

Item No. 7

APPLICATION NUMBER	CB/17/02417/RM
LOCATION	Land adjacent to St Marys (Stotfold) Lower School, Rook Tree Lane, Stotfold, Hitchin SG5 4DJ
PROPOSAL	Reserved Matters - Appearance, landscaping, layout and scale for 15 dwellings Application No CB/16/01148/OUT dated 08/09/2016
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Donna Lavender
DATE REGISTERED	09 June 2017
EXPIRY DATE	08 September 2017
APPLICANT	Staske (London) Ltd
AGENT	Alistair McIntyre RIBA
REASON FOR COMMITTEE TO DETERMINE	Major application with a Town Council objection
RECOMMENDED DECISION	Reserved Matters - Approval

Reason for Recommendation

The proposal is for reserved matters and the scheme accords to the parameters agreed at the Outline stage and is of a design and scale that would compliment and harmonise with the prevailing streetscene. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and the Council's adopted Design Guidance (2014).

Site Location:

The application site consists of a site area of 0.67 hectares of paddock land located on the eastern edge of the town of Stotfold. The site is currently being used as pasture for horses. The site is flanked to the north by 22 & 24 Rook Tree Lane, to the south by St Marys Lower School and Caretakers House and to the east by part agricultural land and part land. This land to the east is proposed to be used in conjunction with the schools future plans for play area/wildlife conservation activities in mitigation to the schools recent expansion approved under planning permission reference CB/14/03601/FULL.

The site is located outside the settlement envelope of Stotfold and is designated as falling within an Area of Archaeological Interest.

The Application:

Approval of reserved matters is sought for the erection of 15 dwellings and associated landscaping and parking pursuant to the outline planning permission under CB/11/02261/OUT.

The overall density for the site would be approximately 30 dwellings per hectare over the 0.5 hectare net developable area of the site.

In terms of the provision of dwellings, the scheme would provide the following accommodation mix:

Market Housing

1 x 3 bed houses

6 x 4 bed houses

3 X 5 bed houses

Total of 10 market houses

Affordable Housing

3 x 2 bed flats

2 x 3 bed houses

Total of 5 affordable units

A total of 35% affordable units have been provided in accordance with the requirement under the outline permission.

The units proposed would consist of two storey in accordance with the heights specified in the outline planning permission. The materials schedule details that the external materials would comprise of a mixture of red and buff bricks, an off white colour render and Grey roof tiles. There would also be a variety in window treatments with a combination of varied window designs & detailing and porch canopy variations include both flat roof and mono pitch roof designs.

The parking schedule would be as follows:

Accommodation	Total No. Units	Total no. spaces required	No. car parking spaces proposed
2 Bed	3	6	6
3 Bed	3	9	9
4 Bed	6	18	18
5 Bed	3	9	9
Total	15	42	42
Visitor		5	5
Overall Total		47	47

The majority of vehicle parking would be on plot, although there would be some displacement on street parking to avoid a triple tandem parking provision. Where garages are proposed, these would meet the dimensions within the Councils Central Bedfordshire Design Guide. Visitor spaces are provided in most cases opposite locations where there is a perceived demand and where displacement parking is provided.

For recycling and refuse collection, the houses would have rear storage areas and

access from rear gardens in order to bring bins to the front of the properties on collection day. Some of the occupants would have to bring their bins to a communal collection point on refuse and recycling collection days but the majority would receive kerbside collection.

The boundary treatment proposed between most plots would be 1.8m fencing with 1.2 metre post and rail proposed between plots and the strategic landscape buffer.

A public amenity space and landscape buffer is proposed along the boundary shared with open countryside beyond and some additional public amenity space is proposed alongside the proposed playground extension to St Marys School and on the frontage of the site directly adjacent to Rook Tree Lane.

