

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Helen Bell
direct line 0300 300 4040
date 3 January 2013

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 16 January 2013 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs A Shadbolt (Chairman), K C Matthews (Vice-Chairman), P N Aldis,
A R Bastable, R D Berry, M C Blair, D Bowater, A D Brown, Mrs C F Chapman MBE,
Mrs S Clark, I Dalgarno, Mrs R J Drinkwater, Mrs R B Gammons, D Jones,
Ms C Maudlin, T Nicols, I Shingler and J N Young

[Named Substitutes:

L Birt, P A Duckett, C C Gomm, Mrs D B Gurney, R W Johnstone, J Murray,
B J Spurr, N Warren and P Williams]

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

N.B. The running order of this agenda can change at the Chairman's discretion. Items may not, therefore, be considered in the order listed.

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 12 December 2012.
(previously circulated)

4. **Members' Interests**

To receive from Members any declarations of interest including membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

REPORTS

Item	Subject	Page Nos.
5	Planning Enforcement Cases Where Formal Action Has Been Taken	* 5 - 10

To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.

**Planning and Related Applications - To
consider the planning applications
contained in the following schedules**

Item	Subject	Page Nos.
6	<p>Planning Application No.CB/12/02929/OUT</p> <p>Address : 186, 188 and land rear of Station Road, Lower Stondon, Henlow.</p> <p>Erection of 98 dwellings, garaging and associated works after the demolition of No's 186 and 188 Station Road to provide for a new access road.</p> <p>Applicant : Bovis Homes Ltd.</p>	* 11 - 40
7	<p>Planning Application No. CB/12/04400/FULL</p> <p>Address : 9 & 10 Osprey Road, Flitwick.</p> <p>Single storey rear extension to 9 and 10 Osprey Road, Flitwick.</p> <p>Applicant : Mr P Thornhill and Mr M Fensome.</p>	* 41 - 48
8	<p>Site Inspection Appointment(s)</p> <p>In the event of any decision having been taken during the meeting requiring the inspection of a site or sites, the Committee is invited to appoint Members to conduct the site inspection immediately preceding the next meeting of this Committee to be held on 13 February 2013 having regard to the guidelines contained in the Code of Conduct for Planning Procedures.</p> <p>In the event of there being no decision to refer any site for inspection the Committee is nevertheless requested to make a contingency appointment in the event of any Member wishing to exercise his or her right to request a site inspection under the provisions of the Members Planning Code of Good Practice.</p>	*

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Meeting: Development Management Committee
Date: 16th January 2013
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Sustainable Communities
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Sustainable Communities
Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader
(Tel: 0300 300 4369)
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

1. **To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**
2. **To receive an update of Minerals and Waste Planning Enforcement cases where formal action has been taken at Appendix B**

Background

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. The list at Appendix B briefly describes the breach of planning control for Minerals and Waste cases, dates of action and further action proposed.
13. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For further details of Minerals and Waste cases in Appendix B please contact Roy Romans on 0300 300 6039.

Appendices:

Appendix A – Planning Enforcement Formal Action Spreadsheet – North & South

Appendix B – Minerals and Waste Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 16th January 2013)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/10/0037	Land at 6 Sutton Road, Potton, SG19 2DS	Enforcement Notice - siting of mobile home for independent residential accommodation	31-Aug-12	01-Oct-12	01-Dec-12				Check compliance after 1/12/12
2	CB/ENC/10/0140	Land at 6 The Belfry, Luton. LU2 7GA	Enforcement Notices - change of use of land from amenity land to use as garden.	13-Sep-12	11-Oct-12	08-Nov-12	Appeal submitted 27/9/12			Await outcome of appeal
3	CB/ENC/10/0189	Land adjacent to 17 The Causeway, Clophill Bedfordshire MK45 4RA	2 Enforcement Notices material change of use of the land to a caravan site and construction of hardstanding	10-Aug-11	08-Sep-11	07-Nov-11 and 08-Mar-12	Appeal dismissed, compliance extended	29-May-13		Check compliance after 29/3/13
4	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - unauthorised encroachment onto field 2 - unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12				Timber building has been sold, awaiting removal then fence to be moved back
5	CB/ENC/11/0664	Land adjoining Hill Grove, The Green, Whipsnade, Dunstable, LU6 2LN	Enforcement Notice - brick wall and piers	24-Oct-12	21-Nov-12	09-Dec-12			Complied	Fully complied 20/12/12, case to be closed
6	CB/ENC/12/0057	Land at The Drovers, Flitwick Road, Steppingley	Enforcement Notice - Terracing of land and installation of timber retaining walls	30-May-12	30-Jun-12	30-July-12 30-Aug-12	Appeal dismissed 24/10/12	24-Nov-12 and 24-Dec-12		Notice upheld Check compliance November/December 2012
7	CB/ENC/12/0162	The Grade II Listed building at 24 Market Square, Toddington, Dunstable LU5 6BS	Listed Building Enforcement Notice - removal of ceilings and wall plaster.	14-Jun-12	12-Jul-12	12-Oct-12			Part complied	Remainder of work to be completed by January 2013
8	CB/ENC/12/0173	Land at London Gliding Club, Tring Road, Dunstable LU6 2JP	Enforcement Notice. The construction of a T Hangar.	17-Apr-12	15-May-12	15-Jul-12	Appeal received 10/5/12			Await outcome of appeal
9	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Occupied temporarily, await outcome of appeal for Kingswood Nursery
10	CB/ENC/11/0403	Land to rear of Plots 1 & 2, The Stables, Gypsy Lane, Little Billington LU7 9BP	2 Enforcement Notices 1 - unauthorised fence 2 - unauthorised encroachment onto agricultural land	15-Oct-12	12-Nov-12	10-Dec-12			Complied	Fully complied 12/12/12, case to be closed

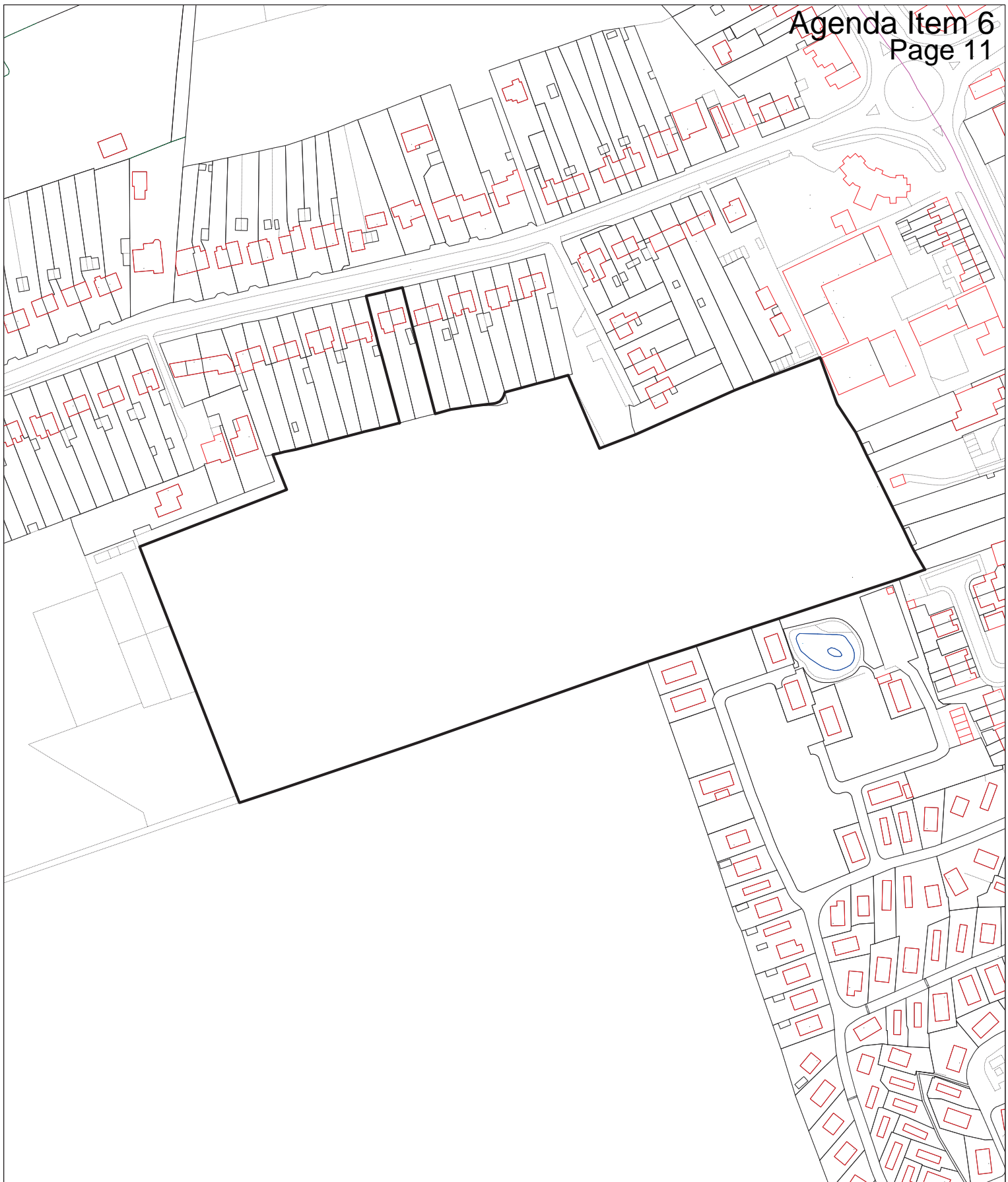
Planning Enforcement formal action (DM Committee 16th January 2013)

