

Item No. 07

APPLICATION NUMBER	CB/15/03693/FULL
LOCATION	101 Ampthill Road, Flitwick, Bedford, MK45 1BE
PROPOSAL	Redevelopment to provide 75 bedroom residential care home (use class c2),proposed access, parking, landscaping and other associated works.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Turner and Gomm
CASE OFFICER	Debbie Willcox
DATE REGISTERED	29 September 2015
EXPIRY DATE	29 December 2015
APPLICANT	Frontier Estates Ltd
AGENT	Turley
REASON FOR COMMITTEE TO DETERMINE	This is a major application that has received objections from the Town Council.

RECOMMENDED DECISION **Full Application - Recommended for Approval**

Summary of Recommendation

The proposed development of the site would be acceptable in principle, including its impact on the Green Belt. It would contribute towards meeting an identified, immediate need for care home places and would bring employment benefits to the area. It would not have a detrimental impact on the character and appearance of the area or on the amenity of the occupiers of neighbouring dwellings. The level of car parking meets the Council's adopted parking standards and the impact of the proposal on the highway network is considered to be acceptable. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policies CS10, CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (North) and the Central Bedfordshire Design Guide.

Site Location:

The application site is an L-shaped site of some 0.56 hectares which comprises a two storey detached, residential property and its associated garden and a collection of single storey commercial properties and a large extent of hardstanding from which three businesses operate, a car sales and workshop business and two wholesale businesses.

The site is located on the west side of Ampthill Road on the northern edge of Flitwick. It is flanked to the immediate north and east by a petrol station. Opposite the site is the Flitwick Football Centre, while there is an open field to the south of the site with dwellings beyond. The Doolittle Mill cluster of offices is located to the north west of the application site. A river runs just outside the northern boundary of the application site and the neighbouring petrol station.

The site is washed over by the Green Belt. The site was previously classified as being located with Flood Zones 2 and 3, however, the Environment Agency has recently changed the classification of the site and it is now located within Flood Zone 1. There is substantial tree planting along the southern and western boundaries, including a tree with a tree preservation order just outside the southern boundary of the site.

The Application:

The application seeks planning permission for the demolition of the existing buildings on the site and the redevelopment of the site to provide a 75 bed care home with associated parking and gardens.

The building itself would be a predominantly two and a half storey cruciform building with the front projection being long, relatively narrow and two storey in height. The majority of the building would have a pitched roof, with dormers set into the roof of the rear and side wings serving the second floor. There would be a number of minor projections and recesses, including two small flat roofed projections to the south elevation. The building would have a palette of red brick, off-white render and artificial slates. There would be a terrace on the second floor at the rear of the building.

Communal garden areas would be provided in the two northern and the south western quadrants created by the cruciform shape of the building. A new access to Amphill Road would be created which would provide access to 30 parking spaces in the final quadrant.

The majority of the trees along the boundaries of the application site would be retained and a landscaped area would be introduced at the front of the application site.

The building would provide 75 single rooms with en-suite bathrooms and ancillary facilities to include lounges, dining areas, a cinema / activity room, a hairdresser and laundry facilities.

It is anticipated that the proposal would provide permanent employment for 75 people, working three shifts a day, with approximately 25 members of staff anticipated to be on site at any one time.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 9: Protecting Green Belt land

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Core Strategy and Development Management Policies (November 2009)

CS10 Location of Employment Sites

CS14 High Quality Development

DM3 High Quality Development

DM14 Landscape and Woodland

DM15 Biodiversity

Development Strategy for Central Bedfordshire (June 2014)

At the meeting of Full Council on 19th November it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our web site as material considerations which may inform further development management decisions.

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 6: Accommodating Special Housing Needs, 2014

Relevant Planning History:

Application Number CB/14/03548/PAPC

Description Pre-Application Charging Advice: Redevelopment of site for a 75 Bed Care home.

Decision Advice given that the site is in the Green Belt and very special circumstances would be required for any formal application. Advice given on detailed aspects such as design, highways, trees and landscape and ecology.

