

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 24 April 2019

### PRESENT

Cllr K C Matthews (Chairman)  
Cllr R D Berry (Vice-Chairman)

Cllrs M C Blair  
K M Collins  
I Dalgarno  
E Ghent  
C C Gomm

Cllrs K Janes  
T Nicols  
T Swain  
J N Young  
S Clark

Apologies for Absence: Cllrs F Firth

Substitutes: Cllrs D Bowater (In place of F Firth)

Members in Attendance: None

Officers in Attendance:	Mr D Ager	Principal Highways Officer
	Ms P Bramwell	Planning and Highways Solicitor, LGSS Law
	Mr J Ellis	Planning Manager South
	Mr S Kemp	Planning Officer
	C Macrdechian	Senior Planning Officer
	Mr L Manning	Committee Services Officer
	Mr R Page	Principal Highways Officer
	Ms S Sherwood	Committee Services Officer
	Mr B Tracy	Planning Officer

### DM/18/169. **Chairman's Announcements and Communications**

The Chairman informed the meeting the order of business for the planning applications would be as follows:

Item 5, 6, 8 and 7.

DM/18/170. **Minutes**

**NOTED**

**that the minutes of the meeting of the Development Management Committee held on 6 March 2019 and 3 April 2019 were not yet available to be signed as a correct record.**

DM/18/171. **Members' Interests**

(a) **Personal Interests:-  
Member**

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr K Collins	5	Had met with Mr McBride and a colleague but not in connection with the application.	Present
Cllr N Young	5	Had met Mr McBride but not in connection with the application.	Present

(b) **Personal and Prejudicial Interests:-  
Member**

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr E Ghent	7	Had been involved with the item under his role as Executive Member of Assets and housing. He would leave the chamber during discussion and voting on this item.	Absent
Cllr K Collins	6	Had met with the registered speakers and land owners about the application and lives near the application site. He would speak	Absent

as a Ward Member, leave the Chamber and take no further part in discussion or voting.

Cllr K Janes	7	As owner of other Care Homes he would leave the Chamber and take no part in discussion or voting on this item.	Absent
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(c) **Prior Local Council Consideration of Applications**

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr C Gomm	7	Attended a Flitwick Town Council meeting here the item was discussed but he did not participate in the discussion. He will speak as a Ward Member, leave the chamber and take no further part in discussion or voting.	None

DM/18/172. **Planning Application No. CB/18/04553/FULL (Heath & Reach)**

The Committee had before it a report regarding Planning Application No. CB/18/04553/FULL for demolition of existing buildings/structures and retention of the pallet operation and ancillary buildings on site (retrospective) and expansion of the operations facilities at North Star Cottage, Watling Street, Hockliffe, Leighton Buzzard, LU7 9PY.

In advance of consideration of the application the Committee's attention was drawn to additional comments as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation from the applicant in support from Mr K McBride.

Committee Members discussed the following points:

- Members noted that the Planning officer recommendation of refusal is based on the detrimental impact on the open countryside and openness

of the Green Belt caused by the excessive scale and intensive nature of operations proposed. The proposal was considered inappropriate to the Green Belt by the planning officer and that the very special circumstances do not outweigh the harm to the Green Belt.

- The public speaker clarified that at his previous site the operation had permission for 8mtr high pallet stacking and the current site proposal now only has 4.5mtrs. In conclusion he needed double the site to store the same number of pallets. He reported that 50% percent of Parcel B (not previously developed land, currently an agricultural field) will be re-landscaped to reduce the impact on the green belt.
- The Ward Member made a verbal representation and noted that the pallet yard is a vast improvement to the previous occupation as a salvage yard and that both neighbouring Parish Councils are comfortable with the application.
- A Member stated that on balance he felt that this was a reasonable application when considering the previous use of the site and the pallet height should be allowed at 8mtr height if the application is refused expansion. It was noted that Local employment and viability of the business will be affected if the application is refused.
- Members expressed that there have been other applications approved in the Green Belt and on balance this is a good application with good access meaning no traffic going through the villages to get to the business and next to a motorway link road, both of which are appropriate for this type of business.
- It was stated that the Tree officer recommended not to approve perennials and deciduous trees would be preferred. The Planning Officer confirmed that Leylandii coverage was put forward by the applicant as an alternative species of which the tree officer is happy with. The Tree Officer understands that there is concerns about no leaf coverage during winter and how this would impact the openness of the green belt. A Member suggested a Yew Tree maybe more suited to the site, but it was noted that the application has to be judged on what has been agreed.
- The Planning Officer stated that the key issue across both parcels of land (A and B) was the height of the palettes at 4.5mtrs. It was considered inappropriate as in NPPF and would need robust reasons to outweigh the harm. It was reported that the applicant was informed of this within the pre-application advice. In response to this a Member stated he felt that the applicant was given considerable pre-app advice of the conditions that would be imposed and that the proposed industrial use was not in keeping with policy for the Green Belt. In conclusion he stated he would not be supporting the application for approval.
- The application was moved to refuse but had no seconder.

- Members asked to for clarification on the employment opportunities created on the site, it was noted that there would be 69 jobs.
- A Member shared concerns around the impact on the Green Belt but felt that the application boils down to VSC's (Very Special Circumstances). It was noted that there hasn't been suitable mitigation of the site at present with large HGVS backed up the fence on the site visit and that it did stick out within the green Belt. The Member stated that if there was mature planting to screen the site Members may have been more comfortable.
- It was noted that the applicant puts forward that traffic would be reduced through surrounding villages and if Members were minded to approve, to seek conditions to prevent lorry movements through any area with a lorry ban, including Leighton Linlade and Dunstable and a traffic management plan conditioned. The Planning Officer responded that a condition would rely on weight restrictions making it more difficult to impose conditions but could put together a traffic management plan.
- Members noted that VSC's are sometimes subjective and took into consideration that the application does secure the long-term future of the business in turn supporting the local economy, it does make better use of the site but the pallet yard is more visible. It was noted that the VSC's be subject to Secretary of State approval that the benefit outweighs the harm.
- The application was moved to approve, against the Planning Officers recommendation to refuse, on basis of VSC do exist and outweigh the harm to the Green Belt.
- A Member stated that he doesn't want to lose a rural business if the reason to refuse would be the expansion into a Parcel B and asked if it would it be possible to have an application for Parcel A only. The Planning Officer responded that she has met with applicant and is willing to work with him to address Parcel A issues (visual intrusion, landscaping to mitigate development into the paddock area) and resubmission could be made for that area of the site. A Member stated they would like to see an application for Parcel A only and supported refusal.
- A Member asked if the business could still continue if the application was refused. The Planning Officer responded that it could, she stated she was keen to retain jobs and the business and willing to work with the applicant to address the issues to avoid progressing to enforcement stage.
- A Member suggested that conditions around landscaping and a transport plan should be discussed and approved by members for both parcels A & B should the application be approved.

- Members agreed to move APPROVAL, against officer recommendation, subject to robust traffic plan and landscaping with suitable species that would not be deciduous. Conditions to be approved by Cllr Young, the Chairman and the Ward Member.

On being put to the vote for APPROVAL, 8 voted in favour, 4 against and 1 abstention.