The following documents were supplied in support of the application:

- Noise Assessment
- Archaeological Project Design

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 1 - Delivering Sustainable Development

Section 4 – Promoting Sustainable Transport

Section 6 – Delivering a wide choice of high quality homes

Section 7 - Requiring Good Design

Section 8 – Promoting healthy communities

Section 10 - Meeting the Challenge of Climate Change & Flooding

Section 11 - Conserving the Natural Environment

Section 12 -Conserving and enhancing the Historic environment

Core Strategy and Development Management Policies - North 2009

CS2: Developer Contributions

CS3: Healthy and Sustainable Communities

CS4: Linking Communities – Accessibility and Transport

CS5: Providing Homes

CS7: Affordable Housing Provision

CS14: High Quality Development

CS15: Heritage

CS16: Landscape & Woodland

CS18: Biodiversity & Geological Conservation

DM1: Renewable Energy

DM2: Sustainable Construction of New Buildings

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

DM13: Heritage in Development

DM14: Landscape & Woodland

DM15: Biodiversity

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

1. Planning Obligations Strategy, 23 October 2009
2. Central Bedfordshire Design Guide (March 2014)
3. Central Bedfordshire SuDs Guidance (April 2014)
4. Building for Life 12 (April 2014)

Relevant Planning History:

Application Number CB/16/01148/OUT

Description	Outline Application: residential development of up to 15 dwellings together with ancillary works (all matters reserved expect means of access)
Decision	Outline - Granted
Decision Date	08/09/2016

Application Number CB/12/03191/FULL

Description	Erection of one detached dwelling
Decision	Full Application - Refused
Decision Date	15/11/2012

Whilst previous planning permissions have been referred to on this site from 1974 - 1990s, due to the passage of time and the variation to planning policies since these previous refusals, these are not considered material to the determination of this current application.

Directly related Planning History on adjacent land:

Application Number CB/17/01494/FULL

Description	Change of use of agricultural land to green playspace
Decision	Full Application - Approved
Decision Date	15/06/2017

Town Council:

Stotfold Town Council Objects on the following grounds:
(28.06.17)-

- Rook Tree Lane is a bus route and major route to school
- The proposed entrances will cut across the well used footpath to and from the school, on a narrow road, compromising the safety of pedestrians
- Two of the entrances demonstrate poor visibility splays which is against CBC guidance and the NPPF.
- The plans suggest, that on several buildings, tandem parking of up to three vehicles, which is impractical
- 5 visitor spaces are inadequate
- The new entrances will be in very close proximity to Brayes Manor junction and on a curve with existing poor visibility

- Compromises the school safety zone, recently created by CBC
- No information on the ongoing maintenance of landscaping, open spaces or visitor spaces
- If roads are to be adopted, recommends that road traffic orders are placed on the roads within the development to ensure parking of occupants remains within their curtilages
- What is the intention of the existing bus stop which will be compromised by one of the entrances?
- Concerns over the accuracy of the traffic survey which was supplied with the application.

Additional comments received on 04/10/17 following reconsultation:

Object. We question whether there is sufficient visitor parking for the proposed development. We are concerned that inadequate visitor parking 'on-site' would result in overflow on-street parking on to what is already a very congested road, particularly due to the large volume of vehicles parked along Rook Tree Lane.

Again, to reduce the potential of on-street parking on Rook Tree Lane, we request that plot no. 9 has a door into the kitchen on the side of the plot, which can be accessed by the side driveway. We feel this would encourage residents to park on the drive closest to a door, rather than on Rook Tree Lane closest to the front door. We feel that parking provision for nos. 11 and 12 should be paired so that the footway currently shown to separate the two parking spaces for no. 11 is moved to separate the paired parking for both properties, and that they are swapped over to ensure that parking is as close to the relevant property as possible.

We note that swift boxes are being provided, but point out that swift boxes on plot nos. 3, 4 and 8 are facing the wrong way, and should face East. We strongly feel that the school safety zone and safer route to school to the adjacent St Mary's Academy would be compromised by the proposed entrances to this development; the safety of both pedestrians and vehicles using this route are a cause for concern. We ask that a revision is made to the school safety zone to take into account these new entrances onto Rook Tree Lane, should the application be approved.

