

Item No. 7

APPLICATION NUMBER	CB/18/01850/RM
LOCATION	Land Rear of 7-37 Barton Road, Gravenhurst
PROPOSAL	Reserved Matters: Erection of 24 houses with associated garages and garden amenity space.
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Peter Vosper
DATE REGISTERED	18 May 2018
EXPIRY DATE	17 August 2018
APPLICANT	Hearne Holmes Developments and Grand Union Housing Group
AGENT	David Coles Architects Ltd
REASON FOR COMMITTEE TO DETERMINE	Called-in by Cllr Graham if the application is recommended for approval for the following reasons: <ul style="list-style-type: none">• Previous DMC site visits have emphasised the importance of the skyline being kept rural - not a series of rooflines.• See 'Notes to Applicants - No. 9' in approval.
	Major application with an objection from the Parish Council.
RECOMMENDED DECISION	Reserved Matters – Recommended for Approval

Reason for Recommendation:

By granting outline planning permission CB/15/04081/OUT, the principle of residential development on the application site was considered acceptable. The proposal would provide policy compliant affordable housing and the whole scheme would contribute to the Council's 5 year housing supply as a deliverable site within the period. The proposal is acceptable in terms of its impact on the character and appearance of the area. Subject to the imposition of suitable conditions, the impact on trees, provision of landscaping, the impact on the amenity of neighbouring and future occupants, and the impact in highway terms, is acceptable.

Site Location:

The application site of 0.83 hectares consists of an undeveloped open plot of rough grassland with a cluster of trees in the south east corner. It is located adjacent to the settlement envelope of Upper Gravenhurst which is designated in the development plan as a 'small village'.

Vehicular access is from Barton Road (between Nos. 23 and 25).

The site is bounded by residential properties to the south west, in Barton Road, and north west, on the High Street. To the north is a lower school, and to the east is a large residential property and associated gardens, the site of which was the subject

of a planning application granted planning permission on 14 May 2018 for 20 dwellings (reference CB/18/00879/RM). To the south east of the site is open countryside.

A public right of way which connects Barton Road to Shillington Road is approximately 250 metres to the south of the site.

The Application:

Outline planning permission, with the matter of access for consideration, was granted under reference CB/15/04081/OUT for residential development of up to 24 dwellings with ancillary works, and was subject to a Section 106 Agreement.

A subsequent application (CB/17/00442/VOC) to vary condition 14 of the outline planning permission was approved and was subject to a Deed of Variation of the original Section 106 Agreement. This enabled the retention of some trees and landscape features adjacent to the south east boundary (but not all trees and landscape features as intended by the condition).

This application seeks planning permission for the reserved matters to the outline permission, i.e. layout, scale, appearance and landscaping. 24 dwellings are proposed as follows:

3 x 2 bedroom homes
5 x 3 bedroom homes
5 x 4 bedroom homes
1 x 5 bedroom homes

16 of the dwellings would be detached. There would also be a pair of semi detached dwellings and two terraces containing three units each; these eight properties would be affordable homes.

Vehicular access would be from Barton Road (between Nos. 23 and 25). All of the dwellings would have at least two / three allocated parking spaces.

Relevant Policies:

National Planning Policy Framework (NPPF), July 2018

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

Core Strategy and Development Management Policies - North, November 2009

Policy CS1: Development Strategy
Policy CS2: Developer Contributions
Policy CS5: Providing Homes
Policy CS7: Affordable Housing

Policy CS14: High Quality Development
Policy DM1: Renewable Energy
Policy DM2: Sustainable Construction of New Buildings
Policy DM3: High Quality Development
Policy DM4: Development Within & Beyond Settlement Envelopes
Policy DM10: Housing Mix

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

Policy SP1: Growth Strategy
Policy H1: Housing Mix
Policy H2: Housing Standards
Policy H4: Affordable Housing
Policy T2: Highway Safety & Design
Policy T3: Parking
Policy EE2: Enhancing biodiversity
Policy EE3: Nature conservation
Policy EE4: Trees, woodlands and hedgerows
Policy EE12: Public Rights of Way
Policy CC3: Flood Risk Management
Policy CC5: Sustainable Drainage
Policy HQ1: High Quality Development
Policy HQ2: Planning Obligations and the Community Infrastructure Levy

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide, March 2014

Relevant Planning History:

CB/18/00515/PAPC - Pre-application Charging Fee Advice Released: Development of 24 private and affordable dwellings (25 April 2018)

Application Number	CB/17/00442/VOC
Description	Variation of condition 14 attached to planning permission reference CB/15/04081/OUT dated 17th January 2017 so that landscaping on the south-eastern boundary of the site is carried out in accordance with drawing number WHK20175-11E (Southern Boundary Proposals).
Decision	Variation of condition approved
Decision Date	1 March 2018
Application Number	CB/15/04081/OUT
Description	Outline: Residential development of up to 24 dwellings with ancillary works. All matters reserved except access.
Decision	Conditional outline planning permission
Decision Date	17 January 2017

Consultees:

Amended plans were submitted on 29 June 2018 and consultees re-consulted. Where indicated, the following consultation responses are in respect of the amended plans. In other cases, they are the original responses, i.e. where the original comments still apply to the amended plans.

Gravenhurst Parish Council	<p>Summarised response:</p> <p>After reviewing the revised layout plan, we can confirm that our decision has not changed and we continue to strongly object for the reasons detailed below:</p> <p>The disproportionate impact of 5 plots on 5 existing dwellings (Nos. 17, 5, 13, 11 and 9 Barton Road).</p> <p>We believe it is abundantly clear both on the ground and from the plans that Barton Road and its dwellings generally have an elevation of 60 to 61m. The topography of the proposed access road to the side of no 23 Barton Road is a good guide. Taking an average of the finished floor level of plots 18 to 22 as 68m to 69m, this is a difference of 7m on the new finished floor levels to the existing houses. The 5 plots would also have a detrimental impact on the light to the rear of 5 to 15 Barton Road, potentially creating gloomy gardens. This would be compounded, not least because the houses only receive early morning sun because they are East facing with a slight angle to the North.</p> <p>Existing vegetation behind Nos. 19 to 23 Barton Road must be retained.</p> <p>Due to the elevational distance, the gap between existing properties in Barton Road and the new dwellings should be in excess of 35 metres. The</p>
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impact of the new plots on an existing property on lower land which has never had any buildings to the rear would be devastating and a material objection.