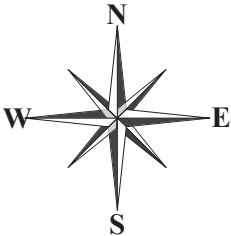
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
11	CB/ENC/12/0257	Unit H Kensworth Industrial Estate, Common Rd Kensworth	Breach of Condition Notice. Condition 1 SB/TP/87/0748 height of storage	19-Jun-12	19-Jun-12	19-Jul-12				Pre-app received 19/7/12 for variation of condition, discussions taking place. Await decision on variation.
12	CB/ENC/12/0284	Land at Plots 15 - 19 inclusive, Sovereign Close, Leighton Buzzard. LU7 1BZ	Breach of Condition Notice - Condition 3 to planning permission SB/TP/05/00761 tree planting	05-Oct-12	05-Oct-12	31-Dec-12				Check compliance after 31/12/12
13	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and leveling of the land by the importation of waste material 2PJ	08-Aug-12	10-Sep-12	10-Nov-12	Appeal submitted 10/9/12			Await outcome of appeal
14	MB/ENC/08/0214	Land & Buildings at Lower Wood Farm, Sundon Rd, Harlington	Breach of conditions to Permissions 02/00553 & 06/00152. Enforcement Notice - outside storage & portacabins	15-Dec-08	12-Jan-09	12-Feb-09			Part complied Planning application CB/11/04219/full received 14/12/11	Await outcome of application
15	SB/ENF/05/0005	215 Common Road, Kensworth	Enforcement Notice - Erection of a double garage and storeroom	16-Mar-05	18-Apr-05	18-Jul-05	6-May-05	6-Aug-05	Planning permission granted 20/12/12 for smaller building CB/12/03651	2 months given to reduce size of building. Check after 20/2/13
16	SB/ENF/07/0006 SB/ENF/07/0007 SB/ENF/07/0008	Dunedin, Harlington Road, Toddington	Change of use to bedsit accommodation, erection of building & extensions, non compliance with Condition 2 of SB/TP/98/0838	10-Aug-07	12-Sep-07	4-Dec-07	Appeal dismissed.	9-Jan-09	Part complied - (use of buildings and land)	Prosecuted and fined September 2011. Monitor site and action on completion of M1 roadworks if there is a breach of planning control.
17	SB/ENF/08/0009	21 Emu Close, Heath & Reach	Construction of single storey front and side extensions and loft conversion	14-Apr-08	14-May-08	14-Aug-08	20-Jun-08	04-Sep-09	LDC proposed granted 22/3/12. Part complied with LDC proposed	Prosecuted and fined October 2011. In process of altering to comply with proposed LDC.

Minerals Waste Enforcement formal action (DM Committee 16 January 2013)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	RESULT	NEW COMPLIANCE DATE	NOTES/FURTHER ACTION
11/0360	Former BR Goods Yard, Chiltern Green Road, East Hyde	Enforcement Notice - Creation of large concrete slab (33m x 40m) on part of area that should be landscaped	3-Oct-11	9-Nov-11	Depends on requirements Varies 3 - 4 months	YES - Hearing 28 Feb 2012	Part Allowed (Grounds f & g) Part Dismissed	13-Dec-12	By the compliance date the operator had marked out the parts of the slab to be removed to comply with the Notice but had not carried out any other works. Evidence being collected to progress possible prosecution action
11/0360	Former BR Goods Yard, Chiltern Green Road, East Hyde	Breach of Condition Notice - Non compliance with landscaping provision in CBI/10/00457/MW	3-Oct-11	3-Oct-11	Depends on requirements Varies 3 - 6 months	N/A		13-Dec-12	Compliance requirements varied by outcome of Enforcement Notice appeal No planting carried out. Evidence being collected to progress possible prosecution action.
11/0374	Plot 2 Station Road Industrial Estate, Amphihill	Breach of Condition Notice - Non compliance with height of stockpiled materials - Cond no.12 of perm 18/2005	14-Nov-11	14-Nov-11	14-Dec-11	N/A	Guilty on 5 charges.		Bedford Magistrates on 7 Dec 2012 found the operator WRS guilty of non compliance with BCN. Fined £4000 with £1990 costs. Matter still under investigation as stockpile heights continue to be excessive
11/0374	Plot 2+ 2bc Station Road Industrial Estate, Amphihill	Enforcement Notice - Change of use of land to waste transfer and material recycling facility which constitutes unauthorised EIA development	19-Jul-12	23-Aug-12	Depends on requirements Varies 1-2 months	YES - Hearing 23 Jan 2013			Appeal on grounds b), f) and g) only. The planning merits of the change of use will not be considered. Both parties have submitted their statements to the Planning Inspectorate (PINS). Local residents have been notified of the appeal and have submitted their comments to PINS. Regular liaison continues with the Environment Agency re current conditions on site.

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	<p>© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)</p>	<p>Application No CB/12/02929/FULL</p>
	<p>Date: 20:December:2012</p>	
	<p>Map Sheet No</p>	
<p>Scale: 1:2500</p>	<p>186, 188 and Land rear of Station Road, Lower Stondon, Henlow</p>	

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Item No. 6

APPLICATION NUMBER	CB/12/02929/FULL
LOCATION	186, 188 and land rear of Station Road, Lower Stondon, Henlow, SG16 6JQ
PROPOSAL	Erection of 98 dwellings, garaging and associated works after the demolition of No's 186 and 188 Station Road to provide for a new access road.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	10 August 2012
EXPIRY DATE	09 November 2012
APPLICANT	Bovis Homes Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	This application was called in to the committee by Cllr Dalgarno because of concerns relating to the deliverability of the schemes, the lack of a full assessment of need and because of concerns raised by local residents.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

An undeveloped site of around 4ha in size. To the north of it are rear gardens serving houses on Station Road, to the east is Henlow Industrial Estate and rear gardens serving houses on Bedford Road. To the south is Three Star Park and to the south and west is open countryside.

The Application:

Planning permission is sought for the demolition of No's 186 and 188 Station Road to provide an access to the site and for the erection of 98 houses in line with the mix set out below:

Market housing (64 units)

5 x two-bedroom houses
10 x three-bedroom houses
30 x four-bedroom houses
19 x five-bedroom houses

Affordable housing (34 units)

2 x one-bedroom bungalows
10 x two-bedroom flats
11 x two-bedroom houses

11 x three-bedroom houses

There would be one Local Equipped Area of Play (LEAP) and one Local Area of Play (LAP) and a flood attenuation area.

