

**Case Officer:** Samantha Taylor

**Applicant:** Mr Ian Wallace

**Proposal:** Discharge of condition 18 (Arboricultural Method Statement) of  
16/02366/OUT

**Ward:** Banbury Cross and Neithrop

**Councillors:** Cllr Hannah Banfield; Cllr Surinder Dhesi; Cllr Cassi Perry

**Reason for Referral:** Application affects Council's own land and the Council is the applicant

**Expiry Date:** 22 June 2020

**Committee Date:** 16 July 2020

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## **1. APPLICATION SITE AND LOCALITY**

1.1. The application site is located within Banbury Town Centre, to the north of Castle Quay and adjacent to the Oxford Canal. The site is part of the Castle Quay 2 redevelopment which includes the provision of a new supermarket, retail and leisure facilities.

## **2. CONSTRAINTS**

2.1. The application site falls within Flood Zone 2 and is adjacent to the Oxford Canal Conservation Area.

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. The proposal seeks to discharge condition 18 (requiring the submission of an Arboricultural Method Statement) of outline consent 16/02366/OUT, which is the main planning consent for the development of Castle Quay 2. Details have previously been approved under application ref: 17/00147/DISC; the current application proposes amendments to those details.

## **4. RELEVANT PLANNING HISTORY**

The following planning history is considered relevant to the current proposal:

4.1. 17/00147/DISC – Condition 18 was previously discharged as part of this application, which sought approval for the pre-commencement conditions associated with outline consent 16/02366/OUT

4.2. 16/02366/OUT – Removal/ Variation of conditions 4 (list of approved drawings) and 9 (enhancement of River Cherwell) to 13/01601/OUT - Condition 4 to be varied to reflect alterations in the access and servicing strategy for Block C, with variations to maximum deviations in block and Condition 9 to be removed as no longer justified.  
Approved

- 4.3. 13/01601/OUT - Outline planning permission for the redevelopment of land adjacent to the Oxford Canal comprising; the demolition of the Castle Quay Shopping Centre northern car park and the General Foods Sports and Social Club; change of use of part of the ground floor of the Castle Quay Shopping Centre southern car park and associated works; the erection of a retail foodstore (Use Class A1), hotel (Use Class C3), cinema (Use Class D2), restaurants and cafes (Use Class A3 and A4) and altered vehicular and pedestrian accesses, landscaping, construction of infrastructure, car parking and associated works, including glazed canopy over the Oxford Canal and the construction of pedestrian/cycle bridges over the Oxford Canal and River Cherwell. Details of new vehicular access off Cherwell Drive and alterations to Spiceball Park Road. Approved.

## **5. PRE-APPLICATION DISCUSSIONS**

- 5.1. No pre-application discussions have taken place with regard to this proposal

## **6. RESPONSE TO CONSULTATION**

- 6.1. CDC ARBORICULTURE: No response  
6.2. CDC LANDSCAPING: No response

## **7. APPRAISAL**

- 7.1. Condition 18 which requires the submission of an Arboricultural Method Statement was previously discharged under application ref: 17/00147/DISC. The current application seeks to re-discharge this condition with some amendments.
- 7.2. The amendments sought are the removal of trees T137, T138 and T139 (ornamental pear trees) situated between the canal and the proposed service yard to the cinema block, to facilitate the development. The removal of these trees are sought in accordance with the industry guidance provided in British Standards as outlined within the submitted Arboricultural Method Statement.
- 7.3. Whilst the loss of these trees is regrettable, the trees are not veteran species or subject to a Tree Preservation Order and it is considered that their loss would not have a significant adverse impact on amenity. Their loss would appear to be unavoidable to facilitate the development and it is acknowledged that significant tree planting is proposed as part of the wider development of Castle Quay 2 and this is secured by way of condition on both the outline and reserved matters applications.
- 7.4. The Arboricultural Method Statement accords to relevant British Standards and the loss of 3 additional trees is considered acceptable.

### **RECOMMENDATION**

APPROVAL – IN ACCORDANCE WITH THE DETAILS AS SET OUT BELOW:

#### **Condition 18 – Arboricultural Method Statement**

Leslie Jones Architecture, 3787, Report on Revised Planning Drawings and Changes, dated 13<sup>th</sup> September 2019