## **RESOLVED**

**That the Planning Application No. CB/18/04553/FULL at North Star Cottage, Watling Street, Hockliffe, Leighton Buzzard, LU7 9PY, be approved as set out in the schedule attached to these minutes.**

**AT THE CONCLUSION TO THE ABOVE ITEM THE COMMITTEE ADJOURNED AT 10.55A.M. AND RECONVENED AT 11.10A.M.**

### **DM/18/173. Planning Application No. CB/17/05679/OUT (Caddington)**

The Committee had before it a report regarding Planning Application No. CB/17/05679/OUT for an outline application for residential development and associated infrastructure at Land adjoining Dunstable Road and to the rear of My Folly and the Scout Hut, Dunstable Road, Caddington, LU1 4AL.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Parish Councillor A Palmer and a representation from the applicant in support from C Dadds.

Committee Members discussed the following points:

- It was noted that Cllr K Collins would speak as the Ward Member and then leave the chamber during the discussion and vote.
- The Parish Council representative raised concerns regarding flooding in the area, and also stated that the Parish Council does not want the future financial burden of another play area as proposed in the application as they are struggling to maintain what they already have. The Councillor was also concerned about the access to the site being on a blind turn.
- It was noted by the speaker for the applicant that the applicant has cleared site of Japanese's knot weed and has engaged in significant discussions with drainage officers. It was stated that traffic calming has been discussed and has been accepted by Highways and a suitable scheme will come forward. It was noted that the play area was a council

policy compliancy issue, but the applicant would be happy to commute a sum to something else if required.

- A Member asked for clarification on whether the flowers outside scout hut would be reinstated after the building works. The speaker for the applicant replied the flowers were currently situated on Highways land but would happily work with the Parish Council or someone from the Scouts to come up with a scheme to replace them along with footpath improvements for a safer access to the Scout Hut.
- A Member asked how much consultation the applicant has had with local area. The speaker for the applicant replied that there had been various conversations with the Parish Council and a formal public consultation, along with on-going dialogue with Scouts.
- A Member asked in event of commuted sum for play area, would the ground be retained as Public Open Space. The speaker for the applicant responded that they would be retaining the boundary trees and landscaping with buffer to the North and West boundary with additional landscaping and ecology. If there was no play area then he assumed that it would revert to agriculture as it is at the moment with drainage running across it. It was noted that this option had not been discussed.
- The Ward Member stated that he would be speaking on behalf of both Ward Members. He reported that most of the concerns raised by Ward Members in 2017 have been addressed by the application but the Parish Council still have concerns. Residents and neighbours have been in contact with Ward Members and raised concerns about risk of flooding, with worries about the volume of water flowing into the culvert as that floods into their houses. Water management was a major concern throughout the application as water from the pond has regularly flooded. The Planning Officer acknowledged that there was a flooding issue in the area and Condition 15 required a detailed drainage scheme be submitted at detailed planning stage, he noted that so far the SUDS team have accepted what has been proposed as it would be an improvement to what is existing.
- The Ward Member also had concerns with the lack of traffic calming at this area. It was stated that vehicles could easily get to 60mph down this point of Dunstable Road. It was noted that the Ward Member had not seen the proposed traffic calming that had been discussed, however he was happy that it would be appropriate if it had been agreed with Highways. The Planning Officer acknowledged that Dunstable road does have speeding issues and recognised that the section needs to be managed via traffic calming measures. It was agreed that would start from Holly Farm Close and end within the centre of the village. Three features have been proposed, including a Zebra crossing near the application site and for it to comply with regulations, there would be speed cushions or speed tables. Highways are satisfied that this can be

done through an S106 obligation and be triggered at pre-occupation stage to not impede construction.

- The Ward Member supported the Parish Council's view that another play area is not required and it was preferable to enhance what is existing. The Planning Officer noted the Parish Council's comments and stated that the Leisure Officer would need to look at any proposals, he also noted that if the play area was to go ahead it would not have to be transferred to the Parish Council. This would be looked into at Reserve Matters stage where there could be an S106 obligation to have the area as a designated Public Open Space.
- The Ward Member stated that it was important that Scout Hut is retained, and he is pleased to see that there are proposals to upgrade the well-used footpath. The Planning Officer noted that Condition 11 states that noise mitigation must be in place to protect residents from noise that maybe produced by outdoor activities at the Scout Hut, this would be submitted at the detailed planning stage.
- A Member raised concerns that the site had no relationship to village and had concerns about the layout that she suggested be looked into at Reserve Matters stage.
- Members agreed to move as set out with the additions S106 obligations for traffic calming and to retain the play area as Public Open Space.

On being put to the vote for APPROVAL, 11 voted in favour, 0 against and 1 abstention.

## **RESOLVED**

**That the Planning Application No. CB/17/05679/OUT at Land adjoining Dunstable Road and to the rear of My Folly and the Scout Hut, Dunstable Road, Caddington, LU1 4AL be approved as set out in the schedule attached to these minutes.**

**CLLR K COLLINS RETURNED TO THE CHAMBER AT THE CONCLUSION OF THE ABOVE ITEM AT 11.55A.M.**

### **DM/18/174. Planning Application CB/1900045/FULL (Northill)**

The Committee had before it a report regarding Planning Application No. CB/19/00045/FULL for an application for the erection of 8 Bungalows with access, parking, landscaping and all ancillary works at 140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ.

In advance of consideration of the application the Committee's attention was drawn to additional comments and additional/amended conditions as set out in the Late Sheet as well as representations from public speakers.

The public speaker included a representation in objection from Parish Councillor R Smith.

Committee Members discussed the following points:

- The Planning Officer noted that a new plan was awaited as the existing site plan doesn't accord with design guide.
- The Parish Councillor expressed concern that no plans were made available to the public and that the site falls out of the current settlement envelope. It was noted that the site was not submitted in the call for sites and Central Bedfordshire Council has five year land supply. He stated that it was back land development in contravention to the local plan. He raised concerns about current sewer capacity and speeding traffic in the area. Should the Committee approve the application it was asked that a condition be included to address speed management and a construction plan to ensure site traffic come in via A1 not the village.
- A Member asked at what stage the neighbourhood plan was at. The Parish Councillor stated that it had been formally submitted for examination.
- The Chairman read a statement on behalf of an absent Ward Member. He recommended that limited weight should be given to the submitted local plan and considerable weight should be given to the plan with regards to non compliance with policies NP1 and NP5. He stated that non compliance to policy DM4 is also valid. Concerns have also been raised about the sewerage capacity and the increase in traffic along Biggleswade Road, which has suffered with issues of speeding.
- The Planning Officer responded that only moderate weight can be given to DM4. He stressed the benefits of the application being its proximity to village, the village has a school and a shop, and as such is seen as a sustainable settlement. It was noted that the Neighbourhood Plan had not yet had examination, so will be given limited or no weight. With regards to the sewerage concerns, the officer has had no response from Anglian water but there is a condition of foul water details, will have sewerage system on site.
- The Planning Officer responded to a query relating to the height of the dwellings, it was stated that the dwellings are dormer bungalows which have an upper storey and confirmed that the application was for 8 dwellings not 9.
- The Highways Officer responded to concerns, it was noted that there had been no speed survey submitted and the development will fall below transport statement requirements. It was noted that the access has a visibility splay condition.

