

Item No. 8

APPLICATION NUMBER	CB/16/04460/OUT
LOCATION	Land opposite the Playing Field, Mill Lane, Potton
PROPOSAL	Outline Application: residential development of up to 62 dwellings including all ancillary works with all matters reserved except access.
PARISH	Potton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Donna Lavender
DATE REGISTERED	27 September 2016
EXPIRY DATE	27 December 2016
APPLICANT	Denison Investments Ltd
AGENT	Woods Hardwick Planning
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor (Cllr A Zerny) call in on the following grounds:

- **Outside the Settlement Envelope**
- **Cumulative impact on Potton**
- **Narrow access**

Furthermore, Major application with Town Council objection.

RECOMMENDED DECISION	Outline Application - Recommend for Approval subject to the completion of a 106 Agreement
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Reason for Recommendation

RECOMMENDED CONDITIONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter 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.

- 2 Details of the layout, scale, appearance (including materials) and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Part 3 Article 6 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 details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Policy DM3 of the Core Strategy for the North & Section 7, NPPF)**

- 5 **No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 7.**

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM14 of the Core Strategy and Sections 10 & 11 of the NPPF.

- 6 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments) together with a timetable for its 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 an acceptable standard of landscaping.
(Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF)**

- 7 **The landscape details required by Condition 2 of this permission shall include the following:**

An appropriate Arboricultural Impact Assessment and Method Statement, clearly showing the build specification for protective fencing and all related good working practices, which shall be in accordance with BS 5837 : 2012 "Trees in relation to design, demolition and construction". The positioning of the fencing shall be erected to protect the natural canopy spread and root protection areas of the trees proposed to be retained. The approved Arboricultural Impact Assessment and Method Statement shall then be fully implemented before the commencement of any site construction works, and the approved fencing shall remain firmly in place throughout the entire

course of development.

Reason: To ensure that a satisfactory standard of landscape protection is fully implemented in the interests of maintaining the health and natural canopy spread of the protected trees. Failure to secure these details prior to commencement of development could result in the unreasonable loss of a trees and landscaping that adds amenity value.

(Policy CS16 of the Core Strategy and Section 7 of the NPPF).

- 8 **No development shall take place until an ecological design strategy (EDS) addressing *mitigation, compensation and enhancement* has been submitted to and approved in writing by the local planning authority. The EDS shall include the following;**

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design and working method to achieve stated objectives.
- d) Extent and location of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures, including timetable for submission of monitoring reports.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that biodiversity is properly protected and enhanced 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).

- 9 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Level 1 Surface Water Drainage Strategy (Ref: 17570/SWDS, Woods Hardwick Infrastructure LLP, March 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The scheme shall include the following:**

- Full detailed calculations using FEH rainfall data showing the simulated rainfall storms for the 1 year, 30 year, 100 year and 100 year plus 30% allowance for climate change;
- Full details of flow control measures to be used, demonstrating that runoff rate and volume will not exceed greenfield rates;
- Full calculations of the attenuation storage volume required

including allowances for climate change, based on the simulated rainfall runoff and the agreed post-development discharge rates;

- Detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements;
- Full details of exceedance management including flow routes both on and off site in the event of system exceedance or failure;
- Full details of water quality management and any amenity or biodiversity objectives;
- Details of construction and structural integrity of the entire system;
- Full details of the maintenance and/or adoption proposals for the drainage system including all elements listed above.

The scheme shall be implemented in accordance with the approved 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 section 10 of the NPPF.

- 10 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.

Reason: In the interests of sustainability. (Policy DM2 of the Core Strategy for the North & Section 10 of the NPPF)

- 11 No development shall take place until a Construction Management/Method Plan and Statement with respect to the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. Development works shall be undertaken in accordance with the approved Construction Management/Method Statement/Plan. The details shall include, amongst other things, access arrangements for construction vehicles; compounds, including storage of plant and materials; details of wheel washing facilities; loading and unloading areas; method of materials extraction and re-use.

