

Case Officer: Lewis Knox

Recommendation: Approve

Applicant: E G Group

Proposal: Discharge of Condition 19 (delivery and servicing plan) of 19/00128/HYBRID

Expiry Date: 9 October 2023

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

1.1. The application site relates to a parcel of land to the northeast of Banbury between the M40 motorway and the A361 Daventry Road, adjacent (N) of Junction 11. The land is allocated for employment development purposes as Banbury 15 in the 2015 Cherwell Local Plan. Planning permission has been granted by way of a Hybrid planning application which gave detailed planning consent for the main part (two-thirds) of the site and outline planning consent for a small parcel (one-third) within the southern part of the site. Planning permission was granted under ref. 19/00128/HYBRID. This application relates to the central/middle parcel (Zone B), which is now occupied by Unit 2.

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. The applicant seeks to discharge condition 19 (delivery and servicing plan) of 19/00128/HYBRID in respect to Unit 2 within Zone B only.

3. RELEVANT PLANNING HISTORY

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

Application:	Permitted	30 July 2020
19/00128/HYBRID		

Part A: Full planning application - the development of a new priority junction to the A361, internal roads and associated landscaping with 2 no. commercial buildings having a maximum floorspace of 33,110m² and with a flexible use [to enable changes in accordance with Part 6 Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)] within Class B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 as amended, and ancillary Class B1 offices; and Part B: Outline planning application - the development of up to 2 no. commercial buildings having a maximum floorspace of 16,890m² and having a flexible use [to enable changes in accordance with Part 6 Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)] within Class B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 as amended, and ancillary Class B1 offices, with all other matters reserved for future approval.

4. RESPONSE TO PUBLICITY

4.1 This application has not been publicised.

5. RESPONSE TO CONSULTATION

5.1. **OCC Highways:** Raised no objection.

6. APPRAISAL

6.1. Condition 19 – This condition required a delivery and servicing plan for the development to be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the approved buildings on the site.

6.2. This submission included a Delivery & Servicing Management Plan dated 10th August 2023 for Unit 2 (the central Zone B unit). The condition has previously been discharged in respect to Unit 1 to the north. Oxfordshire County Council as the local highways authority were consulted on the application and having assessed the submitted delivery and servicing plan, raised no objections and recommended that the condition be discharged based upon this information.

6.3. In accordance with the guidance and recommendation from OCC, it is concluded that Condition 19 in respect to Unit 2 can now be discharged.

7. RECOMMENDATION

That Planning Condition 19 of 19/00128/HYBRID be discharged in respect to Unit 2 based upon the following:

Condition 19: (Unit 2 only)

In accordance with Delivery & Servicing Management Plan dated 10th August 2023 as submitted with this application.

Case Officer: Lewis Knox

DATE: 19 September 2023

Checked By: Andy Bateson

DATE: 19th September 2023
