

Item No. 6

APPLICATION NUMBER	CB/17/02941/FULL
LOCATION	Land to the East of High Road, Shillington, SG5 3LL
PROPOSAL	Demolition of existing village hall; construction of 26 no. residential units, together with adequate off-road parking, private amenity garden space and landscaping; and erection of double garage for No. 37 High Road.
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Alex Harrison
DATE REGISTERED	30 June 2017
EXPIRY DATE	29 September 2017
APPLICANT	Shillington Village Hall
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE	The scheme is contrary to Policy DM4 and is recommended for approval.
RECOMMENDED DECISION	Full Application - approval recommended.

Reason for recommendation.

The development of the site for residential purposes is contrary to policies within the Core Strategy and Development Management Policies 2009. However in this instance the development is considered acceptable as an exception on the basis that the material considerations with the scheme, that being that monies generated from the development will be directed towards the provision of a new Community Hall within the village at the Memorial Playing Fields, outweighing the non-compliance with policy. The proposed access is considered to be safe and the scheme provides suitable parking for the new dwellings and also parking for existing dwellings that do not benefit from off street parking presently. The amended scheme has produced a design that would be acceptable in its Conservation Area context and would not harm the character and appearance of the area. The proposal does not harm neighbouring residential amenity and provides a suitable level of amenity for potential occupiers.

Site Location:

The application site is an area of land which is, in the majority outside of the settlement envelope of Shillington and regarded as open countryside. A proportion of the site lies within the settlement envelope and comprises the existing village hall site and car park, residential property known as 37 High Road and a strip of land

adjacent the dwelling.

The site lies partially within the village conservation area. The area outside of the conservation area is considered to affect its setting.

The Application:

Full Planning permission is sought for the demolition of the existing village hall and the construction of 26 dwellings on the site with associated gardens and parking. Development includes a change of use of land to be incorporated into an enlarged curtilage of 37 High Road Shillington and for a detached garage on this land as well as the provision of 9 parking spaces to be used by residents of existing dwellings at 37a – 53 High Road.

The application has been amended since its initial submission to take account of a number of concerns. The scheme originally proposed 27 units and has been reduced as a result of the changes.

This application is a second proposal to residential development on this site. Members have previously resolved to approve residential development at this site for a scheme of 19 dwellings (CB/15/02102/FULL) at the Committee meeting of 11 November 2015

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS3 Healthy and Sustainable Communities.
CS7 Affordable Housing
CS14 High Quality Development
CS15 Heritage
CS16 Landscape and Woodland
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development within and Beyond Settlement Envelopes.
DM10 Housing Mix
DM13 Heritage in Development
DM14 Landscape and Woodland

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform

development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/15/02102/FULL
Description	Erection of 19 dwellings following demolition of existing village hall, off road parking, private amenity garden space, landscaping, public open space and erection of double garage for No. 37 High Road.
Decision	Resolved to approved subject to S106 (26/10/15)
Decision Date	-

Also pertinent

Application Number	CB/17/02990/FULL
Description	Demolition of existing club house and construction of a purpose-built community facility with gym, together with associated car parking. Relocation of existing storage container
Decision	Approved
Decision Date	October 2017

Consultees:

Shillington Council	Parish	Support the application
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Highways	<u>Original scheme</u> Acknowledged that the access was previously considered acceptable under application CB/1502102/FULL.
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Commented that trip generation rates are acceptable.

Raised concerns over compliance with the Design Guide in respect of footway provision commenting that an adoptable road layout will be required. Noted a shortfall in parking and that a turning area will be required.

Amended plans
No comments received at the time of drafting.

Landscape Officer	<u>Original scheme</u> Considered the proposal failed to provide adequate landscape mitigation.
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Amended scheme
Retained objection.

