

Case Officer: Linda Griffiths

Recommendation:

Applicant: L & Q Estates

Proposal: Discharge of condition 50 (earthworks) of 14/01932/OUT

Expiry Date: 18 March 2021

Extension of Time: 18 March 2021

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

1.1. This application relates to the larger part of a significant area of land that has been allocated for residential development through the Cherwell Local Plan Part 1 2011-2031 under Policy Banbury 17 for up to 1,345 dwellings and associated infrastructure. This application relates to the western part and the majority of that allocation, which is within the Banbury town parish. Outline consent for up to 1,000 dwellings on this part of the allocation was granted in December 2019. The site comprises approximately 52.5ha of agricultural land.

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. This application seeks to discharge condition 50 of the outline consent relating to the preliminary earthwork's strategy. This is a pre-commencement condition. The application is accompanied by several plans and documents and is considered alongside the information submitted in connection with condition 10 (drainage – 20/01164/DISC) and Condition 13 (remediation – 20/01163/DISC).

3. RELEVANT PLANNING HISTORY

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

14/01932/OUT – outline consent for the erection of up to 1,000 dwellings and associated infrastructure.

4. RESPONSE TO CONSULTATION

4.1 CDC Arboriculture: No comments.

4.2 CDC Ecology: No comments received.

4.3 CDC Landscape: Some concerns about the depth of the basins to be created and the east side of the football pitch is quite steep. How will the mound relate to the play area at the gateway?

4.4 CDC Recreation and Leisure: No comment.

4.5 CDC Environmental Health: No objection.

4.6 OCC Drainage: No comments received.

4.7 OCC Transport: No objection as no material is to be exported from site.

- 4.8 OCC Archaeology: No objection.
- 4.9 Environment Agency: Do not wish to comment.
- 4.10 Thames Water: No comments received.

5. APPRAISAL

- 5.1 The main earthworks proposed relate to the creation of the site-wide drainage network including 2 attenuation basins, a swale system, the creation of two platforms for the sports pitches in accordance with the agreed archaeology mitigation strategy and the creation of the parkland and the play area at the entrance to the development from Bloxham Road. Other earthworks relate to the construction of the spine road and suite access.
- 5.2 The objective of the earthwork's strategy is to create development platforms and attenuation features through a neutral cut and fill exercise thereby avoiding the need to take any material off site. The scheme as presented seeks to balance the excavation dictated by the drainage strategy and infrastructure works with the creation of landscape mounds and sports pitch plateaus in a balanced cut/fill manner. The final 'build' levels will be considered under condition 8 once development commences and reserved matters applications are submitted.
- 5.3 Some concern was raised by the Landscape Officer regarding the depth of the basins, their steep side profiles and the steep sides to the sports pitches. These matters have been discussed further with the applicant and agent. The basins will be designed to RoSPA standards and the edges are to be defined through planting and landscape treatment.
- 5.4 All batter slopes have been designed at 1:3 side slopes, including the slope to the east of the football pitch. It is not possible to extend the base of the batter without compromising the easement to the trunk water main and to slacken the batter would compromise the size of the pitches which have been specified through the Section 106 agreement. The plateau upon which the sports pitches are proposed is necessary to protect important archaeological remains below.
- 5.5 In terms of the Parkland Gateway, the landscape mounds have evolved to absorb the topsoil arising. The play facility will be located on the lower plateau level of the gateway mound with maintenance access from the eastern edge where the plateau is compatible with existing ground levels.
- 5.6 Having regard to the above, it is considered that the earthwork strategy is accepted and that the condition can be discharged accordingly.
- 5.7 The original application was EIA development. The earthworks strategy has had regard to the original outline submission and aims to ensure that all materials are redistributed across the site and that no material is exported. Therefore, the EIA is considered sufficient for the purpose of considering the information provided for this condition and it has been taken into account in considering this subsequent application.

6. RECOMMENDATION

That Planning Condition 50 of 14/01932/OUT be discharged based upon the following:

Condition 50

Arboricultural Technical Note and appendix produced by EDP

Materials management Strategy Rev P2

Drawings highlighted in agents letter dated 25th November 2020

Case Officer: Linda Griffiths

DATE: 15 March 2021

Checked By: Andy Bateson

DATE: 15 March 2021