The garden amenity of numerous plots is potentially in contravention of Central Beds Design Guide.

The proposal is in contravention of Accessible and Adaptable Homes standard Central Bedfordshire Design guide.

The proposal is indicative of a hugely over-cramped development which is both overbearing, unnecessarily high in density, and not in keeping with the existing area. The scheme provides a multitude of material issues in relation to poor amenity and privacy for both the new plots and existing properties. It is hard to see how any argument could be put forward that it is suitable for a rural village to have development to this density which is more suited to a city environment. In relation to the smallest of the gardens below the specified size, the only reasoned argument for this would be, if the properties were bungalows for older persons who do not want the maintenance of a bigger garden or have children of school age.

The requirement for consistency in the original assessment and planning permission granted. The critical issue of elevation difference was clearly noted within outline planning permission CB/15/04081/OUT, item 9)] which stated *“The applicant’s attention is drawn to the changes in levels through the site and the raised level of the site at its northern extent is such that it is unlikely that 2 storey dwellings will be an acceptable scale of development throughout the site”*.

The provision of new orchard on the site should be considered.

In respect of a lower density build and the use of this land for other purposes, we would remind the Council that the outline application was for up to 24 dwellings, not 24 dwellings. Failing this, as an absolute minimum, single storey bungalow provision should be utilised. We are unclear as to why, despite the clear statement within the outline permission, this idea has continually been avoided.

The principles of good urban design / placemaking have not been adhered to with the current design and capacity of the proposal.

Precedent set on neighbouring site (Orchard Close) for single storey bungalows.

It would be completely reasonable to investigate other options to the proposed layout like the green amenity area and/or much needed bungalows which would not contravene the Gravenhurst Neighbourhood Plan.

The development would contravene the following:

National Planning Policy Framework (NPPF) (2012)
- *Section 7: Requiring good design*

National Planning Policy guidance (NPPG) (2014)
- *Guidance – Design*
- *Neighbourhood planning*

Central Bedfordshire Core Strategy and Development Management Policies – North (2009):
Section DM3 High Quality Development:
- *Be appropriate in scale and design to their setting*
- *Contribute positively to creating a sense of place and respect local distinctiveness through design and use of materials*
- *Respect the amenity of surrounding properties*
- *Provide hard and soft landscaping appropriate in scale and design to the development and its setting*

Central Bedfordshire Design guide 2014
- *5.02 Achieving privacy through Design*
- *5.04 Accessible and Adaptable Homes*
- *5.06 Gardens and Private Amenity Space*
- *5.13 Infills and Backland Development*

Highways
(Development
Management) -
Response following
submission of
amended plans

In a highway context I recommend that the following conditions be included if planning approval is to be issued:

Visibility splays shall be provided at all private means of access from individual properties within the site onto the estate roads. This vision splay shall be provided on each side of the access drive and shall be 2.8m measured along the back edge of the new highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the dwelling occupier's

control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason:

To provide adequate visibility between the new estate road and the new individual accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason:

In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

Visibility Site Frontage

Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction. (HC 8)

Reason:

To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason:

To provide adequate visibility at road junction in the interest of road safety.

Visibility splays shall be provided at all private means of access from individual properties within the site onto the estate road. The minimum dimensions to provide the required splay lines shall be 2.0m measured along the centre line of the private means of access from its junction with the channel to the through road and 25m measured from the centre line of the access along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason:

To provide adequate visibility at road junction in the interest of road safety.

Development shall not begin until the detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason:

To ensure that the proposed roadworks are constructed to an adequate standard.

No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan [or implementation of those parts identified in the Travel Plan as capable of being implemented prior to occupation]. Those parts of the approved travel plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

Reason:

In the interests of the safety of persons using the access and users of the highway.

Notwithstanding the provisions of the Town and Country Planning General Permitted Development

Order 1995, 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.

The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason:

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

Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason:

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

Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason:

To ensure adequate off street parking during construction in the interests of road safety.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued :-

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from

the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.

The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.

The applicant is advised that in order to comply with Condition ... 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG175TQ.E-mail

highwaysagreements@centralbedfordshire.gov.uk

All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 10 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

Trees and Landscape Tree Protection Plan WHK20175-03 D has been received showing position of tree protection fencing and detail of construction. This fencing will be put in place prior to any development work taking place.

Arboricultural Impact Assessment and Method Statement WHK 20175 aia_ams D is acceptable and shall be made available to all contractors on site and followed in its complete detail from start to finish of the development.

Soft Landscape Proposals PRI 20175 -12C has been received showing proposed planting sizes, densities,

species. These would seem broadly acceptable. However on the north side of the access road there is a proposal for a total of eight fruit trees and a Walnut tree, this area of planting is shown on the plan as being outside the red line for the site and as such I am unclear how this planting would be enforced. These proposed trees are also very small in size which bearing in mind the prominence of the position of the trees and the extensive loss of orchard cover on this site I would suggest that we should be agreeing more substantial 12/14cm girth container grown trees for this area.