Decision Date 24/10/2014

Consultees:

Ampt Hill Town Council Resolved: That the Council OPPOSE this application:
The development of the Football Centre with inadequate parking provision, and the developments in Froghall Road and Warren Farm in the surrounding areas will all have an effect on traffic movement. The parking provision on this site will not be adequate to support professionals, visitors or residents within the proposed allocation.

Meeting the
Accommodation Needs
for Older People Team
(MANOP)

Demand

The proposed development falls within the West Mid Bedfordshire locality and the Flitwick ward. West Mid Bedfordshire has a total population of 61,170 and 9,500 of these residents are aged over 65 years. This is forecast to rise to 16,608 by 2030. Delivering accommodation suitable for older people is therefore a priority for Central Bedfordshire Council.

In 2013 the Flitwick ward had 13,400 residents and 15% of its population was over 65 years old. For the same area 9.2% of households consist of one person of 65 years of age or over and a further 7.5% of households have more than one occupant, all of who are aged 65 or over. In 2011 12.1 % of the population in this ward were retired, which is slightly lower than the average for Central Bedfordshire (13.5%) and England (13.7%)

Central Bedfordshire Council uses the 'More Choice, Greater Voice' model to estimate demand for care home accommodation based on the number of people over 75 in the population of the area. This model indicates a current demand for care home places in West Mid Bedfordshire of 321, rising to 349 by 2020 and 439 by 2025. In the same area the supply of places is currently 147 (although 60 of these are not in use at the time of writing). A further 63 places are currently under construction but even when these come on stream there will be a shortfall of 111 places (assuming that the 60 come back into use). In addition, Central Bedfordshire Council has stated that it wishes to reprovide 30 of the 147 places in more modern facilities. Planning permission is being sought for a care home in Marston Moretaine but even if this is granted and the development completed there will still be a significant and growing shortfall in care home places in the area.

Design and layout

Good care home design can not only provide a better quality of life for residents but can reduce running costs. A list of desirable features is provided.

The submitted plans are not in sufficient detail to allow comment on all of these features but the internal arrangements appear to comply with most of these features. We have noted that, given the site constraints, the provision of outdoor amenity space is potentially inadequate because of the proximity of the adjacent Petrol Filling Station and road frontage would effectively preclude outdoor space on these parts of the site from being useable.

In addition, whilst the provision of parking spaces may in some contexts be adequate we are concerned that the lack of any appropriate alternatives nearby may result in traffic issues.

Whilst the location is not ideal, being away from the town centre or neighbourhood centre, we consider it

acceptable in terms of access to local facilities and transportation links. Potential operators are likely to be attracted by the frontage to a main through road although they may be less keen on the proximity of the Petrol Filling Station.

Summary

The development is large for its site and this will result in there being comparatively little usable outdoor amenity space for residents. We are also concerned that the level of parking proposed may be inadequate for the scheme. Both of these issues could be overcome by a reduction in the scale of the development and the number of care home places proposed.

Our view is that there is significant unmet demand for care home places in this area and that whilst the location is not ideal, it is acceptable in terms of access to local facilities and transportation links.

Highways Officer

There is no fundamental objection to the principle of the development. The scheme is supported by a Transport Statement that demonstrates that traffic generation will not be significant and can be accommodated within the existing highway network. A new, dedicated vehicle access is proposed, which although close to the existing pedestrian crossing on Ampthill Road is acceptable in terms of highway safety. With the frontage boundary fence being set back 4m from the carriageway edge visibility for and of vehicles using the access will be sufficient. Car parking within the site is compliant with the standards required by the authority and adequate area for service vehicle and ambulance parking and turning is provided.

However, what still needs to be demonstrated is that access for tanker vehicles accessing the adjacent petrol filling station is not compromised by the development. The existing access arrangement allows for access from both the north and more importantly the south and the principal highway network. I acknowledge that the applicant has submitted a tracking plan indicating that access from the north can be achieved but I will require confirmation that access can be achieved by such a vehicle approaching from the south, the A507. On the understanding that the scheme will be revised to provide a suitable access to the petrol filling station, and I am confident that such an arrangement can be achieved

without impacting upon the position of the proposed care home I recommend inclusion of the supplied conditions and advice notes should you be minded to view the proposal acceptable in terms of planning policy.

