

Case Officer: Laura Bell

Recommendation: Approve

Applicant: Albion Land Limited (c/o Quod)

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

Expiry Date: 6 February 2023

Extension of Time: 23 June 2023

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 49 of 19/01740/HYBRID, which relates to the details of a Landscape and Environmental Management Plan (LEMP) for Phase 2 of the development, which is the final phase.

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.

20/02779/REM Reserved Matters application to 19/01740/HYBRID - layout, scale, appearance and landscaping details for Phase 1 of the employment development (5,126sqm GIA), enabling works for later phases and SuDS Swale delivery, with associated landscaping, utilities and access.

20/03192/DISC – PERMITTED - 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

20/03630/DISC – PERMITTED - 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

21/3889/DISC – PERMITTED - 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

4. RESPONSE TO PUBLICITY

4.1 N/A

5. RESPONSE TO CONSULTATION

5.1. CDC Ecology – No objection.

5.2. CDC Landscape - Relevant Standards and Legislation I would also include the most current recommendations for trees BS 8545: 2014 Trees: from nursery to independence in the landscape – Recommendations. Shrubs Species and cultivars are to be pruned particularly to maximise flowering and berrying for amenity and wildlife.

6. APPRAISAL

6.1. Condition 49 states the following:

Prior to the first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

6.2. The applicants have agreed to the additional minor requirements set out by the Landscape and Ecology Officers and amended the LEMP to include it and as such, the requirements of the condition are considered to be met. The amended document now addresses the issue of livestock grazing in wetland/scrape areas and how it will be managed.

6.3. It is noted that there are several other LEMP's that have been discharged under condition 49 as part of earlier phases.

6.4. The original application was EIA development. This application is not a 'subsequent application' as it is not a pre-commencement requirement. However, the ES accompanying the original application is still considered adequate to consider the content of this submission. The species surveys accompanying the ES confirmed that the site has limited value to protected species (except for bats) and the creation of wetland habitat remains an important enhancement for ecology and biodiversity. The LEMP sets out, inter alia, how the wetland areas will be appropriately managed and maintained, along with measures to increase structural diversity and species composition across the site, which is compatible with the conclusions of the ES. Therefore, 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 application.

7. RECOMMENDATION

That Planning Condition 49 of 19/01740/HYBRID be partially discharged based upon the following:

Condition 49

- The Landscape and Ecological Management Plan dated 4th May 2023 for units 5,6,7,8 and 9 – RM4 report no. LB291/R03f/AL/DB.

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DATE: 20 June 2023

Checked By: Caroline Ford

DATE: 22 June 2023
