

Item No. 7

APPLICATION NUMBER	CB/16/02132/OUT
LOCATION	Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow
PROPOSAL	Outline Application: Residential development together with associated landscaping and access
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	26 May 2016
EXPIRY DATE	25 August 2016
APPLICANT	Bovis Homes
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Parish Council has objected. Its approval would constitute a departure from the Development Plan.
	Outline Application - Approval

Recommendation:

That Planning Application is approved subject to the successful completion of a legal agreement reflecting the terms set out in the report and the Late Sheet and the conditions set out in the report (including an additional condition 12 as set out below with condition numbering adjusted as a result) after the Chairman, in consultation with the Executive Member and Ward Members has confirmed his agreement to a potential contribution towards health facilities that would be secured by a S106 agreement if one is found to be required and in conformity with the CIL Regulations or that no such contribution is required or can be secured.

RECOMMENDED CONDITIONS / REASONS

- 1 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.

- 2 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.

- 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 The details required by Condition 1 of this permission 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 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 as approved and in accordance with the approved timetable.**

Reason: To ensure that biodiversity is properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

- 10 **No development 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 said development shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the NPPF (2012) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 11 No more than 80 dwellings shall be constructed at the site.

Reason: To ensure that the development would be of an appropriate density in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014).

- 12 **No development shall commence at the site before a scheme for traffic calming between the junction of Stondon Park and Station Road and the entrance to the site 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 and shall be completed in advance of the first occupation of any dwelling at the site.**

Reason: To ensure that the site is safe, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the NPPF (2012).

- 13 **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).

- 14 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 LST1-02-100, LST1-02-110, JKK9131-RPS-Figure 01.01, LST1-02-120, LST1-02-120, LST1-02-130, S3180/03, Environmental Noise Survey and Assessment dated July 2016, Design and Access Statement dated May 2016, Planning Statement dated May 2016, Archaeological Desk Based Assessment dated May 2016, Preliminary Ecological Assessment dated March 2016, Geophysical Survey Report dated May 2016, Arboricultural Impact Assessment, JKK9131 - RPS-figure 02.01, Agricultural Land Classification report (undated), Landscape and Visual Impact Assessment dated May 2016, Transport Assessment dated May 2016, Level 1 Flood Risk Assessment and Surface Water Drainage Strategy dated May 2016, Framework Travel Plan dated May 2016, Geo-environmental Investigation Report dated April 2016 and Foul Sewerage and Utilities Assessment dated May 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 positive engagement with the applicant at the pre-application stage and during the determination process 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. Objections from residents of Phase 1 regarding access
 - b. The S106 agreement had been updated
 - c. The recommendation has been amended as above
 - d. Highways confirmed a second access would be desirable but not essential.]