

# **DEVELOPMENT CONTROL COMMITTEE**

**8 JULY 2021**

## **COUNCILLORS' ADDITIONAL PAPERS**

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**SPEAKING LIST**  
**DEVELOPMENT CONTROL COMMITTEE – 8 JULY 2021**

ITEM NO.	TITLE	REQUESTS TO SPEAK IN OBJECTION	TIME ALLOCATED	RIGHT OF REPLY OR SPEAKERS IN FAVOUR	TIME ALLOCATED
20/02802/FULMMA	Sites A and B, Lizard Drive, Snelshall East, Milton Keynes	Mr T Skelton (Milton Keynes Forum)	3 mins	Mr. A Owen (Applicant's Agent)	3 Mins



**Application Number:** 20/02802/FULMMA

**Description:** Variation of condition 1 (approved plans) of permission 18/02775/FUL (Erection of a distribution warehouse with ancillary offices, ancillary servicing structures and other works) to include; amended slope levels and landscaping; minor additional works including amendments to the fencing, gatehouse and the provision of an additional smoking shelter (Part Retrospective).

**At:** Sites A and B, Lizard Drive, Snelshall East, Milton Keynes

**For:** DHL Real Estate UK Ltd

**Statutory Target:** 03/02/2021

**Extension of Time:** Yes – 16/07/2021

**Ward:** Tattenhoe

**Parish:** Shenley Brook End & Tattenhoe

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## **UPDATE PAPER**

### **1.0 RECOMMENDATION**

1.1 The recommendation remains to grant permission subject to the conditions within the main committee report and the additional condition as set out in this update paper.

### **2.0 LATE CONSULTATIONS AND QUESTIONS**

#### **2.1 MKC Landscape Services (Tree Officer)**

Considers that the proposed landscaping plan appears to be a better design than the originally approved scheme, though they comment that there might be a slight reduction in planting mix. Requests that a condition is applied to ensure that planting is carried out in accordance with the appropriate standard, so that there is sufficient space for the trees to grow and establish, and that any trees are replaced if they do not survive. They note the Tree Protection Order on the trees to the north-west and emphasises the need for retention/protection during any works. Suggests a condition to cover protective measures for new planting, soil volume, replacement trees for any which die in the next 10 years, a landscape management plan, and root protection barriers for any existing trees.

## 2.2 Milton Keynes Forum

Comment that it may be that the landscaping problem has arisen because the warehouse has not been built in the approved location, now being too close to the park edge, as a result of which the agreed landscape scheme cannot be implemented. They ask for confirmation that the setting out has been verified by checking the approved plans against what has been built on the ground.

## 3.0 **CONSIDERATIONS**

### Response to the question raised by MK Forum

- 3.1 As set out in the main committee report, the position of the building is not being amended as part of the proposal, with it in exactly the same place as in the approved application when comparing the drawings submitted under both applications. The building is already constructed and it has been confirmed through comparison of Ordnance Survey (OS) base mapping, aerial photography and the proposed site layout that the building is in the correct place. It is also clear from site visits that the car park has been laid out in accordance with the now proposed plan leaving the correct width for the landscaped embankment.
- 3.2 For clarity, the northern corner of the building is shown as 36.5 metres from the redway on the site layout. At the western corner, there is 50.9 metres from the building to the redway. These distances have been checked against recent OS mapping on GIS software, where distances of 36.7 metres and 50.8 metres are obtained respectively. When accounting for marginal scaling/manual measuring errors, the apparent 10-20cm +/- deviance is considered to confirm the correct setting out of the building. These comparisons are shown in Figures 1 and 2 below.
- 3.3 The applicant has also confirmed the original landscaping scheme cannot be implemented because of the way the embankment needs to be constructed and secured, not because of a significant change in levels (or change in layout). This is set out in paragraphs 2.5 and 7.14-7.15 of the main committee report.

### Trees

- 3.4 The Council's Landscape Technical Officer has confirmed that the landscape proposal, with regard to trees, is acceptable and may be a better design than original approved. A condition is suggested to secure details of the planting scheme, protection of existing trees, replacement and a landscape management plan.
- 3.5 Conditions have already been proposed that partly cover that suggested by the Officer (condition 2 for implementation of the landscape scheme and replacement of any dead trees; condition 11 for tree pit/soil volume details; and condition 12 for a Landscape Management Plan), the suggested condition has been reworded and set out below as a compliance condition, to cover both new planting and protection of existing trees when planting in accordance with British Standards.

