

Case Officer: Laura Bell

Recommendation: Approve

Applicant: Albion Land

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

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 partially discharge the requirements of condition 10 of 21/03177/F, which relates to the details of BREEAM 'Very Good' rating for this phase of the development.
- 2.2. The condition comprises three stages; a pre assessment, a Design stage assessment and post construction assessment. This submission relates only to the first stage.

3. RELEVANT PLANNING HISTORY

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)

Application: 23/01033/DISC

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

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.

6. APPRAISAL

6.1. Condition 10 states:

No development shall take place until a scheme to demonstrate that the development will achieve BREEAM 'Very Good' shall be submitted to and approved in writing by the local planning authority. The scheme shall set out a timescale for the provision of evidence, including certificates at design stage and post construction stages. Evidence of the achievement of BREEAM Very Good shall be provided in accordance with the approved scheme.

6.2. The submission is supported by a BREEAM 'pre assessment', which outlines the intended strategy to achieve the required standard of 'Very Good'. The pre-assessment indicates that the scheme will achieve a score of 59.27%, so is within the 'very good' threshold. As such, stage 1 of the condition may be discharged.

6.3. The scheme also sets out a timetable for the provision of evidence as follows:

- Within 28 days of receipt from BRE, a copy of the Design Stage Assessment certificate confirming that the scheme has achieved a rating of "Very Good" will be submitted to the local planning authority.
- Within 28 days of receipt from BRE, a copy of the Post Construction Assessment certificate confirming that the scheme has achieved a rating of "Very Good" will be submitted to the local planning authority.

6.4. These elements will be submitted as further DISC submission/s in due course.

6.5. 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 10 of 21/03177/F be partially discharged based upon the following:

Condition 10

- BREEAM NC 2018 PRE-ASSESSMENT PHASE 3, AXIS J9 MARCH 2022 and cover letter from Emma Lancaster of QUOD, dated 13 April 2023.

Case Officer: Laura Bell

DATE: 5 July 2023

Checked By: Caroline Ford

DATE: 07 July 2023
