

REGULATORY COMMITTEE
14th FEBRUARY 2007

CHRISTIAN MALFORD: LAND AT 28 MAIN ROAD -
PROPOSED LANDSCAPING SCHEME FOR MR. J.D. PORTER
(Application No. N.05.07003)

Purpose of Report

1. To consider the landscaping scheme submitted pursuant to the requirements of the planning permission for the site.

Background

2. At their meeting on 10th May 2006, Members resolved to grant planning permission for the change of use of the site to a waste transfer station, subject to conditions covering matters such as improvements to the site access, landscaping, hours of working and stockpile heights.
3. Members further resolved that Officers should liaise with the site operator in relation to the landscaping scheme required to be submitted by the permission to ensure that the site is adequately screened on all frontages. Such work was to be undertaken in close consultation with affected residents, the Parish Council and the Local Member prior to consideration and approval of the scheme by the Regulatory Committee.
4. Planning permission was issued on 31st May 2006. Condition 3 of the permission required the submission of a detailed scheme for landscaping of the site to be submitted to the Waste Planning Authority for approval within 3 months of the date of the permission.
5. The scheme was to include:
 - (a) details of the new trees and shrubs to be planted
 - (b) the programme for implementation
 - (c) arrangements for subsequent maintenance and
 - (d) the provision of a wooden fence along the northern boundary of the site alongside the B4069

Proposals

6. The Applicant's planning agent submitted a scheme of landscaping on 18th July 2006 (referred to as Scheme 1 in this report). Consultations in respect of this scheme identified a number of deficiencies, particularly the absence of any fencing along the northern boundary. Officers therefore invited a revised scheme that reflected more fully the requirements of Condition 3.
7. A revised scheme was submitted on 6th October 2006. This revised scheme (Scheme 2) seeks to address the identified deficiencies, but again does not propose the erection of any fencing along the northern boundary/alongside the B4069.
8. A copy of Scheme 2 and the Applicant's covering letter is attached at **Appendix 1**. A full-sized copy of the scheme drawing will be displayed at the meeting.

Consultations

In relation to **Scheme 1**:

9. **Christian Malford Parish Council** - makes the following observations:
 - (i) the bund stops short of enclosing the yard
 - (ii) the land south of the yard should be planted with large native trees to provide for a more natural landscape around the site in the long term
 - (iii) the plan does not show the wooden fence required by the planning condition - a post and rail is sufficient in front of the existing vegetation
 - (iv) the programme of landscaping should provide for planting and maintenance to mask the large structures adjacent the B4069
10. **Local Member, Mrs. J. Scott** - concurred with the Parish Council's comments. Concerned that there needs to be a high closed boarded fence around the property for safety and aesthetic reasons.
11. **Local residents** - two of the three affected local residents responded. The points raised were as follows:
 - Pleased to note that a new steel mesh fence will encircle the site and the footpath moved, both of which address safety concerns previously highlighted
 - Bunding does not extend around the whole yard
 - Planting does not extend beyond the mound - this should extend into the southern area of the bund
 - No proposals for implementation or maintenance of the planting
 - Further trees are to be felled outside main entrance - area would benefit from them remaining
 - No extra planting is evident alongside the B4069.
12. **County Landscape Officer** - concerned that the constructed bund should be planted with feathered trees to provide height and structure to the planting. Noted that no information had been provided in relation to how many trees/shrubs of each species will be planted or future maintenance. Considered that, although a little sparse in front of the waste bays, the existing vegetation is already providing a screen to the site and provision of a fence would mean that this existing vegetation would have to be removed. Such steps would be unacceptable as insufficient room is available to replace the planting and a visually obtrusive slab-sided timber fence running alongside the highway would be out of context in the local landscape character.

In relation to **Scheme 2**:

13. **Christian Malford Parish Council** - notes that the bund and associated planting still do not extend around the western end of the site and considers this to be a serious omission. Considers that the planting should include some large native trees to help shield the high machinery. Happy to accept the Council's judgement regarding the best way to offset the visual impact of the structures alongside the B4069.
14. **Local Member, Mrs. J. Scott** - no further comments received.
15. **Local residents** - no further comments received.

16. **County Landscape Officer** - notes that the planting has been extended south of the bund and that the north face will now be grassed. Points out that the planting mix illustrated on the submitted drawing plan is of uniform age and height, not random groups of feathered trees inter-planted into the shrub mix as previously recommended. Provides detailed commentary on the options for screening the site along the northern boundary with the B4069 Main Road - see paragraph 26 below.

Planning considerations

17. Condition 3 of the planning permission for the site requires the submission and approval of a detailed landscaping scheme. The reason for imposing this condition is that the provision and maintenance of a satisfactory degree of landscaping is considered essential in the interests of visual amenity.
18. The acceptability of the submitted scheme is dependent on two factors:
- the standard of planting on and along the bund which forms the southern boundary to the site and
 - the suitability of the boundary treatment alongside the B4069 Main Road which forms the northern boundary to the site

