

Item No. 8

SCHEDULE B

APPLICATION NUMBER	CB/10/01101/FULL
LOCATION	Land Off, Swaffield Close, Ampthill, Bedford
PROPOSAL	Full: Proposed residential development - Erection of 36 dwellings, access, public open space, children's play area, allotments, landscaping and associated works.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllr Summerfield & Cllr Duckett
CASE OFFICER	Julia Ward
DATE REGISTERED	09 April 2010
EXPIRY DATE	09 July 2010
APPLICANT	The Trustees of Bedford Estates
AGENT	Bidwells
REASON FOR COMMITTEE TO DETERMINE	Cllr Summerfield has called to Committee due to the impact of the proposal on residents' amenities and impact on traffic in the area.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises 1.404 ha of land to the north of Park Hill and west of Swaffield Close in Ampthill. The site is currently disused but formerly comprised an area of allotments.

The site is presently accessed from both Park Hill and Swaffield Close and is also traversed by two public footpaths. It is a steeply sloping site, its lowest area being in Swaffield Close with its highest area in Park Hill. The site opens out onto Ampthill Park on its northern and eastern boundaries.

The site falls within Ampthill Conservation Area and is adjacent to Ampthill Park which is designated as a Historic Garden.

The Application:

The proposal is for residential development comprising a total of 36 no. dwellings. The dwelling mix comprises 11 no. flats (4 x 1 bed and 7 x 2 bed) and 25 no. houses (including 1 no. bungalow) (2 no. 2 bed, 16 no. 3 bed, 5 no. 4 bed and 1 no. 5 bed). It follows 4 no. refusals of planning permissions at the site (refs: MB/99/01747, MB/04/01770, MB/06/00436 and MB/07/01795). Vehicular access to the site would be via Swaffield Close only. Pedestrian access would be provided at Swaffield Close and Park Hill. A Traffic Regulation Order is proposed to restrict on-street parking at the junction of Swaffield Close and Bedford Street.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPS5 - Planning for the Historic Environment
PPS9 - Biodiversity and Geological Conservation
PPG13 - Transport
PPG17 - Planning for Open Space, Sport and Recreation
PPS25 - Development and Flood Risk

Core Strategy and Development Management Policies for Central Bedfordshire (North Area) (adopted 2009)

CS1 - Development Strategy
CS2 - Developer Contributions
CS3 - Healthy and Sustainable Communities
CS4 - Linking Communities - Accessibility and Transport
CS5 - Providing Homes
CS7 - Affordable Housing
CS14 - High Quality Development
CS15 - Heritage
CS16 - Landscape and Woodland
CS17 - Green Infrastructure
CS18 - Biodiversity and Geological Conservation
DM2 - Sustainable Construction of New Buildings
DM3 - High Quality Development
DM4 - Development Within and Beyond Settlement Envelopes
DM9 - Providing a range of Transport
DM10 - Housing Mix
DM13 - Heritage in Development
DM14 - Landscape and Woodland
DM15 - Biodiversity
DM16 - Green Infrastructure
DM17 - Accessible Greenspace

Saved policy from Mid Bedfordshire Local Plan (adopted 2005)

HO8 (5) - Land adjacent to Swaffield Close permitted for residential development (approx. 50 dwellings)

Supplementary Planning Guidance

Design Guide for Central Bedfordshire including Supplements DS1: New Residential Development and DS5: The Historic Environment

Mid Bedfordshire District Landscape Character Assessment (August 2007)

Planning History

07/01795/FULL Erection of 45 dwellings together with garages, roads and all ancillary works
Refused 16/01/08 - Lack of mix of type of affordable housing resulting in an unsustainable and non-inclusive development, lack of on-site play area or recreational open space and the

sole access/ egress along Swaffield Close resulting in a detrimental impact in highway safety and general noise and disturbance

