

## SCHEDULE B

<b>APPLICATION NUMBER</b>	<b>CB/09/05708/REG3</b>
<b>LOCATION PROPOSAL</b>	<b>Land Adjacent 94, Ampthill Road, Flitwick Regulation 3: Change of use of land to football pitches with associated changing pavilion and external landscaping.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick East</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs J Jamieson &amp; Cllr A Turner</b>
<b>CASE OFFICER</b>	<b>Hannah Pattinson</b>
<b>DATE REGISTERED</b>	<b>07 August 2009</b>
<b>EXPIRY DATE</b>	<b>06 November 2009</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>B3 Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Major development not in accordance with the Development Plan  Grant Planning Permission</b>

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 commencement of the development a scheme for a soil bund, to include details of the source and type of material, height, length and width, to be constructed on the southern boundary of the site adjacent to the existing residential properties shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of appropriate defensive landscaping and shall be implemented in full prior to the occupation of development hereby permitted.**

Reason: In order to protect the amenities of nearby residents.

- 3 **Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To safeguard any material of archaeological interest which exists on the site.

- 4 **Prior to commencement details and samples of the materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

**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.**

- 5 **Prior to the commencement of development, a scheme for the provision and implementation of pollution control of the water environment shall be submitted and agreed in writing with the Local Planning Authority. The works included within the approved scheme shall be constructed solely in accordance with the approved plans.**

**Reason: To prevent the increased risk of pollution to the water environment.**

- 6 **Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:**

**(i) A detailed assessment of ground conditions of the playing field shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and  
(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England.**

**The approved scheme shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority (in consultation with Sport England).**

**Reason: To ensure that site surveys are undertaken for replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.**

- 7 **Prior to the commencement of development details of the relocated pedestrian crossing shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented prior to the proposal being first brought into use.**

**Reason: In the interest of highway safety.**

- 8 **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.**

- 9 Prior to the commencement of development, a scheme for the secure and sheltered parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented solely in accordance with the approved details and prior to the first occupation of the development or prior to the development first being brought into use. The works approved for the parking of cycles shall thereafter be retained for this purpose.**

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

- 10 Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall include what arrangements are to be made to restrict such vehicles solely to the approved points of access and egress, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be operated throughout the period of construction work.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.**

- 11 Prior to the commencement of development details of a scheme to adequately protect neighbouring residents from noise, vehicles and machinery or plant associated with the use of the proposed public car park shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be completed prior to the facility hereby approved coming into use.**

**Reason: To protect the amenity of nearby residents.**

- 12 No development shall commence until a Code of Construction Practice has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and sub contractors will employ at all times during demolition, construction and other engineering operations on the site. The Code of Construction Practice shall include:**

- i. Measures to be used to control and suppress dust;**
- ii. Measures to be used to reduce the impact of noise & vibration arising from noise generation activities on site, in accordance with best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites;**

- iii. **The siting and appearance of works compounds;**
- iv. **Siting working hours.**

**The implementation of the development shall only be undertaken in accordance with the approved Code of Construction Practice.**

**Reason: To safeguard the amenities of adjoining occupiers and to protect the surrounding countryside.**

- 13 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.

- 14 Before the premises hereby permitted are occupied a scheme indicating the proposed means of illumination shall be submitted to and approved by the Local Planning Authority. The scheme submitted shall include details and mitigation methods to ensure that no glare or dazzle occurs to drivers of vehicles using the public highway or to adjacent residential properties, through illumination on the site and details of hours of usage and appearance of the units. The development shall be implemented prior to the first use of the development hereby permitted in accordance with the approved scheme and shall be retained thereafter.

Reason: In the interest of road safety.

- 15 Prior to the bringing into use of the development a Management and Maintenance Scheme for a period of 5 years to include measures to ensure, management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the development.

Reason: To ensure that new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (PPG17 Par 14).

- 16 Full details of both hard and soft landscaping shall be 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;
- minor structures (e.g. furniture, play equipment, signs, etc);
- 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.

- 17 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

- 18 No sound reproduction or amplification equipment (including public address systems, loudspeakers, tannoys etc) which is audible from the site boundary shall be installed without the prior written consent of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 19 The pitches hereby permitted shall not be used except between the hours of 0930 to 2100 Monday to Friday, 0800 to 2100 on Saturdays and 0900 to 1600 Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 20 The pavilion hereby permitted shall not be used except between the hours of 0930 to 2200 Monday to Friday, 0800 to 2200 on Saturdays and 0900 to 1600 Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 21 The development hereby permitted shall be undertaken in accordance with the approved Waste Audit Ref CBC002.

Reason: To ensure that the development conforms with the waste audit requirements.

- 22 Details of the height and appearance of the fencing proposed of the post and rail fencing proposed for the pitch immediately adjacent to the pavilion and of safety fencing to the north of this pitch to protect traffic on the A507 shall be submitted to and agreed in writing to the Local Planning Authority. The fences shall be in place before first use of this pitch.

Reason: In the interests of visual amenity and the safety of traffic on the adjoining road network.

- 23 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 43.0m 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 existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 24 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.

- 25 If during the 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.

Reason: To protect human health and the environment.

### **Notes to Applicant**

1. 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, Highways Help 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 plans. 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.

2. The applicant is advised that in order to comply with condition 7 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 Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN.
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 Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford MK42 5AN.
4. The applicant is advised that the closure of the 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 Central Bedfordshire Council, Highways Help Desk, P.O. Box 1395, Bedford MK42 5AN. 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 accesses.

[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 the application the Committee received representations received as set out in the late sheet appended to these Minutes.]