

Case Officer: Caroline Ford

Recommendation: Approval

Applicant: A2 Dominion Group Ltd

Proposal: Partial Discharge of condition 53 of 10/01780/HYBRID related to residential phase 1 and the following specific parts of the infrastructure phase – spine road and energy centre

Expiry Date: 10/01/2014

Extension of Time:

1. APPLICATION SITE AND LOCALITY

- 1.1. Bicester Eco Town Exemplar site was granted planning permission (reference 10/01780/HYBRID) for 393 residential dwellings, a primary school, commercial and retail units. The exemplar site is a development that constitutes part of the larger North West Bicester Eco Town, located on the Eastern edge.
- 1.2. This application relates to residential phase 1 and part of the infrastructure phase specifically the spine road and energy centre.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This discharge of condition application seeks to partially discharge planning condition 53 which is a phased condition, and which relates to levels on site. The condition and the reason for it being imposed, is worded as follows (having been amended via 15/00059/NMA):

Prior to work commencing on any phase, as identified in condition 2, details of existing and proposed site levels and a plan showing the details of the finished floor levels of the proposed dwellings and/ or commercial buildings in relation to existing ground levels on the site within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area, to ensure the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy C28 of the adopted Cherwell Local Plan.

3. RELEVANT PLANNING HISTORY

- 3.1. The relevant planning history is predominantly the original application that granted permission for the site – 10/01780/HYBRID. There have been a number of discharge of condition and non-material amendment applications pursuant to this application.

4. RESPONSE TO CONSULTATION

- 4.1 No consultation has been undertaken in relation to this discharge of condition application.

5. APPRAISAL

- 5.1 The application was originally made to clear condition 53 as a whole. However given that at that stage, levels information was not available for the later residential phases, the application was amended to refer only to residential phase one and the infrastructure phase. Since then, the level details for residential phases 2, 3 and 4 have been approved. The condition wording was amended to allow for this to be considered on a phased basis. Further discussion took place in relation to the infrastructure phase as there were further minor design changes that occurred within the river corridor further holding up the determination of this application. As such, this application relates to the residential phase 1 levels and part of the infrastructure phase (spine road and energy centre) only. The condition is a phased condition thereby allowing it to be partially discharged. The levels for the river corridor would require agreement separately. The information submitted for the spine road and energy centre is acceptable and these areas are complete on site so it is important to authorise this discharge of condition application to regularise this.
- 5.2 Having assessed the information relating to levels for residential phase 1, the levels are considered to be acceptable and the plots are all (other than a number around the marketing centre) built and occupied. Plots set at the levels shown are in scale and harmony with each other and the surroundings and would not have a harmful impact upon the visual amenities of the area.
- 5.3 The original application was EIA development. The EIA is dated now; however at the time of submission of this application, it would have been in date. In any event, it is unlikely that the EIA would have been so detailed so as to consider the final levels of the development other than where significant earthworks might have been identified. In this case, the levels shown are acceptable and the development has been built. The resulting development has demonstrated that it is provided at an acceptable level. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

RECOMMENDATION

That Planning Condition 53 of 10/01780/HYBRID be partially discharged for residential phase 1 and part of the infrastructure phase (spine road and energy centre) only, based upon the following:

Condition 53

The information provided relating to the existing and proposed site levels and the finished floor levels of the proposed dwellings, for the spine road and energy centre (as part of the infrastructure phase) and residential phase 1 is considered to be acceptable. The information demonstrates that the levels across these phases as well as the finished floor levels of the dwellings on phase one are acceptable as they would ensure that the development is in scale and harmony with its neighbours and that it would not have a significant impact upon the visual amenities of the area.

The information approved is as follows:

- Proposed Levels Sheet 1 of 5 – 7326-UA001881-03 (for the purpose of the spine road levels ONLY)
- Proposed Levels Sheet 2 of 5 – 7327-UA001881-03 (for the purpose of the spine road levels ONLY)
- Proposed Levels Sheet 3 of 5 – 7328-UA001881-03 (for the purpose of the spine road levels ONLY. For the avoidance of doubt plot levels are not approved)

- Proposed Levels Sheet 4 of 5 – 7329-UA001881-03 (for the purpose of the spine road levels ONLY. For the avoidance of doubt plot levels are not approved)
- Proposed Levels Sheet 5 of 5 – 7330-UA001881-03 (For the avoidance of doubt plot levels shown on this drawing are approved)
- Exemplar Site Energy Centre Cross Section Plan 103-415-UA001881-01
- Exemplar Site Energy Centre Cross Sections 103-416-UA001881-01
- 27710 'Topographic Survey'
- Exemplar site proposed Earthworks Strategy Sheet 1 of 2 7315-UA001881-03
- Exemplar site proposed Earthworks Strategy Sheet 2 of 2 7316-UA001881-02
- 101-050-UA001883-03 (Exemplar site Bridge 1 General Arrangement)
- 101-060-UA001883-3 (Exemplar site Bridge 2 General Arrangement)
- 7337-UA001883-01 (Setting out details Cross Sections)
- 7243-UA001883-A (Exemplar site Access Long Sections)

Planning note

In accordance with Regulations 3 and 8 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), Cherwell District Council as Local Planning Authority in this case, is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this conditions application.

Case Officer: Caroline Ford

DATE: 27/04/2020

Checked By: Alex Keen

DATE: 01/05/2020