- 06/01436/FULL Erection of 45 dwellings together with garages, roads and ancillary works
Refused 25/01/07 - Proposed access via park Hill would result in intensification of use of a substandard access, servicing of the development cannot be properly provided via Park Hill, and the proposal would result in highway safety problems at the junction of Swaffield Close and Bedford Street in conjunction with traffic using Waitrose store on Bedford Street.
Appeal dismissed 18/07/07 - Large vehicles would not be able to access Park Hill and concerns about parking in Swaffield Close
- 04/01770/FULL Erection of 50 no. dwellings together with garages, roads and ancillary works
Refused 22/04/05 - Proposal harmful to character of conservation area, massing and bulk of buildings harmful to outlook from neighbouring properties with unacceptable overlooking, and the proposal would cause an unacceptable increase in traffic through Park Hill.
Appeal dismissed 04/04/06 - The proximity of the proposed building to 12 - 15 Park Hill would result in unacceptable overlooking and lack of privacy, and the proposal would be over-dominant and overpowering when viewed from 1 Swaffield Close.
- 01/01228/FULL Erection of 27 no. dwellings
Withdrawn 18/10/01
- 99/01747/FULL Erection of 28 no. dwellings
Refused 07/07/00 - The proposal was prejudicial to the deliberations of the Local Plan Inquiry and the proposal was overbearing to the residents of Swaffield Close with disturbance from vehicle headlights

**Representations:
(Parish & Neighbours)**

Parish/TC

Amphill Town Council - Following receipt of revised plans addressing the following points, the application is supported:

- 1) Plot 17 to be removed to protect the amenities of 5 Swaffield Close;
- 2) A better physical barrier to be erected between the development and Amphill Park, such as the wooden fencing currently in use around the perimeter of the park;
- 3) No physical access to be allowed from the development into Amphill Park as there area already

- adequate access points into the park;
- 4) Landscaping and tree works should be to the approval of Central Bedfordshire Council's Trees and Landscape team;
- 5) Subject to a residents only parking scheme and satisfactory ongoing enforcement of the scheme before the unit is first occupied;
- 6) Reinstatement of double yellow lines to Bedford Street and introduction of double yellow lines at the entrance to Swaffield Close to assist with enforcement of traffic regulations;
- 7) The S106 agreement should include a commuted sum for the maintenance costs for the proposed allotments and provision of mains water supply to serve the allotments.

Adj Occ

11 letters of objection have been received from the following addressed on the following matters:

Lavender Barn, 35 Bedford Street - 1) Bedford Street is already congested at peak times - the proposal could increase this congestion as could traffic from other development site proposed in the locality.
 2) If parking is restricted on Swaffield Close, further parking problems will occur in Bedford Street. Where will Waitrose employees park?

5 Swaffield Close - 1) Following removal of plot 17 (a bungalow), there are no objections to the principle of residential development.
 2) Adverse impact on highway safety and general noise disturbance. The 37 units now proposed are not significantly less in number than the previously proposed scheme for 45 units which included a reason for refusal on highway safety and disturbance grounds.
 3) The play area equipment should be in proportion with the available space and should be restricted in height and made in materials, colours to respect the Conservation Area.

"Woods Edge", 28 Park Hill - 1) The proposed brick wall between allotments and 28 Park Hill should be 2 metres high.
 2) The proposed play area could cause anti-social behaviour and therefore CCTV cameras and lighting should be provided in this location.

28 Arthur Street (Amphill Community Safety Group)- 1) Unacceptable increase in traffic along Swaffield Close having a detrimental impact on road safety and general noise and disturbance to residents of Swaffield Close.

2 Swaffield Close - 1) Adverse impact on road safety and increase in road accidents at the junction of Swaffield

Close and Bedford Street. Access to the site should be moved further north along Bedford Street near the garage to resolve this issue.

2) Swaffield Close has an existing turning head which should be removed as part of any application so that cars do not attempt to turn around in the middle of Swaffield Close.

3) More bungalows should be built on the site rather than flats and a 5 bed house. At least 50% of the plots should be bungalows.

1 Swaffield Close - Existing parking problems in Swaffield Close caused by Waitrose. Parking restrictions are therefore required. The Swaffield Close/ Bedford Street junction is dangerous due to the location of parking bays on the opposite side of Bedford Street and parking by the Waitrose delivery entrance.

2 Briar Close - The footpath from Park Hill to the park will be cut by a road which will make it dangerous for children because of traffic. Parking for allotment owners is already available on Swaffield Close and elsewhere in the vicinity. The hedges should be maintained as an historic pathway.