- A Member referenced the Neighbourhood Plan and added that the plan had passed the Regulation 16 consultation and is far advanced and Members should not disregard the neighbourhood plan policies of a plan which is so far advanced.
- A Member questioned the number of houses on the site and stated that 8 houses was too many. The proposed dwellings had minimal sized rooms and garages that are too small to be used. It was recommended for refusal, with the emphasis on the policies relevant to the Neighbourhood Plan and overdevelopment of the site as it stands.
- Members discussed the Neighbourhood Plan and noted that there was no restriction in NPPF for back land development and it would be unlikely the neighbourhood plan gets passed by the Secretary of State on the grounds to disallow back land development. It was agreed that the garage sizes are too small but should not count as garage areas for storage of vehicles or parking spaces as they are non-compliant with the design guide.
- The application was moved for Refusal on the grounds of being contrary to the design guide, over development of the site, contrary to policies HQ1 and CS14, CS13, H2 and NP1 and NP5 from emerging Neighbourhood Plan.
- The Planning Officer responded that the site density was low at 18 dwellings per hectare and the internal spaces far exceeded the design guidance base standards with the rear garden areas being twice the recommended size. The Legal Representative asked if there was a usual standard of density, the Planning Officer replied there was no prescribed density in NPPF but previous approval had been given to an adjoining site at a comparable density.
- Members agreed that limited weight should be applied to the local plan and emerging Neighbourhood Plan according to the NPPF, whilst accepting limited weight they should not be ignored.

On being put to the vote for REFUSAL, 8 voted for, 4 voted against and 1 abstention.

On asking for his vote to be recorded, Cllr Nicols voted against refusal.

## **RESOLVED**

**That the Planning Application No. CB/19/00045/FULL at 140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ, be refused.**

**CLLR K COLLINS & CLLR GHENT LEFT AT THE CONCLUSION OF THE ABOVE APPLICATION AT 12.40P.M.**

The Committee had before it a report regarding Planning Application No. CB/19/00041/REG3 for outline planning permission with all matters reserved for the construction of 37 residential dwellings (Use Class C3), 95 extra care housing apartments (Use Class C3) and registered residential care home consisting of 70 bedrooms (Use Class C2), with associated communal facilities and ancillary uses including community; hair salon; shop; cafe; health and fitness uses at Former Flitwick Leisure Centre, Steppingly Road, Flitwick, MK45 1TH.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses/additional comments; additional/amended conditions; amended description; and Draft S106 heads of terms, as set out in the Late Sheet. There were no representations from public speakers.

Committee Members discussed the following points:

- Cllr Janes left the meeting at 12.50 due to a pecuniary interest in the application.
- Cllr Gomm stated that he would be speaking as a Ward Member and then leaving the meeting and would take no part in discussion or voting. He stated that he and the other Ward Members, along with the Town Council, supported the development. He gave a brief overview of the benefits the area would gain from the S106 agreements and added that the residential travel plan was welcomed as is this development for the town.
- Members discussed the details of the Heads of Terms and S106 and agreed that they were reasonable.
- Due to there already being three Care Homes in the Flitwick area a Member asked if there had been a requirement analysis. It was confirmed by Cllr Young that there had been, and the proposed development was meeting a requirement.
- A Member noted that the Council may construct entire facility which could allow them to guarantee places for council elderly residents. It was stated that the Council already have very successful extra care units and are good at running those. Over all it was felt that this was a really good proposal for Flitwick. It was noted that neighbours feel like a shop would be appropriate, this outline leaves it open for the provision of a shop as part of the development, but there is potential for a new shop coming to the area on an alternative site.
- Members agreed to move as set out with the additions of conditions in the late sheet.

On being put to the vote for APPROVAL, 8 voted in favour, 0 against and 1 abstention.

**RESOLVED**

**That the Planning Application No. CB/19/00041/REG3 at Former Flitwick Leisure Centre, Steppingly Road, Flitwick, MK45 1TH, be approved as set out in the schedule attached to these minutes.**

DM/18/176. **Late Sheet**

In advance of consideration of the planning applications attached to the agenda the Committee received a Late Sheet advising of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an appendix to these minutes.

DM/18/177. **Site Inspection Appointment(s)**

**NOTED**

**Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that, following the cancellation of the May meeting, the next Development Management Committee will be held on 17 June 2019.**

**RESOLVED**

**That all Members and subtile Members, along with relevant Ward Representatives, be invited to conduct the site inspections on 14 June 2019.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.55 p.m.)

Chairman .....

Dated .....

<b>APPLICATION NUMBER</b>	<b>CB/18/04553/FULL</b>
<b>LOCATION</b>	<b>North Star Cottage, Watling Street, Hockliffe, Leighton Buzzard, LU7 9PY</b>
<b>PROPOSAL</b>	<b>Demolition of existing buildings/structures and retention of the pallet operation and ancillary buildings on site (retrospective) and expansion of the operation's facilities.</b>
<b>PARISH</b>	<b>Chalgrave</b>
<b>WARD</b>	<b>Heath &amp; Reach</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Versallion</b>
<b>CASE OFFICER</b>	<b>Caroline Macrdechian</b>
<b>DATE REGISTERED</b>	<b>20 December 2018</b>
<b>EXPIRY DATE</b>	<b>21 March 2019</b>
<b>APPLICANT</b>	<b>Direct Pallets Ltd.</b>
<b>AGENT</b>	<b>Optimis Consulting</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Call-in request received from Cllr Versallion Full Application - Recommended for Refusal</b>

**DRAFT conditions for GRANT OF PLANNING PERMISSION**

- 1) Within two months of the date of this permission the details of any external lighting to be installed on the site, including the design of the lighting, any supporting structure which must not exceed 4.5m in height and the extent of the area of the be illuminated, should be submitted to the Local Planning Authority for approval. The approved lighting scheme shall be installed within 4 months of the date of the approved details. The lighting hereby approved shall not operate between the hours of 9pm and 6am.

Reason: To protect the visual amenity of the area and to minimise lighting pollution.

(Section 12 and 13, NPPF)

- 2) No external lighting shall be provided within Parcel B as identified in the Planning Statement dated 5<sup>th</sup> December 2018 by Optimis Consulting, also referred to as Trailer Park on plan *Proposed Site Plan Landscaping Proposals Revision A*.

Reason: To protect the visual amenity of the area and to minimise lighting pollution (Section 12 and 13, NPPF)

- 3) Within two months of the date of this permission the details of any external CCTV systems to be installed on the site, including the design of any supporting structure, which should not exceed 4.5m in height, should be

submitted to the Local Planning Authority for approval. The approved CCTV system shall be installed within 4 months of the date of the approved details.

Reason: To protect the visual amenity of the area. (Section 12 and 13, NPPF)

- 4) The stacking height of the storage should be limited to no higher than 4.5 metres.

Reason: To ensure a satisfactory standard of development and in the interests of safeguarding the Green Belt. (Section 12 and 13, NPPF)

- 5) The pallets should be stored within the areas that are identified as '*pallet storage areas*' on plan *Proposed Site Plan Landscaping Proposals Revision A*. At no time should pallets or other materials or goods be stored outside of these areas.

Reason: To ensure a satisfactory standard of development and in the interests of safeguarding the Green Belt. (Section 12 and 13, NPPF)

- 6) Within two months of the date of the permission, the part of the site referred to as Parcel A (as identified in the Planning Statement dated 5<sup>th</sup> December 2018 by Optimis Consulting) should be laid out in accordance with the details contained on plan *Proposed Site Plan Landscaping Proposals Revision A*. This should include the turning space for vehicles illustrated on plan *Proposed Site Layout and Access Arrangement*.

Reason: To ensure a satisfactory standard of development and in the interests of safeguarding the Green Belt. (Section 12 and 13)

- 7) Within two months of the date of the permission and prior to occupation of Parcel B (as identified in the Planning Statement dated 5<sup>th</sup> December 2018 by Optimis Consulting), a Landscape Works and Maintenance Specification shall be submitted to the Local Planning Authority for approval, setting out the procedures for implementing and maintaining the landscaping scheme as submitted in the drawing "Proposed Site Plan Landscaping Proposals - Revision A". The approved Landscaping Works and Maintenance Specification shall then be implemented as part of all landscape preparation works, planting operations and aftercare, which shall include an appropriate weed control and watering programme. The maintenance and aftercare period shall be for a minimum period of 5 years, with any losses replaced in accordance with the approved "Proposed Site Plan Landscaping Proposals" drawing.

