

APPLICATION NUMBER	CB/09/00830/FULL
LOCATION	129 CLOPHILL ROAD, MAULDEN, BEDFORD, MK45 2AE
PROPOSAL	FULL: DEMOLITION OF EXISTING BUILDING AND ERECTION OF FOUR NEW DWELLINGS.
PARISH	MAULDEN
WARD	MAULDEN AND HOUGHTON CONQUEST
WARD COUNCILLORS	Cllr A Barker and Cllr H Lockey
CASE OFFICER	Julia Ward
DATE REGISTERED	22 May 2009
EXPIRY DATE	17 July 2009
APPLICANT	Mr Rayner
AGENT	Aragon Land & Planning UK LLP
REASON FOR COMMITTEE TO DETERMINE	CLLR LOCKEY REQUEST IN RESPONSE TO RESIDENTS' CONCERNS ABOUT NEW DRIVEWAY AND IMPACT OF NEW HOUSE ON ADJACENT BUNGALOW
RECOMMENDED DECISION	Grant Planning Permission

Delegated powers were approved to issue the decision once details of the unilateral undertaking were satisfactory. That Planning Permission be granted subject to the following conditions:

- 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 **Notwithstanding the approved plans, no development shall be undertaken until a scheme has been submitted to and approved in writing by the Local Planning Authority setting out the details of the materials to be used for the external walls and roofs. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **No development shall be undertaken on site until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**

- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 No development shall be undertaken on site until a scheme has been submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 5 Before development is undertaken on site, details of the final ground and slab levels of the dwellings 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. Such details shall be sufficient to clearly identify the completed height of the development in relation to the adjacent development. 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 buildings and public areas.

- 6 Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 7 Before development is undertaken on site, further reptile surveys of the site, as recommended in the submitted Reptile Assessment (Adonis Ecology, 13/07/09), shall be undertaken and the results submitted to the Local Planning Authority for approval. A long term management plan for the wildlife enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. If any protected species are found to exist the details of mitigation measures to be

undertaken to safeguard these protected species, as stated in the submitted Reptile Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The habitat protection measures and long term management plan shall be implemented to the satisfaction of the Local Planning Authority and in accordance with a timetable agreed in writing by the Local Planning Authority.

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

- 8 Before development is undertaken on site, full details of the proposed sprinkler system to be installed within the dwellings at plots 2, 3 & 4 shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

Reason: The development does not allow a fire appliance to turn and leave in a forward gear and therefore to ensure adequate fire protection.

- 9 Before development is undertaken on site, a scheme for the parking of cycles on site (calculated at one space per bedroom), and access thereto, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

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

- 10 Before development is undertaken on site, a scheme for on site parking provision for construction workers during the construction period shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be undertaken in accordance with the approved details.**

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

- 11 Before the dwellings hereby approved are occupied, the proposed vehicular access and on site vehicular areas shall be surfaced in a stable and durable manner be approved in writing by the Local Planning Authority for a distance of 8 metres into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway 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.

- 12 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 14 The turning space for vehicles illustrated on the approved drawing no. 1090/09/4C shall be constructed before the development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles onto the highway.

- 15 Notwithstanding Schedule 1 Part 1 Class A 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 further window or other opening shall be formed on the flank elevations of Plot 1 without the grant of express planning permission from the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (no) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no works shall be commenced at Plots 2,3 and 4 under Schedule Part 1 Class A (extensions), Class B (additions or alterations to roof), Class C (alteration to roofs), Class D (porches), Class E (outbuildings), or Class F (hardstandings) without the grant of express planning permission from the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

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

satisfaction of the Local planning Authority.

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

- 18 No dwelling shall be occupied until the visitor parking bay and the car parking bays for Plot 1 and Plot 4 have been allocated as illustrated on approved drawing 1090/09/4H.

Reason: To provide adequate parking for visitors and occupiers of the dwellings.

Notes to Applicant

1. 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 Highways Desk, P O Box 1395, Bedford MK42 5AN 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 costs of such removal or alteration.
2. 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, Central Bedfordshire Council Highways, Streetworks Co-ordination Unit, P O Box 1395, Bedford MK42 5AN.
3. 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 52 of the Highways Act 1980 in this respect.
4. The closure of existing accesses shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with the Central Bedfordshire Council's Customer Contact Centre (Tel: 0300 300 8049). No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).
4. The applicant is advised that all cycle parking to be provided within the site shall be designated in accordance with the Bedfordshire County Council's "Cycle Parking Guidance – August 2006".

[Notes:

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