

Item No. 13**SCHEDULE C**

APPLICATION NUMBER CB/10/01172/OUT
LOCATION Roker Park, The Green, Stotfold, Hitchin, SG5 4DG
PROPOSAL Outline: The erection of 43 No. dwellings (all matters reserved except access)
PARISH Stotfold
WARD Stotfold & Arlesey
WARD COUNCILLORS Cllrs Dalgarno, Saunders, Street, Turner
CASE OFFICER Hannah Pattinson
DATE REGISTERED 31 March 2010
EXPIRY DATE 30 June 2010
APPLICANT Stotfold Town Council
AGENT Levitt Partnership
REASON FOR COMMITTEE TO DETERMINE The Council has a legal interest in the site

RECOMMENDED DECISION Outline Application - Granted

Recommendation

That Planning Permission be granted subject to the following:

- 1 Approval of the details of:-
 - (a) the layout of the building(s);
 - (b) the scale of the building(s);
 - (c) the appearance of the building(s);
 - (d) the landscaping of the site;

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 4 **No development shall commence until details of 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 complement the surrounding buildings and the visual amenities of the locality.

- 5 **No development shall commence until a Contamination Scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted Contamination Scheme shall include:**

(1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site including sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

(2) A site investigation scheme, based on (1) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site

(3) An options appraisal and remediation strategy, based on (2) above, giving full details of the remediation measures required and how they are to be undertaken

(4) A verification plan, based on (3) above, providing details of the data that will be collected in order to demonstrate that the works set out on (3) above are complete and identify any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for a contingency action.

The scheme shall be implemented solely in accordance with the approved details.

Reason: To protect the quality of, and prevent the pollution of controlled waters in accordance with PPS23 and the Environment Agency's Groundwater Protection (GP3) policy.

- 6 **No development shall take place until the details, including location, height and materials of temporary protective fencing or hoardings and areas prohibited from use by contractors and such other measures to be taken in the interests of existing tree and hedgerow protection shall have been submitted to and approved in writing by the Local Planning Authority and the details shall be implemented as approved for the duration of the works.**

Reason: To safeguard the existing trees and hedgerows on the site and in the interests of visual amenity.

- 7 **No development shall commence until details of the final ground and slab levels of the buildings to be erected have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties or land, 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 a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 8 **No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works, which shall not include borehole soakaways, has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 9 **No development shall be commenced until a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.**

Reason: To ensure a satisfactory method of foul water drainage.

- 10 **No development shall commence until a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority which shall detail methods that all developers, contractors and sub contractors will employ and shall include:**

- i) measures to suppress dust;**
- ii) measures to be used to reduce the impact of noise arising from noise generating 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; and**
- iv) wheel cleaning facilities for construction traffic.**

The implementation of the development shall only be undertaken in

accordance with the approved Code.

Reason: To safeguard the amenities of adjoining occupiers, to protect the surrounding area, and to prevent the deposit of material on the highway.

- 11 **Prior to the commencement of the development shall not begin until details of the modified 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.

- 12 **No development shall commence until a programme of landscape implementation to include any landscape buffers, and details of any advance or screen planting has been submitted to and approved in writing by the Local Planning Authority. Implementation shall be carried out in accordance with an implementation timetable agreed in writing by the Local Planning Authority.**

This landscaping shall be appropriately protected during building operations and maintained to encourage its establishment for a minimum of 5 years following the practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective within this period shall be replaced in the first available planting season in accordance with a scheme to be first approved in writing by the Local Planning Authority.

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

- 13 There shall be no burning of materials on site unless previously approved in writing by the Local Planning Authority.

Reason: To protect the amenity of adjoining occupiers and to protect landscape features.

- 14 This permission shall not extend to the layout and associated engineering details submitted in support of the application.

Reason: For the avoidance of doubt.

- 15 The permission shall authorise the erection of no more than 43 dwellings.

Reason: For the avoidance of doubt.

- 16 Visibility splays shall be provided at the junction of the access with the public highway before the development is first brought into use. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0 m 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 the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 17 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the side road from its junction with the channel to the through road and 25.0 m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junctions in the interest of road safety.

- 18 If contamination not previously identified is found on the site during the construction process then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and received approval in writing from the Local Planning Authority for an amendment to the remediation strategy detailing how the unsuspected contamination shall be dealt with.

Reason: To protect the quality of and prevent the pollution of controlled waters in accordance with PPS23 and the Environment Agency's Policy GP3.

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 Highway Engineer, 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 relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc) then the application will be required to bear the costs of such removal or alteration.

[Note: In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.]