1, 2, 3 and 4 The Maltings - Existing parking problems along Swaffield Close caused by Waitrose. Traffic using Waitrose service bays reverse into Swaffield Close and drive over Bedford Street for access. Traffic driving to the proposed allotments will make the parking problem worse.

21 Park Hill - 1) 36 dwellings will severely affect the nature and character of the location. The development would alter the appearance of this part of Ampthill.

2) Adequate drainage is required at the site.

3) Adverse impact of the development on traffic along Swaffield Close and within the town.

4) Concerns about impact of delivery vehicles during the construction period in terms of mud/ debris on road, noise, disruption to traffic and congestion.

58 Bedford Street - 1) Increase in traffic congestion in area which is already struggling to cope with traffic and deliveries at Waitrose.

2) The development will spoil views into and out of Ampthill Park. The conservation area should be preserved.

33 Rushbrook Close - A car park should be established on the part of the application site currently shown as a play area due to the lack of parking for residents on Park Hill.

Consultations/Publicity responses

Natural England	Although the site is located within 1 km of a statutorily designated site (Cooper's Hill SSSI), Natural England considers that it is unlikely that the proposals will have a substantial effect on the special interest features of the SSSI. However, it is noted that the site is adjacent to Ampthill Park County Wildlife Site (CWS). It is recommended that the proposal accords with local policies in the Core Strategy. The Wildlife Trust should be consulted. The proposal has the potential to affect protected species. It is recommended that a condition requiring protection of nesting birds is attached to any planning permission.
Disabled Access officer	No comments on application.
Forest of Marston Vale	A contribution towards the delivery of the Forest of Marston Vale is required under the Planning Obligations Strategy 2008.
Environmental Health	A condition should be attached to any planning permission requiring relevant surveys related to contaminated land to be submitted and agreed by the local planning authority prior to the commencement of development.
Internal Drainage Board	The site is outside the Board's drainage district and therefore the Environment Agency should be consulted. A drainage condition should be attached to any planning permission ensuring that adequate drainage is included within the site.
Greensand Trust	The application site is immediately adjacent to Ampthill Park, a County Wildlife Site that is also on the Register of Parks and Gardens. It has high wildlife and heritage value. The high visitor numbers mean that a great deal of resources are needed to manage the usage and protection of the conservation and heritage value of the park. No further access routes should be created into the Park either via additional entrances or through nonofficial entrance points through residents' back gardens which could result in disturbance and dumping of garden rubbish. A secure boundary fence should therefore be provided around the development in addition to the proposed hedging.
Education officer	Contributions for education provision are required through a legal agreement.
English Heritage	No objection to the principle of residential development in this location. However, it was considered that the application did not properly assess the impact of the proposal on the historic environment and further information was required in terms of the design and

appearance of the proposal and the impact on the conservation area and Grade II listed park. A PPS5 statement has been submitted.

Environment Agency	The proposed development will only be acceptable if planning conditions requiring details of drainage and land contamination to be submitted and agreed are attached to any planning permission.
Amphill Allotments Association	Strongly support application as there are currently 60 applicants on the Town Council's allotments waiting list.
Waste Strategy Team	The applicant should provide details of the bin storage locations and collection points for each dwelling. With regards to the communal stores for the flat blocks, further information is required on the store locations, access points and store capacity. A development of this size and requires a Site Waste Management Plan (SWMP) - a condition is therefore required to be attached to any planning permission requiring such a plan to be submitted and agreed prior to commencement of development.
Garden History Society	<p>The proposal relates to an area of land immediately adjacent to the Amphill Park which is included on the Register of Parks and Gardens as a Grade II park. The park has been identified by English Heritage as a designated landscape of special historic interest in the national context. Due to the absence of an impact assessment that comprehensively sets out the impact of the proposals on Amphill Park's important historic landscape, the Garden History Society objects to the application.</p> <p>No comments have been received on later additional information.</p>
Ramblers' Association	The site is traversed by Amphill Footpath FP11. This path has tall, mature hedges on both sides and it will be beneficial to retain these as they will provide screening for both the public using the path and for local residents of the proposed housing development. The reduction in height of the hedges or the introduction of gaps - other than the access to the allotments - would reduce the visually attractive nature of the predominantly rural path.
Leisure Services officer	<p>A development of 37 dwellings requires 623 sq m of children's play space and 1513 sq metres of outdoor sporting space. The applicant is providing 1955 sq m of on-site Public Open Space which includes 1 LEAP and 1 LAP and this is considered acceptable.</p> <p>As no on-site provision is possible for the outdoor sporting space, a contribution should be sought for the</p>

improvement of local outdoor sporting facilities.