Soft Landscape, Management and Maintenance Plan WHK 20175 MAN REV C includes detail of management proposals for the planting. It shows a layout plan indicating which areas are to be maintained by the Management Company and which maintained by individual owners. I am concerned that the planting along the south west boundary including what remains of the orchard trees are indicated as not being maintained by the Management Company but individual owners, I would suggest this is not acceptable and should be managed by the Management Company under a proper maintenance regime ensuring that it will be retained into the future beyond the five years required. In addition the area to the north west of the access as mentioned in earlier comments as being outside the red line for the site also appears to be maintained by individual owners and not the Management Company. It is unclear how this area is to be planted and maintained and we require clarification and more detail.

Landscape -
Response following
submission of
amended plans

There are still issues with this scheme which renders it unacceptable.

The new orchard planting at the southern end - the critical screen to the open countryside to the south, needs to be available for all residents as part of the scheme's green infrastructure. It should not be accessed only by the adjacent plot holders or transferred to them, as advised before in previous comments. The tree belt is far too narrow, but this aspect of the design seems fixed; a great pity as this planting cannot mature into an acceptable feature.

However, unless it is secured as a community resource in the public realm, there will be major concerns about the longterm success of the planting.

There is also concern about the access road planting. A walnut tree is welcomed, but planting a pair of

walnuts is a concern as these develop broad crowns, likely to become a maintenance issue in the future, when damaged by lorries.

The orchard trees proposed are also too closely spaced - better to have fewer trees growing well.

There is a further concern about the loss of the grassland / Suds area and the health of the beech tree proposed to plant over the storage tank. The beech will be potentially unstable but will also cause shading in the long term for the proposed fruit trees. The plan also proposes three wild cherry adjacent to adjacent existing properties at the western end. These trees grow very large and there are concerns regarding their impact on the neighbouring property.

At present, for the above reasons, this scheme cannot be approved.

Ecology - Response following submission of amended plans The submitted Ecological Enhancement Strategy is appropriate in showing the location of bat and bird boxes, hedgehog holes, etc. However it also shows the attenuation area as 'native orchard trees'. It is understood that it is possible to grow trees over an attenuation tank and it is assumed that's why a shallow rooting beech is shown, however beech trees would not constitute an orchard tree. Also the planting grid shown for the fruit trees appears to be on a 2.5m spacing which is half the spacing any new orchard would be expected to be grown on, 4/5m spacing would be the standard. The fact that the revised soft landscape plan shows the remaining fruit trees in the south to be 'conveyed to domestic owners' means that there will be no control over the future retention of these trees which is incredibly disappointing given the importance of them both ecologically and from a landscape perspective. Overall the ability of the scheme to demonstrate sustainable enhancements is questioned and clarification over the suitability of a planted tanked attenuation solution is requested.

Public Protection - Initial response

Noise

The applicant has submitted an L F Acoustics noise assessment dated May 2018 regarding the noise impact of sports and play facilities at Lower Gravenhurst School on the proposed development. The report has concluded that suitable noise levels can be achieved with the installation of an acoustic fence along the boundary with the school. I therefore have no objection to the proposed development subject to a condition requiring the noise scheme to be implemented.

Land Contamination

The applicants previously submitted a contaminated land assessment with an earlier application ref CB/18/00515 and therefore comments below relate to that assessment;

I refer to the GRM Phase II assessment dated October 2015 which concludes that all pollution pathways are broken and no remediation measures are required for contamination. There was a low level of pesticide identified in one sample but this was below screening criteria.

I would advise that a watching brief for signs of contamination is employed during any future development. In the event that contamination is found at any time when carrying out the development, it is recommended to report this in writing immediately to the Local Planning Authority. An investigation and risk assessment should then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report should be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing, to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

Conditions

1. The scheme to protect dwellings from noise from Lower Gravenhurst School as stated in the LF Acoustics noise assessment dated May 2018 shall be fully implemented before any permitted dwelling is occupied.

Reason: to protect the amenity of future occupiers of the development and safeguard the activities at the school.

2. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the

Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

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

Public Protection -
Response following
submission of
amended plans

The previous comments remain applicable with respect to noise and land contamination.

The applicant has submitted a Construction Environmental Management Plan (CEMP) with the application. It is noted that proposed hours of work are 0730 am to 5 pm. (Days of week not specified). Please advise the applicant that all noisy works and deliveries should only be undertaken between the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 Saturdays and at no time on Sundays, Bank and Public Holidays. The CEMP does not provide information on the control of noise and dust emissions from the site. I would therefore request that the following condition is attached to any permission;

Construction Environmental Management

1. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Council's Pollution Team
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08 00 Hours and 18 00 Hours on Mondays to Fridays and

08 00 and 13 00 Hours on Saturdays and;
at no time on Sundays and Bank Holidays.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Central Bedfordshire Council encourages all contractors to be 'Considerate Contractors' when working in the district by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

SuDS Management Team - Response following submission of amended plans

Our position

We consider that outline planning permission could be granted to the proposed development subject to the final design, sizing and maintenance of the surface water system being agreed at the detailed design stage, including finalised Construction plan and Maintenance and Management Plan.

The final detailed design must be compliant with NPPF (103 – 109), the local policies and principles outlined in the Central Bedfordshire SuDS SPD and established best practise including the latest edition of the Ciria SuDS Manual.

In order to meet the requirements of the National Planning Policy Framework therefore, conditions must be applied to any planning permission in order to secure the measures detailed in the Surface Water Drainage Strategy (October 2015), and the provision of the detailed design and final construction and maintenance requirements of the proposed surface water drainage scheme.