Trees and Landscape		<u>Original scheme</u> Raised no objections requiring the retention of boundary hedges to the south and east of the site and protection during construction.
		<u>Amended scheme</u> No additional comments.
Ecology		<u>Original scheme</u> Requested additional bat survey to be submitted.
		<u>Amended scheme</u> Raised no objections subject to conditions relating to lighting and ecological mitigation.
Archaeology		<u>Original scheme</u> Raised objection on the grounds of lack of archaeological and heritage asset information.
		<u>Amended scheme</u> Raised no objections subject to a condition
Anglian Water		Raised no objections subject to conditions relating to wastewater treatment and foul sewerage.
Internal Drainage Board		<u>Original scheme</u> Raised objection to the drainage strategy as submitted.
		<u>Amended scheme</u> Commented that the drainage strategy is acceptable and that a charge to the developer is required as the discharge into the watercourse will be greater than the current run off rate.
Conservation Officer		<u>Original scheme</u> Raised no objections subject to conditions.
		<u>Amended Scheme</u> No further comments received.
Sustainable Drainage	Urban	<u>Original scheme</u> Raised no objections subject to conditions
		<u>Amended scheme</u> Raised no objections subject to conditions
Waste Officer		Provided information on waste collections in the Shillington Area.
Housing Officer	Development	Comments awaited.

Other Representations:

Neighbours

29 letters have been received, 28 raising objection and 1 in favour. The following planning objections and issues are raised:

- Concerns over access location opposite an existing access and concerns over increased traffic causing congestion on street parking to High Road.
- Concerns that parking to High Road terraces are boxed in and not enough spaces.
- Inadequate parking within the development.
- Development is out of character and overbearing compared to the existing High Road. It is an overdevelopment and too dense a development for a rural location.
- Part of the site is within the Conservation Area.
- Majority of existing dwellings do not have off road parking and the High Road is already overwhelmed with dwellings, businesses and vehicles.
- Proposed detached garage at no. 37 is on the soakaway for the adjacent cottages.
- Development is on Greenfield Land and outside the Village Envelope.
- Disturbance to residents during construction.
- Overlooking and noise impacts to existing dwellings.
- Confirmation required that the proposed parking spaces for the existing cottages are allocated as such.
- Confirmation required that alleyway to the rear of the terrace on the High Road will not be used by new residents as a footpath and will be fenced..
- Concerns over village infrastructure being able to cope with the increased population.
- Concerns raised over habitat impacts and the impact on existing trees.
- Loss of privacy to 72 High Road through headlight through windows and overlooking from cars at the access.
- Overlooking to 27 and 63 and 65 High Road.
- Loss of privacy to 47 and 49 High Road
- No prior consultation from the applicant with this scheme.

1 letter received in favour raising the following points:

- Smaller units allow for greater diversity.
- Parking for the cottages eases highway concerns
- New community facility is much needed.

Determining Issues:

The main considerations of the application are;

1. The Principle of Development
2. The Loss of a Community Facility
3. Impact on the Character of the Area
4. Impact on Neighbouring Amenity
5. Impact on Parking and the Highway
6. Other Issues
7. Is the scheme sustainable development?
8. The planning balance.

Considerations

1. The Principle of Development

- 1.1 The proposal is contrary to development plan policy DM4. The majority of the site lies outside the settlement envelope and is therefore not a site that is considered appropriate for residential development in policy terms. However in this instance material considerations are that the application is submitted alongside another separate scheme in the village for a new community facility at the Memorial Playing Fields. This application, ref: CB/17/02990/FULL, has been approved under delegated powers. The delivery of this residential scheme would result in various funding sources that would go towards the delivery of the proposed community facility for the village. A principal funding amount will be provided through the applicant, Rowan Homes, by way of redirected profit and S106 monies from the housing development. Furthermore the purchase of the land for the residential application generates funding that will also be used to deliver this project. The scheme does not propose any affordable housing units as a result of the commitment to direct monies from the development to the provision of this village wide community facility.
- 1.2 Therefore the justification for the proposed residential development is that it would provide the majority of funding for the delivery of the new community facility which will be provided by the applicants. This is the same justification that Members accepted for the previous application for 19 dwellings on the site under ref CB/15/02102/FULL. The lack of affordable housing provision means that the scheme does not comply with policy which seeks to secure such accommodation. The view of CB/17/02990/FULL in principle is that the new facility is regarded as an enhanced offering for the village and therefore it is considered in this instance that the residential development will facilitate the delivery of the community hall, the delivery of which would be secured through S106 agreement, and therefore can be considered acceptable in principle as an exception.