Relevant Policies:

National Policy

National Planning Policy Framework (2012)

Local Policy

Central Bedfordshire Core Strategy and Development Management Policies (2009)

- CS2 Developer Contributions
- CS3 Healthy and Sustainable Communities
- CS4 Linking Communities – Accessibility and Transport
- CS5 Providing Homes
- CS7 Affordable Housing
- CS9 Providing Jobs
- CS13 Climate Change
- CS14 High Quality Development
- CS17 Green Infrastructure
- DM1 Renewable Energy
- DM2 Sustainable Construction of New Buildings
- DM3 High Quality Development
- DM4 Development Within and Beyond Settlement Envelopes
- DM9 Providing a Range of Transport
- DM10 Housing Mix
- DM15 Biodiversity

Site Allocations (North) Development Plan Document (2011)

Planning Obligations Supplementary Planning Document (2009)

Design in Central Bedfordshire (a guide for development) (2010)

Relevant Planning History:

MB/00/00353/OUT Outline application for residential development and public open space with all matters reserved

Refused: July 2001

Village Hall, Hillside Road Single storey side extension to village hall, new parking area & change of use of open space to school playing field

CB/12/02812/FULL Approved: 21st November 2012

The Pastures Erection of a multi-use games area (MUGA) and associated

Recreation Ground works

CB/12/02845/FULL Approved: 21st November 2012

Land to the south of Station Road and to the west of Three Star Park Construction of access road and parking to serve proposed allotments

CB/12/02846/FULL Pending: Committee resolution to grant subject to s106 and conditions

Consultation responses:

Neighbours were written to and press and site notices were published. The consultation exercise was repeated when the number of houses proposed increased from 97 to 98. The responses are summarised below:

Parish Council Support the application subject to the proposed community facilities being delivered. It was noted that the number of houses would be in excess of the 70 set out in the site allocated but that this needed to be balanced against benefits to the community.

Neighbours 94 letters of objection were received, commenting as follows:

- There is not enough local demand for 60 allotments.
- Three Star Park would be enclosed on all sides.
- The increase in local population would outweigh any community benefits.
- The development would be contrary to Policy HA28 of the Site Allocations (North) Development Plan Document.
- Increased traffic caused by the development would create a hazard for road users together with congestion and noise and disturbance.
- The proposed community facilities do not meet the expectations or needs of existing residents.
- The Parish Council has set aside money for allotments so those proposed aren't needed.
- Inadequate consultation on community facilities has been carried out.
- Many elderly people live at Three Star Park and the development would undermine their quality of life.
- Consultation by the application was misleading.
- The development would over-burden the east side of the village with housing and that would harm the character of the area.
- There would be too many houses.
- Existing local facilities in the village could not

accommodate the additional population that would be created.

- Previous community facilities relating to other local developments have not been delivered.
- The existing local flooding problem is serious and there is no certainty that the proposed alleviation measures would be successful.
- Not enough parking would be provided on-site.
- Existing local infrastructure is already strained.
- A meeting place for local people would have been a more valuable community facility.
- The site should be used for local food production.
- The community facilities would benefit some local people more than others.
- The development would not be sustainable.
- Inadequate assessment of the need for community facilities has been carried out.
- Other residents are troubled by flooding.
- The extension to the village hall would make it a worse facility.
- One of the play areas would be inappropriately located.
- Stondon has already contributed enough to meeting housing targets.

Six letters of support were received, commenting as follows:

- Play space for children in the village would be welcome
- Attempts to solve existing flooding problems is a good thing
- Bungalows that would suit elderly living are wanted and needed
- An extension to the village hall would allow various community activities to be carried out at the same time and that would be an improvement against the current situation.

Consultee responses:

Anglian Water

The following response was received:

ASSETS

Section 1 – Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be

included within your Notice should permission be granted:

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 in to account and accommodate those assets within either prospectively adoptable highways or public open spaces. 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 the development can commence.

Anglian Water notes that the development shares a boundary with Lower Stondon-Bedford Road Pumping Station (LOS BSP). In order to minimise the risk of odour nuisance and disruption arising from close proximity to LOS BSP, Anglian Water would recommend that no habitable buildings are located within 15m of the pumping station boundary.

We will request a condition requiring the drainage strategy covering the issue(s) to be agreed.

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

The foul drainage from the development is in the catchment of Shillington STW that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

Development will lead to an unacceptable risk of flooding downstream and mitigation in the form of an alternative connection point located within Station Road or upgrades to the Bedford Road Pumping Station will be required. The Flood Risk Assessment submitted with the application states the alternative connection points; however, we would need to agree a drainage strategy for the site to cover the procurement of the improvement works.

We will request a condition requiring the drainage strategy covering these issues to be agreed.

Section 4 – Surface Water Disposal

The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction

for comment and the Planning Authority will need to consider which is the appropriate body to comment.

We will request that the agreed strategy is reflected in the planning approval.

Section 5 – Trade Effluent

Not applicable.

Section 6 – Suggested Planning Conditions

Assets Affected (Section 1)

The development site is within 15 metres of a sewage pumping station. Whilst Anglian Water takes all reasonably practicable steps to prevent any nuisance arising from the site, there should be no development within 15 metres from the boundary of a sewage pumping station of this type if the development is potentially sensitive to noise or other disturbance or which might give rise to complaint from the occupiers regarding the location of the pumping station.

Reason: To avoid causing future amenity problems.

Foul Sewerage Network (Section 3)

No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied at the site before the measures set out in the foul water strategy have been carried out as approved.

Reason: To prevent environmental and amenity problems arising from flooding.

Sustainable Transport	No objection subject to a financial contribution being obtained The submitted Travel Plan should be updated through a planning condition
Play Officer	Play equipment will need to meet appropriate British standards. Some of the play equipment might be better positioned and materials will be important given the siting of the play areas.
Housing Development Officer	No objection subject to affordable housing being provided in line with policy.
Highways	Visitor parking could be better distributed across the site. The proposed pedestrian access through to Birch Grove

could not currently be delivered because that road is not yet adopted. No objection subject to conditions.

Internal Drainage Board	No objection subject to conditions.
Archaeology	No objection subject to conditions.
Environment Agency	No objection subject to conditions.
Building Control (drainage)	No objection. The measures put forward to meet existing flooding problems are the same as the Council would do if it was to undertake the same task
Public Protection	No objection subject to conditions
Trees and landscaping	No objection subject to condition
Ecology	No objection subject to condition

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. Layout and appearance
3. Neighbours and living conditions
4. Traffic and parking
5. Drainage, flooding and sustainability
6. Community facilities
7. s106 and affordable housing
8. Conclusions

Considerations:

1. Principle of the development

Policy HA28 of the Site Allocations Development Plan Document (2011) sets out that this site is allocated for residential development providing not more than 70 dwellings and commensurate community facilities to be identified through further assessment work (see section 6 of this report).

In addition to the general policy requirements in the Core Strategy and Development Management Policies DPD and appropriate contributions to infrastructure provision in the Planning Obligations SPD, development at this site will be subject to the following:

- Provision of adequate access (see section 4 of this report);
- Flood alleviation measures to resolve existing flooding problems at 60-64 Bedford Road (see section 5);
- A Sustainable Urban Drainage System to dispose of the surface water generated by the development (see section 5);
- Provision of sufficient capacity within the public foul sewer system and

the wastewater treatment works to meet the needs of the development (see section 5).

The site allocation demonstrates that the principle of a residential use at this site and up to 70 dwellings has been established. 98 units are proposed and so this proposal is contrary to the site allocation policy.

The implications of a greater number of units at this site needs to be assessed.

The principle of a 98 unit development

The National Planning Policy Framework (2012) is clear that there should be a presumption in favour of sustainable development. Local Planning Authorities should approve proposals that accord with the development plan.

Central Bedfordshire can demonstrate an ability to meet its housing need but that should not mean that additional housing, where it is acceptable in all other regards should be discouraged.

There is clear direction from Central Government that Local Planning Authorities should be promoting and encouraging good development.

Although contrary to the site allocation policy, a number of units greater than 70 would not, in itself, make this development unacceptable.