Additional advice to applicant and planner:

- Discharge rates should be controlled as specified by the outline proposal to deliver betterment of the existing drainage regime and must be confirmed with relevant vested drainage bodies.
- Details of the discharge rates, attenuation volumes, location of SUDS features, control features, and conveyance/exceedance pathways must be provided and supported by full calculations, models and methodologies.
- The residual risk of flooding needs to be fully addressed by the detailed design should any of the drainage features fail or if they are subjected to an extreme flood event, the detailed design and layout of the proposed development should provide proposed mitigation measures to control those risks for the lifetime of the development and ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property. This could include measures to manage residual risk such as raising ground or floor levels where appropriate. Overland flow routes should not put people and property at unacceptable risk.
- Details of control structures and their locations must be provided and demonstrate mitigation of possible future maintenance liabilities such as sedimentation, erosion and ease of access. Hard aspects of the SuDS design, such as inlets and outlets, should be appropriately sized and visually interesting or neutral. Care should be taken to ensure that structures are not over-engineered or create trip hazards.
- Health and safety consideration should be taken into account in the design of the features and opportunities to enhance water quality, amenity and biodiversity maximised.

- On-going maintenance requirements and responsible parties need to be clearly identified for all parts of the drainage system and confirmed.

Recommended conditions

Condition 1: No development shall commence until a detailed surface water drainage scheme, including construction and maintenance plans, for the site based on the agreed Surface Water Drainage Strategy (October 2015) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the Surface Water Drainage Strategy (October 2015). The scheme shall be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed maintenance plan.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

Condition 2: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved surface water drainage scheme has been checked by them and has been correctly and fully installed as per the 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.

Sustainable Growth	Evidence that more than 105 of energy demand will be sourced from renewable energy source has been submitted. The development must achieve 110 litres per person per day water efficiency standard and this can be discharged through Building Control process.
Waste Services	<p>The Council's waste collection pattern for Gravenhurst is as follows:</p> <ul style="list-style-type: none"> • Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy • Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that there is a contribution to pay for the supply/delivery of the bins. Our current charges for this are:

Set of food waste bins - £5 +VAT

240 - £25 +VAT per bin

360 - £35 + VAT per bin

660 - £250 + VAT per bin

1100 - £350 + VAT per bin

This must be paid prior to discharging the relevant condition. A purchase order must be raised for the quantity of bins required and sent to Waste Services quoting the relevant planning reference number. We will also require a map of the site detailing street names, plot and house numbers.

As has clearly been shown on the refuse strategy plan, the bins will be left for collection at the boundary of each property in accordance with our requirements. However, Highways will need to confirm they are satisfied the RCV can manoeuvre around site safely (please see vehicle dimensions below). Wherever possible, refuse collection vehicles will only use adopted highways. Typically, until roads are adopted or if the RCV is unable to manoeuvre around the site, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard-standing area needs to be provided for at least 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags. However, householders should not be expected to transport waste bins over a distance greater than 25m. Bins must not encroach on or cause a hazard or obstruction to the public highway. Waste vehicles will reverse a maximum of 15m to the point of collection.

Please also refer to the Design Guide as the Council will not be able to supply waste collections where the bin and access requirements do not meet our contractual provision, anything else differing to this will be incorporated as a condition.
<http://www.centralbedfordshire.gov.uk/planning/design/info.aspx>

Current Refuse Vehicle Dimensions

Eagle Elite 2 6x4 non-rear steer,	11.5m long
Overall Length	11.500m
Overall Width	2.530m
Overall Body height	3.756m
Min Body Ground Clearance	0.309m
Track Width	2.530m
Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	11.550m

Housing Development Strategic Housing support this application as it provides for 8 affordable homes which reflects the affordable housing policy requirement of 35% from permission CB/15/04081/VOC and subsequent S106 dated 28th December 2016. The supporting documentation indicates a full policy compliant scheme in terms of tenure which complies with the permission and S106 with the provision of 63% affordable rent equating to 5 affordable rented units and 37% intermediate tenure (shared ownership) equating to 3 shared ownership units. The overall affordable housing provision provides for the following;

Plot	Type	Tenure
12	2B4P	Shared Ownership
13	2B4P	Shared Ownership
14	2B4P	Shared Ownership
15	2B4P	Affordable Rent
16	2B4P	Affordable Rent
17	2B4P	Affordable Rent
18	2B4P	Affordable Rent
19	2B4P	Affordable Rent

Whilst the site layout plan indicates the affordable units are not dispersed throughout the site and integrated with the market housing, the cluster of 8 affordable units is acceptable. We would expect the units to meet all nationally described space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council. Strategic Housing are supportive of the application.

Bedfordshire Fire and Rescue Service Provides advice in respect of vehicle access for a pump appliance, and hydrants.

Other Representations:

Neighbours 17 representations objecting to the proposal were received:

Proposed dwellings an overwhelming intrusion / tower over existing houses in Barton Road. These houses could be bungalows.

Raised level of site is such that it unlikely two storey dwellings will be an acceptable scale of development throughout the site.

Development at northern end of the site should be bungalows / chalet style houses.

Appearance of village both from within the settlement and from the approaches will be significantly altered.

Proposed properties are high density in comparison with the existing.

Overbearing, overlooking and loss of light and privacy impacts to neighbouring residents.

Flooding and environmental concerns.

The 250 documents on the website is a blatant attempt to confuse the issue and create a smoke-screen to discourage anybody from trying to understand what they are looking at.

Amount of additional traffic has not been considered seriously enough.

Insufficient parking and amenity space for proposed dwellings.

Plots 12-19 should be located a closer walk to the school.

Acoustic fencing needed on boundaries with existing neighbouring properties.

Additional planting needed on boundaries.

Not enough green space and trees have been left or created on site.

Development does not fit into the existing character of the area.

A moratorium period of at least 2-3 years to get a fuller appreciation of the effect of significant amounts of new housing before allowing more is required.

Errors in Transport Statement. Traffic estimate totally fictional.

Developer should work with the village, through the Neighbourhood Plan, to provide dwellings that will meet the needs of the village and its residents.

A footpath to the rear of the social housing will create a security issue and risk to properties from criminal activity.

Number of dwellings should be reduced from 24.

Insufficient amenities in village.

No play area proposed.

Garages too small.

The red line on the site location plan between No. 17 Barton Road and proposed plot 22 is incorrectly shown.

