rain Gardens*
- Network drainage calculations*
- Phasing*

Reason - To mitigate the risk of surface water flooding, protect water quality and biodiversity on the site in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework. This information is required prior to commencement of any development as it is fundamental to the acceptability of the scheme.