The two proposed small amenity areas do not seem to serve any purpose and are not of any use for Public open Space. However, Leisure Services is happy to accept them. The general layout and position of the Public open Space and play areas is considered acceptable, ie pathways, distances from houses and visibility. The entrance to the allotments does cut the Public open Space into two areas and although traffic into the allotments is unlikely to be heavy, it makes for an awkward break between the Public Open Spaces. A different entrance layout to the to the allotments would be preferred to ensure that the two proposed visitor spaces do not cause a hazard to children using the play areas. A boundary treatment around the Public Open Space would be required if the parking spaces are to remain. A plan is required indicating the locations of the proposed play areas and the exact size of the Public Open Space. A contribution towards the provision of local indoor sporting facilities should also be sought.

Highways

The revised road layout and footway provision shown on the amended drawings are considered acceptable and the vertical alignment profile of the new road and the swept path movement of a refuse vehicle are also considered satisfactory. The exclusion of the footway around the existing turning head needs to be addressed. In addition, the provision of gates whilst acceptable need to be located at a minimum distance of 5.0m from the near side of the carriageway and therefore those proposed at accesses serving plots 1 and 2 need to be removed. This can be covered by a condition.

The revised Travel Plan dated July 2010 is satisfactory.

Approval is therefore recommended subject to conditions.

Archaeology Officer

The proposed development lies immediately adjacent to Ampthill Park, a nationally designated landscape, partially within the historic town of Ampthill and approximately 200 metres from a significant area of prehistoric activity. Consequently the development site is considered to be within an area of locally, regionally and nationally important heritage assets. A Written Scheme of Investigation for the archaeological works on site has been submitted and the archaeological fieldwork undertaken on site.

Determining Issues

The main considerations of the application are;

1. Planning History of the site
2. Principle of residential development on the site
3. Impact of the proposal on the historic environment
4. Landscaping implications
5. Impact of proposal on footpaths crossing the site
6. Ecological implications
7. Highways considerations
8. Impact of proposal on visual amenities of area
9. Impact of proposal on residential amenities of adjoining occupiers
10. Play and Open Space issues
11. Affordable housing
12. Section 106 issues
13. Any other material planning considerations

Considerations

1. Planning History of the Site

As noted above, there have been previous refusals of planning permission for residential development at this site (refs:MB/99/01747, MB/04/01770, MB/06/00436 and MB/07/01795). Planning refusal ref: MB/06/01436/FULL was upheld at appeal but the Inspector's report did not accept many of the Council's concerns. Planning application MB/06/01436/FULL was refused for three reasons relating to access via Park Hill, inadequate servicing from Park Hill and existing problems of on-street parking along Swaffield Close due to the Waitrose supermarket on Bedford Street.

The Inspector found that the proposal would contribute towards meeting the housing supply objectives and he did "not find fault with it lightly". However, he considered that the access from Park Hill proposed at that time would not allow pantechincons, refuse and emergency vehicles to readily reach the proposed flats and therefore the highways access from Park Hill would be unsuitable. Concerns were also raised that parking in and around Swaffield Close has become more intense since the opening of the Waitrose supermarket on Bedford Street. However, the Inspector found that the measures to mitigate the adverse consequences can be identified and put in place should the additional traffic associated with the development make matters significantly worse.

The decision of the Inspector is a material consideration in the determination of this current application. The applicant in this instance has made alterations to the overall scheme relating to the access and parking issues raised by the Inspector, namely taking vehicular access only from Swaffield Close with the inclusion of a Traffic Regulation Order with the Section 106 agreement to restrict on-street parking at the junction of Swaffield Close and Bedford Street.

