

**Case Officer:** Caroline Ford

**Recommendation:** Approval

**Applicant:** A2 Dominion Group Ltd

**Proposal:** Discharge of condition 31 (Landscaping Scheme) of 10/01780/HYBRID

**Expiry Date:** 3 May 2021

**Extension of Time:**

## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

- 1.1. This application relates to a contained area of the Elmsbrook (Exemplar) development specifically to the north of Gaggle Brook School, to the west of Charlotte Avenue and to the south of the watercourse which runs through the site. A landscape scheme has been approved through the infrastructure phase for this part of the site and amendments are now proposed to this area to accommodate a Forest School with amendments made to the landscape scheme to accommodate this.
- 1.2. The area forms part of the public open space for the site but is currently inaccessible and it is assumed that the newly enclosed area could be accessible but would also be available for the Primary School for Forest School sessions (the submitted badger survey assumes the site will be inaccessible in the evening).
- 1.3. The amendments include the provision of an information sign, gates and fences (including the existing barbed wire fence removed and new rustic timber rails added instead), a new self-binding gravel footpath, a log circle, a covered area to be open on all sides with 4 posts and a flat sloping roof and features such as log piles and a bug hotel for habitat enhancements.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

- 2.1. As explained above, the information is submitted to re-discharge condition 31 for an amended landscape scheme to accommodate a forest school. Condition 31 required landscape designs for each phase to be submitted for approval. The condition set out a number of bullet points required to be provided but not all are relevant for this particular amendment. The reason for the imposition of the condition was in the interests of the visual amenities of the area and to ensure the creation of a pleasant environment for the development.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:
  - 10/01780/HYBRID – the original permission granted for this site.
  - 13/00249/DISC – the original approval of condition 31 for the infrastructure phase.
  - There have been numerous other discharge of conditions and non-material amendment consents relating to the wider site.

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

- 4.1 CDC Landscape – the landscape proposals are acceptable.
- 4.2 CDC Ecology – whilst the submitted survey is already 6 months old, the report's conclusions are agreed, providing the recommendations of the report are followed.

#### **5. APPRAISAL**

- 5.1. The site is relatively well contained between the school site and Charlotte Avenue. There are dwellings to the north facing towards the site across the river corridor and to the southeast, which back onto the school site but which are relatively close to the access point to the forest school site. The proposals are sympathetic to the landscape in this area in my view with a self-binding gravel path and natural features being introduced. The log circle providing seating and the covered area is to the western end of the site and therefore more distant when seen from the road and also from residential properties (and therefore would unlikely be anymore harmful to amenity than use of the school site, which is directly to the south). The covered feature is to be constructed from timber therefore would be suitable for this context. In my view, the proposals would be acceptable in terms of the visual amenities of the area and would contribute to the creation of a pleasant environment for the development in this part of the site. The Landscape Officer has raised no objection.
- 5.2. Ecological information relating to badgers has been submitted. The conclusions and mitigation measures are agreed by the Council's Ecologist notwithstanding that the report is 6 months old and that the situation could have changed. Various mitigation measures are set out in the report. As such, the Council's Statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017 have been met and discharged.
- 5.3. The original application was EIA development. This application to discharge planning conditions is a subsequent application and therefore the content of the EIA must be taken into account and it must be concluded to be sufficient to consider the details submitted to clear the planning condition. I am satisfied that the EIA is sufficient to consider the detailed information provided and it has therefore been taken into account in the consideration of this application.

#### **6. RECOMMENDATION**

That Planning Condition 31 of 10/01780/HYBRID be discharged based upon the following:

##### Condition 31

The Landscape Scheme shown on drawing numbers ALD871-MP001 Rev P01 (titled 'Landscape General Arrangement') and ALD871-ES601 Rev P02 (titled 'Landscape General Arrangement') are acceptable. In addition, the recommendations at Section 7 of Badger Survey Report (20-4067 Version 1) dated October 2020 prepared by Lockhart Garratt must be followed.

##### Planning Note

N.2

Case Officer: Caroline Ford

DATE: 22 April 2021

Checked By: Andy Bateson

DATE: 23 April 2021

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