

Case Officer: Linda Griffiths

Recommendation: Approve

Applicant: Persimmon Homes Ltd

Proposal: Discharge of Conditions 2 (Materials) 3 (approved sample panels), 13 (SuDS drainage proposals), 15 (Construction Traffic Management Plan) and 16 (Residential Travel Plan and Residential Travel Information Plan) of 22/02068/REM

Expiry Date: 12 January 2024

Extension of Time: 12 January 2024

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. This application site comprises Parcels 1 and 3 of the larger part of the Wykham Park or Banbury 17 development allocation in the adopted Cherwell Local Plan 2011-2031 for up to 1,000 residential dwellings and associated infrastructure. Parcels 1 and 3 will comprise 237 of the approved 1,000 dwellings. Development has commenced on site with a start made on construction of seventy plots in Parcel 1 and the associated access roads.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. The application seeks to discharge condition 2 (materials) condition 3 (sample panels), condition 13 (SuDS drainage proposals), condition 15 (Construction Traffic Management Plan) and condition 16 (Residential Travel Plan and Residential Travel Information Plan). The original submission also included condition 8, which related to architectural details. This has subsequently been withdrawn from the submission as the introduction of barge boards were not considered acceptable. The application is accompanied by an External Materials Plan, S104 Adoption Plans, Working site layout plan, Landscape Proposals and Basin/Swale details, Construction Traffic Management Plan and Compound Plan and Travel Information Pack.

3. RELEVANT PLANNING HISTORY

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

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

20/03702/REM – reserved matters consent for spine road.

20/03724/REM – reserved matters consent for western perimeter road and ancillary loop road.

22/02068/REM – reserved matters consent for Parcels 1 and 3 for 237 dwellings.

4. RESPONSE TO CONSULTATION

- 4.1 CDC Arboriculture: No comments received.

- 4.2 CDC Ecology: No comments received.
- 4.3 CDC Environmental Health: No Objection.
- 4.4 CDC Landscape Services: No objection.
- 4.5 OCC Transport: No objection.
- 4.6 OCC Drainage: No objection.

5. APPRAISAL

- 5.1 Condition 2 – requires the submission and approval of materials samples together with a plan indicating where these materials will be used within the development. There has been much discussion regarding samples of bricks. The approved bricks Ibstock Mercia Orange Antique and Ibstock Mellow Regent are now proposed. These are being used on the adjacent David Wilson Homes scheme (Banbury 17). These bricks are considered appropriate for Banbury in terms of their texture and colour and will also provide some consistency with the remainder of Banbury 17. It has been agreed that the Mellow Regent will be the main red brick and used along the spine road. Natural ironstone is proposed to Bloxham Road frontage and to the internal areas of open space in accordance with the approved Design Code. The latest amended plan has also sought to ensure that the boundary to areas/gardens open to the public domain are generally constructed in natural stone/brick to match the dwelling to which they are associated. Roof tiles proposed are a natural slate to the natural stone properties and a mix of Sandtoft 20/20 clay tiles, colour Flanders and Antique Grey for the remainder, again to co-ordinate with the adjacent development. These materials have been used extensively elsewhere within the District and are considered acceptable. Shared drives and parking courts will be surfaced using a black paving – Firbeck, which is acceptable. The condition can therefore be discharged accordingly.
- 5.2 Condition 3 – requires the erection of natural stone and brick samples in respect of condition 2 above, for inspection and approval. Following discussions, the sample panels have been constructed in accordance with the materials agreed for condition 2 above and were considered to be acceptable upon inspection. The condition can therefore be discharged accordingly.
- 5.3 Condition 13 – requires that prior to the construction of any development above slab level, that any SuDS drainage proposals for the Parcels shall be submitted and approved. This condition follows the initial construction of a deep and unacceptable attenuation hole within a pocket park on another site. The submission is accompanied by a series of plans showing the details and positions. The outline drainage consent proposes a series of shallow swales through the green infrastructure corridors which run north to south through the development. The proposals have been assessed by OCC as Local Lead Flood Authority who have confirmed that the proposals are acceptable from a drainage point of view. The applicant has confirmed by email that swales and attenuation will only be located in the positions already approved through the outline consent and no additional SuDS will be placed within LAPs. This condition can therefore be discharged accordingly.
- 5.4 Condition 15 – requires prior to the commencement of development the submission and approval of a Construction Traffic Management Plan. The submitted plan and accompanying Site Compound layout plan have been assessed by OCC who have raised no objection. The site compound proposed at the eastern end of Parcel 3 is considered acceptable and will not impinge on areas of open space/play space. The condition can therefore be discharged accordingly.

- 5.5 Condition 16 – requires that prior to first occupation a Residential Travel Plan and Residential Travel Information Plan be submitted and approved. The submission has been assessed by OCC as local highway authority. The original submission was not considered acceptable as some information was missing. This has subsequently been amended and is now acceptable. The condition can therefore now be discharged accordingly.
- 5.6 The original application was EIA development. The conditions above relate to subsequent information and detail following the approval of reserved matters. These conditions do not adversely affect or change matters discussed through the Environmental Statement. 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, 13, 15 and 16 of 22/02068/REM be discharged based upon the following:

Condition 2:

Drawing number 051 Rev L _ External Materials Plan received by email 11th January 2024.

Condition 3:

Sample panels constructed on site and inspected July 2023 of the Ibstock Mercia Orange Antique brick, Ibstock Mellow Regent brick and natural Ironstone.

Condition 13:

Basin and swale construction details – 04841-HYD-XX-XX-DR-C-5450-P04; S104 Adoption Plan 22647-HYD-XX-XX-DR-C-0100 P03; S104 Adoption Plan 22647-HYD-XX-XX-DR-C-0101 P02; Landscape Drawings P21-2662-102D; 103D; 104D and 106D and as clarified by the applicants email dated 11th January 2024.

Condition 15:

Construction Traffic management Plan submitted with the application; Compound Layout Plan 385/COM/001.

Condition 16:

Residential Travel Plan version 3 dated December 2023 produced by Mode Transport.

Case Officer: Linda Griffiths

DATE: 11 January 2024

Checked By: Andy Bateson

DATE: 12th January 2024