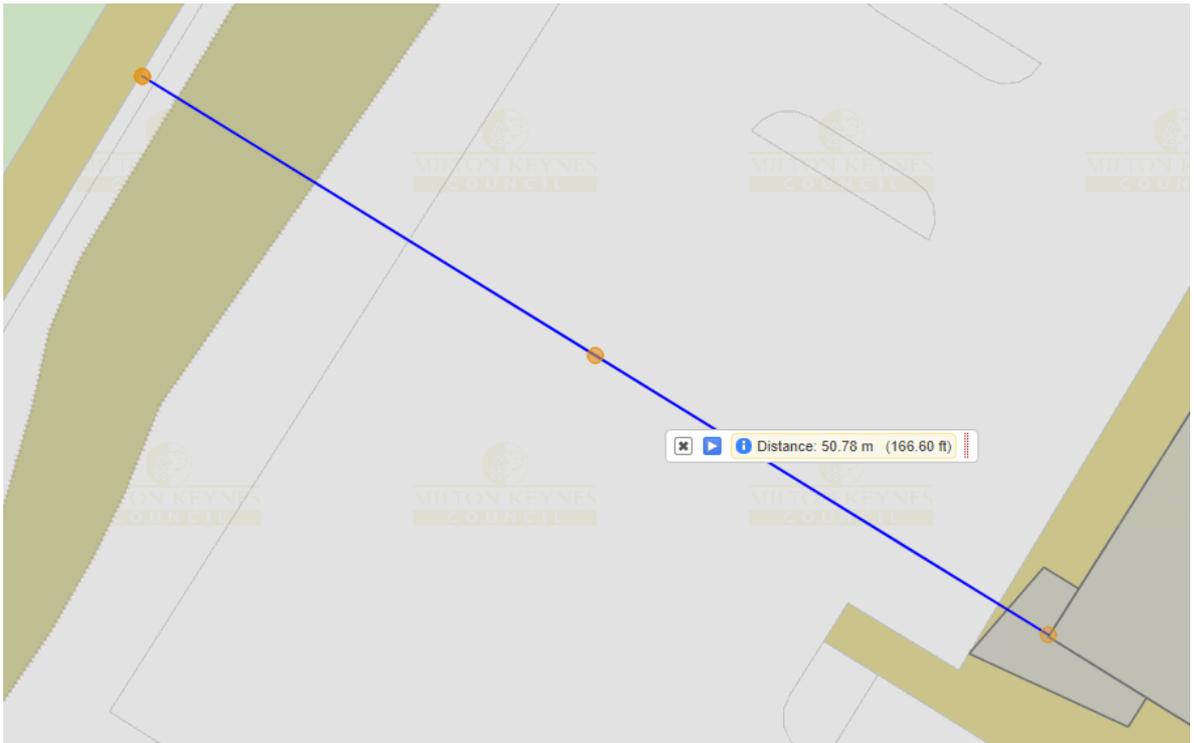


Figure 1: measurements taken from GIS software

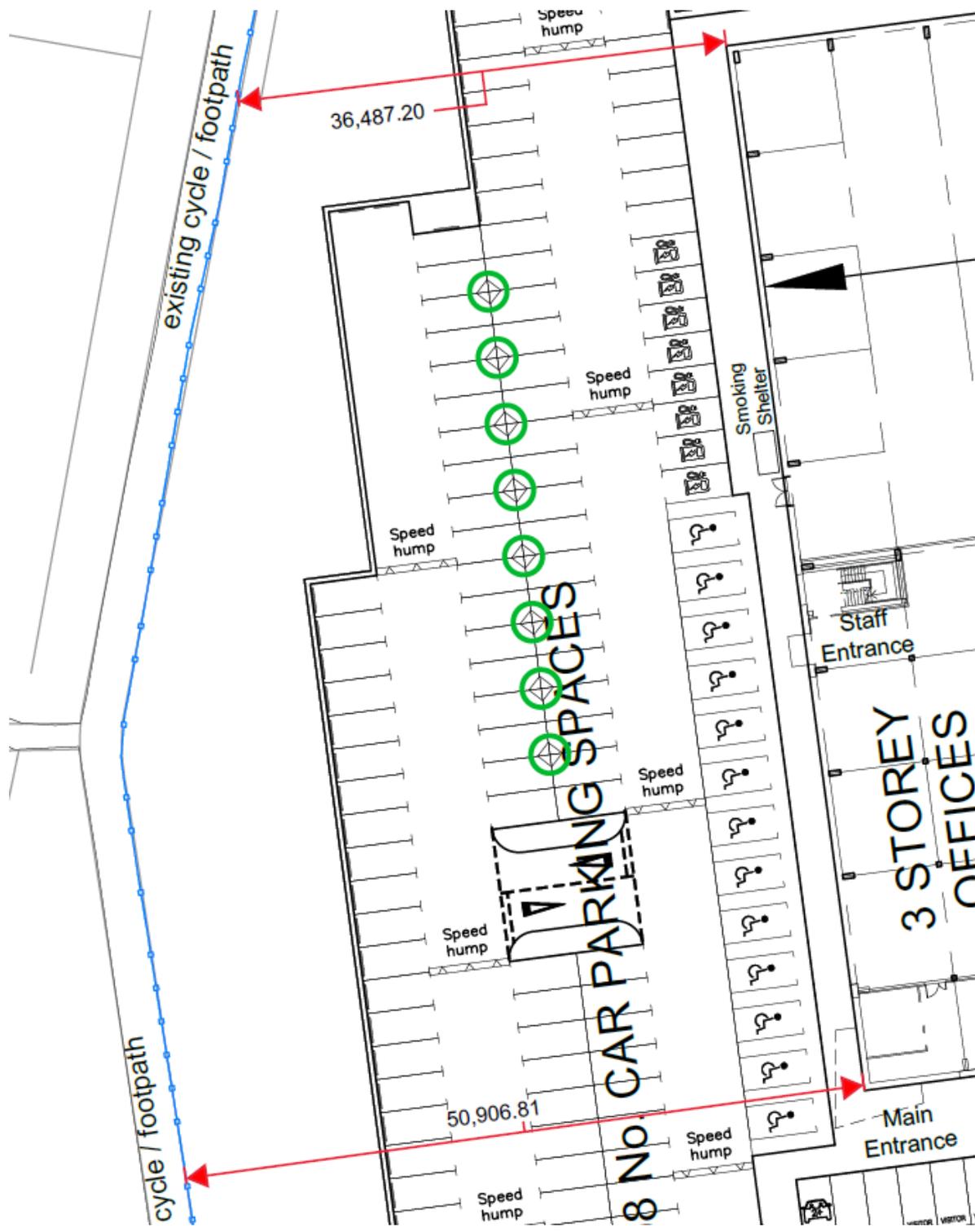


Figure 2: measurements taken from the proposed site layout plan

3.6 With the additional condition below secured, it is considered that the proposal complies with Policies D1, NE4 and NE5 of Plan:MK to secure the long-term provision and maintenance of a suitable landscape scheme.

#### **4.0 CONDITIONS**

4.1 It is recommended that the below condition be added to the decision notice:

13. All tree planting shall be in accordance with BS 8545: 2014 and where appropriate should include for root deflection barriers and permanent protective measures against soil compaction, vehicle impact, de-icing salt etc. Particular attention should be paid to ensuring the trees are planted in a sufficient volume of high quality growing medium, to ensure their quick establishment and the early provision of maximum benefit to the locality.

Within the BS 5837:2012 root protection areas of existing retained trees, the execution of soft and hard landscaping works including cultivation, tree pits and fencing/bollard installation will typically involve the use of hand tools only – machines and motorised tools will not be permitted. Where roots less than 25mm diameter are encountered prune them back cleanly with sharp, clean pruning saws or bypass loppers/secateurs making level, smooth right angle cuts with no ragged edges. If roots greater than 25mm diameter are encountered reposition the works to avoid the root and retain it intact.

The woodland belt to the northeast shall be fully protected from any works, in accordance with the default protection fencing as detailed in BS5837:2012.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policies D1 and NE4 of Plan:MK (2019).

## **A1.0 ADDITIONAL CONSULTATIONS AND REPRESENTATIONS**

### **A1.7 MKC Landscape Services (Trees)**

The more recently submitted plan (EPD-18-0100 / Drg. No. 01 / Rev. S) appears to be better design arboriculturally speaking than the former proposal (EPD-18-0100 / Drg. No. 01 / Rev. J), in terms of the number of standard size and above trees proposed, though the mix of 'woodland edge' and 'woodland core' planting may have reduced a little.

The main points are that;

- The trees should be planted and subsequently maintained in accordance with BS8545:2014 to ensure that they thrive post-planting rather than merely surviving.