Pollution Team

Following the submission of additional information I have no objections in principal with this proposal subject to the supplied conditions being applied to any granted application. This is to ensure that the impact of noise associated with transport and commercial source including noise generated by the operation of the building are not going to have an adverse effect upon the future and neighbouring occupiers of the development.

Environment Agency

No objection.

Bedfordshire and River
Ivel Internal Drainage
Board

The current Environment Agency flood zone maps indicate the proposed development lies within flood zone 2. However, it is noted that the Flood Risk Assessment clearly shows that the Environment Agency has accepted a challenge to these maps and will change them to show the site being within Flood Zone 1. On this basis the Board will not object to this planning application.

Please note that the watercourse on the boundary of, or passing through this site is under the statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 7 metres of bank top without the Board's prior consent, this includes any planting, fencing or other landscaping.

Please also note that storm water discharge will not be allowed into a watercourse under the Board's control without the prior consent of the Board. The means of storm water disposal should be resolved prior to the issue of planning consent or that any planning consent given should be conditional to the method of storm water disposal being resolved prior to commencement of development.

Anglian Water

There is available capacity for anticipated flows for foul sewerage and foul drainage.

An informative is recommended regarding trade effluent and a condition is recommended regarding surface water management.

SuDS Team

No objection subject to the imposition of the supplied condition and informative.

Tree & Landscape

No objections subject to the imposition of recommended

Officer	conditions.
Ecologist	No objections subject to the recommended condition.
Sustainable Growth Officer	Requests conditions.
Archaeologist	No objections.
Private Sector Housing	No comments.

Other Representations:

Neighbours &
Response to Publicity:

96 Clophill Road,
Maulden

Objects to the proposal because it will increase the number of accesses and the amount of cars accessing the site which will be dangerous for children walking to school.

7 Doolittle Yard,
Froghall Road

Comments on the following:

- The photograph on the Planning Statement is misleading as it does not show the current football ground or the pelican crossing;
- The Green travel plan is out of date and does not take into account recent housing developments in the local vicinity;
- The bus stop mentioned in the travel plan is only one from the Amptill direction, those travelling from Flitwick would have to cross the A507;
- Higher vehicle movements will make it more dangerous for those who walk past the site;
- The construction phase will cause substantial disturbance to the local neighbourhood due to construction traffic, vibration and noise and could result in the neighbouring petrol storage tanks cracking;
- The Council should impose on the applicant similar requirements to the City of London Code of Practice for Deconstruction and Construction Sites 7th edition (May 2013) which includes a requirement for quiet hours during the working day to reduce noise disturbances to businesses;
- The number of car parking spaces is inadequate;
- The development is too large for the site and its location next to a petrol station, football team and major local road network;
- The elderly shouldn't be placed in a development

- backing onto the A507 and next to a petrol station in regards to air quality;
- Residents could wander onto the A507 or Ampthill Road and be hit by cars or walk into the river at the edge of the boundary of the development.

Determining Issues:

The main considerations of the application are;

1. Principle of the Development including Green Belt Considerations
2. Affect on the Character and Appearance of the Area
3. Impact on Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

Considerations

1. Principle of the Development including Green Belt Considerations

- 1.1 The site is located in the Green Belt and therefore Section 9 of the National Planning Policy Framework is a key consideration in the determination of this application. Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 1.2 Paragraphs 87 and 88 state that Local Planning Authorities should give substantial weight to any harm that would be caused to the Green Belt. Inappropriate development within the Green Belt is harmful by definition and should only be permitted in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness or any other harm is clearly outweighed by other considerations.
- 1.3 Paragraphs 89 and 90 provide a list of types of development that is not considered to be inappropriate development within the Green Belt, which includes the partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact upon the openness of the Green Belt and the purposes of including land within it than the existing development. The purposes of including land within the Green Belt are set out within paragraph 80 of the NPPF.
- 1.4 In this case, while the proposal would constitute the complete redevelopment of a previously developed site which would not have a greater impact upon the purposes of including land within the Green Belt than the existing development, the proposal would introduce built form on the site that would be significantly larger in bulk, scale and mass than the existing built form on the application site. As such, it is considered that the proposal would comprise inappropriate development and therefore should not be approved unless very special circumstances exist that would be sufficient to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and harm to openness.

