

Crossway
156 Great Charles Street Queensway
Birmingham
B3 3HN

eilidh.mccallum@carneysweeney.co.uk

21st August 2023

Mr Thomas Webster
Cherwell District Council
Development Management
Place and Growth Directorate
Bodicote House
Banbury
OX15 4AA

Dear Thomas,

SUBMISSION OF A DISCHARGE OF CONDITION APPLICATION ATTACHED TO PLANNING PERMISSION REFERENCE: 17/02534/OUT AT LAND NORTH OF BICESTER AVENUE GARDEN CENTRE, OXFORD ROAD, BICESTER

PLANNING PORTAL REFERENCE: PP-12401993

CarneySweeney have been instructed by Peveril Securities (the Applicant) to submit an application to seek the discharge of Conditions 6, 10, 12, 14, 20 and 24 attached to Planning Permission Reference: 17/02534/OUT in respect of the Sub Station (part of Phase 4 on Phasing Plan Dwg Ref. 05935-5PA-MP-00-DR-A-9011) of the Bicester Arc development.

It should be noted that a s73 application (ref: 23/01080/OUT) to vary Conditions 4, 30 and 34 of Planning Permission Reference 17/02534/OUT is currently being considered by Cherwell District Council. The Reserved Matters application for the sub station has been submitted against the original outline permission (ref: 17/02534/OUT) and this discharge of condition application is made on the same basis.

Condition 6: Phase Site and Floor Levels

Condition 6 states as follows:

“All reserved matters submissions relating to a phase shall be accompanied by details of the existing and proposed ground levels as well as finished floor levels of all proposed buildings within that phase. Where the proposed ground and floor level details are approved as part of the reserved matters approval for that phase, the development in that phase shall be undertaken in accordance with those approved levels.

Reason - To ensure that the proposed development is in scale and harmony with its surroundings and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.”

To discharge Condition 6 for Phase 4 (sub station) of the Bicester Arc development, please find enclosed the following document for approval:

- Drawing Reference: F101A Primary Substation Proposed Site Layout



Condition 10: Phase Surface Water Drainage Strategy

Condition 10 states as follows:

“All applications for approval of reserved matters relating to each phase shall be accompanied by details of a surface water drainage scheme for that phase (in accordance with the principles embodied within Sustainable Drainage Systems (SuDS) and the approved surface water drainage strategy for the overall site approved by condition 9). The development shall thereafter be constructed in accordance with the approved surface water drainage scheme and no development shall be occupied within each phase until the approved drainage scheme is completed.

Reason - To ensure that the development does not increase risk of flash flooding in an extreme storm event in accordance with the requirements of Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.”

To discharge Condition 10 for Phase 4 (sub station) of the Bicester Arc development, please find enclosed the following document for approval:

- Drawing Reference: 082005-CUR-XX-XX-DR-C-92003_P01 - Substation Drainage Strategy Plan

Condition 12: Phase Biodiversity Statement

Condition 12 states as follows:

“All applications for reserved matters approval relating to a phase shall be accompanied by a biodiversity statement that has regard to the ecological information contained within Appendix B to the Environmental Statement Addendum (June 2018) and shall include an assessment of the ecological implications of development within that phase together with the measures to be incorporated within that phase to help mitigate/enhance ecological interest on the site. Development within the phase must thereafter take place in accordance with the measures contained within the approved biodiversity statement for that phase.

Reason - To ensure that the ecological impact of the detailed phases of the overall development are fully understood and coordinated through an overarching ecological strategy for the site in accordance with the requirements of Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.”

To discharge Condition 12 for Phase 4 (sub station) of the Bicester Arc development, please find enclosed the following document for approval:

- Document Reference: FPCR, Bicester Arc Sub Station Ecology Statement, June 2023. Rev A Dated 06.07.2023
- Document Reference: Defra 3.1 300623 - sub station additionality

Condition 14: Foul Drainage Scheme

Condition 14 states as follows:

“No development shall take place within each phase until a detailed scheme of foul drainage for the development within that phase has been submitted to, and approved in writing by, the Local Planning Authority. The foul drainage scheme shall be completed in accordance with the approved scheme prior to the occupation of any building within that phase and retained as such thereafter.



Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996, Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of any development on the appropriate phase as it is fundamental to the acceptability of the scheme."

To discharge Condition 14 for Phase 4 (sub station) of Bicester Arc development, please find enclosed the following document for approval:

- Drawing Reference: 082005-CUR-XX-XX-DR-C-92003_P01 - Substation Drainage Strategy Plan

Condition 20: Lakeview Drive – Access Details

Condition 20 states as follows:

"No development shall take place on any phase that will take access directly from Lakeview Drive until details of the means of access between the land and Lakeview Drive including position, layout and vision sprints for that phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of any development in that phase hereby approved, the means of access shall be constructed and retained in accordance with the approved details."

Reason - In the interests of ensuring that the detailed access is safe and suitable to comply with Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of any development on the appropriate phase as it is fundamental to the acceptability of the scheme."

To discharge Condition 20 for Phase 4 (sub station) of the Bicester Arc development, please find enclosed the following document for approval:

- Drawing Reference: F101A Primary Substation Proposed Site Layout

Condition 24: Ecology – Site Walkover Survey

Condition 24 states as follows:

"No development within a phase shall take place until the land within that phase has been subject to a site walkover survey by a suitably qualified ecologist to ensure that no protected species which could be harmed by the development have moved on to the land since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development within the phase shall be carried out in accordance with the approved mitigation scheme."

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of any development on the appropriate phase as it is fundamental to the acceptability of the scheme."

To discharge Condition 24 for the Bicester Arc development, please find enclosed the following document for approval:

- Document Reference: FPCR, Bicester Arc Ecological Appraisal, June 2023. Rev F Dated 29.06.2023
- Document Reference: FPCR Bicester Arc Bicester Arc Sub Station Ecology Statement July 2023 Rev C Dated 01.08.2023



We trust the submitted details are satisfactory to enable the registration of this application and look forward to receiving confirmation on this matter. However, should you have any queries please do not hesitate to contact me via the above email address.

Yours sincerely,



Eilidh McCallum
Senior Planner
CarneySweeney

