

## Item No. 8

<b>APPLICATION NUMBER</b>	<b>CB/16/01373/RM</b>
<b>LOCATION</b>	<b>Land off Bedford Road to the north of Gold Furlong, Marston Moretaine, Beds</b>
<b>PROPOSAL</b>	<b>Reserved Matters: Permission is being sought for the Access, Appearance, Landscaping, Layout and Scale following Outline application CB/14/2084/OUT Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Lisa Newlands</b>
<b>DATE REGISTERED</b>	<b>01 April 2016</b>
<b>EXPIRY DATE</b>	<b>01 July 2016</b>
<b>APPLICANT</b>	<b>BDW Trading Limited</b>
<b>AGENT</b>	<b>KRT Associates Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major application with a Parish Council objection</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Approve</b>

### **Recommendation**

That Reserved Matters Consent be approved subject to the following conditions:

### **RECOMMENDED CONDITIONS**

- 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 No development shall take place on the construction of the external walls and roof, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.  
(Section 7, NPPF)

- 3 **No development shall take place until 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.  
(Sections 7 & 11, NPPF)

- 4 **The dwellings hereby approved shall not be occupied until details of the bin storage/collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage/collection areas shall be retained thereafter.**

Reason: In the interest of amenity.  
(Section 7, NPPF)

- 5 Before the development hereby permitted is first occupied or brought into use, the scheme for access, parking, loading/unloading and manoeuvring shown on Drawing No. 1326-08 Rev A shall be laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway. (NPPF & Policy DM3, CSDM)

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1326-01; 1326-07 Rev B; 1326-08 Rev A; 1326-09

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

- 7 Prior to the occupation of the development a parking management scheme shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented prior to occupation and remain in perpetuity.

Reason: To ensure that the parking to the rear of the site is retained for residential purposes and not used for parking in connection with the commercial units. (Policy DM3, CSDM).

- 8 Notwithstanding the changes of use permitted within Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the commercial units hereby approved shall only be used within Use Classes A1, A2, A3, A4 and A5 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking or reacting that Order with or without modification) only, and for no other purpose. It shall not benefit from the provisions set out in Class M, within Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any Order revoking or re-enacting that Order with or without modification).

Reason: To exclude the provisions of the said Use Classes Order and thereby ensure the Local Planning Authority retains full control of the future use of the land/building(s) in view of the special circumstances of the case. (Policy DM3, CSDM)

## **INFORMATIVE 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 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](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

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

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively 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 consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional comments, consultation and publicity responses, as detailed in the Late Sheet from the following:
  - a. Church End Lower School expressed concerns of overlooking of the school playground.
  - b. An additional condition 7 will deal with the segregation of the residents and shop parking.]