

Case Officer: Bob Neville

Recommendation: Approval

Applicant: Mr & Mrs Besterman

Proposal: Discharge of Condition 9 (tree pits) of 19/01387/F

Expiry Date: 6 October 2020

Extension of Time: 14/10/2020

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## 1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application relates to a site that previously comprised of a single, detached dwelling, four large agricultural buildings (two detached, the other two linked to a neighbour's outbuildings) and other smaller structures enclosed by hedges, and other hardstanding, as well as a manège to the west of the dwelling. A large area of agricultural land is also included within the blue line, i.e. the applicant's ownership, covering broadly 440 metres in a west-east direction and 290 metres in a north-south direction and bounded to the west by the county boundary between Oxfordshire and Warwickshire. This boundary also marks the eastern edge of the Cotswolds Area of Outstanding Natural Beauty. The site is accessed from Colony Road, a classified road, to the east. There are records of bats in the area.
- 1.2. Application 19/01387/F, for the 'Variation of Condition 2 (plans) of 16/01563/F - alterations to the design of the replacement dwelling, the erection of a replacement outbuilding, provision of a new 2m high wall and demolition of two bays of a stable building' at Muddle Barn Farm was approved subject to conditions on the 09/12/2019. Work to implement the approved development are well advanced at the time of this application.

## 2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. Condition 9 - Tree Pit details. The application is supported by a Landscape Management Plan dated 6<sup>th</sup> September 2019 and Planting Specification & Schedule Revision A dated 6<sup>th</sup> October 2020 (revised during the application).

## 3. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
16/01563/F	Demolition of an existing dwelling and a range of large-scale equestrian buildings and the erection of a replacement dwelling including associated works and landscaping (revised scheme of 15/01693/F)	Application Refused Allowed at appeal
18/00616/F	Variation of Condition 2 (Plans) of 16/01563/F and Appeal ref: APP/C3105/W/17/3173098	Application Permitted

<b>18/00793/F</b>	Variation of Condition 2 (plans) of 16/01563/F (Appeal reference - APP/C3105/W/17/3173098) - minor material amendments involving alterations to the design of the replacement dwelling as well as the erection of a replacement outbuilding	Application Permitted
<b>18/00358/DISC</b>	Discharge of Conditions 3 (dormers), 4 (materials), 5 (stone sample), 6 (doors and windows), 7 (FFLs), 10 (tree survey), 15 (badger check), 16 (Biodiversity enhancement) and 18 (access) of 18/00793/F	Application Permitted
<b>19/02372/DISC</b>	Discharge of Condition 8 (hard and soft landscape works) of 18/00793/F	Application Permitted
<b>19/01387/F</b>	Variation of Condition 2 (plans) of 16/01563/F - alterations to the design of the replacement dwelling, the erection of a replacement outbuilding, provision of a new 2m high wall and demolition of two bays of a stable building	Application Permitted

#### **4. RESPONSE TO CONSULTATION**

4.1. LANDSCAPE OFFICER: **No objections** following the submission of revised details.

#### **5. APPRAISAL**

- 5.1. Condition 9 requires that prior to the first occupation of the development locations, specifications and construction methods for all tree pits located within the landscaped areas are to be submitted to and approved in writing by the Local Planning Authority; in the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development.
- 5.2. In respect of the required tree pit details the applicants have submitted a Landscape Management Plan dated 6<sup>th</sup> September 2019 and a Planting Specification & Schedule Revision A dated 6<sup>th</sup> October 2020 (revised during the application). The Landscape Management Plan formed part of the landscaping scheme approved earlier in 2020 under ref. 19/02372/DISC.
- 5.3. The Planting Specification & Schedule document has been updated during the course of the application, in response to the Landscape Officer comments, highlighting the need for the standard (extra heavy) trees to be planted in accordance with the most current British Standard BS8545:2014 *Trees: from nursery to independence in the landscape – Recommendations*.
- 5.4. The revised details are considered acceptable, and are considered to provide an appropriate environment for the proposed new trees and looking to ensure the success of the approved wider landscaping scheme; interests of the visual amenities of the site and its wider setting in the valued rural landscape.

- 5.5. Unfortunately, the application has gone beyond its original target date, as a result of considering revised information in the context of the application. An appropriate extension of time has therefore been agreed with a view to reaching a positive outcome on the application.

**6. RECOMMENDATION**

That Planning Condition 9 of 19/01387/F be discharged based upon the following:

Condition 9

Tree pit details in accordance with the Planting Specification & Schedule Revision A dated 6th October 2020; received 08/10/2020

Case Officer: Bob Neville

DATE: 12 October 2020

Checked By: Nathanael Stock

DATE: 12.10.2020

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