

Item No. 10

APPLICATION NUMBER	CB/15/01111/FULL
LOCATION	Larkwood Ltd, Bedford Road, Aspley Guise, Milton Keynes, MK17 8DJ
PROPOSAL	Part demolition of existing buildings, erection of 10 dwellings and retention of existing office building on site frontage.
PARISH	Aspley Guise
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Lisa Newlands
DATE REGISTERED	13 April 2015
EXPIRY DATE	13 July 2015
APPLICANT	RBC Property Developments Ltd
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application with an objection from the Parish Council
RECOMMENDED DECISION	Full Application - Approve

Summary of Recommendation:

The planning application is recommended for approval, the design of the dwellings would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Buildings, or the Aspley Guise Conservation Area and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

Recommendation

That Planning Permission be approved subject to the following;

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 All existing onsite buildings and other structures shown to be demolished, shall be demolished and all resultant detritus completely removed from the site prior to the commencement of building works except the timber clad frontage building which is shown as retained on the approved plans.

Reason: In the interests of the visual amenities of the area.
(Policy 43, DSCB)

- 3 Prior to occupation of the approved development, all access and junction arrangements serving the development shall be completed in accordance with the approved in principle plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 4 The entire on site vehicular areas shall be constructed and surfaced in a stable and durable manner, and arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 6 **No development shall commence until such time as a Construction Management Plan has been submitted detailing access for construction vehicles, loading and unloading areas, wheel wash facilities, on-site parking of contractor's vehicles, and material storage areas.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

Justification: Given the constrained nature of the site, it is considered that such a plan would be necessary prior to commencement of development to ensure minimal impact on the surrounding highway network.

- 7 The proposed development shall be carried out and completed in all respects in accordance with the access, parking and vehicle turning area layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 8 Prior to work commencing on the construction of the dwellings hereby approved a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)

- 9 The development shall be carried out in accordance with the materials detailed on the approved plans, unless otherwise agreed in writing.

Bricks: Marsworth Mix; Aldwick Blend; Culford Mixture
Roof tiles: Spanish Sarria Slate tiles; Aylesham Mix (Marley Ashdowne Clay Tiles); Ashurst (Marley Ashdowne Clay Tiles)
Brick work detail: Westley or Witham Red (orange/ red brick)
Bond detail: Flemish bond

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policy 43, DSCB)

- 10 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To safeguard the special architectural and historic interest of the setting of the listed building.
(Policy 45, DSCB)

- 11 **No development, including demolition of existing structures, shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved scheme.**

**Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development (and to secure that protection and management of archaeological remains preserved in situ within the development).
(Policy 45, DCSB)**

- 12 The windows within the dwelling known as Plot 2 (cottage 2) shown on plan number PI02 Rev C shall be triple glazed and remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the future occupiers in terms of potential noise from the adjacent restaurant.
(Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and Policy 43 of the Submitted Development Strategy)

- 13 The tree shown on the frontage adjacent to the retained office building, shall be removed prior to work commencing on the construction of the hereby approved buildings.

Reason: For the avoidance of doubt and to ensure that suitable improvements to the frontage of the site are made. (Policy 43, DSCB)

- 14 The link through to Spinney Lane shown on the site plan shall be retained for pedestrian access only. Details of a scheme to restrict vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and retained in perpetuity thereafter.

Reason: To ensure that this is available for pedestrian use only. (Policy 43, DSCB)

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 A; PL02 E; PL04 A; PL05 A; PL06 A; PL07 A; PL08 A; PL09 A; PL10 A; PL11 A; PL12 A; PL13 A; PL14 A; PL15 A; PL16 A; PL17 A; PL18 A; PL19 A; PL22

Reason: To identify the approved plan/s and to avoid doubt.

- 16 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme prior to the first occupation of the development and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy 43, DSCB)

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that no works associated with the modification of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
3. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
4. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense. Prior to first occupation of any development the applicant will be required to erect signage at the entrances to the development, to accord with Section 31 of the Highways Act 1980 confirming the fact that the area is private.

5. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

6. As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so a watching brief for signs of contamination should be considered and any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via andre.douglas@centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses received from Aspley Guise Parish Council, neighbouring properties, Council's Ecologist and amended conditions, 4, 10, 14, 15 and 16.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.