

## Countryside Properties condition C.90E UTT/0555/06/DFO

### Development Control, item 6

**Committee:** Development Control

**Agenda Item**

**Date:** 13 December 2006

**6**

**Title:** Consideration of details submitted by Countryside Properties in response to the requirements of condition C90E pursuant to reserved matters approval UTT/0555/06/DFO for infrastructure to include spine road, landscaping and drainage details

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Item for decision

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### Summary

1. This item seeks Members authorisation to approve the revised details submitted in response to condition C90E of reserved matters approval reference UTT/0555/06/DFO, following the refusal of details at the committee meeting on 22 November. The condition requires the submission and approval of details pertaining to screen planting in the interests of the appearance of the development and to safeguard the amenities of surrounding residential properties.

### Background

2. Members resolved to approve the reserved matters, reference UTT/0555/06/DFO, for the phase five spine road and landscaping, at the Development Control Committee on 28 June 2006. The approval was granted subject to a number of conditions including condition C90E, which is subject to this report. The condition reads:

'No development shall take place until full details of screen planting and earth bunding have been submitted to and approved in writing by the local planning authority. The landscaping details to be submitted shall include planting plans, including locations of planting, specifications of species, sizes, planting centres, number and percentage mix, proposed finish levels (earthworks to be carried out) and management and maintenance details. All soft landscape works shall be carried out in accordance with the approved details and all planting shall take place during the next available planting season of November 2006 unless otherwise agreed in writing by the local planning authority. Any trees or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority consent to any variation.'

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Reason: In the interests of the appearance of the development and to safeguard the amenities of surrounding residential properties.

3. In order to comply with this condition the applicants submitted details for consideration by letter dated 14 September 2006. This included a continuous landscaped belt comprising a four metre wide tree belt running along the eastern and northern boundaries of phases seven and eight of the Priors Green development immediately to the east of properties in Smiths Green and to the south of properties in Jacks Lane, including Warren Close. This belt was proposed to be incorporated within the gardens of the new residential properties associated with phases seven and eight of the development. Existing residents whose properties back onto the proposed landscaping were subsequently notified of the submission as was Little Canfield and Takeley Parish Councils. Subsequently eight letters of objection were received from six neighbouring households. A concurring theme of these letters was that residents were particularly concerned with the proposal to incorporate the landscape belt within the new properties rather than forming a separate belt between the two due to the uncertainty of long term retention and maintenance.
  
4. Following this, Members will recall that revised details were considered at the previous committee meeting (22 November) and subsequently refused. Although this scheme proposed a separate strip to be adopted by the Council members considered the details unacceptable on a number of counts. The width of the landscaping belt was considered too narrow, the planting sizes too small, insufficient numbers of trees and evergreen species were included in the mix and inadequate fencing was proposed on both sides of the belt. Following this decision, officers have again discussed these matters at length with Countryside Properties, which has culminated in the submission of revised details now put before Committee. These details attempt to address the Committees concerns and now propose a continuous landscape belt again intended for adoption by the Council but subject to the following amendments. The width of the entire landscaped belt has been increased to 6 metres comprising a 5 metre tree belt and 1 metre wide maintenance strip. The previous refused submission detailed a 5 metre belt on phase 8 boundaries and a 3 metre wide belt on the phase 7 boundary, both incorporating 1 metre wide maintenance strips. Other revisions include increasing the size of the plant stock, with trees now specified as 16 – 18cm girth and approximately 4 to 5 metres in height at the time of planting (as apposed to two metres as previously refused). Numbers of trees has also been increased from 24 as proposed previously to 55 no. trees, with particular emphasis on planting to the more open boundaries along the western side of the northern boundary abutting Warren Close. The proportion of evergreens has been increased with 62.5% evergreen within mix 1 and 20% within mix 2. Fencing has also been revised to include a 1.8 metre high metal mesh fence

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on steel posts to the rear gardens of the new development and 1.4 metre metal mesh fencing on steel posts to the rear boundaries of the existing properties.

Again neighbouring residents and parish councils have been consulted with regard to the submitted details. Representations made will be reported to the committee.

### **Recommendations**

5. That Members approve the submitted details pursuant to condition C90E of approval UTT/0555/06/DFO.
  
6. Turning to the details of the submission, following advice from the Council's landscape officer, officers are satisfied that the planting belt now overcomes the concerns expressed by Members at the previous committee. The increases to the width of the landscaping belt, the size of planting, numbers of trees and percentage of evergreen species, will ensure that good screening will be afforded by the landscaping following planting and throughout the entire calendar year. The additional fencing at a height of 1.8 metres will also provide adequate security, whilst the design will not compromise the ability of the planting stock to establish itself successfully. The condition does refer to bunding, which is not included in the submission, however this was not raised as a concern by Members at the previous meeting. Also landscaping advice concerning this matter is that this could compromise the ability of the planting to successfully establish itself within the strip. Importantly, the landscaping scheme still allows for the adoption of this strip by the Council, which is considered essential in the interests of the long term maintenance of the landscaping in order to ensure its retention as a permanent feature of the development. This is justified in the view of officers, as although it will not form part of a public open space for the public's benefit, its provision and permanent retention can act in creating a wildlife corridor within the development.

Copies of the submitted drawings are attached.

### **Background Papers**

Planning application file UTT/0555/06/DFO, including the report to the Development Control Committee meeting on 28 June 2006 and the Chief Officers Report to the Development Control Committee on 22 November 2006.

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**Impact**

Communication/Consultation	Neighbours and the Parish Councils have been notified
Community Safety	No impacts
Equalities	No impacts
Finance	None based on recommendation
Human Rights	No impacts
Legal implications	Would preclude development until a scheme is agreed and may be subject to appeal
Ward-specific impacts	Takeley/Little Canfield
Workforce/Workplace	None