

Item No. 17**SCHEDULE B**

APPLICATION NUMBER	CB/09/06068/FULL
LOCATION	Land at 30 Sharpenhoe Road, Barton-le-Clay, Bedford, MK45 4SD
PROPOSAL	Erection of two detached dwellings, one with detached single garage, and erection of single storey rear extension to no. 30.
PARISH	Barton-Le-Clay
WARD	Barton-le-Clay
WARD COUNCILLORS	Cllrs Tony Northwood & Janet Nunn
CASE OFFICER	Mr A D Robertson
DATE REGISTERED	01 October 2009
EXPIRY DATE	26 November 2009
APPLICANT	Vigor Homes
AGENT	Woods Hardwick Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Northwood
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be GRANTED subject to the following:

- 1 The development shall begin not later than three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be 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 for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**
REASON: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).
- 3 Notwithstanding the details shown on the approved plans, the existing trees and hedgerows shall be retained and protected in a manner to be approved in writing by the Local Planning Authority and shall not be destroyed, uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees or hedgerows removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced by trees or hedgerow specimens of such size and species as may be agreed with the Local Planning Authority. Such trees or hedgerow specimens shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until

satisfactorily established.

REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard existing trees on the site.

(Policy BE8, S.B.L.P.R).

- 4 Before development begins, tree protection fencing and ground protection measures shall be fully installed and thereafter properly maintained and fully managed in strict accordance with the details shown on the approved Tree Protection Plan, Drawing No. WHK16889-03, and the associated Arboricultural Method Statement (Ref: WHK16889ams) submitted as part of the application.
REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard the existing trees on the site.
(Policy BE8, S.B.L.P.R).
- 5 The proposed areas of "No-Dig" surface shall be provided in accordance with the design specification and in the precise locations as shown on the approved Tree Protection Plan, Drawing No. WHK16889-03, and shall be installed in strict accordance with the Arboricultural Method Statement (Ref. WHK16889ams) submitted as part of the application.
REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard the existing trees on the site.
(Policy BE8, S.B.L.P.R).
- 6 Before development begins, a Project Arboriculturist shall be appointed to carry out monitoring and supervision of work on the site in strict accordance with the Arboricultural Method Statement (Ref. WHK16889ams) submitted as part of the application.
REASON: To ensure that the development is carried out in accordance with the approved details.
- 7 The developer and Project Arboriculturist shall adhere strictly to all stipulated methodology identified in the Arboricultural Method Statement (Ref.WHK16889ams) submitted with the application.
REASON: To ensure that the development is carried out in accordance with the approved details.
- 8 Before the development is first occupied or brought into use, the parking scheme shown on Drawing No.16239 / 1006.Rev.A shall be completed and thereafter retained for this purpose.
REASON: To ensure provision for car parking clear of the highway.
(Policy T10, S.B.L.P.R).
- 9 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building/s shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**
REASON: To control the appearance of the building/s.
(Policies BE8 & H8, S.B.L.P.R).
- 10 **Before development begins, details of the levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority, and development shall thereafter be implemented accordingly.**
REASON: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.
(Policy BE8, S.B.L.P.R).

- 11 **Before development begins, the positions of the re-aligned access drive and the proposed dwellings shall be pegged out on site and their positions approved in writing by the Local Planning Authority.**
REASON: To enable consideration to be given to the precise layout of the development.
(Policy BE8, S.B.L.P.R).
- 12 The windows shown on Drawing No. 16239/106A shall be permanently glazed with obscured glass.
REASON: To protect the privacy of the occupiers of adjoining properties.
(Policy BE8, S.B.L.P.R).
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.
REASON: To control the external appearance of the building/s in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).
- 14 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the Local Planning Authority.
REASON: To control the development in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be inserted into the south facing elevation of the proposed dwelling to be erected on Plot 2.
REASON: To protect the amenity of neighbouring residents.
(Policy H2, S.B.L.P.R).
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), any garage, car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.
REASON: To ensure that off-street parking is retained in the interests of highway safety.
(Policy T10, S.B.L.P.R).
- 17 Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
REASON: To ensure 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.
- 18 Before development begins, details of a bin storage/collection point shall be

submitted to and approved in writing by the Local Planning Authority. The facility shall be provided in accordance with the approved details prior to the first occupation of any dwelling.

REASON: In the interest of amenity.
(Policy BE8, S.B.L.P.R).

- 19 The communal areas and the vehicle turning area to the front of Plot 1 shall be placed in the control and ownership of a single body which shall be responsible for the management and maintenance of those areas.

REASON: To retain off-street parking and turning provision and thereby minimise the potential adverse impact on the convenience of road users.

- 20 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.

- 21 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.

- 22 No development shall commence until wheel-cleaning facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed and made operational before development commences and the Site Developer(s) shall ensure that all vehicles exiting the site use the approved wheel cleaning facilities. The wheel cleaning facilities shall be retained until the development has been substantially completed or until such time as the Local Planning Authority is satisfied that the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).

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.

- 23 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied within relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- i. A survey of the extent, scale and nature of the contamination;
- ii. An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - Adjoining land
 - Ground waters and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
- iii. An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the management of Land Contamination, CLR 11'*.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (c).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 24 Before development begins, a noise assessment for the site shall be undertaken in accordance with the assessment methodology set out in BS4142:1997 "Method for rating industrial noise affecting mixed residential and industrial areas". The noise assessment shall assess the impact of noise arising from the adjoining electricity sub-stations and shall include details of any noise mitigation measures considered necessary to ensure that appropriate noise levels within the proposed dwellings and outdoor amenity areas are achieved. The completed noise assessment shall be submitted to the Local Planning Authority for approval before development begins and any works which form part of the approved scheme shall be completed before any dwelling is occupied, unless an alternative period is previously agreed in writing by the Local Planning Authority.
REASON: To protect the amenity of future occupiers of the development.
- 25 Before development begins, a method statement detailing any works to be undertaken to the fabric of the adjoining listed building, 32 Sharpenhoe Road, shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out only in accordance with the approved details.
REASON: To safeguard the historic and structural integrity of the listed building.
- 26 Before development begins, a schedule of works shall be submitted to and approved in writing by the Local Planning Authority detailing those elements of the existing fabric and fittings within the existing dwelling which are to be repaired and retained and those which are to be removed. The work shall be carried out only in accordance with the approved details.
REASON: To ensure that those elements of historic building fabric which are of value are retained.
- 27 This permission relates only to the details shown on Drawing No. 16239/1007A received 01/10/09, Drawing Nos. 16239/105, 16239/107, WHK16889-03 and WHK16889-11 received 23/09/09 and Drawing Nos. 16239/1006, 16239/106A and 16239/109.A received 23/11/09, or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows

Regional Spatial Strategy
East of England Plan (May 2008)
ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review Policies

BE8 - Design and Environmental Considerations

H2 - Making Provision for Housing via 'Fall-in' Sites

H8 - Extensions to Dwellings

T10 - Parking in New Developments

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.
4. 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 Customer Contact Centre, 6th Floor, Borough Hall, Bedford, MK42 9AP 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.

[Notes:

- (1) In advance of the consideration of the application the Committee noted consultation received as set out in the Late sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]