

**Site Address: Site C Plougley Road &
Site D & E Ambrosden Road MOD
Bicester Upper Arccott**

15/00695/OUT

Ward: Ambrosden and Chesterton

District Councillor: Lynn Pratt

Case Officer: Alex Keen

Recommendation: Approval, subject to amending the planning obligation associated with the outline planning permission (ref: 11/01494/OUT) to reflect the change to the application site boundary

Applicant: Graven Hill Village Development Company Ltd

Application Description: Variation of condition 2 of 11/01494/OUT – amend the application site boundary for Graven Hill

Committee Referral: Major application

Committee Date: 9 July 2015

1. Site Description and Proposed Development

- 1.1 The application site is a large area of land circling Graven Hill, to the south of Bicester town. It is currently used as part of the MOD logistics, commodities and service operations at Bicester and comprises a mix of commercial and industrial uses, primarily B8 storage and distribution. The site is identified by the MOD as sites D and E of their Bicester operations. The site is accessed off the A41 Aylesbury Road to the north, and is also serviced by rail with the Oxford to Bicester rail line to the west of the site. There is agricultural land within the site, and also to the south and east. St. David's Barracks, to the south of Graven Hill, is outside the application site boundary.
- 1.2 Outline planning permission (ref: 11/01494/OUT) was granted in August 2014 for the redevelopment of sites D and E including the demolition of existing buildings and the erection of up to 1900 new homes along with a local centre comprising a primary school, community hall, shops and retail services, employment development comprising a mix of B1 (light industrial), B2 (general industrial) and B8 (storage and distribution) uses, and associated public open space, highway works, sustainable drainage systems etc. A copy of the planning decision notice is attached as Appendix A to this report.
- 1.3 That decision also granted outline planning permission for the erection of a new logistics, commodities and services building at MOD Bicester's site C at Upper Arccott. It is anticipated that the operations currently taking place at sites D and E would be rationalised and relocated to the new building at Site C.
- 1.4 The current application seeks to vary condition 2 of the outline planning permission, to amend the plan showing the 'red line' application site boundary for sites D and E at Graven Hill (drawing ref: 1982-A-L-005-B [MOD Bicester Application Site Red Line]). The amended 'red line' would reduce the site area so as to reflect the area of land being transferred from the MOD to the Graven Hill Village Development Company. The areas of land affected are to the north of St. David's Barracks, a strip of land running alongside the internal access road to the south side of Graven Hill, an area of land to the south-east corner of the site, and two parcels of land in the centre of Gravenhill Wood.
- 1.5 No changes are proposed to the approved development and no amendments or variations are proposed to any other condition of the outline planning permission.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was the 21 May 2015. One response has been received expressing confusion about what is proposed and concern about whether the variation relates to or affects the route of the proposed Bicester south-east link road.

3. Consultations

- 3.1 AMBROSDEN PARISH COUNCIL: **no objections**

Oxfordshire County Council Consultees

- 3.2 HIGHWAYS: **no objections** provided the amendments to the 'red line' do not prejudice or affect the delivery of the Bicester south-east link road.

- 3.3 ARCHAEOLOGY: **no objections**

Other Consultees

- 3.4 NATURAL ENGLAND: **no comments**

- 3.5 NETWORK RAIL: **no comments**

- 3.6 CHILTERN RAILWAYS: **no comments received**

4. Relevant National and Local Policy and Guidance

- 4.1 Subject to the changes detailed at paragraphs 4.2 to 4.5 of this report (below), the relevant national and local policy and guidance remains as detailed at section 4 of the officer's report in respect of the original outline planning application, which was considered by the Council's Planning Committee on 11 April 2013.
- 4.2 The South East Plan 2009 was revoked by the Secretary of State in 2013 and so no longer forms part of the development plan.
- 4.3 The Examination Inspector's report on the Cherwell Submission Local Plan was published on 12 June 2015, and concludes that the Plan is sound subject to recommended modifications. It is anticipated that the Inspector's report and a modified plan will be presented to a meeting of the Council on 20 July 2015. In view of the advanced progress made toward adoption, the relevant policies of the submission Local Plan can now be afforded significant weight.
- 4.4 In March 2014 the Government launched the Planning Practice Guidance. The guidance considered most relevant to this application to vary condition 2 are the sections relating to making and determining an application, planning obligations, and flexible options for planning permissions.

5. Appraisal

The impact of the proposed change to the application site boundary

- 5.1 The proposed change to the 'red line' application site boundary should not adversely affect or prejudice the implementation of the development, and no changes are proposed to the approved development itself. As such the proposed change to the site boundary is not expected to result in any new, different or additional material planning impacts.
- 5.2 With regard to the comments concerning the route of the Bicester south-east relief road, it is noted that the proposed amendments would result in the site boundary abutting the northern side of the proposed route of the relief road. However this amendment should not prejudice the delivery of the relief road, and in any case condition 61 of the outline planning permission (see Appendix A) requires a safeguarding route to be identified on the masterplan to be submitted and approved under condition 26, and the agreed route kept free from development thereafter.
- 5.3 No other conditions of the outline planning permission are proposed to be varied, removed or amended. Therefore officers are satisfied that the proposed change to the 'red line' application site is acceptable as a minor amendment to condition 2 of the outline planning permission. This permission will become the new substantive permission for the site and all other conditions will be re-imposed.
- 5.4 If the Planning Committee resolves to approve the amendment to the application site boundary, then for the avoidance of doubt, the planning obligation entered into in association with the outline planning permission should be varied to refer to the amended application site boundary.

Engagement

- 5.5 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

Conclusion

- 5.6 The application proposes amending the 'red line' application site boundary so as to reduce the overall site area, to reflect the area of land to be transferred from the MOD to the Graven Hill Village Development Company. This change is not considered to result in any new, different or additional material planning impacts and so is considered acceptable as a minor amendment to the outline planning permission.

6. Recommendation

Approval, and re-issue the outline planning permission subject to:

- a) Amending condition 2 of outline planning permission 11/01494/OUT (attached as Appendix A to this report), to replace "1982-A-L-005-B [MOD Bicester Application Site Red Line]" with "1982-A-L-560-F [MOD Bicester Application Site Red Line]".
- b) Amending the planning obligation entered into in respect of outline planning permission 11/01494/OUT to refer to the amended application site boundary.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.