Site D And E, Graven Hill, Circular Road, Ambrosden **25/01105/NMA**

Case Officer: Sarah Tucker **Recommendation:** Approval

Applicant: Graven Hill Village Development Company

Proposal: Changes to highways details as described in the attached documents; re condition 1. (proposed as non-material amendment to 16/01807/REM)

Expiry Date: 26 May 2025 **Extension of Time:** No

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1. APPLICATION SITE AND APPROVED DEVELOPMENT

1.1. The application site is the Graven Hill development that was granted permission in outline in 2014 (11/01492/OUT amended by various S73 applications). The current S96 application seeks a non material amendment to permission 16/01807/REM: Reserved matters to 16/01802/OUT - Reserved matters in respect of public areas in Phase 1a and part of phase 1b. Approved 6 October 2017

2. DESCRIPTION OF PROPOSED AMENDMENT(S)

2.1. The non-material amendments consist of the following:

- Construction areas removed – no longer needed
- Proposed temporary accesses removed both to MOD and construction access
- Outside kerb/granite set removed from Anniversary Ave West – at request of OCC
- Silibaravi Drive removed from S38 adoption area
- Temporary turning head removed- no longer required
- Proposed pedestrian crossing points removed at Block E- due to tree planting and provision of crossing other side of Block E
- Granite sett/overrun area and 4.5m radius removed from Friend Way – at OCC request
- Overrun area and footway extended on Chadwick Place, 6.75m radius removed
- Overrun area removed from Read Place and 4.5m radius removed- at request of OCC
- Overrun area removed from Austin Way and 4.5m radius removed – configuration of junction updated to create shared surface for pedestrian and cyclists
- Proposed parapet wall and vehicle/ pedestrian restraint system removed – no longer required

- Rumble strips removed- at request of OCC
- Footway construction removed at mini-roundabout and replaced with verge – motorists are running over paving so removed and created verge
- Granite sett overrun areas removed from Chadwick Place – at request of OCC
- Ironstone footpath and corduroy paving added sitewide- OCC requirements
- Anti-skid surface added to cycle crossovers
- Bellmouth junction added to Chadwick Place/Tancred Grove- at OCC request
- School emergency access layout amended- to allow safe and clear access to the school in an emergency and prevent parking in this area
- Additional controlled crossing provided on Graven Hill Road outside of school- at OCC request
- Temporary access road to MOD, Demonstrator project area and Langford Park Farm removed- no longer required
- Read Place, Hull Lane and Roberts Drive all removed from S38 adoption area
- Visibility splays added on all arms of mini roundabout
- Visibility splays added on all directions at crossroads of Anniversary Avenue, Roberts Drive and Westacott Road
- Visibility splays increased for Hull Lane from 10m to 25m
- Additional bollards added to deter anti-social parking

3. RELEVANT PLANNING HISTORY

3.1. The full permissions for the outline and subsequent relevant amendments are:

- 11/01494/OUT Outline - Redevelopment of former MOD sites including demolition of existing buildings, development of 1900 homes; local centre to include a 2 form entry primary school (class D1), a community hall of 660sqm, five local shops or facilities to include A1, A2, A3, A5 and D1 uses totalling up to 1358sqm, up to 1000sqm gross A1 uses, a pub/restaurant/hotel (class A4/A3/C1) up to 1000sqm and parking areas; employment floorspace comprising up to B1(a) 2160sqm, B1(b) 2400sqm, B1(c) and B2 20520sqm and B8 uses up to 66960sqm; creation of public open space and associated highway improvement works, sustainable urban drainage systems, biodiversity improvements, public transport improvements and services infrastructure. Erection of a 70400sqm fulfilment centre on 'C' site and associated on site access improvement works, hardstanding, parking and circulation areas. Approved 8/08/2014

- 15/02159/OUT Variation of Conditions 2 (approved plans), 26 (masterplan and design code), 27 (reserved matters first phase), 32, 33 (building heights), 39, 40 (construction standards), 41, 42 (housing mix), 51, 52 (highways works), 56 (lighting scheme), 58 (internal access), 68 (approved drainage strategy) of 11/01494/OUT. Approved 3/6/2016

- 16/1802/OUT Variation of Condition 30 of 15/02159/OUT - Revised Design Code and Master Plan, and Removal of Condition 35 - Housing Mix Approved 21/6/2017

- Further amendments to the outline following this have also been granted.

4. PUBLICITY AND CONSULTATION

4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission. However, the following comments have been received:

- o Bicester Town Council: resolved to make no comment

- o OCC Highways: No objection

4.2. Responses are available to view in full on the Council's website, via the online Planning Register.

5. APPRAISAL

5.1. The key issue for consideration in this case is whether the proposed change(s) can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.

5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: "A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material". It is also stated that: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted".

5.3. The National Planning Practice Guidance states that: "There is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme - an amendment that is non material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application". The judgement on materiality in any particular case is one of fact and degree, also taking into account the likely impacts of the amendment. Materiality is considered against the development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.

5.4 The proposed amendments are minor ones principally to the highways, and are required at the request of OCC Highways or independent road safety auditors as a prerequisite to the adoption of the highway. The amendments are considered non-material and the application is considered acceptable.

6. CONCLUSION

6.1. The proposal is considered to be non-material and the application is therefore recommended for approval.

Case Officer:	Sarah Tucker	DATE: 7 July 2025
Checked By:	Caroline Ford	DATE: 14 July 2025