

Case Officer: Linda Griffiths

Recommendation: Approve

Applicant: BDW Trading Limited

Proposal: Discharge of Conditions 2 (construction of external features), Con 3 (garage construction), Con 4 (enclosure boundaries), Con 5 (Bio-diversity) and Con 12 (Trees) of 19/00895/REM - Reserved matters to 15/01326/OUT - Layout, scale, appearance and landscaping for the residential development of up to 280 dwellings and 34 space car park.

Expiry Date: 2 July 2021

Extension of Time: 2 July 2021

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

1.1. This application relates to part of the strategic allocation in the adopted Cherwell Local Plan 2011-2031, Banbury 17 which is being built out by Barratt/David Wilson Homes. Outline planning consent was granted on appeal in December 2017 for up to 280 dwellings and associated infrastructure. Reserved matters consent for 280 dwellings was granted in July 2020. Whilst this is a strategic allocation for Banbury, this part of the site is within Bodicote parish. A new vehicular access into the site has already been constructed from White Post Road.

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. This application seeks to discharge several of the conditions attached to the reserved matters consent. These conditions relate to: the approval of a materials plan and sample panels; boundary enclosure details; site wide biodiversity enhancements; and tree pit details. The application is accompanied by a number of plans and documents accordingly.

3. RELEVANT PLANNING HISTORY

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

15/01326/OUT – outline consent for up to 280 dwellings and associated infrastructure

19/00895/REM – reserved matters for 280 dwellings

4. RESPONSE TO CONSULTATION

4.1 CDC Arboriculture – no objection.

4.2 CDC Ecology – comments that the numbers of bat and bird provisions are low and it is not clear which features are to be integrated into the fabric of the building which is preferred as it ensures the retention of features in the long term. More than 2 swift bricks should be installed. Word recommended should be changed to 'could' and 'should'. The plan needs to make clear what is actually intended and what is just a recommendation. Also hope to see bee bricks, insect hotels, green walls and log piles in boundaries etc.

5. APPRAISAL

- 5.1 The application seeks to discharge the following conditions.
- 5.2 Condition 2 requires the approval of a materials plan. Samples of the materials were inspected on site in May 2021 after months of waiting for them to be left on site for inspection. The brick, stone, render and pavior materials were accepted but the roof tiles were initially not. Following further discussions, the roof tiles have now been agreed. The agreed materials are shown on the materials plan and landscape drawings accordingly. The condition can therefore now be discharged.
- 5.3 Condition 3 requires sample panels of the proposed brick and natural ironstone to be constructed for inspection and approval. The sample panels were inspected in May and were approved. These being a natural ironstone from the Great Tew quarry, and Ibstock bricks Mellow Regent; Mercia Orange; and Hardwicke Minster Sandstone and Monocouche chalk render. The condition can now be discharged.
- 5.4 Condition 4 requires the approval of all means of enclosures within the development site to be approved. The plan submitted initially was generally acceptable except that it was considered that the fencing to the southern open space should be removed. This has been done and the submission is now considered acceptable. The condition can therefore be discharged accordingly.
- 5.5 Condition 5 requires site-wide biodiversity enhancements to be agreed. The submission has been assessed by the Council's Ecologist who advised that the proposals within the Biodiversity Enhancement Plan were generally fine, but that the numbers of bat and bird provisions were quite low as CDC seeks an equivalent of one provision per dwelling and the proposals fell significantly short of that level. It was also suggested that greater provision should be made to providing these within the fabric of buildings where their long-term provision was more likely, and they are easier to maintain. Further, the plan initially only showed indicative locations of provisions, so it was difficult to assess whether they were in appropriate places for the particular species targeted. It was also recommended that the number of swift bricks be increased and that the word 'recommended' be replaced by 'should and could'. Amended BEP and EMP have been sought to address those original concerns and it is considered that the condition can now be discharged accordingly.
- 5.6 Condition 12 requires the locations and details of tree pits to be approved. The submission has been assessed by the Council's Arboricultural Officer who advises that the proposals are acceptable. The condition can therefore be discharged accordingly.
- 5.7 The original application was EIA development. The submissions seek to provide additional details and information required by the reserved matters submission which also had regard to the original ES submitted with the outline application. The submission does not raise any additional issues or have any additional environmental impacts which have not previously been addressed. 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 Conditions 2, 3, 4, 5 and 12 of 19/00895/REM be discharged based upon the following:

Condition 2

BOD-CPRS-002 Rev E
2832-5-2 DR-5016 Rev S4-P5
2832-5-2 DR-5017 Rev S4-P6
2832-5-2 DR-5018 Rev S4-P6

Condition 3

Great Tew Natural Ironstone
Ibstock Mellow Regent
Ibstock Mercia Orange
Ibstock Hardwicke Minster Sandstone
Monocouche Chalk spray applied render

Condition 4

BOD BTP-001 Rev A
BOD BTP-002 Rev A

Condition 5

Biodiversity Enhancement Plan Rev A dated May 2021 produced by FPCR
Environment and Design Ltd
Ecological Management Plan Rev B dated May 2021 and produced by FPCR
Environment and Design Ltd
Swift nesting brick by Manthorpe building products

Condition 12

2832-5-2 DR-5500 Rev P1
2832-5-2 DR-5501 Rev P1

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DATE: 28 June 2021

Checked By: Andy Bateson

DATE: 29th June 2021