- 1.5 The application sets out a case for very special circumstances which is summarised below. Each point is then analysed to judge the amount of weight that should be given to this point.
- 1.6 Significant Need
Evidence has been provided that demonstrates that there is an identified, immediate unmet need for elderly care home provision in the West Mid Bedfordshire area.
- 1.7 The evidence provided includes the Council's own research and this is substantiated by the comments from the Council's MANOP team, which is reproduced above. This includes the statement that, even if another application for a care home in Marston Moretaine is approved, (this outline application has subsequently been granted planning permission), "there will still be a significant and growing shortfall in care home places in the area." Significant weight is therefore given to this factor.
- 1.8 Lack of Available Alternative Sites
An alternative site assessment has been carried out by the applicants and submitted with the application, which demonstrates that only one other appropriate site is available within the area. The assessment explains that this site is not preferable as it is constrained by a Grade II Listed Building and also demonstrates that the development of this alternative available site would not be sufficient to meet the identified need for care homes places in the area.
- 1.9 The submitted Alternative Site Assessment is acknowledged and it appears that there is currently a lack of readily available sites within the area that would meet the applicant's needs. Therefore, in conjunction with the above point, weight is given to this analysis.
- 1.10 Re-use of a Brownfield Site
The proposal would make efficient use of an existing brownfield site, in accordance with one of the core principles of the NPPF and one of the purposes of including land within the Green Belt.
- 1.11 The proposal would include the efficient redevelopment of a previously developed site and therefore some weight is given to this consideration.
- 1.12 Reduction in Transport Movements
The Transport Statement submitted with the application demonstrates that the proposal is likely to reduce the number of trips being made to and from the site. The Transport Statement estimates the maximum vehicle movements of the proposal during peak AM and PM hours to be 10 trips whereas the existing use is estimated at 26 AM peak hours trips and 28 PM peak hour trips.
- 1.13 It is considered that the anticipated reduction in transport movements to the site would improve safety and this is considered to be a substantive benefit of the scheme and thus some weight is also given to this consideration.
- 1.14 Site enhancements and openness

The proposal would considerably enhance the appearance of the site, particularly to the street frontage and will significantly improve the amount of green space on the site. The third floor of the proposed building would be restricted to the rear section of the building and is provided in the roof to reduce height.

1.15 It is considered that the proposal would reduce the openness of the site as the building would have a greater height, mass and footprint than the existing buildings on the application site. However, it is acknowledged that the proposal would introduce additional green space on the site, including on the site frontage and that this would enhance the appearance of the site. As such, a small amount of weight is given to the proposed enhancements to the site that the scheme would bring.

1.16 Employment Opportunities and Economic Benefits

The proposal would bring approximately 75 permanent full and part time jobs in a range of positions. It would also bring short-term employment opportunities during the construction period. Indirect economic benefits are also likely to be felt including through supply chains in the local economy.

1.17 The NPPF places great emphasis on the creation of a wide range choice of employment opportunities. However, it should be noted that there are three businesses on the site, which currently provide employment, albeit a smaller a number of jobs than the proposed care home. It is noted from the Planning Statement that these businesses have been informed of the site owners' intentions to sell the site for redevelopment and the businesses are actively looking for alternative sites within the area. It is therefore considered that some weight should be given to the economic benefits of the scheme.

1.18 Community Support

The applicant has engaged in pre-application consultation with 87 local residents, Flitwick Town Council and Amptill Town Council, local Ward Members and the Council, the results of are set out within the Planning Statement accompanying the application. The results were mainly positive.

1.19 Pre-application consultation is always welcome and is considered a sign of good practice. However, limited responses were received, with only 7 local residents responding with wholesale support. It is noted that Amptill Town Council has objected to the proposal. As such, only limited weight is given to this consideration.

