

## **Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/16/02590/OUT</b>
<b>LOCATION</b>	<b>Land to the South of Sandy Road, Potton</b>
<b>PROPOSAL</b>	<b>Outline Application: demolition of existing buildings and development of up to 90 dwellings (Use Class C3), parking, and associated works including means of access, with all other matters (relating to appearance, landscaping, scale and layout) reserved.</b>
<b>PARISH</b>	<b>Potton</b>
<b>WARD</b>	<b>Potton</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Gurney &amp; Zerny</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>04 July 2016</b>
<b>EXPIRY DATE</b>	<b>03 October 2016</b>
<b>APPLICANT</b>	<b>Catesby Estates (Developments II) Limited and Mr and Mrs Saville / Desborough</b>
<b>AGENT</b>	<b>Turley</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Zerny has called this application before the Committee. This is a major application and the Town Council has objected. Its approval would represent a departure from the Development Plan.</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval</b>

### **Recommendation:**

That Planning Permission is approved subject to the successful completion of a legal agreement reflecting the terms set out in the report and contributions towards health facilities at Gamlingay Surgery and the RSPB if found to be in accordance with the CIL Regulations (2010) and in agreement with the Chairman of Development Management Committee and the conditions set out in the report and in the Late Sheet (including an amended condition 13 as set out below) after the Secretary of State has been notified of the decision of the Development Management Committee and providing that the Secretary of State determines not to call the application in for his own decision.

### **RECOMMENDED CONDITIONS / REASONS**

- No development shall commence at the site before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.
- An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 **No development shall take place until a Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Construction Management Plan.**

**Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.**

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place until details of Local Equipped Areas of Play and Local Areas of Play together with a timetable for their implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

**Reason: To ensure that the appearance of the development and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.**

- 7 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (FRA: 15-0735, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme will include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed.**

**No building/dwelling shall be occupied until a management and maintenance plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be correctly and fully installed as per the approved details. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF and to ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written statement - HCWS161.**

- 8 Any application for Reserved Matters shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 9 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 10 **No development shall commence at the site before the Submission of a Reserved Matters application for a scheme for protecting the proposed dwellings from road noise and noise created by neighbouring land uses shall be submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the approved a scheme has been completed in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

**Reason: To protect human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).**

- 11 **No development shall take place at the site before a Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).**

- 12 No dwelling shall be occupied at the site before the following has been submitted to and approved in writing by the Local Planning Authority:

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 13 **No development shall commence at the site before a scheme of traffic calming on Sandy Road including at least a 'village gate' feature, a pedestrian crossing and amendments to the existing speed restrictions within the vicinity of the site and a timetable for its implementation have been submitted and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details and the approved timetable.**

**Reason: To ensure that the highways impacts of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Strategy (2009).**

- 14 **No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. No dwellings shall be occupied before the strategy has been completed.**

**Reason: To prevent environmental and amenity problems arising from flooding.**

- 15 The scheme submitted for the approval of the reserved matters shall include:
- A pedestrian/cycle link from Sandy Road to the disused railway track to the south of the site
  - A strategic planting belt along the western edge of the site based on that submitted for indicative purposes reference 5111/001

Reason: To ensure that future cycle connectivity links are safeguarded and that the landscape impact of the development in views from the east would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009)

- 16 No more than 90 dwellings shall be erected at the site.

Reason: To ensure that the development would be of an appropriate density for its context.

- 17 No development shall commence at the site before a scheme for biodiversity enhancement at the site including a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a net gain in biodiversity at the site in accordance with the requirements of the National Planning Policy Framework (2012).

- 18 Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced 5111.001A, 5111\_005B, 5111\_008, Design and Access Statement dated May 2016, Planning Statement dated June 2016, Agricultural Land Considerations dated June 2016, Archaeology and Heritage Statement dated June 2016, Transport Assessment dated June 2016 including Framework Residential Travel Plan, Noise Assessment dated May 2016, Lighting Impact Assessment dated June 2016, Air Quality Assessment dated May 2016, Minerals Resource Assessment dated June 2016, Gas Addendum letter dated July 2016, Tree Survey and Constraints dated April 2016, Phase II Site Appraisal dated June 2016, Ecological Appraisal dated June 2016, SK1 rev C, S1671/01, Landscape and Visual Impact Assessment dated May 2016, Sustainability Statement dated June 2016, Statement of Community Engagement dated June 2016 and Flood Risk Assessment dated June 2016

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

## **INFORMATIVE NOTES TO APPLICANT**

1. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

### **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 the following information which was contained in the Late Sheet:
  - a. The RSPB provided mitigation proposals to be adopted within the planning conditions.
  - b. The Secretary of State received a third party request to call the application in for determination. Should the Secretary of State decide not to call the application in the Development Management Committee will determine the application.
  - c. The Recommendation has been amended above to take into account the possible call-in.
  - d. The NHS had responded to the availability of surgeries for new patients.
  - e. A new condition 17 has been added and the old condition 17 renumbered to 18.]