OS Parcels 4083 And 6882 Adjoining And North Of

17/00559/DISC

Broken Furrow Warwick Road Banbury

Applicant: Cherwell District Council

Proposal: Discharge of Condition 9 (landscaping scheme) of 16/01485/CDC

Ward: Banbury Hardwick

Councillors: Cllr Anthony Llott

Cllr J A Donaldson Cllr Nicholas Turner

Reason for Referral: Cherwell District Council Application

Expiry Date: 16 January 2018 **Committee Date:** 14 December 2017

Recommendation: Delegate authority to officers to determine the application

1. APPLICATION SITE AND LOCALITY

1.1. The application relates to a small area within the western part of a larger site (approx. 26ha) allocated for development, to which Policy Banbury 5 of the Cherwell Local Plan 2011-2031 applies.

- 1.2. The larger site gently undulates across the two agricultural fields from the Warwick Road to lower points in the south west and north east corners and to higher points to the north between the two fields and to the south east. A significant tree boundary runs along the whole of the north of the application area and to the south of the eastern most field. Trees and hedges also run along the remainder of the field boundaries.
- 1.3. The site's surroundings consist of the Hanwell Fields development to the south, amenity space, which is not public, to the east (and which falls within the site allocation), agricultural fields to the north which separate the site from Hanwell and agricultural fields to the west, west of Warwick Road.
- 1.4. Planning permission was granted under application reference 16/01485/CDC for the erection of 6 single storey, one bed flats for adults with learning difficulties and autistic spectrum condition; an associated parking area; shared landscaped gardens; a secured courtyard area; and staff/communal accommodation in an additional unit (seven units in total).

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The applicant seeks the Council's approval of details required by condition 9 of 16/01485/DISC. Condition 9 has previously been *partially* discharged under application reference 16/00512/DISC (delegated to Officers at the Planning Committee of the 24 November 2016).

3. RELEVANT PLANNING HISTORY

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

- 3.2. 16/00504/CDC Erection of single storey buildings to provide 6 one bed flats for adults with learning difficulties and autistic spectrum condition, associated parking area, shared landscaped gardens, secured courtyard area, and staff and communal accommodation in an additional unit (seven units in total) granted with conditions
- 3.3. 16/00515/CDC Erection of single storey building to provide 5 one bed flats for adults with acquired brain injury, associated parking area, secured courtyard area, and staff and communal accommodation in an additional unit (six units in total) granted with conditions
- 3.4. 16/01484/CDC Erection of single storey building to provide 5 one bed flats for adults with acquired brain injury, associated parking area, secured courtyard area, and staff and communal accommodation in an additional unit (six units in total) (revised scheme of 16/00515/CDC) granted with conditions
- 3.5. 16/01485/CDC Erection of single storey buildings to provide 6 one bed flats for adults with learning difficulties and autistic spectrum condition, associated parking area, shared landscaped gardens, secured courtyard area, and staff and communal accommodation in an additional unit (seven units in total) (revised scheme of 16/00504/CDC) granted, conditions
- 3.6. 16/01485/CDC Erection of single storey buildings to provide 6 one bed flats for adults with learning difficulties and autistic spectrum condition, associated parking area, shared landscaped gardens, secured courtyard area, and staff and communal accommodation in an additional unit (seven units in total) (revised scheme of 16/00504/CDC) Application Permitted
- 3.7. 16/00498/DISC Discharge of Condition 3 (energy strategy), 4 (brick sample) and 5 (roof tile sample) of 16/01485/CDC Application Permitted
- 3.8. 16/00499/DISC Discharge of Conditions 3 (energy strategy), 4 (brick sample) and 5 (roof tile) of 16/01484/CDC Application Permitted
- 3.9. 16/00511/DISC Discharge of Conditions 8 (specification of parking and manoeuvring), 12 (details of ground and finished floor levels) and 18 (cycle store /parking facilities) and Partial Discharge of Condition 9 (landscaping scheme) of 16/01484/CDC Application Permitted
- 3.10. 16/00512/DISC Discharge of Conditions 8 (specification of parking and manoeuvring), 12 (details of ground and finished floor levels) and 18 (cycle facilities) and partial discharge of Condition 9 (landscaping scheme) of 16/01485/CDC -Application Permitted
- 3.11. 17/00071/DISC Discharge of condition 6 (Amended elevation design details) of 16/01484/CDC Permitted Development
- 3.12. 17/00076/DISC Discharge of Condition 6 (Amended Elevation Design Details) of 16/01485/CDC Application Permitted
- 3.13. 17/00284/DISC Discharge of Conditions 13 (mitigation badger protection strategy), 15 (Biodiversity enhancements) and 16 (External light scheme) of 16/01485/CDC -Application Permitted
- 3.14. 17/00286/DISC Discharge of Conditions 13 (update to the mitigation strategy for badgers), 15 (biodiversity enhancements) and 16 (external light scheme) of 16/01484/CDC - Application Permitted

4. RELEVANT PLANNING POLICY AND GUIDANCE

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 The Cherwell Local Plan 2011-2031 Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 Presumption in Favour of Sustainable Development
- SLE4 Improved Transport and Connections
- BSC3 Affordable Housing
- ESD1 Mitigating and Adapting to Climate Change
- ESD2 Energy Hierarchy
- ESD3 Sustainable Construction
- ESD4 Decentralised Energy Systems
- ESD5 Renewable Energy
- ESD7 Sustainable Drainage Systems (SuDS)
- ESD10 Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 Local Landscape Protection and Enhancement
- ESD15 The Character of the Built Environment
- ESD17 Green Infrastructure
- INF1 Infrastructure
- BAN5 Land North of Hanwell Fields

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 Layout, design and external appearance of new development
- C30 Design of new residential development
- 4.3 Other Material Planning Considerations
 - National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)

5. APPRAISAL

5.1. Condition 9 requires a scheme for landscaping to be submitted to and approved in writing by the LPA including: Details of the proposed tree and shrub planting (including their species, number, sizes and positions, together with grass seeded/turfed areas); details of the existing trees and hedgerows to be retained as well as those to be felled (including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation); the reinforcement of the existing hedgerow along the Western, Eastern and Southern boundaries; details of the hard surface areas, pavements, pedestrian areas, crossing points and steps; and details of the minor artefacts/structures (i.e. surfaces, benches, fencing, walling etc.), which comprise public art works.

- 5.2. This information has been partially discharged under application 16/00512/DISC in so far as it only related to the southern part of the site, i.e. the landscaping adjacent to the road including the parking area.
- 5.3. No comments have yet been received from the Landscape Officer on this current application, although it is noted that suggested amendments to the previous application (16/00512/DISC) were made and that the Landscape Officer had commented on the plan now submitted.
- 5.4. Further clarity is required from the Landscape Officer as to whether the current proposals are acceptable or whether any minor amendments may be required.
- 5.5. It is, therefore, requested that Members delegate authority to Officers to determine that application, once satisfactory consultation responses have been received from the Landscape Officer.

6. RECOMMENDATION:

Delegate authority to Officers to determine the application in consultation with the Chairman of the Planning Committee.

CASE OFFICER: Matthew Coyne TEL: 01295 221652