

Item No. 11**SCHEDULE B**

APPLICATION NUMBER	CB/09/06175/FULL
LOCATION	Land At 100 And 102, Bedford Road, Marston Moretaine
PROPOSAL	Full: Demolition of existing two dwellings. Erection of 11 dwellings.
PARISH	Marston Moretaine
WARD	Marston
WARD COUNCILLORS	Cllr Roger Baker & Cllr Mike Gibson
CASE OFFICER	Nicola Stevens
DATE REGISTERED	01 October 2009
EXPIRY DATE	31 December 2009
APPLICANT	Grand Union Housing Group
AGENT	Levitt Partnership
REASON FOR COMMITTEE TO DETERMINE	Major development with outstanding objection from Parish Council.
RECOMMENDED DECISION	Full Application – Granted Subject to signing of a S106 Legal Obligation.

Reasons for Granting

The proposal is in conformity with Policies H06, DPS5, DPS17 and DPS9 of the Mid Bedfordshire Local Plan First Review adopted December 2005 and policies CS1, CS2, CS3, CS4, CS7, CS16, CS17, DM2, DM3, DM4 of the Core Strategy and Development Management Policies Adopted November 2009 as the proposal does not seriously harm the amenities of neighbours and will not have a harmful impact on the character and appearance of the locality. Appropriate and safe provision has been made for access and parking.

The proposal is in conformity with Planning Policy Statements 1 (Delivering Sustainable Development), 3 (Housing), Planning Policy Guidance, 25 (Development and Flood Risk), and Technical Guidance: A Design Guide for New Residential Development in Mid Bedfordshire Adopted 2004, Design Guide for Central Bedfordshire & DS1 New Residential Development Adopted Jan 2010, and Mid Beds District Council Planning Obligations SPD (Adopted Feb 2008).

Recommendation

That Planning Permission be APPROVED 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 Notwithstanding the details shown in the application, 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 match/complement the existing building(s) and the visual amenities of the locality.

- 3 **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.

- 4 **Notwithstanding the details shown, no development shall commence until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- i) materials to be used for any hard surfacing;**
- ii) planting plans, including schedule of size, species, positions, density and times of planting;**
- iii) cultivation details including operations required to establish new planting;**
- iv) 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.

- 5 The scheme approved in Condition 4 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the buildings hereby approved.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

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.

- 6 The boundary treatment shall be erected as shown on layout plan No 11861/10A unless otherwise agreed in writing with the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 7 Prior to the first occupation of the buildings on plots 5 and 6 the first floor windows in the rear elevations of plots 5 and 6 shall be fitted with obscured glass of a type to substantially restrict vision through them at all times, and restriction on their opening to a maximum of 10 cm. These restrictions shall be retained at all times unless written authority has been given by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 8 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the side elevations of plots 7 and 11.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 9 All existing on site building and other structures shall be demolished and all resultant detritus completely removed from the site prior to the commencement of building works unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

- 10 **No development shall commence until details of surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed in accordance with the approved plans before any part of the development is brought into use.**

Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.

- 11 **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.

- 12 No dwelling shall be occupied until visibility splays as shown on drawing 11861/10A have been provided at the junction of the estate road with the public highway.

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.

- 13 No dwelling shall be occupied until the 2.0m wide footway along the frontage of the site as shown on drawing No 10A has been constructed in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 14 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.

- 15 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.

- 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 **No development shall commence until, a scheme showing how access into the parking areas for cycles for plots 1 and 2 is submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details 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 **Development shall not commence until a scheme detailing provision for access of construction traffic and 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 a satisfactory means of access for construction traffic to the site to protect residential amenity and to ensure adequate off street parking during construction in the interests of road safety.

- 19 **The development shall not begin until a scheme for the investigation and assessment to identify the extent and nature of contamination has been provided and agreed in writing by the Local Planning Authority. The scheme shall conform to Environmental Services 'Pre application guidance note on the assessment and remediation of land that may be affected by contamination for Environmental Consultants and Developers' and in doing so shall comprise of the following:**

- a. **A phase 1 report (desk study), including a historical survey and conceptual model of the site.**
- a. **A phase 2 report (Exploratory investigation), documenting the ground conditions of the site, incorporating chemical, gas and water analysis as identified as being appropriate by the phase 1 report**
- a. **A Phase 3 report (Remediation Plan), detailing the remediation works to prevent any land from the site being designated as contaminated land following development**
- a. **A phase 4 report (Validation), demonstrating proof and success of remedial works.**

Reason: To ensure that any potential land contamination is identified and appropriate remedial measures taken to produce a site that is free from harm to humans and suitable for its proposed end use.

- 20 **No development shall commence until a Site Waste Management Plan has been submitted to and approved by the Local Planning Officer. Development shall be completed in accordance with the approved details. The Site Waste Management Plan should demonstrate that in both construction and operational phases of the development, waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner.**

Reason: To ensure that site waste is disposed of in a safe, efficient and comprehensive manner.

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 in order to comply with Condition 13 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 Highways Development Control Group, Development Management Division, , Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN
3. 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.
4. 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.
5. The applicant is advised that the closure of existing access 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 access.
6. You are advised to note the comments of the Waste Officer who states that the cost of bins for this development will be chargeable to the applicant.
7. You are advised to note that condition 10 relating to surface water drainage could result in a development that cannot immediately be implemented

either because it may not be possible to provide adequate details to discharge such a condition or because it could result in drainage works which in themselves require formal planning consent.

[Note:

1. 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.]