2. The Loss of a Community Facility

- 2.1 The proposal does result in the loss of an existing village hall. The direct consequence is that there is a loss of community facility as a result of the proposal. However, as detailed above, there is a separate application for a new community facility in a different location within the village. While not on the High Road the new site is accessible to the rest of the village and the accompanying

application on this agenda is recommended for approval. Therefore in principle it is considered that in this instance, a loss of community facility is acceptable on the site and ultimately the development will enable the delivery of an enhanced facility elsewhere.

- 2.2 The existing village hall would have to be demolished to allow the construction of the dwellings proposed. It would potentially mean that there is a period where the existing village hall is gone and the new facility, if approved, is not complete. In order to ensure that the new hall is delivered on the basis of the justification for this residential scheme it will be necessary to secure the delivery of the hall through a S106 agreement.

3. Impact on the Character of the Area

- 3.1 The development of the site amounts to an intrusion of development into the open countryside. As previously advised this can be considered acceptable in this instance. The impact of the development is minimised by the site boundaries aligning to the existing field boundary which is strongly defined by existing planting. The development would read as a minor extension to the village envelope but is of a scale that it is likely that it would integrate into the existing village successfully.
- 3.2 The scheme has drawn concern from the Council's Landscape Officer. These comments are noted however consideration, and in this instance greater weight, is given to the previous resolution to approve the development of this site. The layouts, including the extent of landscaping are very similar to that previously proposed. It is acknowledged that countryside will be lost from this development however it is also noted that the Tree Officer raises no objections if the hedgerows are to be retained, which can be conditioned. The impact is noted however not considered to be harmful to the extent that permission should be refused.
- 3.3 The proposed residential development has been amended since its original submission to take account of comments from the case officer in relation to the design detail. As with the first application the scheme continues to propose 4 dwellings facing High Road which will have the largest impact on the streetscene. These units are also located in the Conservation Area. The plans show that these units to result in a higher quality dwelling that sits comfortably in the Conservation Area. The Conservation Officer has raised no objection.
- 3.4 The initial submission drew concerns on the grounds that the development appears cramped and over urban for the edge of settlement location. The increase in residential units over the first scheme will inevitably increase the built form of the development however given the location of the site it is necessary to ensure a softer and more rural character is achieved to the development where possible.
- 3.5 The layout has been amended to reduce a large bank of parking bays at the northern side of the access road with a number of dwellings now having on plot parking. The number of dwellings was reduced by one to 26 which reduced the extent of cramped character and a number of new housetypes were introduced as well including bungalow units which reduce the scale of development as well. The amended scheme proposes development that appears less dense and

established larger gaps between the properties addressing concerns of a cramped character.

- 3.6 The scheme has also been amended to reduce the extent of hard boundaries in prominent public realm locations. This was particularly apparent at the entrance to the development and with the boundary treatment at Plot 26. As a result the extent to which hard boundaries abut public realm areas is reduced which is an enhancement to the scheme.
- 3.7 The objections received in respect of over development and being out of character with the area are noted. The development is intensified in comparison to the previous scheme (CB/15/02102/FULL) however the dwellings are provided with suitable garden areas and on plot parking in the majority and while the extent of built form is increased it is not considered to be overly dense to the point that there would be a negative impact on the character of the area and the dwelling types are typical modern units, the style of which are apparent within the village.
- 3.8 In terms of the impact on the Conservation Area, the removal of the existing village hall is not considered to have an adverse impact on this character and appearance. The new dwellings have been amended to improve their design and it is considered that this could be a positive addition to this heritage area. The entrance to the residential development itself is low density and relatively spacious which would sit comfortably in the context of the conservation area. The entrance is likely to be subject to strong boundary features and it is therefore considered necessary to condition the approval of such details to ensure appropriate boundaries are established from a heritage context.
- 3.9 The proposed development is considered acceptable in principle and while it is acknowledged that it would materially alter the character of the area the impact is such that it would not do so to a harmful extent and therefore no objection is raised on the grounds of this impact.