Internal Consultees:

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| 1. CBC Housing Development Officer (23/06/17) - | Supports the application, affordable housing meets the policy requirements and parameters of the outline permission. |
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2. CBC Ecology (28/06/17) & (15/09/17) - Concerns expressed about the lack of ecological gain.
Further to the receipt of revised plans on 12.09.17 demonstrating ecological gain, no further concerns raised.
3. CBC SuDs Officer (28/06/17) & (14/09/17)- No Comments, SuDs to be discharged by condition prior to commencement of development.
Following revised plans and information on maintenance, no further concerns raised.
4. CBC Pollution Officer (29/06/17) & (19/09/17) - Concerns expressed about the noise impact on future occupiers from the school and associated facilities, as such to address concerns, as per the outline, permission shall not commence until a noise mitigation scheme has been submitted and approved. Condition as per outline for any unsuspected contamination to be reported and remediated.
A noise assessment was supplied for consideration to address concerns raised on 09.10.17
5. CBC Highways Officer (03/07/17) & (05/10/17)- Concerns expressed over lack of internal turning areas and triple tandem parking provision.
Revised plans were submitted addressing the concerns raised by the Highways Officer on 12.09.17.
6. CBC Green Infrastructure (04/07/17) & (21/09/17) - Net gain in Green Infrastructure shall be demonstrated.
Revised plans were submitted addressing the concerns raised which were considered helpful. Recommendations were made for opportunities to connect to the play area and footpath beyond the site however cannot be achieved as the footpath has been diverted and the play area is part of the school.
7. CBC Strategic Landscape Officer (04/07/17), (21/09/17) & (03/10/17)- Additional structural planting required along the southern boundary. No objection, subject to a fully specified planting plan and some alterations to planting species and densities.
Revised plans were submitted during the life of the application which addressed the concerns raised and no further comments were made.
8. CBC Sustainable Growth Officer (05/07/17) & (20/09/17)- Details required to be submitted to discharge Cond 10 of the outline permission, prior to commencement.
N.B. These details have been supplied by approval of

details on the outline permission and are considered acceptable.

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| 9. CBC Trees & Landscape Officer (05/07/17) & (03/10/17)- | Detailed landscape plans include species and densities are required to be submitted.

Revised plans were submitted addressing the concerns raised on 12.09.17 and as a result no further concerns were raised. |
| 10. CBC Waste Services (06/07/17)- | Details of bin storage and collection required to be submitted for consideration.

Revised plans were submitted addressing the concerns raised on 12.09.17. |
| 11. CBC Rights of Way (07/07/17) - | Right of Way unaffected, diverted as part of previous St Marys School application. |
| 12. CBC MANOP Officer (05/07/17)- | Recommendations made for elderly housing provision. |
| 13. CBC Archaeology (05/07/17)- | Regard should be had to the Heritage Statement supplied under the outline application. |

External Consultees:

- | | |
|---|-------------|
| 1. Internal Drainage Board (12/09/17) - | No Comments |
| 2. Environment Agency (13/09/17)- | No Comments |

Other Representations:

- | | |
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| 8 Brayes Manor
12 Brayes Manor
16 Brayes Manor (x2)
35 Mowbray Crescent
40 Common Road
The Caretakers House (x2)
4 Rook Tree Close | Objections received on the following grounds (in summary): <ul style="list-style-type: none">• Exacerbates parking and highway safety issues near school• Disruption during construction• Concerns over compromised pedestrian access to the school• Danger to school children• Lack of local amenities to facilitate the development• Concerns over overbearing impact, especially plot 10• Lack of privacy• Noise Pollution• Loss of outlook• Safeguarding concerns for children of St Marys School• Increased traffic generation• Compromise school safety zone• Loss of parking on road for drop off and pick ups for school |
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- Those with mobility issues will find additional access difficult to navigate
- Restrict access for large vehicles

Determining Issues:

The main considerations of the application are;

- 1. Principle**
- 2. Site layout, density & external appearance**
- 3. Residential Amenity**
- 4. Highways Considerations**
- 5. Other Considerations**

Considerations

1. Principle

- 1.1 The principle of residential development has been accepted on this site by the granting of the outline planning permission CB/16/01148/OUT. In order that the development can be considered acceptable, it should adhere to the principles of good design explored within the Central Bedfordshire Design Guide, as explored later in this report.

