

Case Officer: Bernadette Owens

Recommendation: Approve

Applicant: Albion Land (2013) Limited c/o Quod

Proposal: Discharge of conditions 9 (Phasing Plan); 10 (CMP); 11 (CEMP); 13 (AMS); 14 and 41 (Intrusive Investigation) of 19/01740/HYBRID

Expiry Date: 20 November 2020

Extension of Time: N/A

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

1.1. The application site relates to a parcel of land to the west of Bicester and east of Wendlebury Road. The land benefits from outline planning permission for B1 development on the main part of the site with full detailed planning permission for a health club within a smaller parcel within the north west corner of the site. Planning permission was granted under ref. 19/01740/HYBRID

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. The application seeks to discharge conditions 9 (Phasing Plan); 10 (CMP); 11 (CEMP); 13 (AMS); 14 and 44 (Intrusive Investigation). Conditions 10 and 11 are worded to allow discharge on a phased basis. The application seeks to discharge details in respect of these conditions for the enabling phase of the development only, to be followed by a further submission of details relating to the construction phase as identified on the submitted phasing plan.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:
19/01740/HYBRID

'Hybrid' planning application comprising: - Outline planning permission (all matters reserved except for access) for B1 development (Use Classes B1a and/or B1b and/or B1c); highway works (including provision of a new roundabout at the junction between Vendee Drive and Wendlebury Road); creation of a wetland and landscaped areas and associated infrastructure works. - Full planning permission for a health and racquets club, associated access and car parking, outdoor tennis courts, air dome, outdoor swimming pool, spa garden and terrace, and associated landscaping.

19/01746/OUT

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

4. RESPONSE TO CONSULTATION

4.1 OCC Drainage: No objection to the discharge of conditions

4.2 OCC Highways: No objection to the discharge of conditions. Some detailed comments made.

4.3 CDC Ecology: Detailed comments made.

4.4 CDC Arboriculture: No objection to the discharge of conditions.

4.5 CDC Environmental Health: No objection to the discharge of conditions.

5. APPRAISAL

- 5.1. Condition 9 – Drawings are submitted showing the phasing of the development in two phases. Phase 1 includes the enabling works such as ground works, drainage and services and Phase 2 is the construction above ground.
- 5.2. Plan 18022-SK-123D shows the works proposed as phase 1. This includes details of works across the entire outline application site as well as the full application/DLL site. It should be made clear that the discharge of this condition and the submitted plan is only approved in relation to the DLL site and not the wider site.
- 5.3. The applicant has confirmed that further condition discharge applications have been made to cover the wider site and that works will not take place until these conditions have been discharged.
- 5.4. Condition 10 – OCC Highway Officer has reviewed the submitted information and has raised no objection. A point has been made relating to wheel washing facilities and the preference to see a commitment to a road sweeping regime.
- 5.5. The CMP sets out that road sweepers will be employed for the duration of the project and will be utilised around planned work activities. Whilst it is appreciated that a commitment to a regular regime will be easier to monitor, this may not always coincide with the activities on site depending on work schedules at the time. The commitments set out within the CMP are considered to be satisfactory to comply with the condition and control the transfer of mud on to the public highway.
- 5.6. Condition 11 – CDC Ecology officer has provided comment on the submitted information. A revised CEMP has been submitted to take account of those comments and the submitted information is now considered to be acceptable to discharge the condition.
- 5.7. OCC Highway Officer has reviewed the submitted information and has raised no objection although has commented that a dilapidation survey will be required to discharge this condition for the next stage (phase) of the development.
- 5.8. Condition 13 – CDC Tree officer has advised that whilst the submitted plan is not a full AMS as required by the condition, the submitted information is considered acceptable to discharge the condition for the DLL site.
- 5.9. Condition 14 and 41 – CDC Environmental Health Officer has reviewed the submitted reports and is satisfied that the conditions can be discharged.
- 5.10. The original application 19/01740/HYBRID was EIA development. This DISC application is a subsequent application. The information submitted pursuant to the discharge of these conditions was not included within the Environmental Statement submitted with the application although they will support the development of the site to the satisfaction of the local planning authority in consideration of the environmental impacts. 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.

6. RECOMMENDATION

That Planning Condition(s) 9; 10; 11; 13; 14 and 41 of 19/01740/HYBRID be discharged based upon the following:

Condition 9 – plan no.s 18022-SK-123D; 18022-SK-128A

Condition 10 (Enabling Phase) – Construction Management Plan (Issue 2 – November 2020)

This condition is discharged for the Enabling Phase of the David Lloyd Health club site only.

Condition 11 (Enabling Phase) – Construction Environmental Management Plan (Issue 2 – November 2020)

This condition is discharged for the Enabling Phase of the David Lloyd Health club site only.

Condition 13 – plan no. 11920_P03A

Condition 14 – Report on Ground Investigation ref. AG2875A-20-AK72 (September 2020)

Condition 41 – Report on Ground Investigation ref. AG2875A-20-AK72 (September 2020)

Case Officer: Bernadette Owens

DATE: 1st December 2020

Checked By: Caroline Ford

DATE: 2nd December 2020