Subject to the development being acceptable in other regards and the proposed community facilities being found to be commensurate to the development and otherwise sound, the principle of 98 units at this site would be acceptable in principle notwithstanding the policy conflict – especially given the current emphasise on promoting sustainable development.

The principle of off-site community facilities and the further assessment work

Whilst not explicit, it is clear that the site allocation policy anticipated community facilities being delivered on the site. Had such a development been proposed a number of dwellings greatly in excess of 70 would not likely have been achievable at an acceptable density given the size of the site. It is possible that fewer than 70 units would be proposed.

More important than whether the community facilities are provided on or off the site is whether they would be commensurate and identified through further assessment work.

Whether the facilitates can be considered commensurate is discussed in section 6 of this report.

After the planning application was submitted, Stondon published its Village Plan (September 2012). This was 'the culmination of a lengthy consultation exercise during which parishioners expressed views on what should be done to improve the village' (p. 5). It is felt that this document can be taken to represent the further assessment work referred to in the site allocation policy and how far the proposed community facilities meet the objectives outline in this Plan is

discussed in section 6.

Notwithstanding the implication in the policy that the community facilities should be provided on the site, the principle of providing them elsewhere would be acceptable in they were commensurate to the development and were supported by appropriate further assessment work (e.g. the Village Plan).

How far the development would meet relevant policies and guidelines, including Policy HA28 of the Site Allocations DPD is set out in the remainder of this report.

2. Layout and appearance

The density at the site would be around 24 dwellings per hectare (dph) which would be lower than the Council's Design Guidance suggests might be appropriate for a village infill (35-45dph) but a lower density would be acceptable here because of the sensitive relationship between the site and the open countryside to the south and west.

The low density would result in a comfortable layout that would be arranged along a central roadway running east to west.

All rear gardens would be of an acceptable size and layout and would be usable for the families who would likely live in the houses.

Separation distances between rear facing habitable room windows would be acceptable and would ensure that a proper level of privacy would be enjoyed by future occupiers.

A Local Equipped Area of Play (LEAP) and LAPs (Local Areas of Play) would be provided at the site. The LEAP would be of a good size and would be centrally located and would meet the very local needs of occupiers of the site and other local residents. The LAPS would provide additional play space and would take advantage of the large attenuation areas (discussed in section 5) that would be usable almost all of the time.

The site would provide a good mix of housing types and sizes from one bedroom bungalows to five bedroom houses and would meet the varying needs of potential future occupiers.

The layout would be legible and a large section of shared space would help to ensure that the development was a successful place to live.

There would be a variety of building types and features from local architecture would influence the designs. Buildings would be typically gable ended, there many would have front bay window features and the majority would have chimneys. Variety in porch and fenestration detailing would add visual interest to the development.

Materials would be varied but appropriate. The secluded nature of the site, behind houses on Station Road would result in a modest impact on the street scene. The demolition of the two houses required to allow for access would change the street scene but not to such an extent that could be considered

harmful.

92 of the units would be two-storeys tall and one building (containing six flats) would be two and a half storeys tall. As a result, the development would be consistent with other local buildings and that would contribute towards what would be relatively discreet development, despite the size of the site.

The development would be subject to a comprehensive and successful landscaping scheme that would include screening around the perimeter of the site.

The layout and density demonstrate that the site can accommodate 98 dwellings and the proposal would show a degree of spaciousness which would complement surrounding buildings.

The location of the site when taken together with the layout and the low density would ensure that there would be no material harm caused by a development of 98 units, rather than 70 in terms of layout and design.

3. Neighbours and living conditions

The nearest neighbours to the north would be those fronting Station Road. No's 184 and 190 would be on either side of the access to the site and various measures, including acoustic fencing have been proposed to ensure that noise and disruption caused by traffic would not be harmful. The Council's Public protection Team accepts the principle of these mitigation measures and details would be controlled by condition.

No's 170 to 204 Station Road have very long rear gardens (over 40m) that would ensure that the development of the site would cause no harm to living conditions there. Although No's 168, 268c and 168d would be much nearer to the built development, proposed boundary landscaping and orientations of the proposed units in the northwest corner of the site would ensure that no harm would be caused there. Similarly, the layout and distance from the boundary of proposed houses in the northeast corner of the site would prevent harm being caused to living conditions of neighbours at Allton Road. No 11 would be the nearest to the site but the layout of the closest plot (23) would ensure that no harm would be caused there. Gardens serving houses on Bedford Road to the east would be long enough (more than 50m) to prevent harm being caused there, and the nearest part of the development to those houses would be open space.

The built development at the site would be far enough away from units at Three Star park to the south and Birch Grove to the southeast to ensure that living conditions there would not be harmed. Views in to the site would be different but not harmful.

A noise assessment and air quality assessment have been submitted and these demonstrate that despite the proximity of part of the site to the existing Industrial Estate to the northeast, living conditions for future occupiers would be acceptable. Houses would be located far enough away from the pumping station (in line with Anglian Water standards) and a condition would control noise and

disturbance to ensure that living conditions for future occupiers would be acceptable.

There would be a level of traffic associated with the allotments proposed to the south but this would not be at a level likely to cause any notable harm.

Living conditions for existing and future residents would be acceptable and would not be impacted by a development in excess of that set out in the site allocation.

4. Traffic and parking

A Transport Assessment was submitted with the planning application that demonstrates, to the satisfaction of the Council's Highways Officers that the existing road network could accommodate the additional traffic that would be created by the development.

Notwithstanding that, it is proposed that traffic calming measures along Station Road would be provided. They would constitute a series of speed cushions between No's 95/104 and 181/206 Station Road and a puffin crossing with associated lining, pedestrian barriers and anti-skid surface to the west of the entrance to the site. A number of consultation responses have reported existing speeding problems along this stretch of road and these measures would seek to remedy that. The delivery of these features would be secured through a planning condition. The applicant anticipates that these works would cost in the region of £150,000.

The applicant and the Council are discussing alternative traffic calming measures for Station Road and these will be reflected in the late sheet.

This application was submitted in August 2012 (with pre-application discussions beginning in advance of that). The Council's most up to date parking standards came in to effect in October 2012. As a result, the parking provision has been planned with the previous standards in mind. Despite that, the provision would be notably in excess of those standards. 266 spaces (including visitor parking) would be required based on the Council's Design Guide (2010) and 280 spaces would be provided. The Council's current parking standards would require that 337 spaces were provided. The Committee has in other cases accepted that where an application was submitted prior to the new standards coming in to force, an assessment against the previous standards would be acceptable. All of the non-visitor parking would be provided on, or near to the relevant plot and garages would meet the Council's internal space standards. Cycle parking would be provided in line with the Council's standards.

A large area of shared surface within the site would slow traffic down to ensure that the environment was a safe one for drivers and pedestrians.

The access to the site would be safe and conditions would ensure that visibility splays at that entrance and elsewhere throughout the site would be appropriate.

The traffic and parking situation at the site would be acceptable and would not be undermined by a proposal for 98 units rather than one for 70.

5. Drainage, flooding and sustainability

Existing flooding problems

The site allocation policy requires that development at this site remedies existing flooding problems experienced by houses on Bedford Road. Consultation responses demonstrate that this is a serious and long standing problem.

To the west of the properties is an open ditch that conveys rainfall from the higher catchment to low point at the rear of gardens serving No's 60-64 Bedford Road. In the rear gardens the open ditch changes to a closed pipe (culvert). The capacity of this culvert, particularly if blocked at the point it changes from the open channel, is insufficient to convey the flow from the ditch and thus floods to the surface.

In order to try and remedy this situation, the application proposes a Flood Alleviation Scheme (FAS). It sets out that the most efficient way to remedy the existing flooding issues is to maximise the flow rate passed forward and to store any flow above this rate. A new enlarged pipe would be laid connecting the ditch to the existing drain under Bedford Road, removing the culvert from the rear gardens of No's 60-64 Bedford Road. The new pipe would be able to carry more flow. This flow would need to be restricted to protect the existing drain. To accommodate flow in the context of this restriction, an attenuation area would be provided at the east of the site (to the west of the houses on Bedford Road). It would be around 1.2m deep and would mostly be empty. During more intense rain storms the area would start to fill with water. The attenuation area would have capacity to store rainfall for all events up to one that is estimated to occur once in every 30 years. The current system is estimated to fail once every one to two years. In addition the applicant would either upgrade an existing pumping station to the east of the site or introduce a new pumping station at the site, or both. The applicant estimates that the costs of these works would around £600,000 and they would be secured through the s106 agreement.

