

**SITE: Unit D1 Graven Hill, Circular Road
Ambrosden**

22/01829/OUT

Case Officer: Laura Bell

Recommendation: Approval

Applicant: *Graven Hill Purchaser Ltd (c/o Resolute Property Consultancy Ltd)*

Proposal: 'Outline (fixing 'Access' only) – redevelopment of Graven Hill D1 Site, including demolition of existing buildings, development of B8 'Storage or Distribution' use comprising up to 104,008 sq. m (GIA), creation of open space and associated highway works, ground works, sustainable drainage systems, services infrastructure and associated works.'

EOT Expiry 31 10 2023

Date:05/10/23

1. Introduction

- 1.1. This report provides an update following the application being considered at Planning Committee on 8 December 2022.

2. Scope of Delegation

- 2.1 The resolution of the Committee was to delegate to the Assistant Director of Planning and Development **to grant permission** subject to;
- no new material planning considerations being raised before the expiry of the consultation and advert period,
 - conditions as set out (and any amendments to those conditions as deemed necessary) and;
 - the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, to secure the Heads of Terms set out in Appendix 1 of the committee report (and any amendments, additions and deletions as deemed necessary).
- 2.2 Have the terms of the delegation been met? **Yes** – The addition/amendment to the conditions as set out below meet the terms of the delegation. The S106 relates to County matters only and has been completed in accordance with the Heads of Terms presented to committee.

3. Post Committee Submissions /Representations

- 3.1 No new representations or consultation responses have been received since the date of committee. A minor technical error in respect of the deadlines relating to the expiry of the relevant re-consultation period, (relating to additional information being received relating to the Environmental Statement) occurred. The expiry date shown in the Council's electronic planning database (DEF) showed an expiry date of 5th

December 2022, whereas the site and press notices (correctly) showed an expiry date of 3rd December 2022. It is not considered that this undermines the decision of the committee, as the later date of 5th December was in the public domain (on the Council's website and planning register) and no new representations have been received in any event.

- 3.2 In accordance with Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Secretary of State for Levelling Up was notified of the planning application on 25/1/23. No representations were received as a result.

4. Other material changes

- 4.1 The applicants have sought to include an informative in relation to condition 23 (Hours of Operation), which seeks to provide clarity to prospective tenants and recognises that many B8 operators require a 24-hour use. The proposed informative is as follows:

Informative in relation to condition 23 (Hours of Operation)

In relation to condition 23, it is noted that many B8 occupiers require 24 hours use. The Council recognises that future occupiers may require 24-hour use and in principle, providing appropriate mitigation is submitted and approved in accordance with the requirements of condition 23, could be considered acceptable.

- 4.2 It is considered that the informative provides clarity to prospective tenants without fettering the Council's ability to assess the information required by condition 23 and therefore remains within the scope of delegation.
- 4.3 Since the resolution to grant consent, the BNG metric has been updated. However, the guidance issued by Natural England¹ states that users of previous versions of the metric should continue to use that metric (unless requested to do otherwise by their client or consenting body) for the duration of the project it is being used for.
- 4.4 There have not been any other material changes in circumstances since the Committee resolution which would necessitate the application being returned to the Committee.
- 4.5 Upon the granting of planning permission, in accordance with Regulation 30 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), the Council will publicise in the local press and notify the Secretary of State for Levelling Up of the decision.

5. Summary

- 5.1 On the basis of the above, the decision can be issued.

Case Officer: Laura Bell

DATE: 4th October 2023

¹ <https://publications.naturalengland.org.uk/publication/6049804846366720>

Authorised By: Paul Seckington

DATE: 5th October 2023
