

Item No. 17**SCHEDULE B**

APPLICATION NUMBER CB/09/06626/FULL
LOCATION Land Rear Of Town Farm Court And 53, High Street, Henlow
PROPOSAL Full: Residential development of 29 dwellings consisting of affordable rental: 3x 1 bed apartment, 1x 2 bed house, 2 x 3 bed houses. Affordable shared ownership: 2x 1 bed apartments, 1 x 2 bed house, 1x 3 bed house. Private Sale: 2x 2 bed houses, 4x 3 bed houses, 4x 4 bed houses, 9x 5 bed houses. (Revised description)
PARISH Henlow
WARD Langford and Henlow
WARD COUNCILLORS Cllr Clarke & Cllr Rogers
CASE OFFICER Godwin Eweka
DATE REGISTERED 16 December 2009
EXPIRY DATE 17 March 2010
APPLICANT Town Farm Homes Ltd
AGENT RMA Architects LLP
REASON FOR COMMITTEE TO DETERMINE Ward Councillor request – Cllr Rogers due to local concerns

RECOMMENDED DECISION Full Application - Granted

Delegated Application – See Minute No. DM/09/65

That the Director of Sustainable Communities be given delegated authority to issue the Planning Permission subject to the completion of the S106.

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 The permission shall extend only to the application as amended by plans 1029_0010B; 1029_0100 J; 1029_0110N; 1029_0111H; 1029_0112H; 1029_0015A; 1029_0220F; 1029_0221G; 1029_0223C; BGC1/51 to 53 High Street/AIA Rev A and Design and Access Statement Rev B.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 3 **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.

- 4 A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. 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.

- 5 A sample panel of (bricks/stonework/tiling etc) shall be constructed for the consideration and written approval of the Local Planning Authority. The development shall be carried out in accordance with the written approval.

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.

- 6 The first floor bathroom windows in the rear elevation of the development hereby permitted for properties 23K1; 24B1, and first floor landing window for units 29A3 and 28A3 shall be of fixed type and fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No further windows or other openings shall be formed in the elevation.

Reason: To safeguard the amenities of occupiers of adjoining properties

- 7 **Prior to the development hereby approved commencing 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. 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.

8 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.

9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

10 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, 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 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 unauthorised 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.

- 11 **A landscape management scheme, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development or the implementation of the use. The landscape management scheme shall be carried out as approved.**

Reason: To ensure an appropriate standard of visual amenity in the local area.

- 12 **Details of finished ground floor levels of the residential development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. This shall be a minimum of 37.83m AOD on the south side of the site reducing to 37.70m AOD on the north side of the site. This is 100mm higher than the levels recommended in the FRA. Such details shall be implemented in accordance with the approved scheme.**

Reason: To ensure that the development meets the current standards for flood mitigation.

- 13 **The proposed ground level raising along the boundaries of the site shall not exceed those on adjacent properties.**

Reason: To ensure that the development meets the current standards for flood mitigation.

- 14 **Land drainage shall be installed where necessary to ensure continuity of existing land drainage.**

Reason: To ensure that the development meets the current standards for flood mitigation.

- 15 **Surface water discharge from the development shall be attenuated to the greenfield rate prior to discharge into the watercourse on the western boundary of the site. Overland flow routing through the site for storms exceeding the 1 in 100 year event.**

Reason: To ensure that the development meets the current standards for flood mitigation.

- 16 **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

- 17 **Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building 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.

- 18 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 43.0m 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 and to make the access safe and convenient for the traffic which is likely to use it.

- 19 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the car port accommodation on plot 15 shall not be converted into a garage, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To ensure that overhanging of the public footway does not occur in the interest of highway users.

- 20 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 21 **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.

- 22 Before any of the units is occupied the parking of cycles on a particular unit shall be implemented as shown on drawing No 1029_0110 Rev N 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

- 23 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The 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.

- 24 **Development shall not commence 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

- 25 **Before development commences details of the marketing literature and comprehensive residents travel information shall be submitted to and approved by the local planning authority. The welcome pack to include:**
- **Details of local shops, services, entertainments and community facilities in the area including schools, with a map showing distances and safe pedestrian and cycle routes,**
 - **Information about bus, coach, train, taxi and community transport services**
 - **Local employers operating travel plans**
 - **Local schools operating travel plans.**

The approved welcome pack to be provided to prospective purchasers.

Reason: To ensure the provision of adequate information that will meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 26 On occupation of the development, the developer shall provide residents a more detailed package explaining the Travel Plan's objectives and including specific information about the alternative methods of transport available. This will include:

- Details of car share databases
- Details of the web site
- Bus, coach and train timetables
- Further information about schools , local shops and supermarkets including details of those offering Internet/telephone ordering(including introductory discounts where possible)
- Details of commercial discounts from rail/bus operators, taxi providers and cycle/motorcycle shops. residents

Reason: To ensure the provision of adequate information that will meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport

- 27 **A bat survey of the larger broad-leaved trees at the site shall be submitted to and approved by the Local Planning Authority prior to commencement of development. In the event that evidence is found that bats are using the trees for habitat at the site, mitigation measures shall be submitted to the local planning authority for its approval. Any such mitigation measures shall be implemented as approved.**

Reason: To safeguard any protected habitat and in accordance with the Wildlife and Countryside Act 1981.

- 28 No tree, shrub or pruning shall be removed from the site during the nesting season from February to September, unless works to make the habitats unsuitable are first undertaken, or detailed examination before clearance, declares the area free from nesting birds.

Reason: In order to safeguard the protected species and in accordance with the Wildlife and Countryside Act 1981.

- 29 **Details of the provision of bird and bat boxes which shall be incorporated into the development in either the properties or communal buildings/structures such as garage blocks, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be implemented in accordance with the approved scheme.**

Reason: To safeguard any protected species and in accordance with the Wildlife and Countryside Act 1981.

- 30 Noise resulting from the use of the plant, machinery or equipment associated with the Pumping Station shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable features) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To safeguard the interests and amenity of nearby properties.

- 31 The first floor window in the side elevation (east) of plot (5J1) and the rooflights on the rear elevation of the ancillary garage of the development hereby permitted, shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to

and approved in writing by the Local Planning Authority prior to the commencement of development. No further windows or other openings shall be formed in the elevation.

Reason: To safeguard the amenities of occupiers of adjoining properties

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's, 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 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.
2. The applicant is advised that no highway surface water drainage system designed as part of the new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated .Any improvements must be approved by the Highways Development Control group, Development Management Division, Central Bedfordshire Council. Further details can be obtained from the Traffic Management group Highways and Transport Division, Central Bedfordshire Council, P.O. 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 and Transportation 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 if it is the intention to request the Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Development Control Group, Development Management Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN.. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

[Note:

- (1) In advance of the consideration of the application the Committee were advised of 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.]