

**Item No. 12****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/09/07065/FULL</b>
<b>LOCATION</b>	<b>Elm Lodge, 18 Stoke Road, 20 Stoke Road and Elmside, Bossington Lane, Linslade, Leighton Buzzard, LU7 2SW</b>
<b>PROPOSAL</b>	<b>Demolition of number 20 Stoke Road and Elmside, Bossington Lane and erection of single and two storey extensions to Elm Lodge residential nursing home (revised application CB/09/06271/FULL).</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Linslade Central</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bowater, Johnstone, Sharer &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Mr A D Robertson</b>
<b>DATE REGISTERED</b>	<b>24 December 2009</b>
<b>EXPIRY DATE</b>	<b>18 February 2010</b>
<b>APPLICANT</b>	<b>Nanco Enterprises Ltd</b>
<b>AGENT</b>	<b>Burnel Design Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor Bowater</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

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 occupation or use of any separate section or phase 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 The existing trees and hedgerows shall, unless otherwise agreed in writing by the Local Planning Authority, be retained and protected and shall not be destroyed, uprooted, felled, lopped or topped. 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 site.

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

- 4 Before any section of the development hereby permitted is first occupied or brought into use, the parking scheme shown on Drawing No. 00709/12C 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).

- 5 Before any section or phase of the development hereby permitted is first occupied or brought into use, 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.

- 6 Before each section or phase of the development hereby permitted is first occupied or brought into use, any existing access within the frontage of the land to be developed as part of that section or phase shall be permanently 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 site.

- 7 **Before development begins, a scheme for screen fencing and/or screen walling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before any section or phase of the development is first occupied or brought into use and thereafter retained.**

**REASON: To safeguard the amenity of the area.**

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

- 8 **Before development begins, samples of the materials to be used for the external walls and roofs of all new buildings 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).**

- 9 The windows shown on Drawing Nos. 00709/7B, 00709/8B and 00709/9B 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).

- 10 **The existing buildings shall not be demolished before a contract has been entered into for carrying out of works of redevelopment of the site.**

**REASON: To ensure that premature demolition does not occur leaving an empty gap in the street scene.**

**(Policies BE6 & BE8, S.B.L.P.R).**

- 11 **Before development begins, details of the proposed method of surface water drainage for the site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works as approved shall be constructed in accordance with the approved details before the related section or phase of the development is first occupied or brought into use.**  
**REASON: To ensure satisfactory drainage of the site.**
- 12 No development shall commence until wheel-cleaning facilities have been provided at all site exits in accordance with a scheme 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.
- 13 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new 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 .
- 14 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.  
REASON: To enable vehicles to draw off the highway before the gates are opened.
- 15 The maximum gradient of the vehicular access shall be 10% (1 in 10).  
REASON: In the interests of the safety of persons using the access and users of the highway.
- 16 Before the development is commenced, details of a travel plan shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full within six months of the first occupation or use of the development. The travel plan shall be monitored on an annual basis and any necessary improvements or variations shall be submitted to and approved in writing by the Local Planning Authority.  
REASON: In order to reduce reliance on the private car.
- 17 This permission relates only to the details shown on Drawing Nos. 00709/13A, 00709/1C and 00709/2C received 24/12/09 and Drawing Nos. 00709/12C, 00709/3D, 00709/4D, 00709/7B, 00709/8B and 00709/9B received 04/02/10 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**

BE6 - Development in Areas of Special Character.

BE8 - Design and Environmental Considerations.

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

H3 - Meeting Local Housing Needs.

H7 - Loss of Residential Accommodation.

T10 - Parking in New Development.

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. The applicant/developer is advised that, whilst the Council has no reason to believe that this site is contaminated, and is not aware of any potentially contaminative past use, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. Any staining, odours or other indications of contamination discovered during development should be reported to the Council's Public Protection Service. Any imported material for gardens or landscaping must be of a quality to British Standard for Topsoil, BS 3882:2007, as expected by the NHBC and other bodies.
5. The applicant/developer is advised that, due to the nature of the construction and surfacing of Bossington Lane where it provides access to the eastern section of the site, construction vehicles servicing that section of the site shall, wherever possible, load or unload on the highway nearest to the site.
6. 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, 6<sup>th</sup> 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.

7. 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.
8. The applicant is advised that 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 Central Bedfordshire Council's 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.

[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.]