

Case Officer: Rebekah Morgan

Recommendation: Approve

Applicant: Morley Stores

Proposal: Discharge of conditions 4 (means of access), 5 (turning area details), 6 (detailed scheme for the surface water and foul sewage drainage) and 9 (Construction Environment Management Plan) of 20/02139/F

Expiry Date: 2 September 2021

Extension of Time: 29 April 2022

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site is located in the east of the town of Bicester and is accessed off Launton Road to the south-east. The site is currently occupied by the former vehicle testing buildings and hardstanding to the front of the site. The existing buildings on the site are externally faced in brickwork and corrugated metal. The site is located in an area of industrial uses, with retail warehouse units further to the south-west and residential properties to the north.
- 1.2. The proposal sought permission to demolish the existing buildings on site and erect two new commercial buildings, along with making alterations to the access onto Launton Road.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. Condition 4 states: *“No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter.*

Reason – In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, the requirements of Bicester LCWIP and LTN 1/20, and Government guidance contained within the National Planning Policy Framework”.

- 2.2. Condition 5 states: *“No development shall commence unless and until full specification details (including construction, layout, surfacing and drainage) of the turning area and 49 parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority. The turning area and car parking spaces shall be constructed in accordance with the approved details prior to the first occupation of the development shall be retained as such for the parking and manoeuvring of vehicles at all times thereafter.*

Reason – In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework”.

- 2.3. Condition 6 states: “No development shall commence unless and until a detailed scheme for the surface water and foul sewage drainage of the development has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be fully carried out prior to the commencement of any building works on the site, and the approved foul sewage drainage scheme shall be implemented prior to the first occupation of any building to which the scheme relates. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption”.

Reason – To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.”

- 2.4. Condition 9 states: “No development shall commence unless and until a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with approved CEMP.

Reason – To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework”.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal other than:

20/02139/F: Demolition of existing VOSA buildings and the erection of two new commercial buildings. Permitted.

4. RESPONSE TO CONSULTATION

- 4.1 CDC LAND DRAINAGE: No comments on land drainage/flood risk. The foul and surface water drainage strategies are acceptable in principle, but subject to S.106 connection consents from Thames Water.

- 4.2 CDC ENVIRONMENTAL PROTECTION: I have reviewed the additional information supplied, Construction Environment Management Plan and am satisfied that condition 9 can be discharged.

- 4.3 OCC HIGHWAYS:

Condition 4 (Means of access) – No objection;

Condition 5 (Turning area details) – No objection;

Condition 6 (Drainage) – No comment; and

Condition 9 (CEMP) – No objection.

Detailed comments:

Condition 4 - Since our previous response to application no. 20/02139/F, it has become clear that the means of access to the site should be fully LTN1/20 compliant. This entails a fully segregated cycle/pedestrian path along the frontage of the site including a 3m wide cycle path, 2m wide footpath and fully set back crossing facility. The applicant has submitted updated drawings which show an LTN1/20 compliant solution to the access.

The ghost right turn lane has been removed. On balance, the benefits to cyclists and pedestrians were considered to outweigh any potential disruptions to the flow of traffic which remain unlikely. The proposals are now considered LTN1/20 compliant and as such, OCC do not object to the discharge of condition 4 (means of access).

Condition 5 – The submitted tracking diagrams show an articulated vehicle safely entering and exiting the site.

- 4.4 OCC DRAINAGE: I had a review of the latest drainage drawing sent out. I'm happy to grant approval to discharge conditions for the above application.

5. APPRAISAL

- 5.1. Condition 4 – The proposed details have been amended during the application in response to the initial comments received from OCC Highway Officers. The amended drawings now include a fully segregated cycle/pedestrian path along the frontage of the site including a 3m wide cycle path, 2m wide footpath and fully set back crossing facility, which will be in full accordance with LTN 1/20.

The ghost right turn lane was removed from the scheme. OCC highway officers have advised that on balance, the benefits to cyclists and pedestrians were considered to outweigh any potential disruptions to the flow of traffic which remain unlikely.

OCC Highway officers have confirmed that the amended details set out a proposed scheme that they consider comply fully with the guidance set out in LTN 1/20.

The proposed access details are considered to be acceptable, and it is therefore recommended the condition is discharged.

- 5.2. Condition 5 – The applicant has demonstrated a layout that provides 49 parking spaces and sufficient space for the manoeuvring of an articulated vehicle to enter/exit the site. OCC Highway officers confirmed the details are acceptable.

The proposed turning area specification and car parking details are acceptable and the condition is therefore recommended to be discharged.

- 5.3. Condition 6 – There has been an ongoing dialogue with the LLFA regarding the proposals. Amended and additional information has been submitted in response to the initial objections that were raised.

The LLFA is now satisfied with the submitted drainage drawings and calculations.

CDC land drainage have advised the foul and surface water drainage strategies are acceptable in principle and the applicant has provided a copy of the relevant consent from Thames Water to connect indirectly to the sewer network.

Overall, the proposed drainage details are considered acceptable and the condition is recommended to be discharged.

- 5.4. Condition 9 – The submitted Construction Environment Management Plan was amended following initial comments made by OCC Highways and the revised proposals deemed acceptable. The Council’s Environmental Protection Officer has also confirmed the details are acceptable.

The amended document is considered to be acceptable and is it recommended the condition can be discharged on this basis.

6. RECOMMENDATION

That Planning Conditions 4, 5, 6 and 9 of 20/02139/F be discharged based upon the following:

Condition 4

- Drawing number 200 Rev D – [Section 278 Works – General arrangements, kerbing & Land dedication]
- Drawing number 201 Rev D – [Section 278 Works – Site clearance plan & existing services]
- Drawing number 202 Rev B – [Section 278 Works – Traffic Signs and Road Markings & Swept Path Analysis]
- Drawing number 203 Rev A – [Section 278 Works – Proposed Levels Plan]
- Drawing number 204 Rev C – [Section 278 Works – Construction Details]

Condition 5

- Drawing number E13 Rev B – [Impermeable Area Plan]
- Drawing number E19 Rev C2 – [External Works Detail 4 of 4]

Condition 6

- Drawing number E10 Rev C6 – [Proposed drainage layout]
- Drainage Statement – [Revision 1: March 2022]
- Revised Storm Calculations
- Thames Water ‘Notice of consent to indirectly connect to a public sewer’

Condition 9

- Revised Construction Environment Management Plan received 25/08/2021.

Case Officer: Rebekah Morgan

DATE: 27 April 2022

Checked By: Andy Bateson

DATE: 28th April 2022