Anglian Water, the Environment Agency, the Internal Drainage Board have raised no objections to these proposals and the Council's Engineer is of the view that these proposals would be acceptable and that if the Council were being asked to carry out the work, that it would do the same thing. There is no way of guaranteeing that the measures would be successful in addressing the specific problems experienced by occupiers at 60-64 Bedford Road but these proposals offer the best chance of a positive result.

Site drainage

The applicant has submitted a Flood Risk Assessment setting out the types of sustainable drainage schemes that could be utilised at the site. The Environment Agency accepts the principle of those proposals and have requested that a condition requiring full details of site drainage be agreed post decision.

Renewable energy

A condition would require details of how the development would meet at least 10% of its own energy demands through the use of on or near site renewable/low carbon energy sources. The bungalows at the site would be built to Lifetime Homes standards.

The proposed measures would result in the best chance of existing flooding problems being resolved, would ensure that proper drainage would be provided to meet the needs of the proposed development and that the development would meet the Council's sustainability objectives in terms of renewable energy. The fact that more units are proposed than the site allocation policy suggests should be would not prejudice these outcomes.

6. Community facilities

The site allocation policy sets out that community facilities that are commensurate to the development should be provided as part of this scheme. It is not explicit as to whether those facilities should be provided at the site or not but the nature of the facilities should be identified through further assessment work.

After the planning application was submitted, Stondon published its Village Plan (September 2012). This was 'the culmination of a lengthy consultation exercise during which parishioners expressed views on what should be done to improve the village' (p. 5). In the absence of any other evidence, it is felt that this document can be taken to represent the further assessment work referred to in the site allocation policy. The document presents a series of recommendations that relate to all aspects of the village including community facilities and that are based on responses to questionnaires. Where the responses are relevant to this application, this is explained below.

It is proposed that the following community facilities would be delivered through the s106 agreement:

An extension to the village hall

Planning permission was granted for an extension to the village hall and its parking area under reference CB/12/02812/FULL in November 2012.

It is anticipated that the extension would be used by the Stompers play group and that this would, in turn, allow other groups to use the existing village hall.

It is proposed that these works would be completed before the 35th dwelling at the site was occupied.

The extension would be transferred to the RANDS Trust, a charity that leases the site to the Village Hall Management Committee. It is understood that there is currently around 19 years remaining on the current lease.

The s106 agreement would require the submission and approval of a management plan so that the Council could be satisfied that the facility would benefit the community in perpetuity.

The applicant estimates that the cost of this facility would be in the region of £200,000.

Land ownership at that site (part of the site is within the school grounds and so is owned by the Council) means that the delivery of this facility would, to an extent, be outside of the applicant's control (if a land transfer involving the Council does not take place, the development could not come forward). If that happened, the applicant would make a financial contribution of £200,000 towards community facilities in Stondon.

Multi-use Games Area (MUGA)

Planning permission was granted for a flood lit MUGA at the Pastures Recreation Ground under reference CB/12/02845/FULL.

It would be available for use by the public free of charge until flood lighting was required, when the facility would need to be booked (so as to provide a small income to meet the cost of the lighting).

The MUGA would be transferred to the Stondon Recreation Association (SRA) and would be completed prior to the occupation of the 35th residential unit at the site.

The Council has requested that the MUGA be transferred to the Parish Council, rather than the SRA and that it is delivered in advance of the 35th occupation at the site. Conclusions to these discussions will be reflected in the late sheet.

A draft Management Plan has been submitted that explains how the facility could be managed by the SRA. A full plan would be required as part of the s106 so as to satisfy the Council that the facility would benefit the community.

A 10 year manufacturers maintenance contract would also be provided and this would be secured through the s106 agreement.

The applicant estimates that the cost of this facility is around £215,000.

There has been s106 monies directed at providing a similar facility in this location in the past but it is clear that this will not now be delivered.

Community Garden

A Community Garden would be provided on land to the west of the MUGA at the Pastures Recreation Ground.

It would be delivered through the s106 before the occupation of the 35th dwelling at the site.

One year of maintenance would be secured through the s106 agreement and it would be transferred to the SRA who would maintain it beyond that in line with a maintenance plan that has been submitted in draft and would be assessed in full through the legal agreement.

The applicant estimates that the costs of this facility would be £62,975.

Allotments

A decision on a planning application for an access road to serve allotments to the south of the application site is pending subject to a legal agreement but the November 2012 meeting of the Development Management Committee endorsed a recommendation to approve the application (CB/12/02846/FULL).

The allotments, the access road and the parking would be provided through the s106 prior to the occupation of the 35th unit at the site.

It would be transferred to Stondon Parish Council for a lease period of 99 years and managed by Stondon Allotment Association.

There would be a commuted sum of £10,000 made towards the maintenance of the facility which would, in due course hope to earn rent sufficient to sustain it in the longer term.

The applicant estimates that the cost of providing this facility would be £195,000.

The applicant estimates that the total value of providing these community facilities would be £672,975.

A large number of consultation responses have expressed dissatisfaction with various aspects of the proposed community facilities. A principle concern is that they would not be provided at the site and that they would be disproportionately located at one side of the village.

The allotments would be provided very near to the site and the extension to the village hall would be dictated by the location of the existing building. The MUGA and community garden would not be centrally located but they would at an appropriate, existing community site (the Recreation Ground). They would not be convenient for all local residents to access but this would not damage their value as community facilities to the point that they would not be desirable.

Had an application been made for housing (around 70 units) and community facilities at the site, it is likely that the level of facilities proposed would have been less than is the case here.

The Village Plan

The Village Plan sets out and is based on the results of a survey that asked residents the type of facilities that they would like to see in Stondon.

When asked what type of sports facilities Stondon needs, 58.6% of those asked replied a MUGA (more than any of the other options). Only 6% thought it should be in the Hillside Road area, though.

When asked whether allotments should be provided in Stondon, 42.6%

answered that they should be.

40.7% of people who responded wanted a community garden in Stondon.

There is no specific references to an extended village hall but 39.7% of people did want more leisure and sports facilities, that could be provided as a result of the extension.

The Village Plan does provide the further research required to determine the types of facilities required in Stondon and the results of the surveys undertaken as part of that exercise do demonstrate that there is local support for a MUGA, allotments and a community garden. The location of the MUGA near Hillside Road was less favoured and there was no specific reference to an extended village hall, but that could allow for leisure and sports activities that were wanted.

There has been significant local objection to this planning application and much of that relates to what are seen as unsatisfactory proposed facilities.

On balance, though, and in the context of the Village Plan and the Parish Council's support for the individual facilities and the development overall together with sufficient evidence to demonstrate the deliverability of the projects, it is considered that the proposed facilities would be commensurate to the development and would be justified through appropriate assessment of want/need.

7. s106 and affordable housing

s106

In addition to the community facilities outlined in section 6 of this report, contributions would be made in line with the Council's Planning Obligations Supplementary Planning Guidance (2009) as follows:

Education:	£742,373
Sustainable Transport:	£51,884
Health:	£66,639
Indoor sports:	£37,550
Community Cohesion:	£1,786
Waste Management:	£4,412
Total:	£904,644

It is proposed that no contribution is made towards Green Infrastructure etc (£169,784) or Marston Vale Forest (£76,509) because of the significant contribution that would be made in the form of off-site community facilities. The Council and the applicant are discussing this issue and conclusions will be reflected in the late sheet.

Affordable housing

35% (34 units) of the units at the site would be affordable and this would include two bungalows. There would be a good mix of housing types and sizes and 50%

would be for affordable rent and 50% would be shared ownership.