Reason: To ensure that satisfactory horticultural best practice is undertaken as part of all landscape operations, in order to ensure the health and successful establishment of all landscaping planting.

(Section 15, NPPF)

- 8) Notwithstanding the approved landscaping, full details of a scheme for under planting, which should comprise of evergreen species, shall be submitted to the local planning authority within two months of the date of this permission. The approved scheme shall be implemented by the end of the full planting season immediately following the date of the approval of details (a full planting season means the period from October to March). The planting shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping and to safeguard the visual amenities of the surrounding area.

(Section 13 and 15, NPPF)

- 9) Before Parcel B (as identified in the Planning Statement dated 5th December 2018 by Optimis Consulting) is brought in to use, all on site vehicular areas shall be surfaced in accordance with the approved drawing. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

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

(Section 9, NPPF)

- 10) Within two months of the date of this decision, the proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan *Proposed Site Layout and Access Arrangement* and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To provide adequate and appropriate access arrangements at all times. To ensure the A5 trunk road continues to fulfil its purpose as part of the Strategic Road Network in accordance with the Highway Act 1980, Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development', the National Planning Policy Framework and Planning Practice Guidance. (Section 9, NPPF)

- 11) Within two months of the date of this permission, confirmation in writing should be provided to the local planning authority that the watercourse culvert under the A5 Watling Street is suitable to handle additional surface water runoff from the impermeable area.

Reason: In the interest of ensuring appropriate drainage provision and to prevent flooding.

(Section 14, NPPF)

- 12) Within two months of the date of this decision, full details of the balancing facility to be used as the means of storm water disposal, should be submitted to the local planning authority. Within 4 months, or unless otherwise agreed in writing, the details shall be implemented in accordance with the approved scheme.

Reason: In the interest of ensuring appropriate drainage provision and to prevent flooding.

(Section 14, NPPF)

- 13) The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed Drainage Strategy (of various parts submitted before 10th January 2019) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval. The applicant should address the points raised in informative 2 when submitting details to discharge the condition:

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site.

(Section 14, NPPF)

- 14) Within two months of the date of this permission, a Traffic Management Plan shall be submitted to the local planning authority for approval. The scheme shall include the following:
- a. A plan for directing HGV drivers onto the Strategic Road Network and avoiding areas that have weight restrictions in place;
  - b. A series of measures to ensure existing and future HGV drivers undertaking deliveries to and from the site are aware of the restrictions in the local area;
  - c. A package of measures for monitoring the Traffic Management Plan.

The approved Traffic Management Plan shall be implemented for so long as the site is occupied for storage purposes.

- 15) The development hereby permitted shall not be carried out except in accordance with the details shown on submitted plans, CBC 01 - Proposed Site Plan and Landscaping Proposals Revision A, CBC 02 - Existing View

Tree Constraints Plan, CBC 03 - Proposed Site Security Arrangements, CBC 04 - Proposed Site layout and Access Arrangements, CBC 05 - Proposed Site Parking Arrangements, CBC 06 - Pallet Repair Sheds, CBC 07 – Original Site Levels Survey and Location of Demolished Buildings, CBC 08 – Landscaping Appendix 3, CBC 09 – Landscaping Appendix 1, CBC 10 – Existing Site Plan and Tree Constraint Plan, CBC 11 – Existing Ground Level Survey, CBC 12 – Topographical Survey, CBC 13 – Welfare Unit, CBC 14 – Structural Drawings, CBC 15 – Surface Water Drainage, CBC 16 – Services Drawings, and CBC 17 – Site Location Plan.

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

### **Informatives**

1) If the applicant does not wish to balance the flows as set out in condition 12 to that equivalent to the present peak discharge from the undeveloped land then the Board will require a once and for all payment. This charge will be based on a rate of £5 per metre square of impermeable area discharging to the watercourse.

2) In respect of condition 13, the applicants attention is drawn to the comments provided by the Council's SuDS Officer:

We consider that planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

1. The watercourse to be discharged in to should be part of the management plan.

2. Permeable surfaces are a better option for parking or machinery areas. Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.

3. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

4. To ensure future owners will be aware of any maintenance requirements /responsibilities for surface water drainage, including ditches; further measures should be proposed by the applicant and may include, for example, information provided to a purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property.

5. Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, and details of this provided with the full detailed design. The agreement and rate (l/s) must be included in relevant correspondence.
  6. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.
- 3) Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

<b>APPLICATION NUMBER</b>	<b>CB/17/05679/OUT</b>
<b>LOCATION</b>	<b>Land adjoining Dunstable Road and to the Rear of My Folly and the Scout Hut, Dunstable Road Caddington LU1 4AL</b>
<b>PROPOSAL</b>	<b>Outline Application: Residential development and associated infrastructure</b>
<b>PARISH</b>	<b>Caddington</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Collins &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Stuart Kemp</b>
<b>DATE REGISTERED</b>	<b>04 December 2017</b>
<b>EXPIRY DATE</b>	<b>05 March 2018</b>
<b>APPLICANT</b>	<b>Bedfordshire Land Promotions</b>
<b>AGENT</b>	<b>JLL</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called-in by Cllr Stay if the application is recommended for approval or refusal for the following reasons: Concerns over traffic calming &amp; traffic management Flooding concerns &amp; I believe that because of the level of local interest &amp; concern this is an application that should go before DMC to allow those views to be properly heard. An objection has been received by Caddington Parish Council contrary to the recommendation to grant planning permission.</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Recommended for Approval</b>

## **DRAFT DECISION NOTICE**

**The following conditions and informatives are to be imposed under the proposed planning permission.**

### **CONDITIONS**

- 1 No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development (herein called "the reserved matters") has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 **No above ground construction of the development hereby approved shall take place until samples of all external materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved samples.**

**Reason: To control the appearance of the development in the interests of the visual amenities of the locality.  
(Section 12, NPPF and Policy BE8, SBLPR)**

- 4 **No above ground construction of the development hereby approved shall take place until details of the junction between the proposed access road and Dunstable Road (the highway) have been submitted to and approved in writing by the Local Planning Authority and no dwelling 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.  
(Section 9, NPPF)**

- 5 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 56m 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 that is likely to use it.  
(Section 9, NPPF)

- 6 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 9, NPPF)

7 **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 9, NPPF)**

8 Prior to and during construction of the development hereby approved, all site supervision, tree protection requirements and special construction operations, as set out in Appendix 2 "Protection of Retained Trees" of the Arboricultural Implications Report dated July 2017, (Ref. SJA air 17160-01a) and the revised "Tree Protection Plan" (Drawing No. SJA TPP 17 160-01b Revision B), which forms Appendix Add06 of the Arboricultural Implications Report - Addendum, dated September 2018, as prepared by SJA Trees, shall be fully implemented. The protective fencing and ground protection shall then remain securely in position throughout the entire course of development works.