A decision to approve the application will result in a complaint to the Local Government Ombudsman.

Determining Issues:

The main considerations of the application are:

1. Principle of Development
2. Design and Layout, and Impact on Character and Appearance
3. Trees and Landscape
4. Impact on Amenity of Neighbouring and Future Occupants
5. Highway Considerations
6. Affordable Housing Provision
7. Section 106 Requirements
8. Other Considerations

Considerations:

1. Principle of Development

- 1.1 By granting outline planning permission CB/15/04081/OUT, the principle of residential development on the application site was considered acceptable. As the site is adjacent to the existing settlement boundary of Upper Gravenhurst, it is considered to be a sustainable location.
- 1.2 In considering the Planning Balance for the outline application, the provision of additional housing was seen as a benefit by adding to the 5 year supply and should be given significant weight. This is further emphasised by the update to the National Planning Policy Framework (NPPF) July 2018, which states at paragraph 59, *'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed'*

2. Design and Layout, and Impact on Character and Appearance

- 2.1 As acknowledged in approving the outline planning application, the proposed development would increase the built form beyond the settlement envelope and would result in a loss of open countryside. The site is prominent as the level of the land rises to the north from Barton Road to the extent that the highest part is over 10 metres higher than the point the access joins Barton Road.
- 2.2 By approving outline planning application CB/15/04081/OUT for up to 24 dwellings, the density of development, i.e. 29 dwellings per hectare, was accepted.
- 2.3 The layout shows an access road between Nos. 23 and 25 Barton Road, and then branching to the north west and south east to provide an active street frontage to the proposed 24 dwellings. The original Proposed Site Plan submitted (16124 (D) 099 Revision L) raised concern due to the adverse

impact of the proposed dwellings in plots 14 to 19 on the occupants of the existing neighbouring properties in Barton Road. Following discussion and negotiation with the applicant and agent, an amended Proposed Site Plan (16124 (D) 099 Revision M) was submitted. This shows that the dwellings originally in plots 14 to 19 have been re-positioned to be adjacent to the north east boundary of the site with the lower school, and re-numbered plots 12 to 17. They have swapped positions with the dwellings originally in plots 12 and 13. Consequentially the car parking and turning area adjacent to the boundary with the school has been re-positioned to be adjacent to the boundary with the Barton Road properties.

- 2.4 The layout also reflects that approved by application CB/17/00442/VOC to ensure the retention of some trees and landscape features, and additional planting adjacent to the south east boundary. This matter is considered further in the Trees and Landscape section below.
- 2.5 All 24 proposed dwellings would be two storey in height. Concern in this respect was raised in informative 9 attached to the outline planning permission. This states, *'The applicant's attention is drawn to the change in levels through the site and the raised level of the site at its northern extent is such that it is unlikely that 2 storey dwellings will be an acceptable scale of development throughout the site'*. The aforementioned change to the Proposed Site Plan would result in two storey dwellings (plots 12 to 17) at the northern extent of the site. Whilst the intention of the informative to omit two storey development from this part of the site is acknowledged, this needs to be balanced against the benefit of re-positioning such development away from close to the boundary with the Barton Road properties.
- 2.6 Also, following the aforementioned discussion and negotiation with the applicant and agent, amendments were made to the proposed dwellings in plots 18 to 21. All these dwellings now have lowered eaves and ridge heights, and on dwellings 20 and 21, dormer windows have been introduced.
- 2.7 Communal amenity space is proposed to the front of the dwellings in plots 1 and 2, and trees and landscaping are present to the frontages of houses. Such features would assist in softening the impact of the proposal.
- 2.8 The appearance of the proposed dwellings, displaying a range of designs, gable and hipped roofs, heights, materials and window styles, reflects the variety of dwelling types, materials and architectural features found in the vicinity of the site.
- 2.9 Overall, the proposal is acceptable in terms of its impact on the character and appearance of the area, and accords with Policy DM3 (High Quality Development) of the Core Strategy and Development Management Policies - North and Section 5 (Residential Development) of the Central Bedfordshire Design Guide.

3. Trees and Landscape

- 3.1 The application site is an undeveloped open plot of rough grassland with a cluster of trees in the south east corner. Prior to the submission of outline planning application CB/15/04081/OUT clearance works were undertaken to

remove a number of trees and other vegetation resulting in the removal of what was previously an orchard.

- 3.2 A condition (No. 14) was attached to the outline consent to ensure that all existing planting, remaining from the orchard, adjacent to the south east boundary was retained. The condition stated that, *'Any reserved matters proposal shall be submitted incorporating this existing landscape feature into the detailed design'*.
- 3.3 An application (reference CB/17/00442/VOC) to vary condition 14 of the outline planning permission was then submitted and approved which enabled the retention of some trees and landscape features adjacent to the south east boundary (but not all trees and landscape features as intended by the condition).
- 3.4 The retention of existing landscaping and proposed landscaping adjacent to the south east boundary is shown on plan PRI20175-12D. This planting would be in the rear gardens of the proposed dwellings in plots 1 to 4. Whilst areas of planting in the public domain would be maintained by a Management Company, those in private gardens would be maintained by individual owners. This approach is not considered acceptable in the Trees and Landscape, Landscape, and Ecology consultation responses. Reference is made to the need for this area to be available for all residents as part of the scheme's green infrastructure, the planting not being able to mature into an acceptable feature, and lack of control over the future retention of trees given the importance of them both ecologically and from a landscape perspective. Whilst these concerns are acknowledged, a condition can be attached to any planning permission granted, to secure the protection of this planting, in a similar way to existing and proposed landscaping in the public areas of the site.
- 3.5 Concern has also been expressed in the Trees and Landscape and Landscape consultation responses in respect of the proposed planting adjacent to both sides of the access road. In view of the prominence of the position of trees it is considered that more substantial trees should be planted, and the planting of walnut trees, which develop broad crowns, could become a maintenance issue. Also, the area to the north of the access road is outside the red line application site, but within the blue line. To address these matters a condition should be attached to any planning permission granted, requiring details of landscaping in these areas, to include species of appropriate size and which reference the historic orchard use of the site. In terms of the area within the blue line, this would be a Grampian condition.
- 3.6 There are several trees shown in the communal amenity area. These are above the proposed below ground attenuation tank. As stated in the Ecology consultation response, it is assumed that whilst it is possible to grow trees over an attenuation tank, only species such as a shallow rooting beech would be feasible. However, beech trees would not constitute an orchard tree. Also the planting grid shown for the surrounding fruit trees in the communal area appears to be on a 2.5m spacing which is half the spacing any new orchard would be expected to be grown on; 4 to 5m spacing would be the standard. Three wild cherry trees adjacent to existing properties at the western end of the site could impact on neighbouring properties due to their potential large

