

Application for a Lawful Development Certificate
for a Proposed use or development.
Town and Country Planning Act 1990: Section 192,
as amended by section 10 of the Planning and Compensation act 1991.
Town and Country Planning (Development Management Procedure) (England) Order 2010

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title: First name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Telephone number: Country Code: National Number: Extension Number:

Mobile number:

Fax number:

Email address:

Are you an agent acting on behalf of the applicant? Yes No

2. Agent Name, Address and Contact Details

Title: First Name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Telephone number: Country Code: National Number: Extension Number:

Mobile number:

Fax number:

Email address:

3. Site Address Details

Full postal address of the site (including full postcode where available)

House:	<input type="text"/>	Suffix:	<input type="text"/>
House name:	<input type="text"/>		
Street address:	<input type="text"/>		
	<input type="text" value="Bicester"/>		
Town/City:	<input type="text" value="Bicester"/>		
County:	<input type="text"/>		
Postcode:	<input type="text" value="OX26 6HU"/>		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	<input type="text" value="458504"/>
Northing:	<input type="text" value="221874"/>

Description:

Temporary construction site associated with the redevelopment of Bicester Town Station as part of the wider East West Rail Phase 1 Project. The temporary construction area is located in the directly abutting Bicester Village car park.

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? Yes No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:					
Title:	<input type="text"/>	First name:	<input type="text" value="Linda"/>	Surname:	<input type="text" value="Griffith"/>
Reference:	<input type="text"/>				
Date (DD/MM/YYYY):	<input type="text" value="17/09/2014"/>	(Must be pre-application submission)			

Details of the pre-application advice received:

An informal view on the use of Permitted Development rights for this area of land and any potential environmental impacts was submitted to Linda Griffiths (Senior Planner) at CDC on 27th January 2014. (This letter is attached here for your reference). Following discussions on the 17th September 2014 it was agreed that a Lawful Development Certificate would be sought.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: a) Owner b) Lessee c) Occupier d) Other

If No to a), b), or c), please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known):

Bicester Nominees Limited and Bicester II Nominees Limited
C/O Mr Roger Finch
Lyons & Sleeman & Hoare Ltd
Nero Brewery,
Cricket Green,
Hartley Wintney,
Hook,
Hampshire
RG27 8QA

Have they been informed of the application? Yes No

If No, why have they not been informed?

6. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you? Yes No

7. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful:

The existing use of the land is as an overspill car park for the adjacent Bicester Village development. Planning permission for the change of use of the former coal yard to this car park was granted in July 2008 (CDC Ref: 08/00704/F).

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application:

Planning permission for the change of use of the former coal yard to the existing car park was granted in July 2008 (CDC Ref: 08/00704/F). The redevelopment of Bicester Station to which this application for a Lawful Development Certificate relates, was approved by Cherwell DC on the 17th December 2013 (CDC Ref: 13/00289/DISC). The wider East West Rail Project that the development of the station forms part of was approved via a TWA Order (TWA/10/APP/01).

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one:

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

Is the proposed operation or use: Permanent Temporary

If Temporary please give details:

This additional area for temporary works is required to allow adequate working space during the duration of construction at the new station. In terms of timescales, the proposed temporary works area is due to be established at the end of 2014 and it is anticipated that it'll be in place for approximately 1 year to facilitate the construction of the new station building and the associated public realm and car parking. The area of land used for the temporary works will thereafter be returned to the Bicester Shopping Village as part of an existing agreement between Chiltern Railways/Network Rail and Bicester Shopping Village.

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

We are seeking to use an additional area of land located adjacent the site of the approved Bicester Station development as a temporary works area under Part 4 (Class A) of the General Permitted Development Order (GPDO) 1995 (As Amended).

Part 4 of the GPDO (Class A) allows for 'The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land'.

The temporary works area being sought will allow for the requisite amount of space for the works at the proposed station to be carried out safely and will be returned to its former use as a car park on completion of the works.

This application relates to the wider East west Rail Project that was the subject on an Environmental Impact Assessment before it was approved under (TWA/10/APP/01). It is not considered that this temporary works area will have any environmental impacts and so will not affect the findings of the ES which accompanied the original TWA application. This is because of the works area will only be used for additional temporary storage and allowing requisite access for construction around the proposed new station building.

In terms of cumulative impact the works proposed are of a similar nature and scale as those already approved as part of the TWA Order with the only change being that a small change in the required temporary construction area (circa 127.5m²). Again no change is expected.

Therefore the proposed works are considered unlikely to have a cumulative effect as they essentially have already been assessed in the Environmental Statement, submitted in support of the original TWA order application.

In terms of the environmental sensitivity of the area it is noted that none of the land is subject to environmental designations and, on the basis of surveys to date, it is therefore unlikely that the works will give rise to any significant environmental effects.

We would however appreciate the view of Cherwell District Council on the matter of any affects on the ES.

8. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? Yes No

If Yes, please give detailed descriptions of all such operation and indicate on your plans (includes describing any proposal to alter or create a new access, layout or any new street; construct any associated hardstandings; means of enclosure; or draining the land/building)

This application seeks confirmation of permitted development rights to assist in the construction of the new Bicester Town Station as part of the wider East West Rail Project as approved under The Chiltern Railways (Bicester to Oxford Improvements) Order (Ref: TWA/10/APP/01). The construction of this station was approved by discharge of condition (CDC Ref: 13/00289/DISC).

We are seeking to use an additional area of land directly abutting the approved Bicester Station redevelopment site as a temporary works area under Part 4 (Class A) of the General Permitted Development Order (GPDO) 1995 (As Amended).

Part 4 of the GPDO (Class A) allows for 'The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land'.

This additional area for temporary works is required to allow adequate working space during the duration of construction at the new station. The temporary works area being requested here was not included within the original TWA Order boundary nor shown on the drawings as submitted with CDC Ref: 13/00289/DISC. More detailed discussions with the contractor have now led to a requirement for this additional temporary land to assist in construction on the site.

The additional temporary works area directly adjoins the boundary of the authorised works and is shown on the attached plan (updated General Arrangement Drawing No. 5114534-ATK-DRG-AR-907311 showing area being requested shaded in green and attached as part of this application). The required area currently forms part of the Bicester Shopping Village car park.

It is considered that the additional area for temporary works being sought here is of a minor nature in terms of temporary land take (circa 127.5m square) and will be used only to allow adequate working space during the construction of the new station building and associated public realm and car parking. The use of this additional land for these temporary works has already been agreed with Bicester Shopping Village (the owners of the proposed temporary works area).

In terms of timescales, the proposed temporary works area is due to be established at the end of 2014 and it is anticipated that it'll be in place for approximately 1 year to facilitate the construction of the new station building and the associated public realm and car parking. The area of land used for the temporary works will thereafter be returned to the Bicester Shopping Village as part of an existing agreement between CRCL and Bicester Shopping Village.

It is therefore clear that the temporary works area is being sought to assist in the development of the approved station development (CDC Ref: 13/00289/DISC) and is located on adjoining land as is required under Part 4 (Class A) of the General Permitted Development Order (GPDO) 1995 (As Amended). We therefore request Cherwell DCs confirmation that the temporary works area is Permitted Development under Part 4 (Class A) of the General Permitted Development Order 1995 (As Amended).

Does the proposal consist of, or include, a change of use of the land or building(s)? Yes No

Has the proposal been started? Yes No

9. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

The agent The applicant Other person

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.



Date:

01/10/2014

Warning:

The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.