2. Site layout, density & external appearance

- 2.1 The proposed development would result in a density per hectare of approximately 30 which doesn't constitute high density, is representative of the density levels within Stotfold and accords with the densities considered acceptable at the outline stage.
- 2.2 The site has existing built form on two sides and the east side of the site overlooks an area of agricultural land. As part of the parameters of the outline it was secured that the eastern boundary will be improved through the planting of a 5 metre wide buffer of additional tree and landscaping. This will continue the full length of the boundary and would provide a suitable buffer and distinction from the built form and prevailing landscape and this has been supplied in accordance with those set parameters.
- 2.3 Additional trees and landscaping have been provided within amenity areas. Species of planting and trees have been revised in accordance with the Councils Landscape Officers advice. As such it is considered that the proposal takes into account the need to protect existing trees and landscaping and appropriate landscape opportunities have been proposed to enhance the character of the area.
- 2.4 The layout of the development broadly achieves the overall requirements of the parameter plan of the outline permission. The proposed layout conforms to established good principles of design by respecting street design, set backs, boundary treatments, parking typologies and materials whilst respecting the surrounding landscape buffers.
- 2.5 A number of revisions have been negotiated during the life of the application to improve permeability, variety, active frontages and a sense of place. These revisions include but are not limited to:

- Revised Plot 1 to allow a frontage to Rook Tree Lane with pedestrian access off the street and vehicle access off the new road
- External materials revised drawing to illustrate Plots 1,2,6,11,12 and 13 are now red brick to allow for greater mix of materials
- Revised Plot 6, Plot 8 and Plots 11 12 13 to illustrate flat roof porches in the interest of mix and urban design principles
- Revised positioning of Plots 4 and 8 to give a better separation from the site boundary, which also includes a landscape buffer

2.6 The proposed dwellings have been designed to give the development an individual character and local distinctiveness. The buildings make good use of a variety of housetypes, storey heights (in accordance with the height restrictive condition on the outline permission), materials and fenestration details. The proposed buildings turn corners well and provide suitable frontages which address the street creating a frontage to the highway and to avoid the presence of physical boundaries and provide an appropriate level of surveillance where required.

2.7 Boundary treatment details have been provided which demarcate the public and private realm. The variation of boundary treatments, landscaping and surfacing provides for greater legibility around the site. The proposed layout is also well related to the open space proposals and responds well to the natural and other positive features already present on the site which reinforces the urban edge character of the development. The scheme would therefore provide for an appropriate standard of urban design in accordance with the Councils adopted design guide. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Residential Amenity

3.1 Existing Occupiers

Adequate separation is proposed between existing and proposed dwellinghouses in accordance with the Councils technical design guidance and as such, despite concerns raised the proposal would not give rise to overlooking or overbearing impact.

3.2 Concerns were specifically raised by the adjacent Caretakers House in respect of adverse amenity impact of plot 10, however an adequate separation between shared boundaries of 2 metres is proposed in accordance with the Councils design guidance and given that the building would accord with the Caretakers House building line, it is considered that the proposal would not result in adverse harm to the existing occupiers in terms of overbearing impact or loss of light. First floor windows are proposed on the side elevation facing the Caretakers house, however these are proposed to serve bathrooms of the property and can be conditioned to be obscurely glazed and non opening unless above 1.7 metres from floor level to prevent mutual overlooking.

3.3 Future Occupiers

A bin collection scheme was supplied as part of this application. Concerns were expressed by the Councils Waste Services Officer about the location of the bin storage areas capacity for each plot. Further to the revised details supplied by

the applicant on 12.09.17 no further concerns have been raised in this regard.

- 3.4 In terms of amenity space for future occupiers, each bedroom space meets either the minimum standards which are conveyed within the Central Bedfordshire Design Guide or statutory limitations under the Housing Act. Furthermore, the garden space for each dwellinghouse would meet external standards conveyed within the same technical planning guidance. Due to the adequate curtilages of each dwellinghouse and adequate separation distances it is not considered necessary to impose restrictions by way of conditions, on further extensions to the properties.
- 3.5 There is a 21 metre separation between the back to back of each dwellinghouse proposed to ensure that the development would not result in mutual overlooking concerns.
- 3.6 Plots 1 & 2, Plots 2 & 3, Plots 6 & 7, Plots 7 & 8 have first floor windows which serve bathrooms or hallways directly overlooking one another and therefore to prevent mutual overlooking concerns, these windows will be proposed to be condition to be obscurely glazed and non opening unless above 1.7 metres from floor level.
- 3.7 Concerns were raised by the Town Council that the location of the entrance doorway to Plot 9 would not be logical in terms of its position to the parking provision. The applicant had looked at adding an external door from the kitchen however it would have had implications on the kitchen layout. In addition there is a pedestrian crossing in front of Plot 9, so the closest place to park will be on the drive, which has sufficient parking. To assist further a revised plan was received which relocated the garden gate closer to the house.
- 3.8 Concerns have been expressed about the potential noise impact on residents from the adjacent school car parking area and access drive. Furthermore residents may also suffer noise from other school activities such as sports tournaments and school discos and performances. A revised plan was supplied during the life of the application, which included acoustic fencing where appropriate and upgrading of the windows on the facades that face the green play area with say double glazed units with different thicknesses of glass combined with acoustic vents and the Councils Pollution Officer is content with this appropriate level of mitigation. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highways Considerations