1.20 Conclusion

It is considered that the package of substantive benefits that the scheme would bring as a whole should be given significant weight and that, together, they clearly outweigh the harm that the scheme would have on the Green Belt in terms of inappropriateness and harm to openness. As such, the principle of the development is considered to be acceptable.

2. Affect on the Character and Appearance of the Area

2.1 The design of the proposed building was revised following pre-application discussions with Planning Officers, including a reduction in the height of the

building and the footprint and the introduction of an area of landscaping at the front of the site. It is considered that the proposed building would complement and harmonise with the surroundings of the application site in terms of scale, design and the proposed palette of materials.

- 2.2 The introduction of landscaping at the front of the site, the retention of many of the trees on the site boundaries and the keeping of the third floor to the rear section of the building also contribute to an enhancement that the scheme will bring to the streetscene, which is currently dominated by the existing hardsurfacing area.
- 2.3 The design of the proposal, including the layout and the secured gardens areas complies with many of the requirements of the MANOP team and the guidance set out within Design Supplement 6 of the Central Bedfordshire Design Guide, which specifically addresses the design of care homes and extra care facilities. It is therefore considered that the proposal would deliver high quality living accommodation for future residents.
- 2.4 In conclusion, it is considered that the impact of the character and appearance on the area would be positive and thus the proposal is considered to be in accordance with the National Planning Policy Framework, policies CS14 and DM3 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

3. Impact on Neighbouring Amenity

- 3.1 The nearest residential dwellings are located 40m away from the site to the south and 75m away to the west. It is therefore considered that the proposal would not have a material impact upon the amenity of the occupiers of these dwellings.
- 3.2 The existing tree screen along the north boundary of the site, which is proposed to be retained would provide sufficient screening to prevent interlooking between the office units at Doolittle Mill and the proposed Care Home.
- 3.3 It is acknowledged that the construction period is likely to result in a degree of disruption to the neighbouring businesses in terms of traffic movements and noise, however, these impacts would be temporary and would not provide sufficient justification to refuse the application. Furthermore, the highways impact of the construction phase can be limited by condition. In the absence of policy support, it is not considered that a condition requiring "quiet hours" during the working day could be justified, particularly as this would be likely to prolong the construction period.
- 3.4 Overall, it is considered that the impact of the proposal on the amenity of occupiers of neighbouring premises would be limited and acceptable.

4. Highways Considerations

- 4.1 The concerns of the Town Council are noted, however, the proposal complies

with the Council's parking standards for facilities of this nature and the Highways Officer has not raised concerns in regards to the proposed levels of parking. It is therefore considered that it would be difficult to sustain an objection to the proposal based on the level of parking.

- 4.2 The responses from the members of the public in regards to traffic movements are noted, however, the Transport Statement has demonstrated that the proposal is likely to reduce the number of vehicle movements to and from the site rather than increase them, which would improve the safety of pedestrians and drivers in the vicinity.
- 4.3 In response to the comments from the occupier of 7 Doolittle Mill, it is noted that the Green Travel Plan is dated September 2015 and includes up-to-date public transport information. It is noted that some of its conclusions are based on data from the 2011 Census, however, these are trend related and it is considered that the age of the data does not reduce the legitimacy of the conclusions within the Green Travel Plan.
- 4.4 Work is continuing with the agent to ensure that the scheme would not prejudice the access to the neighbouring petrol station. The Highways Officer has stated that he is confident that this can be achieved without significant alterations to the scheme. An update will be provided on the Late Sheet.
- 4.5 Subject to the resolution of the access arrangements for the petrol station and the imposition of the recommended conditions, it is considered that the proposal would not have a detrimental impact on the highway network.

5. Other Considerations

5.1 Section 106 Requirements

The nature of the development, as a care home, means that there is no requirement for affordable housing contributions. Having regard to the infrastructure in place around the site and the tests for Section 106 contributions as set out within the National Planning Policy Framework, it is not considered that there is any requirement for Section 106 contributions in this case.

