

**Case Officer:** Shona King

**Recommendation:** Approve

**Applicant:** Deanfield Homes Limited

**Proposal:** Discharge of Open Space Scheme, in terms of Third Schedule (paragraph 2.1) and details of the LAP in accordance with paragraph 4.2 of the Third Schedule, in connection with planning permission 21/02893/REM

**Expiry Date:** 12 March 2024

**Extension of Time:**

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

- 1.1. The application site is part (3.7ha) of an agricultural field adjacent the village of Sibford Ferris. There are predominantly two storey residential properties with varying styles and palette of materials to the north and east of the site and Sibford School and associated supporting buildings also lie to the east. The site is bounded by mature agricultural boundary hedgerows with trees at points within the hedgerow. The Hook Norton Road runs adjacent the eastern boundary of the site, whilst Woodway Road, a single-track road runs along the western boundary. The north-eastern corner of the site sits at a similar level to the neighbouring residential properties to the north but falls away to the west, north and south.
- 1.2. Outline planning permission was granted at appeal 23<sup>rd</sup> December 2019 for a development of up to 25 dwellings with associated open space, parking and sustainable drainage. The reserved matters application has recently been submitted. Development is yet to commence on site.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The applicant is seeking approval for the Open Space Scheme as required by the Third Schedule (paragraph 2.1) of the Section 106 agreement, and details of the LAP in accordance with paragraph 4.2 of the Third Schedule, in connection with planning permission 21/02893/REM.
- 2.2. A revised Master Conveyance Plan has been submitted indicating that the open space is to be transferred to the District Council in accordance with the s106 and a revised boundary treatment plan showing the fencing for the allotments has been received.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. There is no planning history directly relevant to the proposal:

21/02893/REM - Approval of reserved matters pursuant to condition 1 of planning permission 18/01894/OUT for details of layout, appearance, scale, landscaping, access and parking for 25 dwellings - approved

## **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. LANDSCAPE SERVICES: Original comments - There are matters outstanding:

- Details of the play area are required in terms of layout/circulation/fall height, play equipment (with installation), fencing, gates, safer surfaces, seating, signage and litter bins. Compliance with BSEN1176 is essential. Litter bin required along with a sign with developer's contact details. 'no dog' concrete slabs to be set in paving at the two entrances.
- Construction details of the safer surfacing, paths and edging details: timber edging, hoggin and gravel are inappropriate because of safety and maintenance issues. Confirm the construction of the rubber mulch surface and the containing edges. The arrangement drawing does not show this information.
- A separate play area drawing proposal is required to show all details.
- The proposed boundary gravel path must be laid to tarmac and PCC edging. Any loose gravel near a play area will cause children to slip and hurt themselves.
- A 2 m high steel fence with gates are required for the allotment for reasons of security and indicated on the landscape proposals.
- A dog bin should be installed near the pedestrian entrance to the car park and indicated on the general arrangement and landscape proposals.

5.3. LANDSCAPE SERVICES: Final comments - The developer to confirm that the height of the allotment fencing and gates are going to be 1.8 m? If they can confirm this then condition 6 can be discharged (everything else is acceptable). The landscape management plan is also acceptable and condition 8 to be discharged.

## **6. APPRAISAL**

6.1. This application is made to discharge the Open Space Scheme, in terms of the Third Schedule (paragraph 2.1) and details of the LAP in accordance with paragraph 4.2 of the Third Schedule, in connection with planning permission 21/02893/REM. A Landscape Management and Maintenance Report, Landscaping Scheme and details of the LAP have been provided under application 23/03512/DISC to discharge conditions 6 and 8 of 21/02893/REM. A revised Master Conveyance Plan has also been submitted indicating that the open space is to be transferred to the District Council in accordance with the s106 along with the agreement that a 1.8m high weld mesh fence is to be erected around the allotments.

6.2. It is considered that the submitted plans and details are acceptable and the above Open Space Scheme clauses can be discharged.

## **7. RECOMMENDATION**

That the requirement for the submission and approval of an open space scheme in relation to the s106 agreement to 21/02893/REM is discharged in accordance with the following details and plans submitted with the application and further clarified by the

emails from Deanfield Homes Ltd dated 14 May 2024 and 23 May 2024:

- Landscape Management Plan and Maintenance Report,
- drawings numbered A318d PP01, A318d PP02, A318d Ga01LAP, A318d Dt01, 117.200.002 and T.113.500.000

And in accordance with drawing numbered T.117.200.003 Rev C (Material & Boundary Treatments) and email from Wesley McCarthy of Deanfield Homes Ltd to the local planning authority dated 28.06.2024 at 1526 hrs accompanying the Material & Boundary Treatments plan.

Case Officer: Shona King

DATE: 28 05 2024

Checked By: Nathanael Stock

DATE: 01.07.2024

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