

Case Officer: Laura Bell

Recommendation: Approval

Applicant: Albion Land

Proposal: Discharge of Condition 5 (Construction Environmental Management Plan) of 21/03177/F

Expiry Date: 3 July 2023

Extension of Time: 3 July 2023

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site relates to a parcel of land that forms the third phase of an employment scheme on the site known as Axis J9 Business Park, which itself forms part of the proposed Eco Town (North West Bicester).
- 1.2. Planning permission was allowed on appeal for employment development comprising use classes E(g)(iii), B2 and/or B8) comprising 5 units within 3 buildings and associated parking and servicing, landscaping and associated works.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This submission seeks to discharge the requirements of condition 5 of 21/03177/F, which relates to the details of the CEMP.

3. RELEVANT PLANNING HISTORY

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

Application: 21/03177/F Appeal Allowed 15 July 2022
(Against Refusal)

Full planning application for employment development (Use Classes E(g)(iii), B2 and/or B8) comprising 5 units within 3 buildings and associated parking and servicing, landscaping and associated works

Application: 23/01029/DISC Permitted 27 July 2023

Discharge of Condition 4 - (Construction Method Statement) of 21/03177/F

Application: 23/01031/DISC Permitted 27 July 2023

Discharge of condition 6 (segregated pedestrian and cycle path) of 21/03177/F

Application: 23/01032/DISC

Discharge of Condition 7 (access details) of 21/03177/F
(APP/C3105/W/22/3304021)

Application: 23/01033/DISC

Discharge of Condition 9 - (route of service connections) of 21/03177/F

Application: 23/01034/DISC Permitted 7 July 2023

Partial discharge of Condition 10 (BREEAM 'Very Good') of 21/03177/F
(APP/C3105/W/22/3304021)

Application: 23/01035/DISC Permitted 30 June 2023

Discharge of Condition 26 - (acoustic fences) of 21/03177/F

Application: 23/01038/DISC

Discharge of Condition 32 (Framework Travel Plan) of 21/03177/F
(APP/C3105/W/22/3304021)

Application: 23/01205/NMA Permitted 1 June 2023

Vary the list of approved plans set out in Condition 2 to alter Unit 4's loading door arrangements to accommodate the operations of tenants (proposed as non-material amendment to 21/03177/F)

Application: 23/01271/DISC Permitted 30 June 2023

Discharge of Condition 11 (details of visibility splays) of 21/03177/F
(APP/C3105/W/22/3304021)

Application: 23/01857/DISC

Discharge of condition 13 (landscaping) of 21/03177/F

Application: 23/01955/NMA

Non-material amendment to 21/03177/F - Application to amend the wording

of condition 8 to reflect the required Tree Protection and Retention Plan

4. 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 **8 June 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.

5. RESPONSE TO CONSULTATION

- 5.1. NPCU: No comments received.
- 5.2. OCC Single Response: No objection from LHA or LLFA.
- 5.3. CDC Environmental Health: No comment received.
- 5.4. CDC Ecology: Detail is sufficient to discharge the condition.

6. APPRAISAL

- 6.1. Condition 5 states:

No development shall take place on any phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: necessary in the interests of biodiversity and sustainability.

- 6.2. Given that the Ecology Officer is satisfied with the details submitted, it is considered that the condition may be 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.

7. RECOMMENDATION

That Planning Condition 5 of 21/03177/F be discharged based upon the following:

Condition 5

Axis J9 Phase 3 Construction Environmental Management Plan Biodiversity April 2023, Draft Issue Rev B by Parkway Construction.

Case Officer: Laura Bell

DATE: 15 August 2023

Checked By: Caroline Ford

DATE: 15 August 2023