5.2 Flood Risk and Drainage

While the application site was designated as being within Flood Zones 2 and 3, testing, modelling and assessment demonstrated that the application site is outside of both the 1% probability floodplain and the 0.1% probability floodplain meaning that it would be classified as Zone 1 according to National Planning Policy Guidance and therefore it is suitable for all types of development, including those classified as "highly vulnerable" such as care homes. The Environment Agency accepted this evidence and updated the classification of the site in October 2015 to Flood Zone 1.

- 5.3 Anglian Water, the Internal Drainage Board and the Council's SUDS Team all requested a condition in regards to a Surface Water Drainage Management Plan. It is considered appropriate to impose the condition requested by the Council's SuDS team as this is the most comprehensive.

5.4 **Human Rights issues:**

The proposal raises no Human Rights issues.

5.5 **Equality Act 2010:**

The Design and Access Statement states that the scheme would meet Disability Discrimination Act guidelines and Part M of the Building Regulations. Nevertheless, it is considered appropriate to impose an informative advising the applicant of their responsibility under the Equality Act 2010.

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No construction work on the walls and roof of the building hereby approved shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.

(Section 7, NPPF, and Policies CS14 & DM3, CSDMP)

- 3 **No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement should detail demolition procedures and response to on site situations found, e.g. exposure of extensive roots immediately below removed surfaces, positioning and construction methods of areas of no dig construction surfacing, detailed proposed works to trees, detail and confirmation of tree protection fencing and a timetable for works to be adhered to with regards on site arboricultural supervision. No equipment, machinery or materials shall be brought on to the site for the purposes of development until the tree protection fencing has been erected in the agreed positions. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: The condition must be pre-commencement to ensure the protection of the trees on the site that are proposed to be retained during any phase of the demolition and construction period, including

ground works.

(Sections 7 & 11, NPPF and Policies DM3 & DM14, CSDMP)

- 4 The development hereby approved shall not be occupied until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.

(Sections 7 & 11, NPPF and Policies CS14 & DM3, CSDMP)

- 5 **No development shall take place until a detailed surface water drainage scheme and associated construction and management/maintenance plans for the site, based on the agreed 'Flood Risk Assessment (CSB/KM/E/17158/B4, 22 September 2015)', has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall include a restriction in run-off and surface water storage on site as outlined in the application for B/15/03693/FULL. The scheme shall subsequently be implemented prior to any occupation of the development 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: The discharge of condition must be pre-commencement to reduce limitations on the possibilities for the drainage scheme. The scheme will prevent the increased risk of flooding, improve and protect water quality, and improve habitat and amenity.

(Sections 10 & 11, NPPF)

- 6 The development shall not be occupied until two bat boxes and two Schwegler swift boxes have been positioned in accordance with part 5 of the 2014 Ecological Appraisal and two Schwegler 1SP sparrow terraces have been incorporated into the building and 1 nest box has been located on retained mature trees.

Reason: To provide a net gain in biodiversity on the application site.

(Section 11, NPPF)

- 7 Work on the construction of the building hereby permitted shall not commence until a detailed scheme of noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the internal noise levels from transportation and internal mechanical noise sources shall not exceed 35dB LAeq 07.00 –

23.00 in any habitable room or 30dB LAeq 23.00 – 07.00 and 45 dB LAmax 23.00 – 07.00 inside any bedroom, and that external noise levels from transportation noise sources shall not exceed 55dBLAeq (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local planning authority, before the building is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To ensure that the future occupiers of the development are not adversely affected by the external noise sources.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 8 Noise resulting from the use of any plant, machinery or equipment used in accordance with this permission shall not exceed a level of 5dBA below the background level (or 10dBA below if there is a tonal quality) when measured in accordance with BS4142:2014 at a point one meter external to the nearest noise sensitive building.

Reason: To ensure that neighbouring and future occupiers of the premises are not affected by the operational noise from the development.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 9 Equipment shall be installed to effectively suppress and disperse fume and/or odours produced by cooking and food preparation. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise level of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the local planning authority prior to the building hereby approved being brought into use and shall be maintained thereafter.