The most recent planning application (ref: MB/07/01795) was also refused for three reasons - the impact of the development on the sole access/ egress along Swaffield Close resulting in a detrimental impact in highway safety and general noise and disturbance, lack of types of affordable housing and on-site play areas. It is considered that this current application addresses these previous reasons for refusal and these issues are discussed below.

2. Principle of residential development on this site

The land to which this application relates is identified under policy HO8 (5) of the Mid Bedfordshire Local Plan First Review (adopted 2005). This is a saved policy for the Core Strategy. The policy states that the site should be able to accommodate an appropriate mix of approximately 50 no. dwellings. The site identified by policy HO8 (5) is slightly larger than the application site as it includes an area of land fronting directly onto Bedford Street.

Although this proposal incorporates only 36 no. dwellings, less than the 50 identified in policy HO8 (5), the density of the scheme is 30 dwellings per hectare (taking into account the net developable area excluding the proposed allotments). Although the minimum density requirement has now been removed from PPS3 (Housing), a density of 30 dwellings per hectare in this location is considered appropriate.

3. Impact of the proposal on the historic environment

The application site falls within the Ampthill Conservation Area and is adjacent to the Historic Park and Garden of Ampthill Park. The area around Park Hill is characteristically urban, compact and hilly, whilst Bedford Road and Woburn Street both contain many buildings of architectural interest. The historic interest of the application site is therefore an important material planning consideration.

The applicant has submitted a PPS5 Statement on Heritage Assets in support of the application. This Statement identifies that the proposal has been designed in the context of the site being within a conservation area, adjacent to historic parkland and a County Wildlife Site. There are no listed buildings within or immediately adjacent to the application site. The scale and massing of the buildings have taken influence from the site's context in that the majority of the buildings are two storey. There is a variation in massing with denser development in parts of Park Hill and less dense at Swaffield Close. Public consultation took place prior to the submission of the application and included an assessment of 4 no. character areas in Ampthill. The Design and Access Statement submitted by the applicant states that the design of the site responds to the character areas identified and includes focal buildings at the entrance to the site and to the north-east of the site to allow visual interest within the site. A larger detached property is located at the end of the existing streetscene along Swaffield Close, such as those that can be found at Church Street.

A materials schedule has been submitted in view of the conservation area status of the site and this indicates that hand-made facing bricks, treated timber boarding, slate effect roof tiles, aluminium window frames and rainwater goods. It is considered that these materials would result in a high quality finish to the development.

Archaeological issues have also been thoroughly assessed with a desk-top study resulting in an agreed written scheme of investigation and on-site intrusive works. The archaeological implications of the development are considered below.

Given the information submitted with the planning application and the PPS5 Statement, it is considered that the proposal would not have a detrimental

impact on the character or appearance of Ampthill conservation area.

4. Landscaping Implications

It has already been noted that the application site is a former allotment area. As such it contains no substantial treescape but opens out onto the mature trees of Ampthill Park. There are still signs on the site of the former allotments with some fruit trees and shrubs remaining. In general, however, the site is overgrown and disused.

There are some important hedgerows within the site, most notably those which border the footpath which crosses from Park Hill to the Park which at present takes the form of a pleasant green lane. The hedgerows would be retained within the development and would contain the allotments at the south-western corner of the site. A vehicular access to the allotments would be created through the existing hedgerow.

The applicant has submitted a Tree Assessment Report and Arboricultural Impact Statement in support of the application. These surveys identify that the majority of the trees on the site are dictated by the former use of the site as allotments and are mainly fruit trees of poor condition. There were no trees of notable arboricultural quality present within the site. The only specimen of any particular significance is a large mature beech tree outside the site boundary at the north-western corner of the site.

The applicant has also submitted a detailed Landscape and Visual Assessment, including a Landscape Strategy Plan, in support of the application. This plan indicates an indicative planting palette, including native shrubs, medium sized trees and wildflower areas. Following revisions of the site layout plan submitted during the application process, the Landscape Plan is required to be updated. It is therefore considered appropriate to attach a condition requiring landscaping details to be submitted and implemented.