The contributions and level of affordable housing would be acceptable and would meet the objectives of the Planning Obligations SPD and affordable housing policy.

8. Conclusions

This proposal would conflict with the site allocation in so far that 98 dwellings are proposed rather than 70.

This does not necessarily mean that 98 cannot be acceptable in principle, particularly in the absence of any valid objections to the layout, design and density of the proposal.

The design and layout at the site would be good and the density would be appropriately low for a sensitive location like this one.

No harm would be caused to living conditions at neighbouring properties and the standard of living accommodation for future occupiers would be good.

Traffic calming measures on Station Road would address a perceived local problem and parking would be provided in excess of the Council's standards as they were at the time that the application was submitted.

The development would allow for significant investment in trying to address existing flooding problems for residents on Bedford Road. Drainage and sustainability would be controlled by condition.

The appropriateness of proposed community facilities are locally contentious and many people would, it appears, be unhappy with those that would be delivered through this application. They would, however, be numerous and varied, would meet the needs of a range of age groups and for the most part, would meet some of the objectives of the Stondon Village Plan, which provides a helpful and comprehensive insight in local aspirations. Further, the development and the community facilities have the support of the Parish Council.

s106 contributions and affordable housing would largely be provided in line with policy. Where there are shortfalls in financial obligations, these would be mitigated by the value of the community facilities and the acceptability of the development in all other regards.

Recommendation:

That Planning Permission is granted subject to the satisfactory completion of a s106 agreement reflecting the terms set out in this report and the following conditions:

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

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

- 2 **No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied at the site before the measures set out in the foul water strategy have been carried out as approved.**

Reason: To prevent environmental and amenity problems arising from flooding.

- 3 **The development shall not be occupied until a residential travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:**

- Predicted travel to and from the site and targets to reduce car use.**
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks.**
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport.**
- Timetable for implementation of measures designed to promote travel choice.**
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority.**
- Details of provision of cycle parking in accordance with County Council guidelines.**
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include walking, cycling, public transport and rights of way information.**
- Details of the appointment of a travel plan co-ordinator.**

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.

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.

- 4 **Notwithstanding the submitted details, no development shall commence at the site before details of the proposed LAP and LEAP including the proposed equipment, layout and materials to be used together with a timetable for implementation, and details of future management has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the approved timetable.**

Reason: To ensure that adequate provision is made for play at the site.

- 5 **No development shall commence at the site before 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 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.

- 6 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.

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.

- 7 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.

- 8 **No development shall commence at the site before detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been submitted to and approved in writing 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.

- 9 **No development shall commence at the site before a scheme for the implementation of a traffic regulation order to manage and restrict the parking of vehicles on the new estate roads has been 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 that parked vehicles do not adversely affect the safety and convenience of road users.

- 10 No dwelling shall be occupied until all triangular vision splays are provided on each side of the all access on to the new road and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described 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 existing highway and the proposed accesses,

- 11 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.

- 12 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 13 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.

- 14 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.

- 15 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be

constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 16 **No development shall commence at the site before a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 17 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 18 Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The details shall be carried out as approved.

Reason: In the interest of amenity.

- 19 **No development shall commence at the site before a timetable for the implementation and maintenance of the landscaping shown on drawings c-876-01, 02 and 03 and the boundary treatment shown on drawings LST0-02-200 rev and LSTO/02/800 has been submitted to and approved in writing by the Local Planning Authority. The landscaping and boundary treatment shall be carried out in accordance with the approved timetable and maintained as approved.**

Reason: To ensure a satisfactory appearance at the site.

- 20 **No development shall commence at the site before 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.

- 21 **No development shall commence at the site before details of measures to protect existing neighbours adjacent to the access road on Station**

Road from excessive noise and disturbance have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: To protect living conditions at neighbouring properties.

22 No development shall commence at the site before a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment (dated August 2012, reference J-B0421-R01, compiled by Opus International Consultants (UK) Ltd) in addition to the letter dated 11 September 2012, reference L003-J-B0421, from Opus International Consultants (UK) Ltd to the Local Planning Authority. The scheme shall also include:

- Full calculations detailing the existing surface water runoff rates for the Q_{BAR}, Q₃₀ and Q₁₀₀ storm events;
- Full storm event simulation results with appropriate inputs and parameters demonstrating the surface water runoff rates for the Q_{BAR}, Q₃₀, Q₁₀₀ and Q_{100 PLUS CLIMATE CHANGE} storm events, of the critical storm season and duration;
- Full results of proposed drainage system modelling in the above-referenced storm events, inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of the system performance;
- Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions, and pipe reference numbers;
- Full details of the proposed attenuation and flow control measures, including dimensions, design and water levels, gradients and – where a vortex flow control is used – the manufacturer's design flow curve;
- Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites;
- Full details of the maintenance and/or adoption of the system inclusive of all collection, conveyance, storage, flow control and disposal elements.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the drainage system.

24 All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated

that noise shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a tonal quality) when measured according to BS 4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To protect the residential amenity from the impact of noise from the use plant, machinery and equipment.

- 25 **No development shall commence at the site before a Scheme of Archaeological Resource Management has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: To record and advance understanding of the archaeological resource which will be unavoidably impacted upon as a consequence of the development.

- 26 **No development shall commence at the site before a detailed drawings showing traffic calming measures on Station Road to reflect those shown on drawing DO J-B0421 102 R0 have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved prior to the occupation of the 20th market unit at the site.**

Reason: In the interest of highway safety.

- 27 Car parking shall be provided in accordance with drawing LSTO-02-150 prior to the occupation of the relevant residential unit and shall be provided in full prior to the occupation of the last residential unit at the site.

Reason: To ensure that adequate car parking is provided at the site.

- 28 The materials used in the external appearance of the buildings shall be as shown on drawing LSTO-02-180 rev A.

Reason: To ensure a satisfactory appearance at the site.

- 29 The cycle parking shown on the approved drawings shall be completed prior to the occupation of the relevant dwelling at the site and in full prior to the occupation of the last dwelling at the site.

Reason: In the interest of sustainable development.

- 30 The boundary treatment shown on the approved plans shall be completed prior to the occupation of a relevant dwelling and in full prior to the occupation of the last dwelling at the site.

Reason: To ensure adequate privacy for future occupiers.

- 31 Finished floor levels at the shall site shall be strictly in accordance with those shown on drawing LSTO-5-FFL.

Reason: To protect living conditions of at neighbouring and proposed

properties.

- 32 The boundary treatment at the site shall be carried out strictly in accordance with that shown on drawings LSTO-02-200 rev A and LSTO/02/800.

Reason: To protect the appearance of the site and living conditions for future occupiers.

- 33 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

Design and Access Statement dated August 2012
Planning Layout Dwg No. LSTO-02-100 rev B
Fence Key Plan Dwg No. LSTO-02-200 rev A
Location Plan Dwg No. LSTO-02-105
Street Scenes Dwg No. LSTO-02-300
Perspectives Dwg No. STON-02-310
Watercolours Plots 68-71
Watercolours Plots 85-89 & 92
Watercolours Plots 92-97
Block Plan (Sheet 1 of 3) Dwg No. LSTO-02-215/1 Rev A
Block Plan (Sheet 2 of 3) Dwg No. LSTO-02-215/2 Rev A
Block Plan (Sheet 3 of 3) Dwg No. LSTO-02-215/3 Rev A
Materials Layout Dwg No. LSTO-02-180 Rev A
Storey Heights Dwg No. LSTO-02-160 Rev A
Parking Analysis Dwg No. LSTO-02-150 Rev A
Garden Sizes & Back-to-Back Distances Dwg No. LSTO-02-400 Rev A
Boundary Treatments Dwg No. LSTO-02-800
Planning Statement
Planning Obligations
Statement of Community Involvement dated August 2012
Affordable Housing Statement dated September 2012
Type A Elevations Dwg No. LSTO/200/P202/01
Type A Floor Plans Dwg No. LSTO/200/P202/02
Type B Elevations Dwg No. LSTO/200/P302/01
Type B Floor Plans Dwg No. LSTO/200/P302/02
Type C Elevations Dwg No. LSTO/200/P303/01
Type C Floor Plans Dwg No. LSTO/200/P303/02
Type D Elevations Dwg No. LSTO/200/P401/01
Type D Floor Plans Dwg No. LSTO/200/P401/02
Type E Elevations V1 Dwg No. LSTO/200/P404/01
Type E Elevations V2 Dwg No. LSTO/200/P404/02
Type E Elevations V3 Dwg No. LSTO/200/P404/03
Type E Elevations V4 Dwg No. LSTO/200/P404/04
Type E Floor Plans Dwg No. LSTO/200/P404/05
Type F Elevations Dwg No. LSTO/200/A444/01
Type F Floor Plans Dwg No. LSTO/200/A444/02
Type G Elevations in Brick Dwg No. LSTO/200/C534/01
Type G Elevations in Brick & Render Dwg No. LSTO/200/C534/02
Type G Elevations in Render Dwg No. LSTO/200/C534/03
Type G Floor Plans Dwg No. LSTO/200/C534/04