growth. These matters need to be addressed by the aforementioned condition requiring details of landscaping.

4. Impact on Amenity of Neighbouring and Future Occupants

- 4.1 The officer report for outline planning permission CB/15/04081/OUT refers to the indicative layout for this application showing *'a general relationship of rear gardens to the proposed dwellings backing onto the rear curtilages of existing dwellings on Barton Road and the High Street. This is not necessarily unacceptable as a matter of principle however the raised level of the site and its relationship to dwellings particularly on High Street are such that there are concerns that two storey dwellings with garden depths of 10 metres could be overbearing and directly overlook these existing occupiers'*.
- 4.2 As stated above, the original Proposed Site Plan submitted (16124 (D) 099 Revision L) for this application raised concern due to the adverse impact of the proposed dwellings in plots 14 to 19 (two terraces of three dwellings in each) on the occupants of the existing neighbouring properties in Barton Road. The proposed dwellings were shown, at their nearest points, to be 10.5m from the shared boundary with Nos. 7, 9 and 11 Barton Road. In view of this proximity and the height difference of 5 to 6 metres between existing and proposed houses, it was considered that the proposal would be dominating and overbearing, and result in overlooking and a loss of privacy to the occupants of Nos. 7, 9 and 11.
- 4.3 Following discussion and negotiation with the applicant and agent, an amended Proposed Site Plan (16124 (D) 099 Revision M) was submitted. This shows that the dwellings originally in plots 14 to 19 have been re-positioned to be adjacent to the north east boundary of the site with the lower school, and re-numbered plots 12 to 17. They have swapped positions with the dwellings originally in plots 12 and 13, re-numbered plots 18 and 19. Consequently the car parking and turning area adjacent to the boundary with the school has been re-positioned to be adjacent to the boundary with the Barton Road properties. As such, there is a lack of development adjacent to the boundary with No. 7 and for the most part No. 9 Barton Road.
- 4.4 The dwellings in repositioned plots 18 and 19, as well as those in plots 20, 21 and 22, would still have a rear to rear relationship with Nos. 9 in part, 11, 13, 15 and 17 Barton Road. The dwellings in plots 18 and 19 would be 12 metres from the shared boundary with this distance increasing up to 14.5 metres for the other proposed dwellings. The distances between the rear elevations of the existing and proposed dwellings, at two storey level, would be between 29 and 36 metres.
- 4.5 Paragraph 5.02.01 of the Central Bedfordshire Design Guide, March 2014 states that, *'In order to ensure visual privacy back to back distances will be enforced. In conventional suburban environments, a 'rule of thumb' of approximately 21 metres distance between the rear of one 2 storey property and the rear of another facing it (at first floor level in both instances), is an acceptable norm'*. As such, the 21 metre separation is met and exceeded between the existing and proposed dwellings. Also, in each instance at least half of this distance (10.5m) is in the application site. Though it is also acknowledged that in all instances the majority of the separation distance is in the rear gardens of the Barton Road dwellings. Also the height difference -

the existing houses being 5 to 6 metres lower than the proposed houses - is significant.

- 4.6 As well as the aforementioned repositioning of proposed houses, revised plans were submitted for the dwellings in plots 18 to 21. All these dwellings now have lowered eaves and ridge heights, and dormer windows have been introduced.
- 4.7 In view of the changes made to the proposed dwellings in plots 18 to 21, and the separation distances between the existing and proposed dwellings and between the shared boundaries and the proposed dwellings - whilst the change in levels is significant - the proposal would not result in a harmful overlooking, loss of privacy, dominating or overbearing impact to the occupants of the Barton Road properties.
- 4.8 The proposed dwellings on plots 1 and 24 would have side elevations facing existing houses in Barton Road. They would be separated by at least 36 metres and the proposed first floor side windows can be conditioned to be obscure glazed and non-opening below 1.7 metres to ensure an acceptable level of privacy.
- 4.9 The Proposed Site Plan shows that the proposed dwellings would be in a layout which ensures that future occupants would not suffer an adverse impact in terms of loss of light or overbearing impact. All first floor side windows can be conditioned to be obscure glazed and non-opening below 1.7 metres, with another condition removing permitted development rights for any further first floor side windows. All proposed dwellings would have a reasonable amount of amenity space.
- 4.10 A Noise Assessment (L F Acoustics, May 2018) was submitted with the planning application in respect of the noise impact of sports and play facilities at the neighbouring Lower School on future occupants of the development. The report concludes that suitable noise levels can be achieved with the installation of an acoustic fence along the boundary of the application site with the school. As stated in the Public Protection consultation response, this is acceptable subject to the attachment of a condition to any planning permission granted requiring the noise scheme to be implemented.
- 4.11 Overall, the proposal accords with Policy DM3 (High Quality Development) of the Core Strategy and Development Management Policies - North which requires all proposals for new development to respect the amenity of surrounding properties, and Section 5 (Residential Development) of the Central Bedfordshire Design Guide.

