

Case Officer: Nathanael Stock

Recommendation: Approve

Applicant: Gade Homes Ltd

Proposal: Discharge of Condition 9 (Landscape Ecological Management Plan) of
18/01894/OUT (APP/C3105/W/19/3229631)

Expiry Date: 20 June 2022

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site is part (3.7Ha) of an agricultural field adjacent the village of Sibford Ferris. There are predominantly two-storey residential properties with varying styles and palette of materials to the north and east of the site and Sibford School and associated supporting buildings also lie to the east. The site is bounded by mature agricultural boundary hedgerows with trees at points within the hedgerow. The Hook Norton Road runs adjacent the eastern boundary of the site, whilst Woodway Road, a single-track road runs along the western boundary. The north-eastern corner of the site sits at a similar level to the neighbouring residential properties to the north but falls away to the west, north and south.
- 1.2. Outline planning permission was granted at appeal 23rd December 2019 for a development of up to 25 dwellings with associated open space, parking and sustainable drainage. The reserved matters application has recently been submitted. Development is yet to commence on site.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The application seeks approval for the details required by the conditions named in the description – condition 7 - CTMP.
- 2.2. The application relates to a revised Landscape and Ecological Management Plan received 22nd September 2022, file ref. “6126 LEMP vf2 CG/LP/JB” and dated September 2022.

3. RELEVANT PLANNING HISTORY

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

14/00962/OUT - OUTLINE - Erection of six Affordable Local Needs Dwellings and two Market Sale Dwellings with associated car parking and access road including the provision of open space and allotments – application withdrawn (had been granted by planning committee subject to S106 but the latter was never completed).

18/01894/OUT - Outline planning permission with all matters reserved for up to 25 dwellings with associated open space, parking and sustainable drainage – refused; but allowed subsequently at appeal.

4. RESPONSE TO PUBLICITY

- 4.1 There is no requirement to publicise an application of this nature by letters to neighbours or by advertisement in the local newspaper.

5. RESPONSE TO CONSULTATION

- 5.1. CDC Ecology (08.09.22) – generally content, but comments as follows:

- they have not submitted a biodiversity impact assessment to show a net gain but it is likely that a reasonable net gain will be achieved here so I don't think this is a particular issue.

- the objective for each habitat type should be more accurately defined for monitoring purposes. It will be difficult to assess what success for each habitat will look like

- there seems some uncertainty over how the site will be managed (i.e. who has the responsibility) in the future and this should be resolved (not necessarily within the LEMP)

- the proposed monitoring intervals by an ecologist are fine but there may need to be additional monitoring reviews following year 10 to ensure the habitats are still functioning as well as they should.

- Please add the following to 6.7.6 - 'To permit flowering, mowing can be relaxed from late June. Mowing may be suspended earlier in the year to allow cowslips to flower. Heavy quantities of cuttings should be collected and removed from site'. so the flowers are allowed to develop.

- For section 6.11.2 - hedgehog highways or cut-outs - small signs will need to be placed above these so future residents understand their purpose and their retention is more likely.

- Currently they only propose 9 integrated provisions for bats/birds on site (at most 13 if they wish to count the sparrow terraces as 3) and this is lower than CDC guidance of the equivalent of at least one provision per dwelling (albeit these may be best clustered for colonial species). I would like to see this number increased therefore in line with current expectations.

- 5.2. CDC Ecology (18.10.22) – I am happy with the amended LEMP which incorporates all the suggested changes. I have no objections to the condition being discharged.

- 5.3. CDC Landscape (15.09.22) – makes comments re elements to be included in a LEMP from a landscape management perspective.

6. APPRAISAL

- 6.1. The applicant submitted an updated Landscape and Ecological Management Plan (“LEMP”) on 22nd September 2022, file ref. “6126 LEMP vf2 CG/LP/JB” and dated September 2022. The applicant summarises the changes to the original as follows:

- 6.2. Additional paragraphs added

6.2 - Target habitat type and condition.

6.4.8 - Target Habitat and Condition for retained hedgerows.

6.5.6 - Target Habitat and Condition for native trees and shrubs.

6.6.5 - Target Habitat and Condition for native hedgerows.

6.7.10 - Target Habitat and Condition for wildflower grassland.

6.8.7 – was paragraph 6.7.6, comment added at ecologist's request. 'To permit flowering, mowing can be relaxed from late June. Mowing may be suspended earlier in the year to allow cowslips to flower. Heavy quantities of cuttings should be collected and removed from site'.

6.8.7 - Target Habitat and Condition for flowering lawn.

6.9.15 - Target Habitat and Condition for orchards.

6.10.8 - Target Habitat and Condition for attenuation features.

6.11.8 - Target Habitat and Condition for ornamental planting.

6.12.2 – was paragraph 6.11.2 – details of small signs to be placed added as per ecologist's request.

8.2 – clarification of monitoring visit timings.

8.3 – further details on how these assessment surveys will be carried out.

“Appendix 6126/1 updated to reflect drawing submitted for Condition 22 of the Reserved Matters consent and includes further bird and bats boxes in accordance with CDC guidance.

“In addition, the revised LEMP addresses the comments 2, 9 and 10 raised by the landscape officer which relate to an additional 15 year monitoring visit, supervision required by a qualified ecologist and that compliance with the appropriate legislation e.g. nesting birds, and relevant/current British Standards will be followed.”

6.3. Having assessed the content of the amended LEMP, and in light of the above comments from the Council's ecology officer, it is considered that this application can now be approved.

7. RECOMMENDATION

That Planning Condition 9 of application ref. 18/01894/OUT be discharged based upon the following:

Condition 9

Landscape and Ecological Management Plan (LEMP) by aspect ecology, file ref. “6126 LEMP v2 CG/LP/JB” and dated 21.09.2022, received by the Local Planning Authority in an email from the applicant dated 22.09.22 at 12:16 hours.

Case Officer: Nathanael Stock

DATE: 18 October 2022

Checked By: Paul Ihringer

DATE: 18/10/22