Reason: In the interest of safeguarding the local residential amenity

(Policy DM3 of the Core Strategy and Section 4, 7 and 13 of the NPPF)

- 12 Prior to the Submission of a Reserved Matters application a scheme for protecting the proposed dwellings from any potential noise and/or light identified in an associated assessment of the local recreation ground and plant hire premises (including access) shall be submitted and approved in writing by the local planning authority. None of the dwellings shall be occupied until any such scheme identified as necessary has been implemented in accordance with the approved details, shown to be effective and 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).

- 13 Prior to first occupation of the development the off-site highway works shown for indicative purposes on plan 17537/MILL/5/500H shall be constructed in accordance with full engineering details which must be first submitted in writing to and approved by the Local Planning Authority. The works shall be carried out in full accordance with the approved technical specification and thereafter retained for its purpose.

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)"

- 14 The reserved matters proposals shall not include any dwellings that are more than 2.5 storeys in height.

Reason: In order to provide an appropriate form of development in the interests of visual and residential amenity in accordance with policies CS14 and DM4 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF).

- 15 The details required by Condition 2 of this permission shall include a detailed waste audit scheme for the residential units in that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy DM3 of the Core Strategy for the North & Section 7 of the NPPF)

- 16 The details required by Condition 2 of this permission shall include the following:

- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
- Pedestrian and cycle linkages to existing routes on Mill Lane and Newtown as required
- Vehicle parking and garaging in accordance with the councils

standards applicable at the time of submission.

- Cycle parking and storage in accordance with the councils standards applicable at the time of submission.
- A Residential Travel Plan
 - A vehicular turning area within the curtilage of the site taking access from the public highway;
 - Refuse collection points;
 - Vehicle tracking diagrams.

Reason: To ensure the development of the residential site is completed to provide adequate and appropriate highway arrangements at all times. (Policy DM3 of the Core Strategy for the North & Section 4, NPPF)

- 17 The details required by condition 2 of this permission shall include a scheme for the provision of a pedestrian access from the site to Newtown including a timetable for its implementation. The link shall be implemented as approved and in accordance with the approved timetable and shall be retained thereafter for its purpose.

Reason: To ensure an acceptable pedestrian linkage between the existing and proposed development. (Policy DM3 of the Core Strategy and Section 7 of the NPPF).

- 18 No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.

Reason: In order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 7 of the NPPF.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17537/MILL/5/503 (Site Access), 17537/MILL/5/500H (Calming Feature) and 17625/1000A (Site Location Plan).

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

- 20 The development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the council, such a Travel Plan to include details of:

- Predicted travel to and from the site and targets to reduce car use.
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks.
- Measures to minimise private car use and facilitate walking, cycling and use of public transport.
- Timetable for implementation of measures designed to promote travel

choice.

- Plans for monitoring and review, annually for a period of 5 years.
- Details of provision of cycle parking in accordance with council guidelines.
- Details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:
 - Site specific travel and transport information
 - Details of relevant pedestrian, cycle and public transport routes to/ from and within the site
 - Copies of relevant bus and rail timetables
 - An Action Plan listing the measures to be implemented and timescales for this.

No part of the development shall be occupied prior to implementation of those parts identified in the travel plan. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure suitable details are in place to encourage alternative methods of resident movement in the interests of Policy DM3 of the Core Strategy and Development Management Policies 2009.

21The details required by Condition 13 of this permission shall additionally include a plan demonstrating the provision of a raised table at the junction of the estate road with Mill Lane and the details shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the dwellings hereby approved, the raised table shall be installed as approved and shall be retained as approved in perpetuity.

Reason: In order to ensure appropriate traffic calming measures in the interest of highway safety in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 4 of the NPPF.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.

2. 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.
3. No materials or vehicles associated with the development should be left on or near the public bridleway which may cause a hazard or inconvenience to users. The applicant must ensure that there is no encroachment beyond the property's legal boundary onto the width of the public footpath. However if a right of way closure is needed this will require at least six weeks notice.
4. 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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 the consideration of the application the Committee were advised of additional consultation responses from CBC Internal consultees and the CPRE and Neighbours. The Committee were advised of amendments to Conditions 13 and 19 and an additional condition.
- (2) In advance of the consideration of the application the Committee were advised that a contribution towards the Potton to Sandy Cycleway and towards the local GP Surgery would need to be secured with the S.106 agreement if the application is approved.
- (3) In advance of the consideration for the application the Committee received representations made under the Public Participation Scheme.