4. Impact on Neighbouring Amenity

- 4.1 There are existing neighbouring properties immediately adjacent to the site to the north and western side. The scheme has been amended to ensure there is no direct overlooking or loss of light issues to any existing neighbouring property.
- 4.2 Concern was originally raised due to the proposed location of dwellings and their proximity to existing properties to the southwest of the site. The scheme was amended to increase the number of bungalows in this area which will remove first floor accommodation that was previously apparent and remove the overlooking impacts (as raised by 63 and 65 High Road). A condition will be necessary to remove permitted development rights to alter and extend the roofs of the bungalow units in the interests of preserving amenity levels. Objection was received on overlooking grounds from the occupier of 27 High Road however given that separation distances between the site and this neighbour there are no concerns in this respect. In respect of other dwellings abutting the application site, there will be dwellings close to the common boundaries but in respect of overlooking it is considered that there would be no direct and harmful

impact that would affect amenity to the extent that permission should be refused. Plots 18 and 19 have windows that face towards existing dwellings to the southwest of the site. Plot 18 has two first floor windows that serve bathrooms which would therefore be obscurely glazed and Plot 19 has windows serving bedrooms that are set at a distance of 19 metres from the rear of the garage/family room of the adjacent dwelling. The distance is not ideal but it is considered appropriate when taking account of the outlook towards the neighbouring dwelling and it is considered no harmful impact to amenity occurs. Plot 5 abuts 33a High Road and has a bathroom window facing this property which is acceptable given its obscurely glazed nature.

- 4.3 In respect of overbearing development objections are raised by the occupiers of 47 and 49 High Road due to the siting of a proposed bungalow (plot 25 on the amended scheme) to the rear of their properties. The amended plans have moved this unit away from the boundaries somewhat but it is acknowledged that it is still prominent. The impact of this unit when considering an overbearing nature is reduced due to it being a single storey building with a relatively low pitch roof. There are no windows above first floor level and no outlook to the existing gardens as a result. The distance between the rear extent of these properties and the side elevation of the bungalow is a minimum of 17 metres which is considered acceptable. The relationship is therefore not considered to be harmfully overbearing.
- 4.4 The concerns raised by the occupier of 24 High Road in respect of amenity harm caused by vehicles is noted however there is not considered to be any overlooking harm as car users would have less of an impact than pedestrians walking in front of the dwelling and the impact of headlights are not considered to be detrimentally harmful when considering likely existing impacts from the car park of the village hall which is the existing situation.
- 4.5 In terms of the provision of amenity for new occupiers the amended scheme has attempted to address previously raised concerns over the size of gardens for a number of the proposed plots. The amended plans have shown that suitable sized gardens are provided for each unit. While the Design Guide recommended depth for gardens is not met on all plots there are no amenity concerns resultant from this and therefore the provision can be considered acceptable.

5. Impact on Parking and the Highway

- 5.1 The access has been considered and no objections have been raised by the Highway Officer. It is therefore regarded as safe and functional. The concerns raised by neighbours over increased traffic and parking are noted however the access arrangement is such that it is not considered that there would be a harmful impact. The intensification of development through increasing the units is also considered acceptable in terms of impact on highway capacity.
- 5.2 The proposal still provides nine parking spaces for existing cottages at 37a – 53 High Road. Currently these nine cottages have no off-street parking and park on High Road. The scheme gives each cottage a parking space which is an improvement over the existing situation and would contribute to a potential reduction in cars on High Road. The provision of parking is not required to make the scheme acceptable in planning terms but is considered to be a benefit of the

development. The provision and retention of these spaces will need to be secured through the S106 agreement.