Reason: To ensure the satisfactory protection of retained trees from all development activity, in the interests of securing their health, stability, amenity and ecological value.  
(Section 15, NPPF)

9 **No above ground construction of the development hereby approved shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

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

10 **No above ground construction of the development hereby approved shall take place until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:**

- a) **Description and evaluation of features to be managed.**
- b) **Ecological trends and constraints on site that might influence management.**
- c) **Aims and objectives of management.**
- d) **Appropriate management options for achieving aims and objectives.**
- e) **Prescriptions for management actions.**
- f) **Preparation of a work schedule (including an annual work plan**

g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

**Reason: To ensure ecological mitigation and enhancement measures are achieved.**

**(Section 15, NPPF)**

- 11 No above ground construction of the development hereby approved shall take place until a scheme of noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. This shall ensure that internal noise levels from outdoor activities at the neighbouring Scout Hut and other external noise sources including road traffic do not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 – 07:00 and 45 dB LAmax 23:00-07:00 (based on the 10th highest measured LAmax level) inside any bedroom, and that external noise levels from external road traffic noise sources shall not exceed 55 dB LAeq, (16hr) in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of any future occupants.

(Section 15, NPPF and Policy BE8, SBLPR)

- 12 **No construction of the development hereby approved shall take place until a remediation strategy to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall follow the recommendations in the previously submitted BRD Environmental Ltd report dated October 2017 (Ref: BRD1718-OR6-A). The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.**

**Reason: To protect human health and the environment.**

**(Section 15, NPPF)**

- 13 Prior to any permitted dwelling being occupied a validation report shall be

submitted to and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment.  
(Section 15, NPPF)

- 14 The development shall be designed to the following standards:
- 10% regulated energy demand to be secured from renewable or low carbon sources;
  - all dwellings should achieve water efficiency standard of 110 litres per person per day; and
  - all dwellings to be designed to avoid or minimise risk of overheating.

Reason: To ensure management of the site in an environmentally considerate manner.  
(Section 2, NPPF and Policy BE8, SBLPR)

- 15 **No construction of the development hereby approved shall take place until a detailed surface water drainage scheme for the site including a management and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The scheme design shall be based on sustainable drainage principles in accordance with the Council's Sustainable Drainage SPD and an assessment of the hydrological and hydro geological context of the development. The scheme shall be implemented in accordance with the approved details and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance.  
(Section 14, NPPF)**

- 16 **No above ground construction of the development hereby approved shall take place until a scheme for the provision of public footpath no. 9, Caddington has been submitted to and approved in writing by the Local Planning Authority. This shall include:**

- **the design of access and public footpath no.9 (to include details of width, surfacing and landscaping);**
- **proposals for the diversion of public footpath no. 9 and other public rights of way (where necessary); and**
- **the temporary closure and alternative route provision (where necessary) of public footpath no. 9 or another existing public right of way during construction or advance works.**

**The public rights of way scheme submitted should be in accordance with Central Bedfordshire Council's approved Rights of Way Standards and Guidance.**

**Reasons: In the interests of the amenity of pedestrians and other non motorised users to ensure safety of users is not compromised by the**

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers RD1668-SA-100, RD1668-SA-101, RD1668-SA-002, 39449/5501/04 Revision C and 39449/5501/05 Revision A.

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

- 18 The development hereby approved shall not exceed a maximum total of 47 dwellings.

Reason:

For the avoidance of doubt and in order to ensure that the development does not result in an overdevelopment of the site and to protect the character and appearance of the area (Chapter 12 NPPF, BE8 SBLPR).

### **INFORMATIVES**

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 no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that in order to comply with Condition 4 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford

5. 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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.
  
6. The applicant is advised to ensure that the definitive legal line of any public right of way is mapped at the earliest opportunity and that no development should take place on or near a public right of way unless the necessary statutory legal process (where necessary) has been completed in accordance with:-
  1. An order made, confirmed and certified under the provisions of Section 257 of the Town and Country Planning Act 1990.
  2. An order made, confirmed and certified under the provisions of the Highways Act 1980.
  3. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

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<b>APPLICATION NUMBER</b>	<b>CB/19/00045/FULL</b>
<b>LOCATION</b>	<b>140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ</b>
<b>PROPOSAL</b>	<b>Application for the erection of 8 bungalows with access, parking, landscaping and all ancillary works.</b>
<b>PARISH</b>	<b>Northill</b>
<b>WARD</b>	<b>Northill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mr Firth</b>
<b>CASE OFFICER</b>	<b>James Clements</b>
<b>DATE REGISTERED</b>	<b>17 January 2019</b>
<b>EXPIRY DATE</b>	<b>14 March 2019</b>
<b>APPLICANT</b>	<b>Maple Ridge Homes Ltd</b>
<b>AGENT</b>	<b>Oakwood Design</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major planning application - Departure from the Development Plan - objections from the Parish Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

### **NOTICE OF REFUSAL OF PLANNING PERMISSION**

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

The Council did however act pro-actively through early engagement with the applicant at the pre-application stage and through the application process which led to improvements to the scheme and an Officer recommendation to approve the application. The requirements of the Framework (paragraph 38) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **REFUSE PERMISSION** for the development specified above and as shown on the submitted plans, for the following reasons:

The proposed development constitutes a cramped form of overdevelopment contrary to policy CS14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), policies HQ1 & H2 of the emerging Central Bedfordshire Local Plan (2015-2035), policies NP1 & NP5 of the draft Northill Neighbourhood Plan and the Central Bedfordshire Design Guide.

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<b>APPLICATION NUMBER</b>	<b>CB/19/00041/REG3</b>
<b>LOCATION</b>	<b>Former Flitwick Leisure Centre Steppingley Road Flitwick</b>
<b>PROPOSAL</b>	<b>Application for Outline planning permission with all matters reserved for the construction of 37 residential dwellings (Use Class C3), 95 extra care housing apartments (Use Class C3) and registered residential care home consisting of 70 bedrooms (Use Class C2), with associated communal Facilities and ancillary uses including hair salon; shop; cafe; health; and fitness uses.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Benjamin Tracy</b>
<b>DATE REGISTERED</b>	<b>03 January 2019</b>
<b>EXPIRY DATE</b>	<b>04 April 2019</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Hamson Barron Smith</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The Council own the freehold of the site and objections have been received.</b>
<b>RECOMMENDED</b>	<b>Outline Application - Recommended for Approval</b>

## **NOTICE OF GRANT OF PLANNING PERMISSION**

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

The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT OUTLINE PLANNING PERMISSION** for the development specified above and as shown on the submitted plans subject to the following conditions:

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The number of dwellings approved shall not exceed 37 residential dwellings (Use Class C3), 95 extra care housing apartments (Use Class C3) and a 70 bedroom residential care home (Use Class C2).

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 5 Any subsequent reserved matters application submitted under Condition 2 of this permission shall accord with the "Conclusions" within the Report titled: "Arboricultural Report & Tree Constraints Plan 2018-04(10)" and shall include the submission of an Arboricultural Method Statement (conforming to BS 5837) and Tree Protection Plan, detailing methods to be undertaken to protect retained trees during construction, as well as details and methods for construction activities within close proximity to any retained trees. The development and works shall be carried out in full accordance with the approved Arboricultural Method Statement and Tree Protection Plan. All tree works shall be carried out in accordance with BS 3998 Recommendations for Tree Work (2010) (as amended).

Reason: To ensure the protection of retained trees, in accordance with Policies CS16, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009); Policy EE4 of the Emerging Local Plan; and the NPPF.

- 6 The landscaping details required to be submitted by Condition 2 of this permission shall include a soft landscaping scheme to include replacement tree and hedgerow planting. The landscaping shall be carried out as approved.

Reason: To ensure the replacement of trees and hedgerows lost as a result of development, in accordance with Policies CS16, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009); Policy EE4 and EE5 of the Emerging Local Plan; and the NPPF.

