

Case Officer: Laura Bell

Recommendation: Approve

Applicant: Albion Land

Proposal: Discharge of Condition 9 - (route of service connections) 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 condition 9 of 21/03177/F, which relates to the routing of service connections for this phase of development.

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

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

Application: 23/01040/DISC

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

Application: 23/01031/DISC

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: 23/01034/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)

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. National Grid: No comments to make.
- 5.2. NPCU: No comments received.
- 5.3. OCC Single Response: No objection However, please note that covers should be avoided within the cycle lane or be of a non-slip type.
- 5.4. Southern Gas Network: No comments received.
- 5.5. Thames Water: No comments to make.
- 5.6. Western Power: No comments received.

6. APPRAISAL

- 6.1. Condition 9 states:

No development shall commence until details of the route of service connections (both under and over ground) for that phase, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or its successor, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

The Inspector, in paragraph 44 concluded that 'the condition relating to route servicing connections is necessary to safeguard the character and appearance of the area'.

- 6.2. There are no objections from the main utility providers or the County Council. In addition, the proposal would be acceptable as it would have limited impact on the character and appearance of the area given the utilities routes would be predominantly underground. On this basis, the details may be discharged.
- 6.3. The presence of gas lines on the plan has been queried given that the use of gas does not form part of the zero carbon approach proposed and it is understood that this would not create a True Zero Carbon development as required by Policy Bicester 1. Gas lines are shown on the approved service connection plans for phases 1 and 2 so what is shown is consistent with that. The development as built would need to comply with the approved arrangements and then ongoing operational monitoring is required which would highlight how the site is being run and any issues could be considered further. The applicant's agent has been reminded of the operational monitoring requirements. As the purpose of the condition relates to character and appearance and a similar arrangement has been approved elsewhere, it is not considered this can now be resisted but ongoing monitoring will be important to ensure the maintenance of the standards at this site.
- 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.

7. RECOMMENDATION

That Planning Condition 9 of 21/03177/F be discharged based upon the following:

Condition 9

- Proposed Utilities Layout (ref: 1746-ESC-ZZ-ZZ-DR-Z-1000 T1)

Case Officer: Laura Bell

DATE: 21 June 2023

Checked By: Caroline Ford

DATE: 19 February 2024
