

**Land Adj To Promised Land Farm Wendlebury
Road Chesterton**

22/03677/DISC

Case Officer: Laura Bell

Recommendation: Approval

Applicant: Albion Land Limited (c/o Quod)

Proposal: Partial discharge of Condition 40 (drainage details - Phase 2) of 19/01740/HYBRID

Expiry Date: 1 February 2023

Extension of Time:

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

1.1. The application site relates to a parcel of land to the southwest 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 northwest corner of the site.

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. This submission seeks to partially discharge condition 40 of 19/01740/HYBRID, which relates to detailed design, management and maintenance of the SuDS at the site. The partial discharge is sought in relation to the second (and final) phase of the development permitted by the HYBRID consent.

3. RELEVANT PLANNING HISTORY

The following planning history is considered relevant to the current proposal:

Application: Permitted 24 September 2020
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.

Application: 20/02648/DISC Permitted 2 December 2020

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

Application: 20/02649/DISC Permitted 21 October 2020

Discharge of conditions 16 and 43 (Archaeological written scheme of investigation) of 19/01740/HYBRID

Application: 20/03192/DISC Permitted 25 March 2021

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

Application: 20/03630/DISC Permitted 12 July 2021

Discharge of Condition 12 (landscaping scheme), 18 (Sustainable Drainage), 20 (Landscape and Ecology Management Plan (LEMP)), 21 (external lighting) and 22 (electrical vehicle charging) of 19/01740/HYBRID

Application: 21/03889/DISC Permitted 8 April 2022

Discharge of Conditions 48 (Framework Travel Plan), 49 (Landscape and Ecology Management Plan), 51 (Public Information Scheme relating to the Scheduled Ancient Monument) of 19/01740/HYBRID

Application: 22/00892/F Application Withdrawn 17 May 2022

Full planning application for Class E(g)(i) office development, associated access and car parking and associated landscaping

Application: 22/01632/REM Permitted 14 October 2022

Reserved matters application to 19/01740/HYBRID - layout, scale, appearance and landscaping details for Phase 2 of the employment development (11,309sqm GIA) with associated landscaping and infrastructure works

Application: 22/03674/DISC

Discharge of Condition 25 (phasing plan) of 19/01740/HYBRID

Application: 22/03675/DISC

Partial discharge of Condition 46 (spec of site roads, parking and turning areas - phase 2) of 19/01740/HYBRID

Application: 22/03676/DISC

Partial discharge of Condition 48 (Phase 2 Framework Travel Plan) of 19/01740/HYBRID

Application: 22/03729/DISC

Partial discharge of Condition 49 (Landscape and Ecology Management Plan) pursuant to Phase 2 of 19/01740/HYBRID

RESPONSE TO PUBLICITY

- 4.1 This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comment was the 23 February 2023.
- 4.2 No comments have been raised by third parties.

RESPONSE TO CONSULTATION

- 5.1. OCC Single Response (LLFA): No objection to discharge the condition.
- 5.2. CDC Landscape Services: No comments received.
- 5.3. Thames Water: No objection. The details relating to foul and surface water can be discharged.
- 5.4. National Planning Casework Unit (NPCU): No comments received.

4. APPRAISAL

- 6.1. Condition 40 states:

No development shall take place in any phase until a detailed design and associated Management and Maintenance Plan for surface water drainage for that phase, using sustainable drainage methods, has been submitted to and approved in writing by the Local Planning Authority. The relevant phase of the development shall be implemented in accordance with the approved detailed design prior to the first occupation of that phase and in accordance with the following, and the development shall be managed and maintained in accordance with the approved Management and Maintenance Plan. • S1358 - Ext - 34B - Tech Scheme Option 8 Drainage Layout • FRA (Issue 3) - Main Body Text (PART 1 OF 11) • Appendix A (PART 2 OF 11) • Appendix B (PART 3 OF 11) • Appendix C (PART 4 OF 11) • Appendix D (PART 5 OF 11) • Appendix E (PART 6 OF 11) • Appendix F (PART 7 OF 11) • Appendix G (PART 8 OF 11) • Appendix H (PART 9 OF 11) • Appendix J (PART 10 OF 11) • Appendix K (PART 11 OF 11)

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in accordance with Policy ESD8 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

- 6.2. The LLFA and Thames Water are content with the amended details provided and as such, the condition can be partially discharged.
- 6.3. The original application was EIA development and this submission is a 'subsequent application' under the EIA Regulations. The information submitted pursuant to the discharge of this condition was not included within the Environmental Statement submitted with the application although it will support the development of the site to the satisfaction of the local planning authority in consideration of the environmental impacts. For these reasons, the EIA is considered adequate for the purposes of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

RECOMMENDATION

That Planning Condition 40 of 19/01740/HYBRID be partially discharged based upon the following:

Condition 40

- Phase 2 Typical Drainage Details, S1358-PH2-12
- Drainage Calculations Exceedance Flood Routes, S1358-DD05 A
- SW Manhole Details, S1358-PH1-23B
- Phase 2 SW Drainage Layout, 51358 PH2 02 - B
- Unit 5 Drainage Layout, S1358 PH2 05 - B
- Unit 6 Drainage Layout, S1358 PH2 07 - B
- Unit 7 Drainage Layout, S1358 PH2 09 A
- Unit 8 and 9 Drainage Layout, S1358 PH2 11 - A
- Swale 2 Details, S1358 - PH2 - 17 - A
- Renewed ditch details, S1358 - PH2 - 22
- Unit 5 Inceptor (3) Details, S1358 - PH2 - 18
- Units 6&7 Interceptor (4) Details, S1358 - PH2 - 19
- Units 8&9 Interceptor (5) Details, S1358 - PH2 - 20
- Permeable Car Park Details, S1358 - PH2 – 21
- Sustainable Urban Drainage Maintenance and Management Plan S1358/ November 2022 Issue 3 prepared by Bailey Johnson Hayes

Case Officer: Laura Bell

DATE: 23 February 2023

Checked By: Caroline Ford

DATE: 24 February 2023