4.1 Access

The parameter that was approved at the outline stage indicates that vehicular access to the site would be taken at three points from Rook Tree Lane. The proposed layout plan accords with the previously approved access arrangements. One of the access points will require the relocation of the bus stop and various other works to the highway, the details of which are not included on the plans supplied. These matters are subject to a condition of the outline permission which are to be agreed prior to construction, not to be agreed at the reserved matters stage and are also obligations of the legal agreement secured at the outline stage, therefore the Councils Highways Officer has raised

no objection in this regard.

Revisions were made to the road width during the life of the application, to ensure 5.5m is provided when you enter the site, this is in fact now 6m in width for the initial 17m in to the site and is therefore acceptable. This also includes for 2m wide footways on both sides and around the turning head area. The 2m wide footway requirement along the site frontage has also been provided.

4.2 Highway Safety

Concerns were expressed by the Councils Highways Officer in respect of the turning heads of the cul-de-sacs and whether they could accommodate the turning of refuse or light good vehicles. A revised tracking diagram was supplied during the life of the application to address this concern. The turning head has now been catered for and it can accommodate the swept path of the Councils 11.5m long RCV. It will also cater for fire tenders within the parameters of Approved Document B which means an appliance is within 45m of the nearest highway and 20m of a turning area.

A School Safety Zone has been installed on Rook Tree Lane as part of the expansion of the lower school. As part of this it has informal crossing points on desire lines to facilitate pedestrians wanting to cross. It is all in a 20mph zone and there are School Keep Clear markings, single yellow lines to restrict parking and enhance the visual splay for pedestrians looking to cross the road. The proposal is not considered to overly compromise this zone however this application is subject to conditional 278 works and obligation for highways works secured within the legal agreement as part of the outline application and therefore any implications on this zone would be covered under these obligations.

4.3 Parking

Adequate parking provision has been secured for each new unit. The majority of vehicle parking would be on plot, although there would be some displacement confined to within the development. Where garages are proposed, these would measure 3.3 metres in width internally by 7 metres in depth for single garages and 6.6 metres in width by 7 metres in depth for double garages. Visitor spaces are provided in most cases opposite locations where there is a perceived demand and additional on plot parking or close by displaced parking is provided. Whilst concerns have been expressed by the Town Council in respect of the visitor parking, the proposal exceeds the Councils parking standards requiring 0.25 visitor spaces per dwelling. Only 3.75 spaces are required whereas the site plan allocates 5 visitor spaces.

4.4 Concerns were also expressed by the Town Council in terms of the siting of parking for Plots 11 and 12. Consideration was given to relocating parking spaces as a pair however it would have resulted in plot 11s outlook being dominated by other plots parking provision. To prevent any further pressure on parking provision within the shared areas however, it is necessary to ensure garages are retained for parking and no roof extensions on dwellinghouses are permitted through restrictive conditions. As such the parking provision would be in accordance with the parking standards contained within the Central Bedfordshire Design Guidance.