Bund planting

19. An indicative scheme for the planting of the bund was submitted with the planning application. Condition 3 requires the submission of full details of the planting. Scheme 1 was considered deficient mainly because of a lack of detail. Scheme 2 provides additional detail, but in relation to tree planting the Landscape Officer is recommending a wider mix of native plants with 35 trees in small groups of five at 2-3 metre centres, the majority of which are located to screen the skip yard. These recommendations could be reflected in an amended scheme and the site operator has confirmed his willingness to do so.
20. The Parish Council and local residents are concerned that the bunding/landscaping does not extend around the western edge of the yard. The screening bund along the southern boundary is required to be constructed in accordance with a drawing specified in the planning permission. This drawing indicates the bund ending at a point just past the main building on the site and short of the rear of 28 Main Road. The remainder of this boundary, and the western edge of the yard, is formed by steel-mesh fencing. However, when constructing the bund the site operator extended the bund along the whole length of the southern boundary to the yard to a point behind No. 28. Whilst the increased length of the bund is contrary to the approved drawing, Officers considered the extended bund to benefit the screening of the site from the south and so requested that this feature be incorporated into the landscaping scheme for the site. The fencing will still be erected for security purposes and Officers do not consider that in relation to visual amenity there is a particular requirement for the bund to extend along the western edge of the yard. It is also unclear how such a feature could practicably be 'tied-in' to the rear of No. 28.
21. The suggestion that the planting should extend onto the land to the south of the screening mound to create a wider buffer was discussed with the site operator. This has led to the provision of an additional 2.0 metre wide strip of planting along the southern side of the screening mound. It is not open to the Council to require that the site operator dedicate the remainder of his landholding to tree planting.
22. Subject to the incorporation of the Landscape Officer's recommendations for tree planting, which is considered necessary to provide some height and age structure to the planting in the interest of providing a visual amenity screen to the rear of the site and to increase the diversity of the mix, Scheme 2, as it relates to the bund, is considered acceptable.

Boundary with B4069 Main Road

23. The detailed landscaping scheme required by Condition 3 is to include the provision of a wooden fence along the northern boundary of the site alongside the B4069. This requirement was imposed by the Committee in light of representations made by the Local Member.
24. Neither of the landscaping schemes submitted by the Applicant has incorporated the erection of a fence alongside the B4069. The Applicant's planning agent contends that the narrow road verge negates the provision of any fence without having to remove the existing established vegetation. The agent argues that removing the vegetation to erect a fence would be counter-productive. The Landscape Officer has also advised that the replacement of the, albeit sparse, vegetation with a stark slab-sided high timber fence would be out of context with local landscape character.
25. Mindful of the Local Member concerns, Officers have explored with the site operator whether it would be possible to both improve the appearance of the existing steel fence that forms the northern boundary to the site and retain and improve the existing vegetation. One possibility would be to face/clad the existing steel fence with profiled steel sheet to give a more uniform appearance. This would also provide the opportunity to undertake some management pruning to the existing hedge to promote new growth, and carry out some additional planting. The site operator has stated that he is willing to carry out such works, provided that all parties acknowledge that to do so will involve removing most of the existing hedge.
26. The Landscape Officer has reviewed the options and has provided the following assessment:

OPTIONS	STRENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
A Timber close board fence	Provides an effective solid screen barrier Supported by local member and residents	Removal of hedge to erect fence Fence is inappropriate to local character	Agree detailed specification of fence before erection Could investigate timber stains to find an appropriate colour that would integrate the fence with local environs To remove existing debris that is in/against hedge	Lack of proper maintenance resulting in eyesore
B Re-clad existing steel fence	Provides an effective solid screen barrier Matching in with existing materials Retains and strengthens existing hedgerow Retains existing landscape character to road corridor	Pruning of up to 50% of the hedge to access the works	Undertake access pruning using sound management techniques to improve longevity of existing hedge Agree detailed specification of fence before erection To remove existing debris that is in/against hedge	Slow development (3-5 years) of planting due to aspect and conditions Lack of proper maintenance causing plant failure Non compliance with plant replacements
C Improve/reinforce existing hedge	Retains and strengthens existing hedgerow Retains existing landscape character to road corridor	No obvious change to site appearance initially (may become worse with pruning)	To undertake management pruning to improve longevity of existing hedge To repair the existing fence behind hedge and remove debris that is in/against hedge	Slow development (3-5 years) of planting due to aspect and conditions Lack of proper maintenance causing plant failure Non compliance with plant replacements When existing fence needs replacing the hedge and newly established planting will be damaged

27. The Landscape Officer advises that Options B and C are preferred and could be easily implemented. Option B is favoured by the Landscape Officer as it would deliver a tidy fence and (partly) retain and strengthen the existing hedge, but Officers note that Option C would be simpler to put into practice, would not result in substantial loss of the established hedge that already screens the site and which could be undertaken this current planting season.

Conclusion

28. The Committee resolved that it should consider and approve the landscaping scheme required as a condition of the planning permission for this development.
29. Officers consider that subject to a minor amendment to reflect the recommendations of the Landscape Officer in relation to tree planting, the standard of planting on and along the bund which forms the southern boundary to the site would be acceptable.
30. The submitted scheme does not address the requirement to provide a wooden fence along the northern boundary of the site alongside the B4069. An assessment of this requirement (Option A), together with the options of re-cladding the existing fence (Option B) and reinforcing the existing hedge (Option C) has identified the respective strengths and weaknesses of each option. The Committee is invited to take this assessment into account in deciding which option it would wish to see implemented.

Recommendation

31. That:
- (i) The Committee be invited to consider the proposed landscaping scheme and instruct Officers as to which option it considers should be implemented in relation to the site boundary alongside the B4069.
 - (ii) Upon receipt of an amended landscaping scheme which reflects:
 - the recommendations of the Landscape Officer in relation to tree planting on the southern bund, and
 - the Committee's instructions in relation to the boundary treatment alongside the B4069,
- the Head of Local Plans and Development Control be authorised to approve the scheme and discharge that element of Condition 3 of Planning Permission N.05.07003 dated 31st May 2006.

GEORGE BATTEN

Director of Environmental Services

Report Author

JASON DAY

Principal Planning Officer

The following unpublished documents have been relied on in the preparation of this Report:

Consultation replies and correspondence