- 7 The first reserved matters application shall include an Open Space Scheme with a minimum of 0.576ha of Public Open Space including Large Formal Recreation Areas and Small Amenity Spaces. The scheme shall include details of the location, layout, size, proposed planting, location and specification of boundary structures, furniture and materials. The development shall be carried out as approved.

Reason: To ensure an acceptable provision of public open space within the site and to ensure the replacement of trees and hedgerows lost as a result of development, in accordance with Policies CS16, DM14, DM15, DM17 and DM3 of the Core Strategy and Development Management Policies (2009); Policy EE4, EE5 and EE13 of the

Emerging Local Plan; and the NPPF.

- 8 No building hereby approved shall be first occupied or first brought into use until a Soft Landscaping and Open Space Management and Maintenance Plan, to include timescales/triggers for implementation and completion of all Soft Landscaping areas has been submitted to and approved in writing by the Local Planning Authority. The Soft Landscaping and Open Spaces shall be completed in accordance with the approved timescales/triggers and shall thereafter be maintained and managed in accordance with the approved Soft Landscaping and Open Space Management and Maintenance Plan.

Reason: To ensure the implementation and completion of public open space and soft landscaping, as well as to ensure the provision of appropriate management and maintenance of public open space, in accordance with Policy DM17 of the Core Strategy and Development Management Policies (2009); Policy EE13, EE8, EE2, of the Emerging Local Plan; and the NPPF.

- 9 Any application for the approval of reserved matters except any application that relates solely to access shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policy HQ1 of the Emerging Local Plan and the NPPF.

- 10 No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40% CC) for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed Drainage Strategy (Ref:L2190, P1 November 2018), and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented as approved. Any variation to the connections and controls indicated on the approved details which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.**

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

- 11 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 12 The first reserved matters application submitted to the Local Planning Authority and any subsequent reserved matters application for the approval of details including access to the site shall include details of the junction of a vehicular access to the site with the public highway and the visibility splays to be provided at the junction of the access with the public highway. No building hereby approved shall be first occupied or first brought into use until the access to the site has been constructed in accordance with the approved access details and the visibility splays have been provided free of any obstruction to visibility. Thereafter the visibility splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and premises, as well as to ensure the provision of adequate visibility between the existing highway and the proposed access, to make the access safe and convenient for the traffic which is likely to use it.

- 13 Any application under condition 2 for the approval of layout and/or landscaping shall include a hard surfacing phasing plan with triggers or timescales for the surfacing and completion of all roads, footways, cycleways and car parks within the site. Thereafter the development shall be completed in accordance with the approved phasing plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times and to secure high quality development, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policy T1 and T2 of the Emerging Local Plan; and the NPPF.

- 14 Subsequent applications under condition 2 for the approval of layout, scale or landscaping shall include cycle parking to serve the employment generating uses hereby approved in accordance with the Central Bedfordshire Design Guide (September 2014) or the Council's standards applicable at the time of submission. Each building hereby permitted shall not be first occupied or brought into use until the cycle parking spaces to serve that building as indicated on the approved drawings have been provided in accordance with the approved details. Thereafter the cycle parking spaces serving the employment generating uses shall be kept available for cycle parking at all times.

Reason: to promote sustainable modes of transport, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policies T1 and T3 of the Emerging Local Plan; and the NPPF.

- 15 No dwelling shall be first occupied until a scheme for the upgrade of bus stop facilities

(shelters and additional footway to serve the westbound bus stop) in the vicinity of development entrance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the re-siting of any Statutory Undertakers equipment or street furniture to provide an unobstructed footway to the crossing. Thereafter no dwelling shall be first occupied until the scheme has been completed in full accordance with the approved details.

Reason: In the interests of road safety and pedestrian movement, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policy T1, T2 and T4 of the Emerging Local Plan; and the NPPF.

- 16 No dwelling shall be occupied until a scheme for a Puffin crossing to cater for westbound bus services along Steppingley Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the re-siting of any Statutory Undertakers equipment or street furniture to provide an unobstructed footway to the crossing. Thereafter no dwelling shall be first occupied until the scheme has been completed in full accordance with the approved details.

Reason: In the interests of road safety and pedestrian movement, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policy T1 and T2 of the Emerging Local Plan; and the NPPF.

- 17 The development shall not be first occupied until a full 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 the provision of cycle parking in accordance with 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. Site specific travel and transport information
    - Travel vouchers
    - Details of relevant pedestrian, cycle and public transport routes to/ from and within the site
    - Copies of relevant bus and rail timetables
  - 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 promote sustainable modes of transport, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policies T1 and T4 of the Emerging Local Plan; and the NPPF.

- 18 As part of any reserved matters application a scheme for the provision of spaces and

electric charging connection points to serve the development shall be submitted for approval by the Local Planning Authority. The scheme shall include a timescale for implementation. The approved scheme shall be implemented in accordance with the details approved.

Reason: The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles, in accordance with Policy T5 of the Emerging Local Plan and Paragraph 105 of the NPPF.

- 19 No development shall take place until an ecological enhancement strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall be informed by an up to date Ecological Appraisal of the site and include the:**
- a) purpose and objectives for the proposed works;**
  - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
  - c) extent and location of proposed works shown on appropriate scale maps and plans;**
  - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
  - e) persons responsible for implementing the works;**

**The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter**

**Reason: Details required prior to the commencement of development to ensure development is ecologically sensitive and secures biodiversity enhancements that are integrated into the development in accordance with the National Planning Policy Framework.**

- 20 Any application under condition 2 for the approval of layout, scale and appearance shall include a Climate Change Adaptation Strategy detailing measures taken to minimise overheating of buildings, as well as details to demonstrate:**
- all dwellings would achieve the requirement to source 10% of energy demand from renewable or low carbon sources;**
  - all dwellings would achieve the higher water efficiency standard of 110 litres per person per day; and**
  - that the Care home building would achieve at least BREEAM very good standard for water and energy.**

The development shall be carried out in full accordance with the approved details.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with Policies DM1, DM2 and CS13 of the Core Strategy and Development Management Policies (2009) and Policy CC1 of the Emerging Local Plan, as well as the NPPF.

- 21 No Building hereby approved shall be first occupied or first brought into use until a Public**

Art Plan is submitted to and approved in writing by the Local Planning Authority. The

Public Art Plan shall include:

- the Brief for involvement of artists, site context, background to development, suitable themes and opportunities for Public Art
- Method of commissioning artists /artisans;
- details of community engagement;
- details of the art commissioned;
- location and siting of public art;
- implementation and completion timescales/ phasing; and
- Maintenance and Management Plan.

The Public Art Plan and the Public Art shall be implemented and Completed in full and as approved details and shall be maintained in accordance with the approved Maintenance and Management Plan.

Reason: To enhance the public realm, promote local distinctiveness and to secure high quality development, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policy HQ7 of the Emerging Local Plan; and the NPPF.

- 22 Any subsequent reserved matters application submitted under Condition 2 of this permission, other than that which solely relate to access, shall include the submission of a Noise Impact Assessment, to assess the noise from road traffic and exiting/ proposed commercial noise sources (including any fixed plant and/or machinery) and the impact of noise on existing and the proposed sound sensitive premises. Where shown to be necessary by the Noise Impact Assessment any subsequent reserved matters application submitted under Condition 2 of this permission, other than that which solely relate to access, shall include the submission of a scheme of measures for protecting the existing and proposed sound sensitive premises from road and/or commercial noise sources. Thereafter each sound sensitive premises or commercial unit shall not be first occupied or first brought into use until the approved scheme of measures to protect that premises or neighbouring premises from noise has been implemented in accordance with the approved details, and shown to be effective. Thereafter the approved measures for protecting sound sensitive premises shall be retained in perpetuity.

