

Case Officer: Imogen Hopkin

Recommendation: Approve

Applicant: CALA Chiltern

Proposal: Discharge of Condition 16 (energy performance standard) of
19/00616/OUT

Expiry Date: 24 February 2023

Extension of Time: 24 February 2023

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site refers to a small grouping of fields forming part of the open countryside on the eastern edge of Fritwell, south of Fewcott Road. The site is relatively flat with the boundaries delineated by varying densities of trees and hedgerows. The site contains some informally arranged outbuildings in its north-east corner. A public footpath runs immediately to the south of the site which is separated from the site by a hedgerow and links through to Southfield Lane and on to East Street.
- 1.2. The site benefits from approved outline and reserved matters applications, 19/00616/OUT and 21/02180/REM respectively, which granted approval for the construction of 28 dwellings, access from Fewcott Road. The development comprises 26 two storey dwellings and 2 bungalows.
- 1.3. There are several applications seeking to discharge the conditions related to the above applications, as there are intentions to commence work soon.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The application seeks approval for the details required by condition 16 (energy performance standard) of 19/00616/OUT.

3. RELEVANT PLANNING HISTORY

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

| | | |
|--|-----------|----------------|
| Application: 19/00616/OUT | Permitted | 18 June 2021 |
| The erection of up to 28 dwellings and associated site access onto Fewcott Road. Outline application. All matters reserved except for means of access. | | |
| Application: 21/02180/REM | Permitted | 31 August 2022 |
| Reserved matters application for 19/00616/OUT - seeks approval of all reserved matters (excluding access as determined at the outline stage), namely, the layout, appearance, landscaping and scale for the development. | | |

- 3.2. There are other discharge of condition applications that are not listed within the history, although are in progress.

4. RESPONSE TO PUBLICITY

4.1 No publicity has occurred.

5. RESPONSE TO CONSULTATION

5.1. Building Control: The energy statement appears to incorporate previous regulations for thermal values which have been superseded in June 2022.

6. APPRAISAL

6.1. The applicant has submitted an “Energy Strategy Statement” to support the application, prepared by Briary Energy and dated September 2022. The Council’s Building Control officers have reviewed the information and noted that the energy statement incorporates elements superseded in June 2022. However, the new regulations have a 1 year grace period for developments that have gone through the planning process before that date, and have had a “substantial start” prior to June 2023. If there has not been a substantial start in place before June 2023, an updated energy strategy statement may be required to comply with the new regulations. In the absence of a substantial start before June 2023, the use of the energy strategy may be contrary to building regulations.

6.2. Based on the grace period afforded for developments that were in the planning process, the energy strategy can be considered acceptable.

7. RECOMMENDATION

That planning condition 16 of 19/00616/OUT be discharged based upon the following:

Condition 16

Energy Strategy Statement, prepared by Briary Energy, dated September 2022.

Case Officer: Imogen Hopkin

DATE: 23rd February 2023

Checked By: Nathanael Stock

DATE: 23.02.2023
