

SCHEDULE B

APPLICATION NUMBER	CB/09/01212/FULL
LOCATION	LAND TO THE REAR OF 61 AND 63, ARTHUR STREET, AMPHILL
PROPOSAL	FULL: ERECTION OF DETACHED DWELLING.
PARISH	Amphill
WARD	Amphill
WARD COUNCILLORS	Cllr P Duckett & Cllr G Summerfield
CASE OFFICER	Mary Collins
DATE REGISTERED	24 June 2009
EXPIRY DATE	19 August 2009
APPLICANT	Mr K Knowles
AGENT	Mr B Pitts
REASON FOR COMMITTEE TO DETERMINE	CLLR SUMMERFIELD AT REQUEST OF AMPHILL TOWN COUNCIL WHO OBJECT. ALSO BECAUSE CENTRAL BEDFORDSHIRE COUNCIL OWNS A PART OF THE ACCESS TO THE SITE.
RECOMMENDED DECISION	Grant Planning Permission

That Planning Permission be Granted subject to the following:

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

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

- 2 **Prior to the development hereby approved commencing on site details of the existing ground levels and final ground and slab levels of the dwelling and the final levels of the garden hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent residential properties and public areas.

- 3 **Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority defining those trees, hedges, shrubs and other natural features to be retained during the course of the development, and setting out measures for their protection during construction work . No work shall commence on site until all trees, hedges, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- for trees, hedges and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;
- for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;
- for other natural features along a line to be approved in writing by the Local Planning Authority.

Such fencing shall be maintained during the course of the works on the site. No unauthorized access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 4 **Prior to the commencement of the development, samples of all the materials to be used for the external walls and roof and details of all external finishes including windows and doors, brick bond and mortar mix shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented solely in accordance with these approved details.**

Reason: To safeguard the appearance of the completed development and preserve the special character and appearance of the Conservation Area in accordance with Policy CHE11 of the Mid Bedfordshire Local Plan 2005.

- 5 **Notwithstanding the details shown on the approved plan, no development shall be undertaken until a scheme has been submitted for written approval by the Local Planning Authority indicating the positions, design, materials and types of boundary treatment to be erected including details of the retaining wall to the garden and the provision of a full height brick wall to enclose the rear garden adjacent to Oliver Street. The boundary treatment shall be completed in accordance with the approved scheme before the dwelling is occupied.**

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

- 6 **Development shall not commence until a scheme detailing provision for on site parking for construction workers and one on site space for both 61 and 63 Oliver Street 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.

- 7 All rainwater goods shall be cast iron or cast aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.

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

- 8 Prior to the first occupation of the dwelling the rooflights to the rear roofslope shall be fitted with obscured glass of a type to substantially restrict vision through them at all times.

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

- 9 Notwithstanding Schedule 2, Part 1, Classes A, B, C, D, E, F, G and H of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension or material alteration of the buildings hereby permitted or the erection of any building/ structure within the curtilage of the dwelling hereby approved until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties. To protect the character of Ampthill Conservation Area.

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

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

- 11 Details of a bin collection point to serve the new dwelling shall be submitted to and approved by the Local Planning Authority and made available for use prior to the first occupation of the dwelling.

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

- 12 Before the access is first brought into use a triangular vision splay shall be provided on the west side of the access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 13 Before the premises are occupied the on site vehicular areas shall be constructed and surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary. 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 .

- 14 The proposed development shall be carried out and completed in all respects in accordance with the access siting and parking bays sizing and layout, 2.0m footpath width along the site frontage with Oliver Street, site boundary excluding the existing service box illustrated on the approved drawing No. 01 Rev G 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. The dwelling shall not be occupied until the six parking spaces on the approved plan have been laid out and are available for use.

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 and parking arrangements at all times and to ensure the highway boundary is protected.

Notes to Applicant

1. The applicant is advised that, under the provisions of the Highways Act 1980, no part of boundary treatment or foundations shall be erected or installed in, under or overhanging the public highway door or gate shall be fixed so as to open outwards into the highway.
2. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.

4. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006".
6. This Planning Permission is subject to a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990.

[Notes:

- (1) In advance of the consideration of the application the Committee received representations made under the public participation scheme.
- (2) In advance of the consideration of the application the Committee noted consultation received as set out in the late sheet appended to these Minutes.]