- 5.3 In terms of parking on the development there is a shortfall of parking for the 6 bungalow units proposed. Each are given a single space whereas the Design Guide requires 2 spaces for 2 bedroom dwellings. The layout shows the bungalows to have a single parking space due to the provision of parking for the terraced homes detailed above. Consideration is therefore given to the benefit of potentially relieving parking pressure on High Road against possible on-street parking within the development site for bungalow occupiers and it is felt that while it is unfortunate that parking for the bungalows is short 1 space for each it is not considered harmful in this instance. If however Members feel it to be necessary to have compliant parking for these units the parking assigned for the existing terraces can be used to make the scheme Design Guide compliant instead of being associated with the existing dwellings.
- 5.4 At the time of drafting this report the Highway Officer has not commented on the revised layout to advise if previous comments relating to turning, parking and adoptable standards are still apparent. The road layout is very similar to the scheme that has previously been considered acceptable by this Committee and therefore it is reasonable to assume that it can continue to be presumed as such.
- 5.5 The proposed access and parking arrangements are considered to be acceptable and can potentially contribute to a reduction of vehicles parked on High Road. It is considered that there is no harm to highway safety as a result of this scheme.

6. Other Issues

6.1 Delivery

The provision of the previously mentioned Community Facility will be financed through a number of sources. A principal funding amount will be provided through the applicant, Rowan Homes, by way of redirected profit and S106 monies from a housing development on the edge of Shillington. Furthermore the sale of the land for the residential application generates funding that will also be used to deliver this project.

- 6.2 To ensure that the community facility is delivered as proposed it is necessary to secure this through a S106 agreement that requires the applicant to provide the hall within an appropriate timeframe or trigger and the recommendation reflects this.

6.3 S106 Contributions

The Council's Education Officers have provided comments relating to the impacts of the proposed housing on the education infrastructure and have requested a number of contributions to offset the impact.

The requested amounts are as follows:

EY	£26,961.48
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Lower	£89,871.60
Middle	£90,432.58
Upper	£110,894.28
Total	£318,159.94

The contributions will form part of the proposed S106 discussion and will take account of the viability of the scheme in light of the community benefits it is providing and the scale of the development proposed in light of the CIL Regulations pertaining to the number of times a project can request contributions. Members will be updated on this in the forthcoming late sheet.

6.4 Surface Water Drainage

Concern was raised on the grounds of drainage impacts from the new garage and increased curtilage of No 37. Currently the guttering from the adjacent cottages takes rainwater to this track to soakaway and this is potentially affected through the development of the proposed double garage. A conditions requiring the approval of surface water drainage details has been included in the recommendation and an informative can also be included to specifically raise the need for these details to take account of the impacts from the works and change of use at No 37 to ensure a suitable solution is reached.

7. **Whether the scheme is Sustainable Development**

7.1 The Council considers that it is able to demonstrate a deliverable 5 year housing land supply and therefore the policies in the Core Strategy and Development Management Policies can be given appropriate weight including policy DM4. The wording of policy DM4 limiting residential development to schemes within the settlement envelope should be given weight as the Council's housing land supply position is such that this policy is no longer considered out of date. This has been considered and in this instance the scale of development and its relationship with the existing settlement are such that although it is contrary to this policy any adverse impact from development is outweighed by the benefits.

7.2 Consideration should still be given to the individual merits of the scheme in light of the presumption in favour of sustainable development. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental. The scheme should therefore be considered in light of these.

7.3 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. However the impact is not considered to be of such significance that it would warrant a reason to refuse planning permission. It will sit adjacent to existing residential properties to the western side and is enclosed by established landscaping. While materially altering the character of the area will not appear isolated, relating well to the existing settlement, and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant and demonstrable harm.

7.4 Social

The provision of housing is a benefit to the scheme which should be given some weight as a benefit of the scheme. The commitment to provide a new community hall for the village can be given significant weight as a benefit.

The site is within walking distance to an existing bus route and village services and the village is well served by existing footways making the site accessible to the village core. Shillington is regarded as a sustainable settlement in planning terms and it is considered that it offers the services and facilities that can accommodate the growth from this scheme.

