

Ref: LMB/Banbury S73  
Your Ref: 23/01853/F

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13<sup>th</sup> March 2024

Dear Sir or Madam,

**Description:** Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 of planning permission 23/01853/F to allow for alterations to the external site layout and internal changes and to vary conditions 3 (Materials), 6 (CTMP), 10 (CEMP), and 12 (Hard and Soft Landscaping) for compliance.

**Site at:** Jacob Lodge, Former Buzz Bingo, Bolton Road, Banbury. OX16 5UL.

Please find enclosed a Variation of Condition application pursuant to planning permission 23/01853/F to vary condition 2, 3, 6, 10 and 12 at the Churchill Retirement Living development - Former Buzz Bingo, Banbury. The application had originally been consented in August 2022 under application reference 21/04202/F (Appeal ref: 3296229).

Through the technical design process, it has been established that a number of changes will be required for the development. The proposed changes have been listed below:

- Hard landscaping amendments, including additional pathway to Castle Street and changed surfacing treatments to pathways.
- Additional dining room to apartment 01.
- Additional study room to apartments 16, 37, 62 & 72.
- Internal layout changes to a number of apartments and Owner's Lounge, as well as lift reconfiguration.
- Amendments to fenestration detailing.

The application comprises of and supersedes the following drawings as listed below:

Drawing Description	Approved DWG Ref	Amendment DWG Ref
Location Plan	10116BB-PA00	-
Site Plan	10116BB-PA01 Rev C	10116BB-PA101
Ground Floor Plan	10116BB-PA02 Rev A	10116BB-PA102
First Floor Plan	10116BB-PA03 Rev A	10116BB-PA103
Second Floor Plan	10116BB-PA04 Rev A	10116BB-PA104
Third Floor Plan	10116BB-PA05 Rev A	10116BB-PA105
Roof Plan	10116BB-PA06 Rev A	10116BB-PA106
Elevation 1 – Castle Street Elevation	10116BB-PA07 Rev B	10116BB-PA107
Elevation 2 – North Bar Street	10116BB-PA08 Rev B	10116BB-PA108
Elevation 3 – Other Elevations	10116BB-PA09 Rev B	10116BB-PA109
Site Sections	10116BB-PA10	10116BB-PA110

For the amended wording of condition 2, we have made the following suggestions in **bold**:

*“Except where otherwise stipulated by conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan - 10116BB-PA100; **Site Plan - 10116BB-PA101; Ground Floor Plan - 10116BB-PA102, First Floor Plan - 10116BB-PA103, Second Floor Plan - 10116BB-PA104, Third Floor Plan - 10116BB-PA105, Roof Plan - 10116BB-PA106, Castle Street Elevation - 10116BB-PA107, North Bar Street Elevation - 10116BB-PA108, Other Elevations - 10116BB-PA109, Site Sections - 10116BB-PA110**, Existing Site Plan - 210076-3DR-XX-XX-DR-A-10001; Existing Bingo Hall/Office Plans - 210076-3DR-XX-XX-DR-A-10002; Vehicle Tracking Plan 536.0037.001 C; Refuse Vehicle Tracking Plan 536.0037.003 D; Vehicle Turning Tracking Plan 536.0037.006.”*

With regards to the remaining conditions, several conditions had been discharged through application 21/04202/F however these were not made compliant through the Variation of Condition application approved on 4<sup>th</sup> October 2023 – 23/01853/F. Therefore, to avoid duplication of discharged conditions, we request the conditions listed below are made compliant through this application, should it be approved:

Conditions Discharged:

- Condition 6 (Construction Traffic Management Plan) – Discharged 09/10/2023 (application ref: 23/00796/DISC). Discharged under application 21/04202/F.
- Condition 10 (Construction Environmental Management Plan) – Discharged 09/10/2023 (application ref: 23/00796/DISC). Discharged under application 21/04202/F.

The decision notice for each of these Discharge of Condition applications has been included in this submission for reference.

For these conditions to be made compliant, we suggest the revised wording as per the below:

Condition 6:

***The scheme shall be carried out in accordance with the Construction Traffic Management Plan as approved under 23/00796/DISC.***

Condition 10:

***The scheme shall be carried out in accordance with the Construction Environment Management Plan as approved under 23/00796/DISC.***

In addition to the conditions listed above, several conditions have also been submitted and acknowledged by the Council, but yet to be determined. These include:

- Condition 3 (Materials) - Application submitted 07/07/2023 under application 21/04202/F - Application validated 19/07/2023 (application ref: 23/01875/DISC). Awaiting determination.
- Condition 12 (Hard and Soft Landscaping) - Application submitted 07/07/2023 under application 21/04202/F - Application validated 19/07/2023 (application ref: 23/01875/DISC). Awaiting determination.

These conditions have been with the Council for a number of months, with information recently sent to the Council for consideration (revised details sent to the Council 08/02/2024). The conditions have been submitted under application 21/04202/F, and we therefore request that these conditions are dealt with via this application and the subsequently made compliant should this application be approved. For ease we have suggested revised wording as per the below:

Condition 3:

***The scheme shall be carried out in accordance with the Materials Schedule as approved under 23/01875/DISC.***

Condition 12:

***Notwithstanding condition 2, the scheme shall be carried in accordance with the hard and soft landscaping scheme as approved under 23/01875/DISC.***

I trust that the enclosed provides you with sufficient information to determine the application. If you have any queries, or if you require any further information, please do not hesitate to contact me at this office.

I now look forward to receiving an acknowledgement that the application has been registered.

Yours faithfully,



Lauren Bishop  
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