

Item No. 8

APPLICATION NUMBER	CB/16/05797/OUT
LOCATION	Shelton Farm, Lower Shelton Road, Marston Moretaine, Bedford, MK43 0LP
PROPOSAL	Outline: Residential development consisting of 2 x two bedroom dwelling bungalows, 4 x three bedroom dwellings, 4 x four bedroom dwellings and 1 x five bedroom dwelling including 3 x custom (self) build dwellings, associated infrastructure and landscaping.
PARISH	Marston Moretaine
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Judy Self
DATE REGISTERED	10 January 2017
EXPIRY DATE	11 April 2017
APPLICANT	Shelton Farm Estates Ltd
AGENT	NextPhase Development Ltd
REASON FOR COMMITTEE TO DETERMINE	Not in line with existing local plan; loss of open countryside; unsustainable addition to small village with limited services; not in keeping with small village; dangerous entrance near blind bend on Lower Shelton Road; insufficient parking for number of properties/bedrooms causing potential blocking of roads to emergency services and overspill onto Lower Shelton Road; the development would decrease the narrow green barrier between Lower Shelton and the planned expansion of Wooton.
RECOMMENDED DECISION	Outline Application - Approval

Recommendation:

That the outline planning application be APPROVED subject to the prior completion of a Section 106 Agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 No development shall commence at the site before details of the scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to the development 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.

- 2 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.

- 3 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.

- 4 **No development shall take place until a detailed surface water drainage scheme for the site including a management and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The scheme design shall be based on sustainable drainage principles in accordance with the Council's Sustainable Drainage SPD and an assessment of the hydrological and hydro geological context of the development. The scheme shall be implemented in accordance with the approved details 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.

This pre-commencement condition is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.

- 5 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: 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.

- 6 Any application for reserved matters shall be for the following:
- 2 x 2 bed single storey bungalows (plots A & B)
 - 1 x 3 bed, part 1.5 / part single storey self build dwelling (plot C)
 - 1 x 3 bed, part two storey / part single storey self build dwelling (Plot D) with no accommodation in the roof space
 - 1 x 4 bed two storey self build dwelling (plot E) with no accommodation in the roof space
 - 3 x 4 bed, 2 storey dwellings (plots G, H & K) with no accommodation in the roof space
 - 1 x 3 bed, part 2 storey / part single storey dwelling (plot I) with no accommodation in the roof space
 - 1 x 5 bed, part 2 storey / part single storey (plot J) with no accommodation in the roof space

- 1 x 3 bed 2 storey dwelling (plot L) with no accommodation in the roof space

Reason: To protect the character and appearance of the area and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 7 No development above ground shall take place until full details of the access/junction arrangements shown on the approved drawing no. 0280-01/02 Revision C have been submitted to and approved in writing by the local planning authority and no dwelling approved under any subsequent reserved matters application shall be occupied until such time as the agreed works have been implemented

Reason: To ensure the provision of appropriate access arrangements and associated off site highway works in the interest of highway safety

- 8 Notwithstanding the details shown, any subsequent reserved matters application shall include the following:
 - The south access road designed and constructed to a standard appropriate for adoption as public highway
 - Vehicle parking inclusive of visitor 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
 - Driver/driver intervisibility and pedestrian visibility from the residential accesses within the site
 - A construction traffic management plan detailing access arrangements for construction vehicles, on site parking and loading and unloading areas

Reason: To ensure the development of the site is completed to provide adequate and appropriate highway arrangements at all times

- 9 No dwelling shall be occupied until the pedestrian link between the two sites as indicated on the approved plan 0280-01/02 Revision C has been implemented and thereafter retained for the purpose of pedestrian link between the two sites

Reason: For the avoidance of doubt and pedestrian movement

- 10 The modified north vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied, and any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres from the nearside edge of the carriageway of the adjoining highway. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety and to enable vehicles to draw off the highway before the gates are opened.

- 11 The detailed plans to be submitted for approval of reserved matters in connection with this development shall illustrate a vehicular turning area suitable for a service/delivery sized vehicle taken from the north access and a turning area suitable for an 11.5m length refuse vehicle taken from the south access, within the curtilage of the site .

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 12 Notwithstanding the details shown the driveway length in front of the garage(s) shall be at least 6.0m as measured from the garage doors to the highway boundary, other on plot parking spaces shall measure 2.5m x 5.0m each clear of the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

- 13 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 14 Prior to the commencement of any phase of development approved by this planning permission developer shall submit to the Planning Authority, in both paper and electronic form where possible:

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils, gas and groundwater sampling.

c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report.

Any remediation scheme shall be agreed in writing with the local planning authority prior to the commencement of works. Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby

permitted is first occupied.

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.

Reason: To protect human health and the environment.

- 15 The detailed plans to be submitted for approval of reserved matters in connection with this development shall provide a parking scheme which complies with the Central Bedfordshire Design Guide (March 2014).

Reason: In the interest of highway safety

- 16 Prior to the erection of any building within the 'open space' area as defined on plan no. 0280-1/02(C) details shall be submitted to and approved in writing by the Local Planning Authority. The details are to include elevation plans, floor plans and a material schedule.

Reason: To control the development in the interests of the visual amenity of the area.

(Section 7, NPPF)

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with Condition 7 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

To fully discharge condition 7 the applicant should provide evidence to the Local Planning Authority that the highway authority have permitted the construction in accordance with the approved plan, before the development is brought into use.
2. The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049
4. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved

5. 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .
6. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
8. 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 of an additional other representation.
- (2) In advance of consideration of the application the Committee was advised of an additional Informative Note to Applicant.
- (3) In advance of consideration of the application the Committee received representations made under the public participation scheme.