7.5 Economic

The economic benefits of construction employment are noted. As mentioned above financial contributions will be secured for education projects at schools in the catchment area of the site to help accommodate the level of growth anticipated from this scheme which is considered to be a benefit.

8. Planning balance.

- 8.1 In this case, the provision of bungalow units and the provision of a new community facility for the village are considered to be a significant benefit to the community and would also contribute towards strengthening the Council's 5 year housing land supply. The site is considered to relate well to the existing settlement and represents a reasonable extension to the village. The loss of open countryside is considered to be an adverse impact but is not significant. The scheme proposes no affordable housing which is also an adverse impact but in this instance the commitment to provide a new community facility and the benefits that it would provide are considered to offset the lack of affordable housing (it is noted that the scheme previously considered acceptable also proposed no affordable housing). It is therefore considered that the benefits outweigh the adverse impact of the scheme. In light of the comments made above it is considered even though the development is contrary to policy DM4 of the Core Strategy and Development Management Policies 2009 the individual merits of this scheme are such that the proposal can be regarded as sustainable development in the eyes of the NPPF and no significant and demonstrable impacts have been identified. As such the application is recommended for approval.

Human Rights and Equality Issues

Based on the information submitted there are no known issues raised in the context of Human Rights/equalities Act 2010 and as such there would be no relevant implications with this proposal.

Recommendation:

That Outline Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 development relating to the construction of the dwellings hereby approved shall take place and notwithstanding the details submitted with the application, until details of the materials to be used for the external windows, doors, walls, roofs and rainwater goods of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The development/work shall be carried out only in accordance with the approved details.

Reason: To safeguard the special character and historic interest of the Shillington Conservation Area.
(Section 7, NPPF)

- 3 **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. 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.
(DM3 CSDMP)**

- 4 Notwithstanding the details in the approved plans, prior to the occupation of the first dwelling hereby approved 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 scheme shall include the retention of the existing hedgerow planting on the boundaries of the site and shall propose additional plantain to strengthen these boundaries. 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.

- 5 None of the dwellings hereby approved shall be occupied until a scheme has been submitted for approval in writing by the Local Planning Authority

indicating the positions, design, materials and type of boundary treatment to be erected which shall include acoustic fencing on the western boundary of the site. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the amenities of the neighbouring occupants and the future occupiers of the buildings.
(DM3 CSDMP)

- 6 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a Construction Traffic Management Plan which details access arrangements for construction vehicles, on-site parking and loading and unloading areas, materials storage areas and wheel cleaning facilities. The construction of the development hereby approved shall then be carried out in accordance with the approved details.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site.
(DM3 CSDMP)

- 7 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No. 12494 200 BB has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.
(DM3 CSDMP)

- 8 **No development shall take place unless and until the following have been submitted to and approved in writing by the Local Planning Authority:**

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 and gas sampling.

c) Where shown to be necessary by the Phase 2 Desk Study, 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.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any

unexpected contamination discovered during works.

Reason: The details are required prior to commencement to protect human health and the environment in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 9 None of the dwellings hereby approved shall be occupied until all access and junction arrangements serving the development have been completed in accordance with the approved plans and all other existing access points within the highway frontage of the site have been stopped-up by raising the existing dropped kerb and reinstating the footway to the same line, level and detail as the adjoining footway.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.
(DM3 CSDMP)

- 10 **No development shall take place until a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: In accordance with paragraph 141 of the *National Planning Policy Framework*; to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 11 **Notwithstanding the details in the approved plans, 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 shall detail the retention of the existing boundary hedgerow on the eastern and southern boundaries and details how these are to be protected during construction and shall also detail methodology for protection of existing trees adjacent to the site during construction. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure the retention of existing landscape features in the interests of establishing a rural character to this edge of settlement location.
(DM3 CSDMP)

- 12 No development on the dwellings hereby approved 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.
(DM3 CSDMP)