Type H Elevations Dwg No. LSTO/200/C525/01
Type H Floor Plans Dwg No. LSTO/200/C525/02
Type J Elevations Dwg No. LSTO/200/P502/01
Type J Floor Plans Dwg No. LSTO/200/P502/02
Type S1 Elevations – Plots 11-14 Dwg No. LSTO/200/S1APTS/01
Type S1 Floor Plans – Plots 11-14 Dwg No. LSTO/200/S1APTS/02
Type S1.VT Elevations – Plots 24-29 Dwg No. LSTO/200/S1.VTAPTS/01
Type S1.VT Floor Plans – Plots 24-29 Dwg No. LSTO/200/S1.VTAPTS/02
Type S2 Elevations Dwg No. LSTO/02/S241/01
Type S2 Floor Plans Dwg No. LSTO/02/S241/02
Type S3 Elevations Dwg No. LSTO/02/S351/01
Type S3 Floor Plans Dwg No. LSTO/02/S351/02
Type S4 Elevations & Floor Plans Dwg No. LSTO/200/SB1B/01
Global Works Plan Dwg No. STON-03-102
Garages with Cycle Storage Dwg No. LSTO-02-400
Timber Sheds with Cycle Storage Dwg No. LSTO-02-900
Short Stay Cycle Stand Dwg No. LSTO-02-901
Proposed Finished Floor Levels Dwg No. LSTO-5-FFL
Cross Sections Dwg No. LSTO-02-600
Proposed Adoptable Roads Dwg No LSTO-5-S38
Refuse Vehicle Tracking Dwg No. LSTO-5-650
Ambulance Tracking for Private Drives Dwg No. LSTO-5-651
Adoptable Lighting Layout Dwg No. LSTO-5-800
Detailed Planting Proposals (Sheet 1 of 3) Dwg No. c-876-01 rev A
Detailed Planting Proposals (Sheet 2 of 3) Dwg No. c-876-02 rev A
Detailed Planting Proposals (Sheet 3 of 3) Dwg No. c-876-03 rev A
Play Area & POS Design Dwg No. STON-03-103
Topographical Survey Dwg No. S3180/0
Geo-Environmental Investigation Report produced by Opus dated July 2012
(Ref: CHR/J-B0421.00(R01))
Heritage Assessment produced by CGMS Consulting dated 18 June 2012
Construction Waste and Materials Recycling Statement
Energy Efficiency and Sustainability Statement
Ecological Appraisal produced by FPCR dated July 2012
Risk and Run Off Assessment produced by Opus International Consultants
(UK) Ltd dated August 2012, ref: J-B0421-R01
FRA Addendum produced by Opus International Consultants (UK) Ltd dated
11 September 2012
Drainage Statement produced by Opus International Consultants (UK) Ltd
dated 17 September 2012
Environmental Noise Assessment produced by noise.co.uk dated 3 July
2012
Ref: 11665-1
Transport Assessment produced by Opus International Consultants (UK) Ltd
dated July 2012, ref: J-B0421.00.R1.0
Traffic Calming General Arrangement Dwg No. DO J-B0421/102
Travel Plan produced by International Consultants (UK) Ltd dated July 2012,
Ref: J-B0421.00.R2.0
Air Quality Assessment produced by RSK dated July 2012, ref: HH/441127

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reason for approval:

The development would, subject to conditions and planning obligations, cause no harm to the appearance of the site or the character of the area, would cause no harm to living conditions at neighbouring properties, would result in acceptable standards of living accommodation for future occupiers and would cause no harm to the safe and free flow of traffic. The development would meet the specific site requirements of Policy HA28 of the Central Bedfordshire (North): Site Allocations DPD (2011) and would be in accordance with the National Planning Policy Framework (2012), the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design in Central Bedfordshire 9a guide for development) (2010).

Notes to Applicant

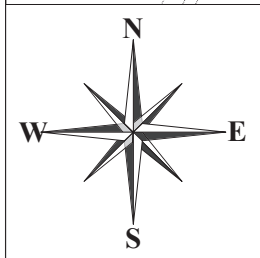
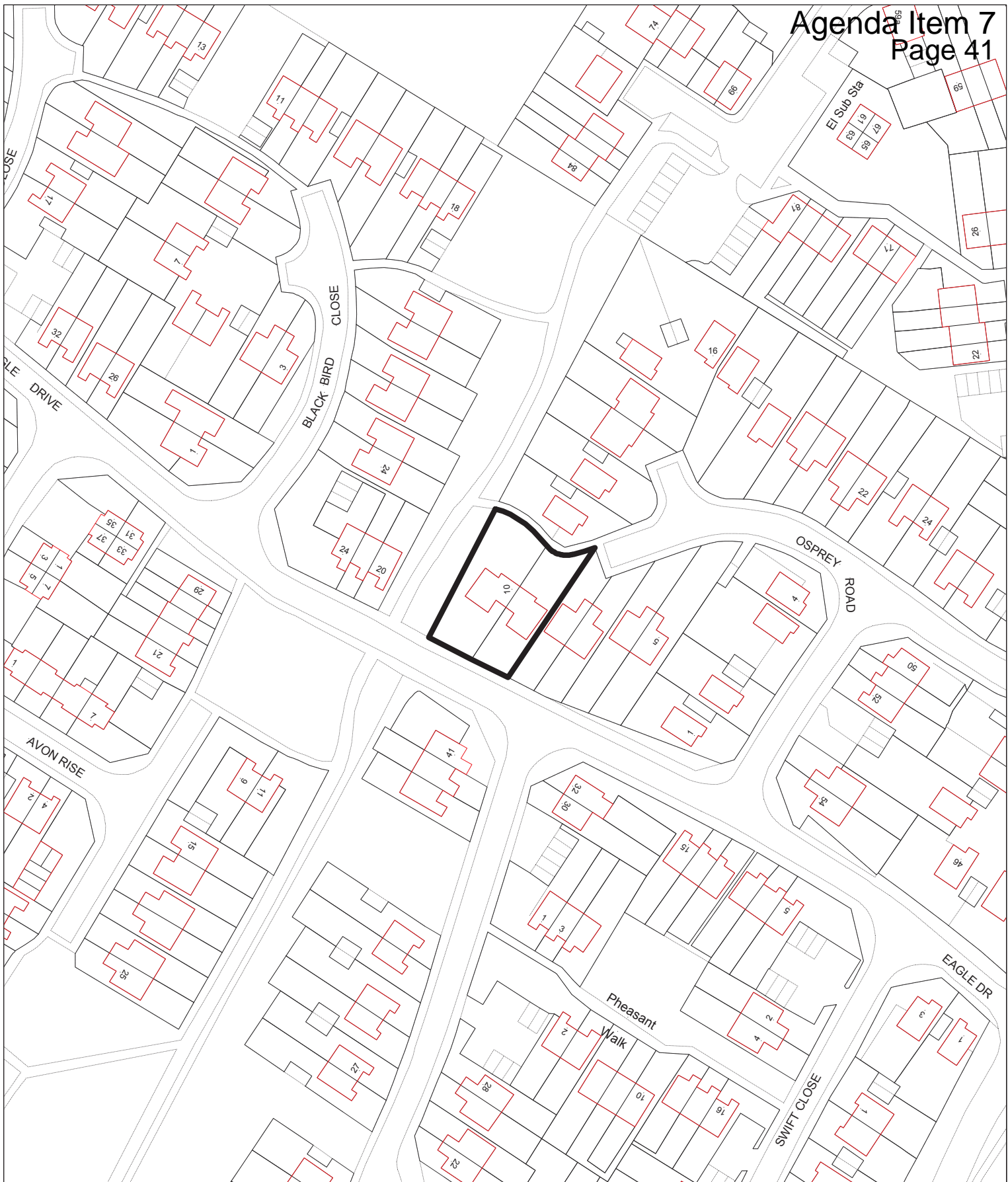
1. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this in to account and accommodate those assets within either prospectively adoptable highways or public open spaces. If this is not practicable then 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 the development can commence.
2. The development site is within 15 metres of a sewage pumping station. Whilst Anglian Water takes all reasonably practicable steps to prevent any nuisance arising from the site, there should be no development within 15 metres from the boundary of a sewage pumping station of this type if the development is potentially sensitive to noise or other disturbance or which might give rise to complaint from the occupiers regarding the location of the pumping station.
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 Conditions attached to 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 Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN,
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 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 19:December:2012