5. Highway Considerations

- 5.1 As stated in the consultation response of Highways (Development Management), the amended Proposed Site Plan (16124 (D) 099 Revision M) is acceptable in highway terms. For example, the carriageway width of the access road is sufficient and footways are now shown on both sides of the carriageway to ensure clarity for all highway users particularly pedestrians. The provision of two to four car parking spaces per dwelling, plus nine visitor spaces, is sufficient.

- 5.2 Concerns are raised in the Highways (Development Management) response in respect of private drainage within the highway and the longitudinal gradient of 8.33% exceeding the maximum standard of Central Bedfordshire Council of 8%. However, it is recognised that these matters can be dealt with by conditions attached to any planning permission granted.

6. Affordable Housing Provision

- 6.1 The application would provide eight affordable homes which reflects the affordable housing policy requirement of 35% from planning permission CB/15/04081/OUT and the attached S106 Agreement. As detailed in the Housing Development consultation response above, the tenure mix and the cluster of the eight affordable units at the northern end of the site is acceptable.

7. Section 106 Requirements

- 7.1 A Section 106 Agreement, dated 28 December 2016, was attached to the outline planning permission. As well as the aforementioned provision of affordable housing, this required the following education contributions:

Early years and lower school: £55,305.60

Middle and upper school: £123,893.46

8. Other Considerations

8.2 Response to Parish Council and Neighbour objections

Most of the matters raised are considered in the discussion above.

There is no control or limit to the number of documents which can be submitted with a planning application.

Residential dwellings will generate a level of noise; this does not need to be mitigated by acoustic fencing between existing and proposed houses.

The Local Planning Authority has no control over the frequency of planning applications being submitted, and has a duty to determine them.

The applicant for the agent has confirmed that the application relates to land totally within the control and ownership of the applicants.

8.3 Human Rights and Equality Act Issues

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

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Visibility splays shall be provided at all private means of access from individual properties within the site onto the estate roads. These vision splays shall be provided on each side of the access drive and shall be 2.8m measured along the back edge of the new highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splays so described and on land under the dwelling occupier's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the new estate road and the new individual accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

(Section 7, NPPF July 2018)

- 2 **No construction of the development hereby approved shall take place until details of the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority and the development shall not be occupied until that junction has been constructed in accordance with the approved details.**

Reason: To minimise danger, obstruction and inconvenience to users of the public highway and of the proposed estate road.

(Section 7, NPPF July 2018)

- 3 Visibility splays shall be provided at the junction of the proposed estate road with the public highway before the development is occupied. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

(Section 7, NPPF July 2018)

- 4 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junctions in the interest of road safety.

(Section 7, NPPF July 2018)

- 5 **No construction of the development hereby approved shall take place until detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been approved by the Local Planning Authority and the development shall not be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed roadworks are constructed to an adequate standard.

(Section 7, NPPF July 2018)

- 6 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

(Section 7, NPPF July 2018)

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), 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.

(Section 7, NPPF July 2018)

- 8 The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

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

(Section 7, NPPF July 2018)

- 9 **No construction of the development hereby approved shall take place until a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.**

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

(Section 7, NPPF July 2018)

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

**Reason: To ensure adequate off street parking during construction in the interests of road safety.
(Section 7, NPPF July 2018)**

- 11 **With the exception of the areas of the site covered by condition 12, the retention of existing landscaping and trees and the provision of proposed landscaping and trees, in both public and private areas of the site, shall be undertaken in accordance with approved plan PRI20175-12D. The proposed landscaping shall be implemented by the end of the full planting season immediately following the completion and/or first occupation 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 and retained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 12 & 15, NPPF 2018)**

- 12 **Notwithstanding the approved landscape details and plans, details of landscaping in the areas to both sides of the access road and in the communal amenity area, to include species of appropriate size and which reference the historic orchard use of the site, shall be submitted to and approved in writing prior to the construction of the development hereby approved taking place. The approved landscaping shall be implemented by the end of the full planting season immediately following the completion and/or first occupation 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 and retained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 12 & 15, NPPF 2018)**

- 13 **Prior to the commencement of development, all tree protective fencing shall be erected in strict accordance with Tree Protection Plan WHK20175-03 D. The tree protection fencing shall then remain securely in position throughout the entire course of development.**

**Reason: To ensure that a satisfactory standard of tree protection barrier fencing is maintained throughout the entire course of development, in the interests of maintaining the health, stability and visual amenity of the trees concerned.
(Section 15, NPPF 2018)**

- 14 **Throughout the entire course of development, all working practices and site supervision must fully comply with the recommendations of the document Arboricultural Impact Assessment and Method Statement WHK 20175 aia_ams D.**

Reason: To ensure that satisfactory tree protection working practices are maintained throughout the entire course of development operations, in the interests of maintaining the health, stability and visual amenity of the trees concerned.

(Section 15, NPPF 2018)

- 15 The development hereby approved shall be implemented in accordance with the submitted Surface Water Drainage Scheme (JPP Consulting, reference U8771WR) before the development is completed and shall be managed and maintained thereafter in accordance with the agreed maintenance plan. No dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved Surface Water Drainage Scheme has been checked by them and has been correctly and fully installed as per the approved details.

Reason: To ensure that the implementation and long term operation of a drainage system is in line with what has been approved.

(Section 14, NPPF 2018)

- 16 The development hereby approved shall proceed in accordance with Ecological Enhancement Plan WHK20175_67.

Reason: To provide net gains for biodiversity.

(Section 15, NPPF 2018)

- 17 No construction of the development hereby approved shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.

- Arrangements for liaison with the Council's Pollution Team

- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

 - 08 00 Hours and 18 00 Hours on Mondays to Fridays and

 - 08 00 and 13 00 Hours on Saturdays and;

 - at no time on Sundays and Bank Holidays.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

- Procedures for emergency deviation of the agreed working hours.