- 13 **No development shall take place until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Surface Water Drainage Strategy (March 2017), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to that outlined by the IDB. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with an agreed management and maintenance plan.**

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.
(DM3 CSDMP)**

- 14 No 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.
(DM3 CSDMP)

- 16 **Notwithstanding the details submitted in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a revised site layout showing an amended highway layout that includes the provision to of a formal turning head within the site and development shall be carried out in accordance with the approved details.**

**Reason: To ensure adequate arrangements to accommodate for refuse collection in the interests of highway safety.
(DM3 CSDMP)**

- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

(DM3 CSDMP)

- 18 Before the new accesses are first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the highway works approved under any reserved matters application shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

(DM3 CSDMP)

- 19 No development relating to the construction of the dwellings at Plots 1-4 inclusive hereby approved shall take place until details of all new doors and windows on the dwellings shall be timber and detailed drawings at a scale of 1:10 of all new doors and windows have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The works shall be carried out in strict accordance with the approved details.

Reason: To safeguard the special character and historic interest of the Shillington Conservation Area.

(Section 7, NPPF)

- 20 Notwithstanding the approved plans, all new rainwater goods for Plots 1 - 4 inclusive hereby approved shall be of black painted cast iron or aluminium and shall be retained thereafter.

Reason: To safeguard the special character and historic interest of the Shillington Conservation Area.

(Section 7, NPPF)

- 21 No dwellings shall be occupied until a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging; and
- show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their

territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure development is implemented without harming biodiversity.
(DM3 CSDMP)

- 22 Notwithstanding the provisions of Part 1, Class B or C of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the roofs of the bungalow units shown at Plots 20-25 inclusive and the dwelling at Plot 19 hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the enlargements of the buildings in the interests of the amenities of the area.
(DM3 CSDMP)

- 23 Prior to the first occupation of the dwellings hereby the first floor window in the side elevation serving the bathrooms to Plots 5 and 18 shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and shall be non-opening up to an internal height of 1.7m above floor level and these windows shall thereafter be retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties.
(CSDMP DM3)

- 24 **No development shall take place until a foul water strategy and wastewater strategy has been submitted and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the details approved.**

Reason: To prevent environmental and amenity problems arising from flooding.
(DM3 CSDMP)

- 25 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 26 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12494 200 BB, 12494 222 B, 12494 105 C, 12494 218 D, 12494 219 E, 12494 220 F, 12494 221 C, 12494 223 D, 12494 224 B, 12494 25 B, 12494 226 B, 12494 227, 12494 228, 12494 229 B, 12494 206 F, 12494 202 A and 12494 201.

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

INFORMATIVE NOTES TO APPLICANT

1. 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.
2. Applicant is advised to note that the requirements of surface water drainage proposals in condition 13 should include proposals that take account of the enlarged curtilage area of No 37 High Road and the approved garage to be constructed.
3. 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 at the junction onto Church Street. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
4. 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. The applicant is advised to contact the Central Bedfordshire Council's Highway Help Desk on 03003008049 for further information.
5. The applicant is advised that if it is the intention to request the 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 Highways Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford Bedfordshire 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.

6. The applicant is advised to note that the British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. Applicants are also reminded that, should groundwater or surface water courses be at risk of contamination 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
7. Applicant is advised to note that to discharge this condition the following points will need addressing;
 - Concern was raised on the grounds of drainage impacts from the new garage and increased curtilage of No 37. Currently the guttering from the adjacent cottages takes rainwater to this track to soakaway and this is potentially affected through the development of the proposed double garage. Details of current and proposed systems should be included in the detailed design of the surface water drainage system.
 - The final storage requirements have not been calculated, this should be completed to ensure capacity within proposed areas of permeable paving.
 - 2.0.7 Of the FRA & DS dated March 2017 revision B states that infiltration is not possible, however none of the permeable paved areas are connected to the surface water system this is not acceptable.
 - Discharge in to watercourses will require that those watercourses affected are modelled to ensure capacity.
 - Evidence of consent for discharge (including agreed rate) will be required.

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

DECISION

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