- The planting beds for the trees in the car park should be arranged so that they are robust enough to protect the trees from cars overrunning the planting beds and/or from impacting the stems.
- The tree belt to the northeast had a Tree Preservation Order placed on it to ensure its retention to act as a buffer for the benefit of the nearby residents; care will need to be taken when working within the root protection areas of these trees in order to avoid damage to the roots and the soil they grow in.

Suggested condition;

1. All tree planting to be in accordance with BS 8545: 2014 and where appropriate should include for root deflection barriers and permanent protective measures against soil compaction, vehicle impact, de-icing salt etc. Particular attention should be paid to ensuring the trees are planted in a sufficient volume of high quality growing medium, to ensure their quick establishment and the early provision of maximum benefit to the locality. Any trees failing to thrive within ten years of planting to be replaced in accordance with the original planting specification and in order to keep this to a minimum a long-term landscape management plan should be developed and submitted for approval.

Within the BS 5837:2012 root protection areas of existing retained trees, the execution of soft and hard landscaping works including cultivation, tree pits and fencing/bollard installation will typically involve the use of hand tools only – machines and motorised tools will not be permitted. Where roots less than 25mm diameter are encountered prune them back cleanly with sharp, clean pruning saws or bypass loppers/secateurs making level, smooth right angle cuts with no ragged edges. If roots greater than 25mm diameter are encountered reposition the works to avoid the root and retain it intact. Ensure the woodland belt to the northeast is fully protected from the works in accordance with the default protection fencing as detailed in BS5837:2012.

Updated planting details that take account of these points are to be submitted for approval.

## A1.8 MK Forum

We submit the following question in respect of this item:

It is our suspicion that the landscaping problem has arisen because the warehouse has not been built in the approved location and that it is too close to the park edge, as a result of which the agreed landscape scheme cannot be implemented. Can Officers confirm that the setting out has been verified by checking the approved plans against what has been built on the ground?