Reason: to safeguard the amenity and living conditions of existing and future occupiers of dwellings and sound sensitive uses, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policies HQ1 and CC8 of the Emerging Local Plan; and the NPPF.

- 23 No building containing commercial premises or a residential institution hereby approved shall be first brought into use until, a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to the atmosphere from commercial cooking operations, including and external ducting and flues, shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the approved scheme shall be installed in their entirety before the building is first brought into use. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out.

Reason: To protect the amenity of neighbouring occupiers and uses in the context of odour control, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policies HQ1 and CC8 of the Emerging Local Plan; and the NPPF.

- 24 Any subsequent application under Condition 2 of this permission for the approval of

layout, scale or appearance, shall include a plan indicating the Category of each dwelling in the context of requirements of M4(1), M4(2) and M4(3) of Schedule 1 to the Building Regulations 2010 (Approved Document M), including sub categories of those requirements (or any amendment or replacement to those Regulations applicable at the time). The development shall be completed in full accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the delivery of optional requirements for accessible homes to meet identified needs, in accordance with Policy DM10 of the Core Strategy and Development Management Policies (2009); Policies H1, H2 and H3 of the Emerging Local Plan; and the NPPF.

- 25 Any subsequent reserved matters application shall include a plan identifying 37 residential dwellings to be restricted to the occupation by at least one person:
- a) aged 55 or older, and/or persons with a physical or mental impairment that has a substantial and long-term negative effect on their ability to do normal daily activities (definition of disability under the Equality Act 2010); or
  - b) a widow or widower of such a person or persons.

Thereafter the identified 37 residential dwellings shall be occupied by at least one person so described, unless otherwise approved in writing by the Local Planning Authority.

Reason: To meet the accommodation needs of older persons and those with disabilities as defined by the Equality Act 2010, in accordance with the NPPF.

- 26 **Development shall not commence until a scheme for the provision of affordable housing as part of the development has been approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future national policy that replaces it. The scheme shall include:**
- i) **The number, type and location on the site of the affordable housing provision to be made which shall consist of not less than 35% of dwelling units including extra care units;**
  - ii) **The tenure shall be split: up to 71% affordable rented and up to 50% intermediate tenure;**
  - iii) **The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing including extra care units;**
  - iv) **The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Housing Provider is involved;**
  - v) **Details on the arrangements to ensure that the provision is affordable for both the initial and subsequent occupiers of the affordable housing; and**
  - vi) **The occupancy criteria used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

Reason: Details are required prior to the commencement of development to ensure the policy compliant provision of affordable homes to meet identified needs, in accordance with Policies CS4 and DM10 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 27 **No development shall take place until a mitigation scheme for the delivery of**

infrastructure projects on and/or off site to meet the additional demand for outdoor sports, indoor sports, community facilities, community healthcare services, GP provided primary healthcare services and mental health care services, arising from the development has been submitted to and approved in writing by the Local Planning Authority; or in the event of Council Land Transfer of any part of the site to a developer a Section 106 agreement has been entered into to secure financial contributions towards and/or on site provision of outdoor sports, indoor sports, community facilities, Community healthcare services, GP provided primary healthcare services and mental health care services, infrastructure, in the form of the draft attached hereto. The mitigation scheme shall include timescales/ triggers for completion. Thereafter the mitigation scheme shall be implemented and completed in full accordance with the approved details and in accordance with the approved timescales/triggers.

**Reason: This conditions is pre commencement, to secure appropriate mitigation for the impact of the development on local infrastructure, in accordance with the NPPF.**

- 28 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 23-27-18-1-1002 001.

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

## NOTES TO APPLICANT

**Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**

**The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8307 for hard copy forms.**

- 1 This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
- 2 The applicant is advised that while the Council has no reason to believe this site is contaminated, and is not aware of any potentially contaminative past use, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.
- 3 The applicant is advised that in order to comply with Highway Conditions 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](mailto:highwaysagreements@centralbedfordshire.gov.uk)

The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

- 4 The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.
- 5 The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010.
- 6 A public sewer is shown on record plans within the land identified for the proposed development. Anglian Water have indicated that the development proposals would appear to affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter.



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**LATE SHEET**

**DEVELOPMENT MANAGEMENT COMMITTEE 24/04/2019**

**Item 5 - CB/18/04553/FULL - North Star Cottage, Watling Street, Hockliffe, Leighton Buzzard, LU7 9PY**

**Additional Consultation / Publicity Responses**

None received.

**Additional Comments**

The call in requested was made by Cllr. Versallion for the following reasons:

- Landscaping and screening could resolve issues of aesthetic and industrial view concerns;
- Was already an ugly dilapidated industrial site without sufficient screening.

On 18th April an email was received from the applicant, Mr McBride, and states the following:

*I have had the opportunity to review your committee report for the application at North Star Cottage.*

*I appreciate your even-handed approach and your overall assessment is fair and honest, naturally I might disagree with a few points but that is the nature of these things.*

*However, to aid me and to aid clarity, (because I will only have 3 minutes to speak at the committee), it would be helpful to clarify a couple of things which could be included on the Late Sheet. This will remove the need for me to discuss these matters.*

*1. Point 1.6 in your report*

*1.6 The retention of the business in the District and subsequent retention of local jobs is deemed a positive aspect of the proposal. Additionally, the NPPF identifies the importance of building a strong, competitive economy and paragraph 83 emphasises the need to support sustainable growth and expansion of businesses in rural areas, although this does not relate to open storage.*

*Paragraph 83 actually states that "the need to support all types of business" as shown below;*

*Supporting a prosperous rural economy*

*83. Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*

*I think it would be fair to point that out in the late sheet with a correction, I will then not need to refer to that point at the meeting.*

*The other point was that in the committee report the Landscape Officer and the PROW officer's consultation responses are shown but in your consideration at;*

## **2. Impact on the Green Belt and open countryside**

*The Landscape Officer's comments are discussed, and quite rightly. However, it would be fair to also point out The Rights of Way Officer's comments.*

*Again, I then would not need to refer to this at the meeting.*

*I have highlighted the relevant section from the report*

### **Rights of Way Officer**

*No public right of way seems to be directly affected but Chalgrave Public Footpath no. 45 lies to the north of the site and Houghton Regis Public Footpath no. 29 lies to the south. Houghton Regis Public Footpath no. 29 which has a signpost at the A5 end should remain completely unaffected by the proposals and any new planting or fencing.*

*Hopefully you can understand that I have to put forward my whole case in 3 minutes and clarification of these points would be fair.*

In response, it is acknowledged that paragraph 83(a) of the NPPF supports a prosperous rural economy and policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed buildings. As specific reference is made to expansion of existing or provision of new buildings, it is not directly related to open storage, a point that is highlighted in paragraph 1.6 of the Officers report.

In terms of the comments from the Rights of Way Officer, these relate to the function of the public footpaths and it is deemed that these would be unaffected by the proposals. The comments do not relate to the views from these rights of way, which are instead covered by the Landscape Officer.

### **Additional / Amended Conditions / Reasons**

None

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### **Item 6 - CB/17/05679/OUT - Land adjoining Dunstable Road and to the Rear of My Folly and the Scout Hut, Dunstable Road Caddington LU1 4AL**

#### **Additional Consultation / Publicity Responses**

Additional consultation responses from the local Scout Group and from 1 neighbour, the comments and objections raised have been raised previously and are already included within the officers report.