The Mid Bedfordshire District Landscape Character Assessment (August 2007) identifies the site as lying within the Mid Greensand Ridge. This area of landscape has a strong ecological value, a strong wooded context and a large number of historic parks and gardens. Parkland is the dominant land use in this area. The landscape strategy for this high quality biodiversity rich historic landscape is to conserve and enhance the landscape. Conservation should focus on positive features, especially ancient woodland, estate parkland and areas of pasture.

It is considered that the general lack of any landscape features in good condition and worthy of retention on the site itself, and the avoidance of damage to landscape features adjacent to the site boundary as a result of the proposal, will minimise the impact on the landscape. The incorporation of public open space and allotments as part of the proposal will result in a high quality environment on the site.

The previous use of the land as allotments may have resulted in contamination of the site. The applicant has submitted a Ground Investigation Report in support of the application. This report does not identify any constraints to the development as envisaged. A further survey in respect of benzo(a)pyrene at the

site is recommended although the risk posed is low and capable of remediation should further elevated levels be detected. A condition requiring appropriate remediation works to be carried out is therefore recommended.

5. Impact of proposal on footpaths crossing the site

There are two footpaths related to the application site. Public footpath no. 11 dissects the site leading from Park Hill to the west. Along the north-west of the site, the site is bounded by footpath no. 32.

The design of the scheme has taken the opportunity of footpath no.11 to allow for the proposed allotments on the south-western side of the footpath and the proposed play area at the eastern end of the site with the hedgerows being retained to maintain the rural feel of this route.

A gated access would be provided across the footpath into the allotments. This limited vehicular access is considered acceptable.

Footpath no. 32 runs beyond the northern edge of the application site from Bedford Street to Ampthill Park. The rear gardens of plots 28 – 36 would back onto the footpath but it is considered that these properties would not represent any detrimental impact to the footpath. A 1.8 metre timber hit and miss fence is proposed along the rear boundaries of the properties immediately adjoining the park.

There is also a small length of adopted public footpath no. 7 running up to the side of Swaffield Close. A 2 metre footpath would be provided along the road leading into the development from Swaffield Close.

A pathway leads beside Swaffield Close into the site. The route is presently overgrown and there have previously been ownership issues related to the path. It has been excluded from the red line of the application and as the land is not in the ownership of the applicant, it cannot be the subject of any works required by conditions.

6. Ecological Implications

The application site is adjacent to the County Wildlife Site of Ampthill Park and as such may contain ecological value. The applicant has submitted an Ecological Assessment in support of the application (dated February 2010). This assessment advises that no evidence of badger activity was identified within the site or immediate vicinity, and no bat roosts were recorded within the survey area. None of the trees within the survey area or immediately adjacent to it supported any features which might be considered suitable for roosting bats. The report goes on to advise that best practice guidance should be followed to protect all retained habitats during construction and woody vegetation and trees should be removed outside the bird nesting season.

The applicant has also submitted a further Reptile Survey Report and Mitigation Strategy in support of the application. The survey was carried out between late March and May 2010. This report identifies that one common lizard was found during one survey occasion. The report concludes that the site supports a low population of common lizard making use of the application site for hibernation.

Suggested mitigation measures include passive displacement of the lizard population by gradual vegetation management over the whole application site. The aim of this management will be to discourage common lizard from using the affected habitats by making them completely unsuitable for this species. In the unlikely event that further common lizard populations are discovered during the site clearance process, works will cease and a nature conservationist will be consulted.

It is considered appropriate to attach conditions requiring the appropriate mitigation measures to be carried out prior to the commencement of development.

7. Highways issues

The application site comprises a sole vehicular access and egress point from Swaffield Close. The existing turning head at the end of Swaffield Close will be removed. Pedestrian access is also available from Park Hill. The applicant has submitted a Transport Statement and Travel Plan in support of the application. This statement advises that to address the existing parking problems in Swaffield Close, a controlled parking scheme for this road is proposed. The Travel Plan advises that the measures required for this development are the improvement of pedestrian movements in the form of a contribution towards provision of a crossing in Woburn Street to the south of the site, public transport improvements, temporary free bus passes to each new household on the application site, welcome packs explaining public transport provision in the area, provision of cycle parking for each property, and the appointment of a Travel Plan Co-ordinator to monitor progress. It is considered that these measures are acceptable in this instance and will help to encourage use of public transport in the area and discourage the use of the private car. It is considered appropriate to attach a condition requiring these measures to be implemented as well as inclusion within any legal agreement.

