

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

22/03692/DISC

Case Officer: Laura Bell

Recommendation: Approve

Applicant: Mr Kelvin Pearce

Proposal: Discharge of Condition 24 (lighting layout/vehicle tracking) of
19/01746/OUT

Expiry Date: 2 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 south of Bicester and east of Wendlebury Road comprising an existing chicken farm and associated buildings. The land benefits from outline planning permission for B1 office employment development. Planning permissions were granted under refs: 19/01746/OUT and 19/01740/HYBRID.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This submission seeks to discharge condition 24 of 19/01746/OUT, which relates to full specification details for the site roads.

3. RELEVANT PLANNING HISTORY

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

Application: 19/01746/OUT Permitted 24 September 2020

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

Application: 20/02647/DISC Permitted 21 June 2021

Discharge of condition 22 (Archaeological scheme of investigation)
19/01746/OUT

Application: 21/01598/DISC Permitted 23 June 2021

Discharge of condition 14 (construction management plan), 15 (construction environmental management plan) of 19/01746/OUT

Application: 21/03424/DISC Permitted 10 December 2021

Discharge of condition 26 (Proposed Water Routing) of 19/01746/OUT

Application: 21/04143/DISC Permitted 11 March 2022

Discharge of condition 22 (Archaeological Written Scheme of Investigation)
of 19/01746/OUT

Application: 22/01945/REM

Permitted

12 October 2022

Reserved matters application to 19/01746/OUT - layout, scale, appearance and landscaping details for employment development (10,195sqm GIA), with associated landscaping and infrastructure works.

Application: 22/03691/DISC

Discharge of Condition 2 (Phasing Plan Phase 3) of 19/01746/OUT

Application: 22/03693/DISC

Discharge of Condition 18 (SUDS/Drainage) of 19/01746/OUT

Application: 22/03694/DISC

Discharge of Condition 27 (Phase 3 Framework Travel Plan) of 19/01746/OUT

Application: 22/03706/DISC

Discharge of Condition 2 (External Lighting Layout) of 22/01945/REM

Application: 22/03728/DISC

Discharge of Condition 17 (Training and Employment Plan) of 19/01746/OUT

Application: 22/03730/DISC

Discharge of Condition 28 (Landscape and Ecology Management Plan) of 19/01746/OUT

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 comments was **23 February 2023**, although comments received after this date and before finalising this report have also been taken into account.
- 4.2 No comments have been raised by third parties.

RESPONSE TO CONSULTATION

- 5.1. CDC Ecology: With regard to the above discharge of conditions specifically the lighting aspect - I have had some trouble viewing the plan however it appears that there will be significant light spill into most of the trees on site and particularly there will be spill into the trees bordering the green space to the East of at least 2 lux on average. Most bats, particularly the rarer species, are deterred by this level of light. 1 lux is equivalent to twilight and lighter than this will affect the way nocturnal wildlife can use the site. If possible, I would look to try to reduce this spill onto vegetation, in particular pulling it back from the vegetation bordering the biodiversity mitigation area. I could not see any information on the proposed timing of lighting (time of year in use, whether some will be responsive lighting, will it be on all night etc..) and this would make a significant difference to its potential impact. Ideally, I would request this information is submitted.

- 5.2. CDC Environmental Health: No objection. Happy for condition to be discharged in respect of lighting.
- 5.3. OCC Single Response (Highways): No objection. I have reviewed the documents submitted in pursuit of discharging condition 24. While I note that these internal spaces shall remain private (and not adopted by the HA), I consider the detail therein being of a satisfactory standard to warrant officer support.
- 5.4. OCC Single Response (LLFA): No LLFA comments required.
- 5.5. National Planning Casework Unit (NPCU): No comments received.

APPRAISAL

- 6.1. Condition 24 states:

No development shall take place in any phase until, full specification details of the site roads, parking and turning areas to serve the development on that phase, which shall include swept path analysis, construction, layout, surfacing, lighting, drainage and visibility splays have been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of each phase of the development, the site roads and turning areas shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the phase of the development as it is fundamental to the acceptability of the scheme

- 6.2. Whilst the comments from the Ecology Officer are noted, the lighting details submitted to discharge this submission are listed as an approved drawing under the REM for phase 2 (22/01632/REM).
- 6.3. Given that the lighting scheme has already been judged to be acceptable for Phase 2 as part of the REM (and therein there is no limitation on hours of operation), it is not considered that the current submission could be reasonably refused on the basis of light spill/operational hours. As such, the details are considered sufficient to discharge the requirements of the condition.
- 6.4. 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.

4. RECOMMENDATION

That Planning Condition 24 of 19/01746/OUT be discharged based upon the following:

Condition 24

- External Lighting Layout (ref. 1760-ESC-00-ZZ-DR-E-2104-P1)

- Estate Road General Arrangement (ref. S1358-PH3-11)
- Estate Road Drainage Layout (ref. S1358-PH3-12)
- Estate Road Setting Out Details (ref. S1358-PH3-13)
- Unit 10 External Works (ref. S1358-PH3-04)
- Units 11-12 External Works (ref. S1358-PH3-06)
- Unit 13 External Works (ref. S1358-PH3-08)
- RM5 Units 10, 11, 12 & 13 Vehicle Tracking (ref. 24067-05-3)
- Unit 13 Vehicle Tracking (ref. 24067-04-3)
- Units 11 & 12 Vehicle Tracking (ref. 24067-04-2)
- Unit 10 Vehicle Tracking (ref. 24067-04-4)
- Units 11 & 12 Vehicle Tracking (ref. 24067-04-5)
- Unit 10 Vehicle Tracking (ref. 24067-04)
- Unit 13 Vehicle Tracking (ref. 24067-04-6)

Case Officer: Laura Bell

DATE: 27 February 2023

Checked By: Caroline Ford

DATE: 28 February 2023
