

**Case Officer:** Laura Bell

**Recommendation:** Approve

**Applicant:** Albion

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

**Expiry Date:** 3 July 2023

**Extension of Time:** 3 July 2023

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## **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 condition 6 of 21/03177/F, which relates to the details of the segregated pedestrian/cycle path.

## **3. RELEVANT PLANNING HISTORY**

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

<b>Application: 21/03177/F</b>	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: 23/01033/DISC**

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

### **Application: 23/01040/DISC**

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

### **Application: 23/01032/DISC**

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

**Application: 23/01034/DISC**

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

**Application: 23/01035/DISC**

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)

**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 **21 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.

**RESPONSE TO CONSULTATION**

- 5.1. NPCU: No comments received.
- 5.2. OCC Single Response: No objection.

**4. APPRAISAL**

- 6.1. Condition 6 states:

*No development shall commence until full details including lighting, road markings, signal infrastructure, signage and drainage of a segregated pedestrian and cycle path leading from the development directly to Howes Lane and a signalised crossing of Howes Lane have been submitted to and approved in writing by the local planning authority. Thereafter no occupation shall take place until the path and crossing has been delivered in accordance with the approved details.*

- 6.2. The LHA have reviewed the information and are content with the details. The path will link to a new toucan crossing on Howes Lane, which is the subject of a S278 application to OCC, whereby the detail will be agreed. It's assumed that this path will be part of a S38 submission, whereby the technical detail will be agreed. However, it is acceptable in principle. The path is proposed as a 3m wide shared use path, which is in line with the planning permission and acceptable here as in the longer term the path will have a relatively low level of usage, the main route being provided

via the paths alongside the new strategic link road. Drawing 0002-1001 P0 Site Roadway Lighting, shows that the path will be lit.

- 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.

## **5. RECOMMENDATION**

That Planning Condition 6 of 21/03177/F be discharged based upon the following:

### Condition 6

S278 Works (Phase 3) OS Location Plan (drawing number S1209-S278-01A), S278 Works (Phase 3) Legal Plan (drawing number S1209-S278-02A), S278 Works (Phase 3) General Arrangement (drawing number S1209-S278-03A), S278 Works (Phase 3) Signing and Lining Plan (drawing number S1209-S278-04A), S278 Works (Phase 3) Highway Cross Sections (drawing number S1209-S278-05A), S278 Works (Phase 3) General Construction Details (drawing number S1209-S278-06A), S278 Works (Phase 3) Drainage Layout Plan (drawing number S1209-S278-07A), S278 Works (Phase 3) Road Levels and Long Section (drawing number S1209-S278-08A), Access Road (Phase 3) Link Path Details (drawing number S1209-AR-13), Site Roadway Lighting (drawing no. 0002-1001 Rev P0), Lighting detail by Lucy Zodion, Lighting column details by Abacus Lighting dated 2/6/23, Conical Column detail (drawing no. CC6898 Rev 01) and Kirium Pro lighting detail by DW Windsor.

Case Officer: Laura Bell

DATE: 24 July 2023

Checked By: Caroline Ford

DATE: 27 July 2023

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