

**Case Officer:** Linda Griffiths

**Recommendation:** Approve

**Applicant:** Ms Sarah Griffiths

**Proposal:** Discharge of condition 18 (LEMP) OF 14/01932/OUT

**Expiry Date:** 20 September 2021

**Extension of Time:** 1 February 2022

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

- 1.1. The site is the larger part of the Banbury 17 allocation in the adopted Cherwell Local Plan 2011-2031 for up to 1,000 residential dwellings and associated infrastructure. The site has outline consent, but development has yet to start on site, which is anticipated in early Spring.

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

- 2.1. The application seeks to discharge condition 18 of the outline consent relating to the Landscape Ecological Management Plan. The application is accompanied by a LEMP report.

## **3. RELEVANT PLANNING HISTORY**

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

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

## **4. RESPONSE TO CONSULTATION**

- 4.1. Ecology Officer: No comments received.
- 4.2. Landscape Officer: initial objection, but following revised submissions advises that the condition can now be discharged. All the consultation responses and comments can be read in full in the application documentation.
- 4.3. Natural England: Wish to make no comment.
- 4.4. OCC Single Response: No comments received.
- 4.5. Arboriculture Officer: No comments received.
- 4.6. Ward Councillor: No comments received.

## **5. APPRAISAL**

- 5.1. The proposed LEMP was originally submitted in July 2021 and assessed by the Landscape Officer who objected to the submission on the grounds that it was poor and lacked any logical thought process. A number of concerns were raised, for example, the survey information did not feed into the proposals, such as white letter

hairstreak butterfly, which needs elm for its caterpillars to feed on but there was little mention of preserving or augmenting the Elm, or planting for foraging bats etc. Neither did it originally include sufficient information regarding management and how net gains in biodiversity would be measured.

- 5.2. Following the above comments, a revised LEMP was received in November 2021 which was again assessed by the Landscape Officer who advised that the LEMP remained poor and lacked sufficient detail and commitment to biodiversity enhancement and how that might be achieved.
- 5.3. A further LEMP (version H) was subsequently received in December 2021 and is now considered acceptable having satisfactorily addressed the previous criticisms. It is therefore considered that the condition can now be discharged accordingly.
- 5.4. The original application was EIA development. The condition to be discharged does not raise any additional issues and the LEMP to be submitted specifically addresses the condition relating to the outline consent and prior to works starting on site following the information submitted with the Environmental Statement at that time. 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 18 of 14/01932/OUT be discharged based upon the following:

### Condition 18

Revised Landscape Ecological Management Plan prepared by The Environmental Dimension Partnership Ltd (EDP) report reference edp5378\_r004h and as clarified by email from James Watt of EDP dated 20<sup>th</sup> December 2021.

Case Officer: Linda Griffiths

DATE: 27 January 2022

Checked By: Andy Bateson

DATE: 27<sup>th</sup> January 2022

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