- Central Bedfordshire Council encourages all contractors to be 'Considerate Contractors' when working in the district by being aware of the needs of neighbours and the environment.

- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

(Policy DM3, CSDMP, and Section 12, NPPF 2018)

- 18 The scheme to protect future occupants in the dwellings hereby approved from noise from the neighbouring Lower School as outlined in the Noise Assessment (L F Acoustics, May 2018) shall be fully implemented before any permitted dwelling is occupied.

Reason: To protect the amenity of future occupiers of the development and safeguard the activities at the school.

(Policy DM3, CSDMP, and Section 12, NPPF 2018)

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

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

(Section 15, NPPF 2018)

- 20 The windows in the first floor side elevations of the dwellings hereby approved shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed.

Reason: To safeguard the privacy of occupiers of adjoining properties.

(Policy DM3, CSDMP, and Section 12, NPPF 2018)

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further windows shall be inserted into the first floor side elevations of the dwellings hereby approved without the grant of further specific planning permission from the Local Planning Authority, or if such windows are inserted they shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed.

Reason: To safeguard the privacy of occupiers of adjoining properties.

(Policy DM3, CSDMP, and Section 12, NPPF 2018)

- 22 Notwithstanding the provisions of Part 1, Classes A, B and 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 dwellings hereby permitted, shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the character and appearance of the development, and to protect neighbouring amenity.

(Policy DM3, CSDMP, and Section 12, NPPF 2018)

- 23 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the dwellings hereby permitted without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the character and appearance of the development, and to protect neighbouring amenity.

(Policy DM3, CSDMP, and Section 12, NPPF 2018)

- 24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16124 (D) 097 Revision B, 16124 (D) 099 Revision L, 16124 (D) 520 Revision C, 16124 (D) 100, 16124 (D) 105, 16124 (D) 106, 16124 (D) 110, 16124 (D) 115, 16124 (D) 120, 16124 (D) 125, 16124 (D) 130, 16124 (D) 135, 16124 (D) 136, 16124 (D) 140, 16124 (D) 145, 16124 (D) 150, 16124 (D) 155, 16124 (D) 160, 16124 (D) 165, 16124 (D) 170A, 16124 (D) 175A, 16124 (D) 180, 16124 (D) 185, 16124 (D) 190, 16124 (D) 195 Revision A, 16124 (D) 200, 16124 (D) 205 Revision A, 16124 (D) 210 Revision A, 16124 (D) 215 Revision A, 16124 (D) 220 Revision A, 16124 (D) 225 Revision A, 16124 (D) 230 Revision A, 16124 (D) 235 Revision A, 16124 (D) 240, 16124 (D) 245 Revision A, 16124 (D) 250 Revision A, 16124 (D) 245 Revision A, 16124 (D) 255 Revision B, 16124 (D) 260 Revision A, 16124 (D) 265 Revision B, 16124 (D) 275, 16124 (D) 265 Revision B, 16124 (D) 265 Revision B, 16124 (D) 270, 16124 (D) 275, 16124 (D) 280, 16124 (D) 285, 16124 (D) 530, 16124 (D) 500 Revision F, 16124 (D) 501 Revision F, 16124 (D) 502 Revision B, 16124 (D) 503 Revision D, 16124 (D) 504 Revision E, 16124 (D) 505, 16124 (D) 506, 16124 U8771WR - 102 Revision A, 16124 U8771WR - 103, 16124 U8771WR - 103(1), 16124 U8771WR - 100 Revision D, 16124 U8771WR - 102 Revision A, 16124 U8771WR - 103(2), 16124 U8771WR - 104(1), 16124 U8771WR - 104(2), 16124 U8771WR - 105 Revision B, 16124 U8771WR - 106 Revision B, 16124 U8771WR - 107 Revision B, 16124 U8771WR - 108 Revision C, 16124 U8771WR - 115 Revision A, 16124 U8771WR - 118(1) Revision A, 16124 U8771WR - 118(2), 16124 U8771WR - 118(3) Revision A, 16124 U8771WR - 119, 16124 U8771WR - 120, U8771WR - E01, WHK20175dis2, WHK20175aia_amsD, WHK20175Man-c, WHK20175Spec-A, WHK20175-03 Revision D and WHK20175-12 Revision C.

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 South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN
4. The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.
5. The applicant is advised that in order to comply with Condition ... 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail highwaysagreements@centralbedfordshire.gov.uk
6. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire (Design Supplement 10 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.
7. Discharge rates should be controlled as specified by the outline proposal to deliver betterment of the existing drainage regime and must be confirmed with relevant vested drainage bodies.

Details of the discharge rates, attenuation volumes, location of SUDS features, control features, and conveyance/exceedance pathways must be provided and supported by full calculations, models and methodologies.

The residual risk of flooding needs to be fully addressed by the detailed design should any of the drainage features fail or if they are subjected to an extreme flood event, the detailed design and layout of the proposed development should provide proposed mitigation measures to control those risks for the lifetime of the development and ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property. This could include measures to manage residual risk such as raising ground or floor levels where appropriate. Overland flow routes should not put people and property at unacceptable risk.

Details of control structures and their locations must be provided and demonstrate mitigation of possible future maintenance liabilities such as sedimentation, erosion and ease of access. Hard aspects of the SuDS design, such as inlets and outlets, should be appropriately sized and visually interesting or neutral. Care should be taken to ensure that structures are not over-engineered or create trip hazards.

Health and safety consideration should be taken into account in the design of the features and opportunities to enhance water quality, amenity and biodiversity maximised.

On-going maintenance requirements and responsible parties need to be clearly identified for all parts of the drainage system and confirmed.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The applicant and the Council engaged in discussion and negotiation at pre-application and application stage which led to improvements to the scheme. The applicant and the Council have 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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