Reason: In order to prevent adverse impact of odours arising from the cooking activities on the amenity of the neighbours.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 10 The development hereby permitted shall not be occupied or brought into use until a lighting design scheme and an impact assessment devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land uses have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with the relevant publications and standards. The external lighting shall be installed in accordance with the approved details and maintained thereafter.

Reason: To ensure that obtrusive light does not have a detrimental effect upon the neighbouring occupiers.

(Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 11 No occupation of the development hereby permitted shall take place until the following has been submitted to and approved in writing by the Local

Planning Authority:

a) A Supplementary Investigation to incorporate soft landscaping soil quality provision and following sampling of the previously referenced former fuel tank, along with detailed remedial solutions should potential risks be discovered.

b) the effectiveness of any remediation implemented shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs and depth measurements).

Reason: To ensure that risks from land contamination to the future users of the land are minimised.

(Section 11, NPPF)

- 12 Notwithstanding the detail shown on the submitted plans, no alteration to the existing vehicle access to the neighbouring petrol filling station shall be undertaken unless otherwise agreed in writing by the Local Planning Authority in accordance with details to be submitted to and approved in writing.

Reason: To ensure that access to the adjacent site is not compromised in the interests of highway safety.

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 13 The development hereby permitted shall not be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 14 The development hereby permitted shall not be occupied until the area of public highway between the approved boundary fence along Ampthill Road and the existing footway has been reinstated as footway, constructed to highway specification.

Reason: In the interests of highway safety and pedestrian movement.

(Section 4, NPPF & Policies CS14 & DM3, CSDMP)

- 15 The development hereby approved shall not be occupied until all on site vehicular parking and turning areas have been surfaced in a stable and durable manner in accordance with the approved plans. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 16 The development hereby permitted shall not be brought into use until a scheme for the secure and covered parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

(Section 4, NPPF)

- 17 **No development shall take place until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: The condition must be discharged prior to commencement of the development to ensure adequate off street parking during the construction period in the interests of road safety.

(Section 4, NPPF and Policies CS14 & DM3, CSDMP)

- 18 **No development shall take place until wheel-cleaning facilities have been provided at all site exits. These facilities shall be maintained and employed at all times during the construction of the development for the cleaning of the wheels of all lorries leaving the site.**

Reason: The condition must be pre-commencement to minimise the impact of construction vehicles on the local area and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

(Sections 4 & 7, NPPF and Policies CS14 & DM3)

- 19 No implementation of the proposed boundary treatment shall take place until a method statement for the installation of the boundary treatment in a way that would prevent harm to the Root Protection Areas of the retained trees (as identified by approved drawing no. 1410-20-P-12) has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall subsequently be installed in accordance with the approved method statement.

Reason: To safeguard existing trees and hedgerows.

(Sections 7 & 11, NPPF and Policies CS14 & DM3, CSDMP)

- 20 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17158-1001.1, 17158-1001.2, 1853 S001 Rev A, 1853 PL001 Rev A, 1853 PL002 Rev A, 1853 PL003 Rev A, 1853 PL004 Rev C, 1853 PL005 Rev A, 1853 PL006, 1853 PL007 Rev A, 1853 PL008 Rev A, 1853 PL009 Rev B, 141020-P-10, 141020-P-11, 141020-P-12, 17158/ 1002, 17158/1003,

17158/1004.

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

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 Central Bedfordshire Core Strategy and Development Management Policies (North) (CSDMP) and the National Planning Policy Framework (NPPF).
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. For further information in regards to the requirements for the Surface Water Drainage Scheme that must be submitted to discharge Condition 5, the applicant is advised to contact Alys Bishop of the Council's Flood Risk Management Team on 0300 300 8635 or floodrisk@centralbedfordshire.gov.uk.
4. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

5. Any unexpected contamination discovered during works should be brought to the Attention of the Planning Authority.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the

Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

6. The applicant's attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)

Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

7. 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 modification to the barrier at the existing pedestrian crossing and footway works. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ.
8. 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".
9. The applicant is advised that parking for contractor's vehicles and 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 0300 300 8049. 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.

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.

DECISION

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