

## Item No. 7

<b>APPLICATION NUMBER</b>	<b>CB/16/05229/OUT</b>
<b>LOCATION</b>	<b>Land west of Bedford Road, Lower Stondon</b>
<b>PROPOSAL</b>	<b>Outline Application: Erection of up-to 85 dwellings together with vehicular/pedestrian access from Bedford Road; a Country Park; a play area; other open space; landscaping including an orchard; footpath links; sustainable drainage; other related infrastructure and change of use to residential garden land</b>
<b>PARISH</b>	<b>Stondon</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Michael Huntington</b>
<b>DATE REGISTERED</b>	<b>21 November 2016</b>
<b>EXPIRY DATE</b>	<b>20 February 2017</b>
<b>APPLICANT</b>	<b>Ms E Hunter and Mr A Hunter</b>
<b>AGENT</b>	<b>Star Planning and Development</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major application and departure from the Development Plan</b>
	<b>Parish Council objection to a major application recommended for approval</b>
<b>RECOMMENDED DECISION</b>	<b>APPROVAL subject to completion of Section 106 Agreement</b>

### **Recommendation:**

That Planning Permission be granted subject to the completion of a S106 agreement, the receipt of any new material representations received from additional consultations currently underway and due to expire on 8 June 2017 and the following:

### **RECOMMENDED CONDITIONS / REASONS**

- 1 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 Details of the layout, scale, appearance 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 Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended)
- 3 **No development shall take place until details of all external materials have 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 control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). This is a pre-commencement condition as materials cannot be altered after start of construction.**

- 4 The landscaping details required to be submitted by condition 2 of this permission shall include details of hard and soft landscaping (including details of boundary treatments and any public amenity open space, and Local Areas of Play) together with a timetable for its implementation. The development shall be carried out as approved and in accordance with the approved timetable.

The soft landscaping scheme, which will include ecological enhancement measures, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread); measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

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

- 5 **No development shall commence until details of (a) porch canopies; (b) doors, windows, garage doors, and associated reveals, sills and lintels; (c) ducts, flues and vents; (d) rainwater goods; (e) meter boxes; and (f) areas for storage of refuse and recycling bins and the kerbside collection point; have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

**Reason: To control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). This is a pre-commencement condition as materials cannot be altered after start of construction.**

- 6 **Prior to the approval of the details required by condition 2 of this permission, details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected. (Section 10, NPPF). This is a pre-commencement condition as drainage systems are required to be installed prior to construction of the dwellings.**

- 7 No dwelling shall be occupied until details of a scheme for the provision of public art to form part of the development, including a timetable for its provision, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To control the appearance of the development in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 9 No external lighting shall be installed until details have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To control the appearance of the development in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 10 The details required by Condition 2 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 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.

- 11 The development shall take place in accordance with the principles set out in the Approved drawing number 230201\_PS\_IMP\_003 April 2017 Illustrative Masterplan, including the extent of development, the location of the play area, extent of open space, footpath and cycle linkages, and the back to back distance of a minimum of 35 metres between existing houses on Plum Tree Road, Orchard Way and the proposed development..

Reason: For the avoidance of doubt

- 12 **No development shall take place until details of the existing and final ground, ridge 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. Thereafter the site 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). This is a pre-commencement condition as final ground, ridge and slab levels need to be agreed before development commences.**

- 13 The dwellings hereby permitted shall not exceed 2 storeys in height, and will consist of a mixture of 2 and 1.5 storeys in the ratio of 25%/75% alongside existing houses on the northern and eastern boundaries of the site.

Reason: To ensure that the site is not overdeveloped and that the character and visual appearance of the area is not adversely affected  
(Section 7, NPPF)

- 14 The development hereby approved shall comprise no more than 85 units.

Reason: For the avoidance of doubt

- 15 In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

- 16 **No development shall take place until details of the junction between the proposed estate road and the highway and footpaths and associated traffic calming and street lighting on Bedford Road have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that junction and footpaths and associated traffic calming and street lighting on Bedford Road have been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.  
(Section 4, NPPF). This is a pre-commencement condition as the details of the junction need to be agreed before construction of the road begins.**

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 5779.005 rev E (insofar as it proposes the development access arrangements only).

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

- 18 **No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:**

- a) Construction traffic routes and points of access/egress to be used by construction vehicles;**
- b) Details of site compounds, offices and areas to be used for the storage of materials;**
- c) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

**Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.**

**The development hereby permitted shall be carried out only in accordance with the approved CEMP.**

**Reason: To safeguard the amenity of existing and future residents. (Section 7, NPPF) This is a pre-commencement condition as this detail needs to be agreed before the start of construction.**

- 19 The development shall take place in accordance with the land use budget as set out in the Approved drawing number 230202/PS006 March 2017 Land Use Budget.

Reason: For the avoidance of doubt

## **INFORMATIVE NOTES TO APPLICANT**

1. The applicant is advised that in order to comply with Condition 16 of 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. (HN viii)
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 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 Management Group, 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. (HN xii)
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 developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN ix)
4. 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.

**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 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 was advised that the recommendation had been amended.
- (2) In advance of consideration of the application the Committee was advised of additional consultation/publicity responses.
- (3) In advance of consideration of the application the Committee was advised of additional comments.
- (4) In advance of consideration of the application the Committee was advised of amended conditions 13 and 16.
- (5) In advance of consideration of the application the Committee received representations made under the public participation scheme.