

Case Officer: Linda Griffiths

Recommendation: Approve

Applicant: Persimmon Homes South Midlands Ltd

Proposal: Discharge of Conditions 4 (Biodiversity Enhancement Strategy) and 10 (Tree Pit Details) of 22/02068/REM

Expiry Date: 4 September 2023

Extension of Time: 15th November 2023

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 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.

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. The application seeks to discharge condition 4 (biodiversity enhancement) and condition 10 (tree pit details) of the reserved matters consent for the parcels in question. The application is accompanied by a biodiversity enhancement strategy and tree pit details.

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 the 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: Condition 10 can be discharged.

4.2. CDC Ecology: A number of revisions to the document are required before the condition can be discharged.

5. APPRAISAL

5.1. Condition 4 – requires the submission and approval of a Biodiversity Enhancement Strategy. The ecologist advised that the initial submission could not be discharged as several revisions were required. The strategy with numerous tables was deemed

confusing and inconsistent. Bat/bird/habitat boxes need to be installed during the construction phase if built in. We seek the equivalent of a minimum of one bat or bird (or potentially invertebrates) provision per dwelling albeit that these may be best clustered. The hedgehog highways proposed through fencing are welcome, however a specific sign should be placed above fence holes and information given to future residents to try to ensure their retention. There are only two log piles shown and whilst they are likely to be of benefit to biodiversity it is not proposed to maintain/renew/monitor these after year 1. It was requested that further log piles be considered and that after 5 and 10 years they should be renewed or added to where possible.

- 5.2. The comments made by the Ecology Officer were forwarded to Persimmon and a revised Biodiversity Enhancement Strategy was received in September. This revised version is now considered acceptable by the Ecologist and the condition can therefore now be discharged accordingly.
- 5.3. Condition 10 – requires the submission and approval of tree pit details. The drawing submitted showing tree pit details has been assessed by the Council’s Arboriculture Officer who considers the detail to be acceptable. The condition can therefore be discharged accordingly.
- 5.4. 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 4 and 10 of 22/02068/REM be discharged based upon the following:

Condition 4:

Biodiversity Enhancement Strategy Rev A dated September 2023 produced by FPCR Environment and Design Ltd on behalf of Persimmon Homes Ltd

Condition 10:

Drawing number P21-2662-EN-0002-A-0001 Rev A.

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DATE: 13 November 2023

Checked By: Andy Bateson

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