8. Impact of the proposal on the visual amenities of the area

The application site is made up of steeply sloping ground set behind and in front of residential properties. The proposed development is predominantly 2 stories with selected feature buildings at 3 stories. As a result of the topography of the site, the development would be visible not just in direct views from Swaffield Close and Park Hill, but the roofscape is likely to be visible from parts of Bedford Street.

The topography of the site also has a potentially adverse impact on the occupiers of neighbouring properties. The Landscape and Visual Assessment submitted in support of the application identifies that local residents in close proximity to the site will experience a change in views. The properties that back onto the site on Swaffield Close are set down at a lower level than the application site resulting in some views of the development from upper floors only. A number of the properties in Park Hill have side views of the site or are screened from the area of the site by intervening vegetation. Where the site is directly overlooked, such as views from the cottages on Park Hill, the layout of the development has been designed with an area of landscaped open space, including orchard trees, which would provide a visual buffer. The layout of the scheme also sites the proposed play area and allotments to the south of the site closest to properties in Park Hill.

It is considered that the topography of the site has been satisfactorily dealt with in terms of the design and layout of the scheme and the high quality design of the properties would not result in a significant loss of visual amenities in the area.

9. Impact of the proposal on the residential amenities of neighbouring occupiers

The applicant has designed the layout to ensure that there is no significant impact on the adjacent properties, especially as the site results in some of the neighbouring dwellings being at a lower level than the proposed housing. During the course of the application, the applicant has submitted revised plans removing the proposed bungalow in closest proximity to 5 Swaffield Close. The distance between plot 16 (a bungalow) and 5 Swaffield Close is 21 metres. This distance is considered acceptable in this location. Properties at 18 - 28 Park Hill would back onto the proposed allotments and it is considered that this use is appropriate for an existing residential area. 10 - 16 Park Hill would front onto proposed open space and children's play area.

It should be noted that where in the past there has been an open outlook across the application site to the woodland beyond, the loss of this view and outlook is not in itself a planning consideration on which to base a refusal of planning permission. In any event, it is considered that the loss of this open area of land, which has been allocated for housing development, would not in itself warrant refusal of planning permission.

It is considered that the development would not have an adverse impact on the residential amenities of occupiers of adjacent properties for the above reasons.

10. Play and Open Space Issues

The applicant is proposing an on-site children's play area comprising 300 sq metres of play area and 6 no. pieces of play equipment for 4 - 8 year olds. In addition, 1, 888 sq metres of public open space throughout the site. It is considered that this size of public open space is acceptable for this development. It is considered appropriate that the children's play area is fenced given the close proximity to the proposed entrance to the allotments.

Allotments are also proposed to the south of the site for use by local people. It is intended that the allotments will be managed by Ampthill Town Council.

11. Affordable Housing

Policy CS7 of the Core Strategy states that new housing developments for 4 or more dwellings should provide an element of affordable housing with 35% or more units being affordable. In this instance, a total of 13 dwellings are required to be affordable. The applicant is proposing that 9 dwellings will be social rented accommodation and 4 dwellings will be shared ownership. The split of accommodation will vary across the site with flats and houses proposed to be affordable (1 no. 1 bed flat, 4 no. 2 bed flats, 6 no. 3 bed houses and 2 no. 4 bed houses). The amount and type of affordable housing proposed complies with condition CS7. Any further comments from the Housing Strategy officer will be reported.

12. Section 106 issues

The applicant has submitted a Draft Heads of Terms document for a Section 106 agreement for the application. In addition to a Traffic Regulation Order to restrict parking on Swaffield Close, contributions towards public transport improvements and a pedestrian crossing on Woburn Street to facilitate the safe movements of school children from the site to local schools as part of the Safer Routes to School Initiative will be required. Educational contributions, and off-site indoor and outdoor recreational space are also required. A satisfactory legal agreement is required to be completed before the grant of any planning permission for the development.

