

**Proposed Himley Village North West Bicester
Middleton Stoney Road Bicester**

23/02029/DISC

Case Officer: Suzanne Taylor

Recommendation: Approval

Applicant: Cala Homes (Cotswolds) Limited

Proposal: PARTIAL Discharge of Condition 27 (Arboricultural Method Statement) for Phase 1A (accesses) of 14/02121/OUT

Expiry Date: 26 October 2023

Extension of Time: 26 October 2023

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site is situated to the north west of Bicester, north of Middleton Stoney Road and west of Howes Lane and it forms part of the wider NW Bicester Eco Town area within the extent of the site allocated by Policy Bicester 1. The land sits detached from the Western extent of the town and is separated from it by Howes Lane and the Axis J9 employment site (which also forms part of the wider NW Bicester allocation). A private residence called Lovelynych House lies adjacent to the southern site boundary. Outline permission ref: 14/02121/OUT is for up to 1,700 residential dwellings with associated facilities including a retirement village, commercial floorspace, community facilities and primary school. The area covered by the Arboricultural Method Statement (AMS) concerns only the areas of the primary and secondary accesses onto the Middleton Stoney Road of this outline permission. This AMS covers the area defined as Phase 1A (accesses) in the Phasing Plan P22-3093_DE_5_B_1 dated 09/01/2023 which itself is submitted and pending consideration as part of a discharge of condition application ref: 23/00207/DISC. The site is mainly comprised of agricultural land and native species field hedgerows.
- 1.2. The first reserved matters applications for the site accesses off the Middleton Stoney Road/B4030, Phase 1B (infrastructure for the first 500 dwellings) and Phase 2A (first 123 dwellings) have been submitted and are under consideration and the applicants have submitted a Design Code and Masterplan for the site.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. This application seeks to partially discharge condition 27 of 14/02121/OUT which requires the submission and approval of an AMS for each phase prior to any development on that phase. An AMS was submitted in support of the application.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:
 - 14/02121/OUT – Proposed Himley Village, North West Bicester, Middleton Stoney Road – outline permission granted for up to 1,700 residential dwellings (Class C3), a retirement village (Class C2), flexible commercial floorspace (Classes A1, A2, A3, A4, A5, B1, C1 and D1), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2FE) (Class D1) and to include provision of strategic landscape, provision of new vehicular, cycle

and pedestrian access routes, infrastructure and other operations (including demolition of farm buildings on Middleton Stoney Road).

- 22/03492/NMA – Non-material amendment to conditions of permission 14/02121/OUT - Due to time constraints the applicants sought to meet the deadline for submitting a reserved matter application whilst not triggering the need to provide the masterplan and design code. It was agreed that the first reserved matter could be made for a discrete piece of infrastructure only (e.g. the site accesses) which would not necessitate wider site design details or prejudice the future layout/design. This NMA was granted to allow the rewording of conditions to provide this flexibility/distinction.
- 23/00170/REM and 23/00214/REM – Identical, dual planning applications currently under consideration for the primary and secondary accesses to the Middleton Stoney Road for the outline planning permission 14/02121/OUT.
- 23/01493/REM - Reserved Matters Application including access, layout, landscaping and scale pursuant to outline planning permission 14/02121/OUT for internal primary and secondary streets along with the partial discharge of conditions 12 (Building for Life 12), 16 (means of vehicular access), 17 (means of pedestrian/cycle links) and 19 (detailed surface water drainage scheme) for Phase 1B. Under consideration.
- 22/01586/REM - Reserved Matters Application pursuant to Outline planning permission 14/02121/OUT for the erection of 123 dwellings (including 37 affordable dwellings), parking, landscaping and other associated infrastructure including the part compliance of conditions 12 (Building for Life 12), 13 (future climate risks statement), 14 (noise assessment), 16 (means of vehicular access), 17 (means of pedestrian/cycle links), 18 (Travel Plan) and 19 (detailed surface water drainage scheme) at Phase 2A. Under consideration.
- 23/00183/DISC – Partial discharge of conditions 20 (carbon emissions) and 30 (CEMP) of outline permission 14/02121/OUT currently under consideration.
- 23/00207/DISC – Discharge of condition 7 (site wide Phasing Plan) and 11 (full Surface Water Drainage Scheme) and PARTIAL discharge of condition 10 (Bio Diversity Strategy) for Phase 1 of outline permission 14/02121/OUT currently under consideration.
- 23/00781/DISC – Partial discharge of Condition 32 (Written Scheme of Investigation) of 14/02121/OUT for Phases 1, 2 and a small part of Phase 3 as per Phasing Plan P22-3093_DE_5_B_1. Approved.
- 23/01496/DISC - Discharge of Condition 8 (Site Wide Masterplan and Design Code) of 14/02121/OUT. Under consideration.
- 23/01502/DISC - PARTIAL DISCHARGE of Condition 20 (Carbon Emissions) of 14/02121/OUT - Phase 2. Under consideration.
- 23.01558/DISC - Discharge of Condition 9 (other uses area masterplan) of 14/02121/OUT. Under consideration.
- 23/01608/DISC - PARTIAL DISCHARGE of Conditions 13 (Future Climate Change Risks Statement) and 36 (Water Neutrality Statement) of

14/02121/OUT (as amended by 22/03492/NMA) for Phase 2. Under consideration.

- 23/02786/OBL - Submission of a Zero Carbon Strategy in accordance with paragraph 1.1 of Schedule 11 of the Section 106 agreement dated 30th January 2020 relating to planning permission 14/02121/OUT. Under consideration.

4. RESPONSE TO CONSULTATION

- 4.1 Arboriculture: No objections but recommends that hedge removal is considered alongside appropriate replacements/mitigation elsewhere on the site. (*Officer Note: Compensatory hedgerow for removed hedges is already required by condition 26 of 14/02121/OUT and so this will be dealt with under a separate application to discharge condition 26*).

5. APPRAISAL

- 5.1. The submitted AMS is considered to be acceptable and the Council's Arboricultural advisor has raised no objections to the partial discharge of the condition.
- 5.2. The Arboricultural Officer has stated that removed sections of hedge should be replaced elsewhere on the site. It is noted that condition 26 of the 14/02121/OUT permission already ensures that this can be secured by requiring compensatory hedge planting for any removal.

6. RECOMMENDATION

That Planning Condition 27 of 14/02121/OUT be PARTIALLY discharged for Phase 1A based upon the following:

Condition 27 – Arboricultural Method Statement TG Report No. 15525_R02_JJ dated 19th January 2023

Case Officer: Suzanne Taylor

DATE: 26 October 2023

Checked By: Caroline Ford

DATE: 26 October 2023