### **Item 7 - CB/19/00041/REG3 - Former Flitwick Leisure Centre Steppingley Road Flitwick**

#### **Additional Consultation / Publicity Responses**

**Consultation response from the Bedfordshire Clinical Commissioning Group raising no objection to the proposed development subject to the following financial contributions:**

- Financial contribution of £23,048.20 for the provision, expansion or enhancement of Community Healthcare Services to meet the needs arising from the development;
- Financial contribution of £26,340.80 for the provision, expansion or enhancement of Mental Healthcare Services to meet the needs arising from the development; and
- Financial contribution of £89,952.97 for the provision, expansion or enhancement of local GP facilities providing primary healthcare services to meet the needs arising from the development.

**Consultation response from the Council's Community Facilities Officer raising no objection to the proposed development subject to on site provision of Community Facilities or the following financial contribution:**

A financial contribution of £109,103.50 for the provision, improvement or enhancement of community facilities at Flitwick Leisure Centre, or Rufus Centre to meet the needs arising from the development.

**Additional Comments**

It is considered that healthcare and community infrastructure provision or improvements are necessary for the development to be acceptable. The applicant has requested flexibility for the provision of on or off-site infrastructure, which is considered acceptable. Condition 27 and the description of the application has been amended to ensure that necessary infrastructure is provided on or off site to meet the needs arising from the development.

It has been requested by the applicant for Condition 26 to be amended to allow flexibility for affordable housing mix which may be required to offset affordable housing provision upon another site. The Council's Strategic Housing Team have raised no objection to the revised wording of Condition 26 or the principle of the mix proposed. The condition requires the submission of an affordable housing scheme and as such the judgement upon the acceptability of any future proposed quantum or mix of affordable homes will be subject to the approval of the Local Planning Authority.

**Amended Description**

Application for Outline planning permission with all matters reserved for the construction of **up to** 37 residential dwellings (Use Class C3), 95 extra care housing apartments (Use Class C3) and registered residential care home consisting of 70 bedrooms (Use Class C2), with associated communal facilities and ancillary uses including, **community**; hair salon; shop; cafe; health; and fitness uses

**Additional / Amended Conditions / Reasons**

- 26      **Development shall not commence until a scheme for the provision of affordable housing as part of the development has been approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future national policy that replaces it. The scheme shall include:**
- i) The number, type and location on the site of the affordable housing provision to be made which shall consist of not less than 35% of dwelling units including extra care units;**
  - ii) The tenure shall be split: up to 71% affordable rented and up to 50% intermediate tenure;**
  - iii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing including extra care units;**
  - iv) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Housing Provider is involved;**
  - v) Details on the arrangements to ensure that the provision is affordable for both the initial and subsequent occupiers of the affordable housing; and**
  - vi) The occupancy criteria used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

**Reason: Details are required prior to the commencement of development to ensure the policy compliant provision of affordable homes to meet identified needs, in accordance with Policies CS4 and DM10 of the Core Strategy and Development Management Policies (2009) and the NPPF.**

- 27      **No development shall take place until a mitigation scheme for the delivery of infrastructure projects on and/or off site to meet the additional demand for outdoor sports, indoor sports, community facilities, GP provided primary healthcare services, Community Healthcare Services and mental health care services, arising from the development has been submitted to and approved in writing by the Local Planning Authority; or in the event of Council Land Transfer of any part of the site to a developer a Section 106 agreement has been entered into to secure financial contributions towards and/or on site provision of outdoor sports, indoor sports, community facilities, GP provided primary healthcare services, Community Healthcare Services and mental health care services, infrastructure, in the form of the draft attached hereto. The mitigation scheme shall include timescales/ triggers for completion. Thereafter the mitigation scheme shall be implemented and completed in full accordance with the approved details and in accordance with the approved timescales/ triggers.**

**Reason: This condition is pre commencement, to secure appropriate mitigation for the impact of the development on local infrastructure, in accordance with the NPPF.**

### **Section 106 obligations - heads of terms**

Please see the box below for the heads of terms for S106 to be attached to the decision notice.

***Former Flitwick Leisure Centre, Steppingley Road, Flitwick ref CB/19/00041/REG3 Heads of Terms***

The following has been agreed and shall form heads of terms to a S106 agreement with any developer of the site should any part of the land be transferred from the Council's ownership to a developer, which given the Council is landowner would be secured by way of an appropriately worded Condition requiring any future developer to enter into a Section 106 Agreement with the Local Planning Authority prior to commencement of development:-

- Either a financial contribution of £23,048.20 for the provision, expansion or enhancement of Community Healthcare Services to meet the needs arising from the development; or equivalent on site provision;
- Either a financial contribution of £26,340.80 for the provision, expansion or enhancement of Mental Healthcare Services to meet the needs arising from the development; or equivalent on site provision;
- Either a financial contribution of £89,952.97 for the provision, expansion or enhancement of local GP facilities providing primary healthcare services to meet the needs arising from the development; or equivalent on site provision;
- Either a financial contribution of £109,103.50 for the provision, improvement or enhancement of community facilities at Flitwick Leisure Centre, or Rufus Centre to meet the needs arising from the development; or equivalent on site provision;
- Either a financial contribution of £116,970.00 towards the reconfiguration of the fitness suite at Flitwick Leisure Centre; or equivalent on site provision for indoor sport;
- Either a financial contribution of £47,029.00 towards the improvement works at Flitwick Cricket Club, including redevelopment of the pavilion; or equivalent on site provision for outdoor sport.

The above contributions are based on existing construction costs and values and the following quantum of development: 37 residential dwellings (Use Class C3), 95 extra care housing apartments (Use Class C3) and registered residential care home consisting of 70 bedrooms (Use Class C2). All financial contributions would be subject to the quantum of development approved and up dated costs to be determined at the time of the signing/ sealing of the S106 agreement.

Infrastructure projects indicated may be subject to amendment if the project identified has been delivered or alternative priority projects are identified.

Any part on site provision and part financial contribution towards infrastructure types will require agreement from the Local Planning Authority.

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***Item 8 - CB/19/00045/FULL - 140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ***

**Additional Consultation / Publicity Responses**

None received.

**Additional Comments**

A noise survey was submitted 18.04.2019 to address the potential conflicts with the neighbouring commercial use at Woodlands Nursery. The Council's Pollution Team has reviewed the survey and found it to be substandard, not in compliance with BS4142. They have therefore recommended the condition below.

Following the submission of an amended access plan the Highway Officer has recommended an additional two conditions.

**Additional / Amended Conditions / Reasons**

**Additional conditions:**

There shall be no works above slab level until a noise control scheme for road traffic and commercial noise has been submitted for approval to the Local Planning Authority. Thereafter the development shall be implemented in full accordance with the agreed scheme prior to the occupation of any unit which requires mitigation.

Reason: To protect residential amenity.

The development hereby permitted shall be carried out in complete accordance with the Daniell Ltd Construction Management Plan received 17.04.2019.

Reason: In the interests of highway convenience, safety and residential amenity.

No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

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).

Before the development is brought into use, the proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan No.OAKAB-001 and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

**Amended condition 12:**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and documents, numbers OAKAB-001 (Site Layout/Access), OAK\_034 Sheet 01 (Site Plan & Location Plan), OAK-034 Sheet 02 (Plot 1,2 & 5), OAK-034 Sheet 03 (Plot 3,4,6,7,& 8), JBA18/216-01 Rev F (Soft Landscaping) & JBA18/216-02 Rev F (Hard Landscaping).

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

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