

Case Officer: Rebekah Morgan

Recommendation: Approval

Applicant: Bicester Motion

Proposal: Outline: Provide new employment units comprising B1 (Business), B2 (General Industrial), B8 (Storage) and D1 (Education) uses with ancillary offices, storage, display and sales, with all matters reserved except for access

Expiry Date: 25 February 2020

Extension of Time: 27 August 2021

1. Introduction

- 1.1. This report provides an update following the application being considered at Planning Committee on 16 July 2020.

2. Scope of Delegation

- 2.1 The resolution of the Committee was to delegate to the Assistant Director Planning and Development powers to grant permission for application 19/02708/OUT subject to:

- 1) The completion of a planning obligation under section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
 - a) Strategic Highways Contribution (Skimmingdish Lane) - £219,191.00
 - b) Traffic Regulation Order - £6,240.00
 - c) Travel Plan Monitoring Fee - £2,346.00
 - d) Highway Works 1 (Banbury Road Roundabout) – £86,517.86
 - e) An obligation to enter into a Section 278 agreement
- 2) The published conditions (and any amendments to those conditions as deemed necessary)

Or, if no agreement could be reached in respect to the s106, then to refuse permission

- 2.2 Have the terms of the delegation been met? – **Yes.**
- 2.3 The applicant has agreed to enter into a Section 106 agreement with Oxfordshire County Council regarding the provision of highway works or contributions towards them.
- 2.4 The conditions have been amended where necessary to take account of changes to the Use Class Order (which came into effect in September 2020) and to address some issues raised by the applicant. Where necessary, consultation has taken place with relevant consultees and the agreement of the Assistant Director for Planning has been sought. A final set of conditions (including pre-commencement conditions) has been agreed in writing with the agent.

- 2.5 A copy of the signed Section 106 agreement has been provided to the Local Planning Authority on 25 August 2021 and placed on the planning register.

3. Post Committee Submissions /Representations

- 3.1 Was anything received after the committee? – **No**.
- 3.2 Informal consultation undertaken with the Committee Chairman, Cllr George Reynolds. He advises that there nothing there he disagrees with as it is mainly highway details.

4. Other material changes

- 4.1 Have there been any other material changes in circumstances since the Committee resolution (changes to policy, new Govt Guidance etc). Do these necessitate the application being returned to the committee? – **Yes**.
- 4.2 On the 1st September 2020 The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force. Paragraphs 4 and 5 of the regulations makes it clear that any application received prior to the 31st August 2020 (which is the case for this application) should be determined by reference to those Use Classes which applied in relation to England and were specified in the Schedule of the Use Classes Order on 31st August 2020. As such the description of the development has not changed and the application does not need to be re-considered by the Committee.
- 4.3 The condition relating to permitted uses has been amended to include additional text to ensure it is clear which Use Classes the proposed uses will fall within in the future. The purpose of this is to make it clear prior to the submission of any reserved matters applications.

5. Summary

- 5.1 On this basis, the decision can be issued.

Case Officer:	Rebekah Morgan	20 August 2021
Checked By:	Andy Bateson	26 August 2021
Authorised By:	David Peckford	27 August 2021