

Case Officer: Bernadette Owens

Recommendation:

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

Proposal: Discharge of Condition 25 (Phasing), Condition 36 (Construction Management Plan), Condition 37 (Construction Environmental Management Plan for Biodiversity), Condition 38 (Tree Protection), Condition 39 (Training and Employment Plan) and Condition 45 (Site Access) and Partial Discharge of Condition 40 (Sustainable Drainage) and Condition 46 (Estate Roads, Parking and Turning Areas) of 19/01740/HYBRID

Expiry Date: 5 January 2021

Extension of Time:

1. 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. 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 25 (Phasing Plan); 36 (CMP); 37 (CEMP); 38 (Tree Protection); 39 (Training and Employment Plan); 45 (Site Access); and partial discharge of condition 40 (Sustainable Drainage) and 46 (Estate Roads, Parking and Turning Areas).

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: Condition 40 can be discharged (Phase 1 only).

4.2 OCC Highways: No objection to the discharge of conditions 36 and 45.

Objection maintained to the discharge of conditions 46.

- 4.3 CDC Ecology: The revised CEMP fully addresses previous comments and the condition can be discharged.
- 4.4 CDC Arboriculture: No comments received.
- 4.5 CDC Environmental Health: No objection to the discharge of conditions.

5. APPRAISAL

- 5.1. Condition 25 – The submitted phasing plans are acceptable to discharge the condition.
- 5.2. Condition 36 – The submitted CMP is acceptable to discharge the condition.
- 5.3. CDC Environmental Health Officer has also reviewed the submitted reports and is satisfied that the condition can be discharged.
- 5.4. Condition 37 – A revised CEMP has been submitted to address the initial comments made by the Council's Ecologist. The revised CEMP is now considered to have addressed all the issues and the condition can be discharged.
- 5.5. CDC Environmental Health Officer has also reviewed the submitted reports and is satisfied that the conditions can be discharged.
- 5.6. Condition 38 – The Council's Tree officer has not provided comment on the submitted information. Having reviewed the submitted plan, the detail provided clearly shows trees to be retained and those to be removed due to poor condition or to enable to development. This is considered to be acceptable in accordance with the Outline consent already granted for the development of the site. Detail of tree protection measures including specification, location and duration of erection are shown and are also considered to be acceptable. The condition can be discharged.
- 5.7. Condition 39 – A revised Training and Development Plan (Feb 2021) has been submitted to secure a minimum number of apprenticeships and is now considered to be acceptable to discharge the condition.
- 5.8. Condition 40 (Phase 1 ONLY) – OCC Drainage officers are satisfied that the condition can be discharged in so far as it relates to phase 1 of the development of the site.
- 5.9. Condition 45 – OCC Transport Development Control officers have raised no objection to the discharge of the condition.
- 5.10. Condition 46 (Phase 1 ONLY) – Whilst OCC Transport Development Control maintain their objection to the discharge of this condition, on the basis of the provision of a 2m wide footpath/cycleway into the site. This detail follows the access arrangements and parameter plans approved at the outline stage. The s278 application for the access arrangements has now also been approved. On this basis, it is considered that the submitted detail is acceptable to discharge the condition.
- 5.11. In addition to the above, the Council's Landscape officer has commented on the removal of trees within the site. These comments are not relevant to the discharge of the above conditions. The principle of the development in the form proposed has already been considered and approved under planning permission ref. 19/01740/HYBRID

5.12. 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) 25; 36; 37; 38; 39; 40; 45; and 46 of 19/01740/HYBRID be discharged based upon the following:

Condition 25 – Phase 1 - 18022-SK-124D; Phase 2 - 18022-SK-126C; Phase 3 - 18022-SK-127D

Condition 36 – Parkway Construction - Construction Management Plan - Issue 2 - November 2020; Site Set up Plan C200-SSP-001C; Traffic Routing Plan C200-SSP-900; Environmental Risk Assessment - July 2020; Materials Scheme; Vehicle Wash Details.

Condition 37 – Parkway Construction - Construction Environmental Management Plan - Issue 3 - December 2020;

Condition 38 – Tree Removal and Protection Plan - 11920_P03 A

Condition 39 – Training and Employment Plan February 2021

Condition 40 (Phase 1 Only) – S1358-PH1-01F; S1358-PH1-02F; S1358-PH1-03E; S1358-PH1-05D; S1358-PH1-06C; S1358-PH1-11D; S1358-PH1-13D; Sustainable Urban Drainage Strategy (SuDS); & Maintenance and Management Plan S1358/200923 dated September 2020.

Condition 45 – S1358-S278-03E; S1358-S278-04D; S1358-S278-05E; S1358-S278-17E; S1358-S278-16F; S1358-S278-09E; S1358-S278-08E; S1358-S278-07E; S1358-S278-06D.

Condition 46 (Phase 1 only) – S1358-PH1-17C; S1358-PH1-16F; S1358-PH1-15C; S1358-PH1-12D; S1358-PH1-14D; 19539-20A.

Case Officer: Bernadette Owens

DATE: 12th March 2021

Checked By: Andy Bateson

DATE: 25th March 2021