- 4.5 As such it is considered that the proposal would not be prejudicial to highway safety. No objections have been raised by the Councils Highways Officer subject to the imposition of conditions to secure the junction and visibility which are covered under the outline permission and as such not repeated on this permission and a condition to secure a construction method statement which would be included if a resolution to grant is made, including the retention of garages for parking. Therefore the proposal would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

5. Other Considerations

5.1 Affordable Housing

A 35% affordable housing provision was secured in the s106 agreement under the outline planning permission. A total of 5 affordable housing units split between affordable rent and shared ownership housing have been provided for. The Councils Housing Development Officer is satisfied with the number of units and proposed split and as such has raised no objection to the granting of this permission. The proposal therefore is in accordance with the requirements for affordable housing as set out in the 106 agreement and in accordance with Policy CS7 of the Core Strategy for the North and Section 6 of the NPPF which requires the delivery of a sustainable, inclusive and wider choice of high quality homes.

5.2 Archaeology

The development site is located within the core of the historic settlement of Stotfold Green (HER 17161) a heritage asset with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*. An archaeological field evaluation was undertaken to support the outline planning application for the site (CB/16/01148/OUT) and an Archaeological Project Design has been supplied outline a mitigation programme. As such, no objections have been raised by the Councils Archaeologist in this regard and it is considered to conform with policy DM13 of the Core Strategy for the North and Section 12 of the NPPF.

5.3 Flood Risk & SuDs

The site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no objections have been raised by the Environment agency.

The outline planning permission for this site, required that a 'Surface Water Drainage Strategy which would set out the appropriateness of SuDS to manage surface water run off, including the provision of the maintenance for the lifetime of the development which they serve would be discharged by way of condition prior to the commencement of works.

A drainage strategy was supplied for consideration as part of the approval of details application for the outline permission which is running alongside this application. The Councils SuDs Officer is satisfied that an appropriate Sustainable Drainage System can be implemented on site so as limit any flooding potential and any amendments necessary would be negotiated as part of that approval of details application. In addition, neither the Internal Drainage Board or Anglian Water have wished to raise an objection to this

reserved matters application, subject to conditions of management of the provision as suggested by our SuDs officer which is secured through conditions at the outline stage. As such it is considered that the proposal accords with the Councils adopted SuDs guidance and the section 10 of the NPPF.

5.4 Ecology

The NPPF calls for development to deliver a net gain for biodiversity and therefore the Councils Ecologist has raised concerns of the lack of opportunities proposed by the submission. Revised plans and details of landscaping were supplied during the life of the application which appropriately demonstrate a net gain in biodiversity and as such, no further concerns have been raised by the Councils Ecologist in this regard. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF. Also address swift boxes issue raised by TC.

5.5 Contamination

A geo-environmental & geotechnical desk study report October 2015 document reference P15-071pra was supplied at the outline stage which indicated that there is the need to undertake an intrusive investigation of the site to determine localised sources of contamination. The Council's Pollution Officer raises no objections to the proposed development subject to compliance with the relevant remediation condition prior to commencement, secured on the outline permission.

5.6 Safety of School Children

Concerns have been expressed by a number of residents in respect of the potential impact on the school childrens safety. It has been raised that the land directly rear of the application is proposed in part to be used by the school as an extension to their existing play area. The application site is proposed to be demarcated by a sufficient landscape buffer and therefore there will be limited risk of access to the proposed extension to the school. In addition the proposal contains appropriate and secure boundary treatment. In terms of residential accommodation it is not uncommon for it to be placed next to school environments. Furthermore residential accommodation close to school environments can provide a sense of security and well being to the school children.

5.7 Construction Concerns

A numbers of concerns have been raised by local residents in terms of the noise and disturbance of the development. The noise and disturbance of developments during the constructional phase is responded to by the Public Protection Act and as such is not a material planning consideration. Matters pertaining to noise attenuation for proposed units in respect of background noise such as school noise are responded to through noise attenuation schemes, which in this instance would be required to be satisfied by way of condition prior to commencement of works.

5.8 Impact on Services

Concerns have been expressed by local residents about the impact of this development on services such as schools, doctors surgeries and so forth. Any

evidenced impact on services were considered under the outline application and any obligations secured through the legal agreement at that time. Any further impact on services were not substantiated on the basis of the scale of the development.

5.9 Rights of Way

The existing public right of way that ran along the rear boundary of the site would not have been affected by the proposal in any event, however this ROW has been diverted as part of the application for the school play area extension, therefore no objection has been raised by the Councils Right of Way Officer in respect of the granting of this proposal.

