

Case Officer: Samantha Taylor

Recommendation: Approve

Applicant: BDW Trading Ltd

Proposal: Discharge of conditions 3 (specification details), 4 (landscaping scheme), 6 (tree pits) and 9 (gate enclosure) of 14/00702/REM.

Expiry Date: 3 December 2015

Extension of Time:

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

1.1. The application site relates to the spine road that has been constructed through the residential development known as Longford Park, a large residential scheme with country park, primary school, open space and leisure facilities. The spine road links Oxford Road to Bankside, with a loop section at the local centre and school.

2. CONDITIONS PROPOSED TO BE DISCHARGED

2.1. The conditions which this application seeks to confirm details are acceptable for are summarised below:

- Condition 3 – Spine Road Details
- Condition 4 – Landscaping Scheme
- Condition 6 – Tree Pits
- Condition 9 – Gate Enclosure to Canal Lane

3. RELEVANT PLANNING HISTORY

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

14/00702/REM - Reserved Matters application for the proposed Spine Road

4. RESPONSE TO CONSULTATION

4.1. Consultation letters were sent to OCC Highways, CDC Landscaping and CDC Arboriculture; no responses were received.

5. APPRAISAL

5.1. Since receipt of this application, the spine road has been constructed and is now adopted and in use. Therefore, whilst each of these conditions were pre-commencement conditions requiring the submission of the details and their subsequent approval prior to any construction works being undertaken, the development has now been constructed. This is regrettable and means that it is now very difficult for the Local Planning Authority to seek changes to the submitted details; it would only be justified to refuse the details if they were clearly unacceptable to the point that enforcement action would be justified.

- 5.2. Consultation was carried out in respect of the proposals, but no responses were received. The road has subsequently been completed and adopted and is in use. Therefore, and in the absence of any evidence or reasoning to the contrary, the works as constructed are considered acceptable. A photographic record of the completed works has been taken.

6. RECOMMENDATION

That Planning Conditions 3, 4, 6 and 9 of 14/00702/REM be discharged based upon the following:

Condition 3 - Spine Road Details

Longford Park, Banbury Spine Road - Overview 5205/ASP/SR01 Rev C
Phase 2 Adoptable Foul Drainage General Arrangement Sheet 2 of 2, 20488_02_070_13.2 Rev G
Phase 2 Adoptable Storm Drainage General Arrangement Sheet 2 of 4 20488_02_070_3.2 Rev M
Phase 2 Adoptable Storm Drainage General Arrangement Sheet 3 of 4 20488_02_070_3.3 Rev M
Phase 2 Adoptable Storm Drainage General Arrangement Sheet 4 of 4 20488_02_070_3.4 Rev M
Phase 2 - Spine Road and Parcel B Adoptable Surfacing and Kerbing Sheet 1 of 2 20488_02_060_01.1 Rev H
Phase 2 - Spine Road and Parcel B Adoptable Surfacing and Kerbing Sheet 2 of 2 20488_02_060_01.2 Rev H
Phase 2 General Arrangement Sheet 1 of 6 20488_02_020_03.1 Rev H
Phase 2 General Arrangement Sheet 2 of 6 20488_02_020_03.2 Rev H
Phase 2 General Arrangement Sheet 3 of 6 20488_02_020_03.3 Rev H
Phase 2 General Arrangement Sheet 4 of 6 20488_02_020_03.4 Rev H
Phase 2 General Arrangement Sheet 5 of 6 20488_02_020_03.5 Rev H
Phase 2 General Arrangement Sheet 6 of 6 20488_02_020_03.6 Rev H

Condition 4 - Landscaping Scheme

Longford Park, Banbury Spine Road - Overview 5205/ASP/SR01 Rev C
Longford Park, Banbury, Spine Road - 1 of 6 5205/ASP/SR02 Rev C
Longford Park, Banbury, Spine Road - 2 of 6 5205/ASP/SR03 Rev C
Longford Park, Banbury, Spine Road - 3 of 6 5205/ASP/SR04 Rev C
Longford Park, Banbury, Spine Road - 4 of 6 5205/ASP/SR05 Rev C
Longford Park, Banbury, Spine Road - 5 of 6 5205/ASP/SR06 Rev C
Longford Park, Banbury, Spine Road - 6 of 6 5205/ASP/SR07 Rev C

Condition 6 - Tree Pits and Associated Features

Longford Park, Banbury Spine Road - Overview 5205/ASP/SR01 Rev C
Longford Park, Banbury, Spine Road - Tree Pit Details 5205/ASP/SR.TPD.08 Rev A

Condition 9 - Gate Enclosure to Canal Lane

Longford Park, Banbury Spine Road - Overview 5205/ASP/SR01 Rev C
Longford Park, Banbury, Access Gates, LPB Drg No. 01

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DATE: 10 August 2020

Checked By: Alex Keen

DATE: 23 August 2020