Grid Ref: 502911, 234658

Application No.
CB/12/04400/FULL

Scale: 1:1250

9 & 10 Osprey Road, Flitwick, MK45 1RU

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Item No. 7

APPLICATION NUMBER	CB/12/04400/FULL
LOCATION	9 and 10 Osprey Road, Flitwick, Bedford, MK45 1RU
PROPOSAL	Single storey rear extension to 9 and 10 Osprey Road.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Heidi Antrobus
DATE REGISTERED	17 December 2012
EXPIRY DATE	11 February 2013
APPLICANT	Mr P Thornhill and Mr M Fensome
AGENT	Mr N Clifton
REASON FOR COMMITTEE TO DETERMINE	One of the applicants is an employee of the Council
RECOMMENDED DECISION	Full Application - Granted

Site Location

No 9 Osprey Road is a left sided two storey link detached property with a single integral garage. It has a rear garden of between 9 to 13 metres long. The property has off street car parking for up to 4 cars.

No 10 Osprey Road is a right sided two storey linked detached property with a single integral garage which links it to No. 9 Osprey Road. The property has a rear garden of between 13 and 11 metres long and the rear garden contains a mature Lime tree that is covered by a Tree Preservation Order which is located in the south west corner. The property has off street car parking for up to 5 cars.

The rear of the two properties are linked by their integral single garages and behind the garages there is a small utility room to No.10 Osprey Road and behind No.9 Osprey Road there is a gap. This area of land can be accessed and visible from each of the rear gardens of the two properties.

The properties are located within the established residential area within the settlement envelope of Flitwick

The Application

Single storey rear extension to 9 and 10 Osprey Road to form an extended kitchen to each property with a mono pitch roof.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (NPPF) (March 2012)

- | | |
|---|--|
| 6 | Delivering a wide choice of high quality homes |
| 7 | Requiring good design |

Core Strategy and Development Management Policies, November 2009

- | | |
|------------|--|
| Policy CS1 | Development Strategy |
| Policy DM3 | High Quality Development |
| Policy DM4 | Development Within and Beyond Settlement Envelopes |

Supplementary Planning Guidance

- Design in Central Bedfordshire. A Guide for Development (2010)
D.S.4 Residential Alterations and Extensions

Planning History

- | | |
|------------------|--|
| CB/12/02828/PAPP | Pre Application Advice – Proposed single storey rear extension and modification of flat roof into a pitched roof |
| MB/03/02106/FULL | Full Planning Permission Granted - Erection of two storey side extension |

Representations: (Parish & Neighbours)

- | | |
|-------------------------|----------------------------|
| Flitwick Parish Council | To be updated at Committee |
| Adjacent Occupiers | To be updated at Committee |

Site Notice / Advert

- Site Notice Posted
Advertised

Consultations/Publicity responses

- | | |
|-------|---|
| Trees | No Objection. Require the attachment of a planning condition. |
|-------|---|

Determining Issues

The main considerations of the application are;

1. Pre Application Discussion
2. Principle of development
3. Character and appearance of the area
4. Design
5. Impact upon the neighbouring residential amenity

6. Trees

Considerations

1. *Pre Application Discussion*

The agent / applicant undertook pre application discussions with the Development Management Department of the Council in relation to the proposals set out in this planning application Ref CB/12/02828/PAPP. This is confirmed in Section 6 of the submitted Planning Application Forms.

2. *Principle of development*

The two link detached properties are existing residential properties that are located within an established residential area within the settlement envelope of Flitwick. Flitwick is defined as a Major Service Centre and a large town under Policy CS1. The principle of appropriate residential development within the settlement of Flitwick is acceptable under Policies CS1, DM3 and DM4 within the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009) and providing the proposals meet the requirements the NPPF, the Central Bedfordshire Council's Supplementary Guidance – Design Supplement 4: Residential Alterations and Extensions and Design (2010).

3. *Character and Appearance of the Area*

The proposals are considered to be of a small scale and they will be located on the rear side of the property and will therefore not be visible from the street scene of Osprey Road. It is considered that the proposal is in keeping with the character of the existing two properties and the surrounding area.

4. *Design*

The proposal is for the erection of a single storey rear extension with a mono pitch roof to form 2 extended kitchens to No.9 and No.10 Osprey Road. The rear extension will be located at the rear of the existing garages and the build line will be in line with the rear of the existing properties.

The rear extension to each individual property would measure 3.31m x 2.4 metres. The total rear extension covering both properties would measure a total of 4.8m x 3.31 metres. The proposed rear elevation to No.9 would contain a set of French doors and the proposed rear elevation to No.10 would contain a window. The materials proposed would match the existing property.

It is considered that the proposals would be of a small scale and that they would be in keeping with the design of the existing property and the surrounding area. Therefore the proposals would meet the design requirements of Policies DM3 and DM4 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009) and the Central Bedfordshire Council's Supplementary Guidance – Design Supplement 4: Residential Alterations and Extensions (2010).

5. Residential Amenity of Neighbouring Properties

No Objections have been received to date.

The proposed extension would by virtue of its height, size, siting and relationship would have no direct impact on the residential amenities of the occupiers of existing adjacent properties in terms of overlooking, loss of privacy or overbearing appearance.

6. Trees

The site does contain a mature Lime tree covered by Preservation Order that is located in the south west corner of number 10 Osprey Road. The Tree Officer was consulted on this planning application and has no objection to the proposal but requires the addition of a planning condition. The Tree Officer observed that the Lime tree is far enough away to be unaffected by the proposed extension directly but in order to avoid damage by plant or materials on site the tree should be fenced off during the construction process at a distance of five metres from the trunk using Heras type fencing or similar as detailed in BS 5837 Trees in relation to design, demolition and construction.

Recommendation

That Planning Permission be granted subject to the following:

Reasons for Granting

The proposed single storey rear extension is considered to be in keeping with the existing properties of No 9 and No 10 Osprey Road and the surrounding area. The proposal would not result in any significant harm to the appearance of the area and would not harm the residential amenity of any neighbouring residential properties. The proposal therefore complies with the National Planning Policy Framework (2012), Policies DM3 and DM4 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009). It also complies with the requirements of the Central Bedfordshire Council's Supplementary Guidance - Design Supplement 4: Residential Alterations and Extensions (2010).

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 Mature Lime tree in the south west corner of 10 Osprey Road to be protected throughout construction by the use of Heras type fencing or similar at a distance at 12 x diameter at breast height, as detailed in BS 5837 2012 Section 4.6.

Reason : To ensure the ongoing health and longevity of this mature and protected tree.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 0029-PL-001, 0029-PL-002, 0029-PL-003, 0029-PL-004, 0029-PL-005, 0029-PL-006, 0029-PL-007.

Reason: For the avoidance of doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

DECISION

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