5.10 Conditions

A number of details were submitted with the RM application which were the subject matter of conditions for the outline planning permission. These conditions include:

- 4. Materials
- 5. Levels
- 7. Landscape Scheme
- 8. Protective Tree Measures
- 9. SuDs
- 13. Waste Audit
- 14-18. Highways junction, visibility, turning areas and footway provision

The following conditions are pre commencement and still require discharge:

- 6. Landscape Management Plan (which should include the SuDs management or any shared provisions such as open space, visitor areas etc)
- 10. Sustainability Measures
- 11. Remediation

A note will be added to the decision notice highlighting the remainder of the conditions requiring formal discharge prior to commencement.

5.11 Human Rights issues:

The proposal raises no Human Rights issues.

5.12 Equality Act 2010:

Accessibility concerns have been raised by local residents about the number of kerbs that would require negotiation, however appropriate lowered kerbs to provide suitable access has been indicated and therefore this is not considered to be an overarching concern. The proposal therefore raises no issues under the Equality Act but an informative to advise of the responsibilities of the applicant is attached.

Recommendation:

That Reserve Matters be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 The first floor windows in the side elevation of Plots 1 & 2, Plots 2 & 3, Plots 6 & 7, Plots 7 & 8 and Plot 10 of the development hereby permitted shall be

permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed. No further windows or other openings shall be formed in the first floor side elevations of Plots 1 & 2, Plots 2 & 3, Plots 6 & 7, Plots 7 & 8 and Plot 10.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, any garage accommodation hereby approved 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. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)

- 3 Notwithstanding the provisions of Part 1, Class A & Class B 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 to the buildings hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area and in the interest of ensuring appropriate on plot parking provision. (Policy DM3 of the Core Strategy for the North and Sections 4 & 7, NPPF)

- 4 **No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:**

- **The parking of vehicles**
- **Loading and unloading of plant and materials used in the development**
- **Storage of plant and materials used in the development**
- **The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
- **Measures on site to control the deposition of dirt / mud on surrounding roads during the development.**
- **Footpath/footway/cycleway or road closures needed during the development period**
- **Traffic management needed during the development period.**
- **Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development**

of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: This condition is pre-commencement in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety during the construction phase. (Policy DM3 of the Core Strategy for the North and Section 4 of the NPPF)

- 5 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exits and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

Reason: This condition is pre-commencement, in the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period. (Section 7, NPPF)

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14385/2972/1555 (Site Location Plan), A0566-100 Rev F (Site Layout Plan), A0566-101 Rev A (Plot 1), A0566-102 Rev A (Plot 2), A0566-103 Rev A (Plot 3), A0566-104 Rev A (Plot 4), A0566-105 Rev A (Plot 5), A0566-106 Rev B (Plot 6), A0566-107 Rev A (Plot 7), A0566-108 Rev B (Plot 8), A0566-109 Rev A (Plot 9), A0566-110 Rev B (Plot 10), A0566-111 Rev B (Plot 11, 12 & 13), A0566-112 Rev B (Plot 14 & 15), A0566-113 Rev A (Garages), A0566-114 Rev C (Waste Audit), A0566-117 Rev B (External Materials), A0566-118 Rev C (Soft Landscaping), A0566-119 Rev B (Hard Landscaping), A0566-120 Rev B (Tree Protection), A0566-121 Rev D (Levels), A0566-122 Rev A (Block Plan) and A0566-123 Rev A (Green Infrastructure), A0566-124 (Storm Water Maintenance), Archaeological Project Design Rev A & Notification dated Oct 2017, School Noise Assessment (8th October 2017) and 17-045-DR1 Rev 4 & 17-045-DR2 Rev 4 and associated soakaway design (Site Drainage Layout).

Reason: To identify the approved plan/s 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country

Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

- 3. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- 4. The applicant is advised to be mindful of the fact that the land is subject to a number of obligations by legal agreements. A Section 106 agreement for the outline planning permission under reference CB/16/01448/OUT.
- 5. The applicant is advised that in order to comply with highways matters of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
- 6. The applicant is advised that the following conditions on the outline planning permission are pre commencement and still require discharge:
 - 6. Landscape Management Plan (which should include the SuDs management or any shared provisions such as open space, visitor areas etc)
 - 10.Sustainability Measures
 - 11. Remediation

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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