

**Case Officer:** James Kirkham

**Applicant:** Mr Peter Meadows

**Proposal:** Discharge of Condition 11 (Landscaping Scheme) of 18/01591/CDC

**Ward:** Banbury Ruscote

**Councillors:** Councillor Cherry, Councillor Richards and Councillor Woodcock

**Reason for Referral:** Application affects Council's own land

**Expiry Date:** 6 May 2021

**Committee Date:** 15 July 2021

---

## **SUMMARY OF RECOMMENDATION: DISCHARGE CONDITION 11 (LANDSCAPING SCHEME) OF 18/01591/CDC**

### **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

1.1. The application relates to the site of the former Admiral Holland public house in Banbury. It is situated to the south of The Fairway and to the west of Woodgreen Avenue adjacent to the roundabout. Planning consent 18/01591/CDC allowed for the erection of 8 houses and 6 flats on the site which have now been completed.

### **2. CONDITIONS PROPOSED TO BE DISCHARGED**

2.1 Condition 11 of 18/01591/CDC required that the hard and soft landscaping should be carried out in accordance with the approved landscaping plans unless otherwise agreed in writing under a separate discharge of condition. The current application seeks permission to vary the approved landscaping scheme slightly. The main changes are:

- Changes to the planting to the front of the flats in the northern part of the site to allow a small grass front garden to be formed.
- Omission of a new laurel hedge to the eastern and part of the southern boundary alongside the existing palisade fence.
- Re-siting of the footpath at the vehicle access to the car park. This footpath link is now proposed to be placed to the front of the flats to the east of the vehicular access.

### **3. RELEVANT PLANNING HISTORY**

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

18/01591/CDC - Proposed development of 8 No houses and 6 No flats – Permitted

19/00209/DISC - Discharge of Conditions 4 (sustainable construction), 5 (architectural details), 9 (boundary treatment) and 10 (external lighting) of 18/01591/CDC – Permitted

#### **4. PRE-APPLICATION DISCUSSIONS**

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

#### **5. RESPONSE TO CONSULTATION**

5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

##### CONSULTEES

5.2 CDC LANDSCAPE: **No objections.**

#### **6. APPRAISAL**

6.1 The current application seeks approval for an amended hard and soft landscaping scheme. The revised landscaping scheme is very similar to the approved landscaping scheme for the site which only minor changes as outlined above and the Council's landscape officer has raised no objections to the proposed changes.

6.2 The omission of the laurel hedgerow on the western boundary would be mitigated to a large extent by the mature trees which exist and have been retained on this boundary and help reduce the visual impact of the existing palisade fence which exists on this boundary.

6.3 The changes to the front garden areas of the flats in the north eastern part of the site are viewed across the large grass verge which exists to the front of the site and so have a very limited impact on the appearance of the scheme.

6.4 The relocation of the footway away from the vehicular access to the site has come about due to the proximity of the formerly approved footpath to an existing mature tree which is located close to the vehicular access. The current proposal has moved the proposed footway out of the root protection area of this tree and still provides a footpath link between the new development and the local amenities (including shop etc) which exists immediately to the north of the site on the opposite side of The Fairway. This change is therefore considered to be acceptable.

6.5 Overall, therefore, Officers consider the changes to the hard and soft landscaping would be acceptable and would acceptably integrate the development into the surrounding built environment.

#### **7. RECOMMENDATION**

##### **THAT CONDITION 11 (LANDSCAPING SCHEME) OF 18/01591/CDC BE DISCHARGED**

As shown on Drawing number LANDP001 Rev 13. The hard landscape shall be carried out in accordance with the approved details prior to the first occupation of the development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a

period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.