13. Any other material planning considerations

Sustainability of the development

The applicant has submitted a Code for Sustainable Homes (CSH) Strategy and Energy Statement in support of the application. These documents advise that the proposed affordable housing will achieve CSH level 4 and the dwellings for private sale will achieve CSH level 3. Photovoltaic systems are proposed for the affordable housing in the form of building-integrated photovoltaic tiles as these would result in a more streamlined appearance and would facilitate optimum roof coverage for dwellings with complex roofscapes, for example dormers/ hipped roofs. Whilst it is disappointing that the entire development cannot be CSH level 4, it is considered that the provision of part of the site as CSH level 4 is adequate in this instance.

Archaeological issues

Prior to the submission of the planning application, the developer's archaeological consultant determined, in consultation with the Council's archaeologist, that the application site is archaeologically sensitive and it was agreed that an archaeological field evaluation of the site should be undertaken. A Written Scheme of Investigation was approved and archaeological fieldwork was undertaken. A report of the fieldwork in an approved format has not yet been received from the applicant and further comments cannot be made until an approved report has been received. An updated archaeological report is awaited and any further comments from the archaeology officer will be reported at Committee.

Drainage issues

In terms of the drainage of the site, the applicant has submitted a Flood Risk Assessment in support of the application. This assessment states that the site lies within Flood Zone 1 as defined by the Environment Agency maps. Flood Zone 1 is the low risk zone with an estimated annual probability of flooding of 1 in a 1000 years or greater (ie a less than a 0.1% chance in any given year). The report also states that there are no existing watercourses or ditches within or adjacent to the site and there will no flood risk to the site from overland flows, Swaffield Close, existing sewers or groundwater. The site is underlain with sands and considered suitable for soakaway drainage. It is proposed to use a soakaway for the adoptable highways, permeable surfacing and paving for the private roads and car parking areas, and infiltration units for the dwellings. In

addition, foul water drainage from the site can connect into existing arrangements in Swaffield Close to the south of the site.

It is considered appropriate to attach conditions to any approval requiring full details of all foul and surface water drainage to be approved by the Local Planning Authority.

Environmental Impact Assessment

The proposed development has been screened under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008. The Screening Opinion is dated 10/03/10 and states that although the development falls within Schedule 2 of the Regulations, it will not have such significant effects on the environment to require an Environmental Impact Assessment.

14. Conclusion

This planning application is proposed on a site which has been allocated for housing in the Core Strategy (saved policy HO8(5) of the Mid Bedfordshire Local Plan First Review). It is considered that the scheme has been sensitively designed to respect its context in terms of both the adjacent Registered Park and the historic built environment of Ampthill. The appearance of the proposal would respect the character and appearance of the surrounding area and the layout of the proposal would not have a detrimental impact on the residential amenities of adjoining occupiers. The access arrangements are considered acceptable. There would not be any adverse impacts on the ecological value of the adjacent County Wildlife Site or the site itself.

In the light of the above factors, it is considered that planning permission should be granted subject to the completion of an appropriate legal agreement.

Reasons for Granting

The proposed development, by reason of its design, appearance, layout, scale, massing, access arrangements, relationship to the historic environment and adjacent County Wildlife Site, would not have a detrimental impact on the character and appearance of Ampthill Conservation Area, residential amenities of neighbouring occupiers, ecological value of the surrounding area and the site itself, nor an adverse impact on the access and egress arrangements onto Bedford Street or traffic generation in the area. The proposal is therefore in conformity with policies CS1, CS2, CS3, CS4, CS5, CS7, CS14, CS15, CS16, CS17, CS18, DM2, DM3, DM4, DM9, DM10, DM13, DM14, DM15, DM16, DM17 of the Core Strategy and Development Management Policies (adopted 2009); saved policy HO8 (5) - Land adjacent to Swaffield Close permitted for residential development (approx. 50 dwellings) - from Mid Bedfordshire Local Plan (adopted 2005); PPS1 - Delivering Sustainable Development, PPS3 - Housing, PPS5 - Planning for the Historic Environment, PPS9 - Biodiversity and Geological Conservation, PPG13 - Transport, PPG17 - Planning for Open Space, Sport and Recreation and PPS25 - Development and Flood Risk; Design Guide for Central Bedfordshire including Supplements DS1: New Residential Development and DS5: The Historic Environment, and Mid Bedfordshire District Landscape Character Assessment (August 2007).

Recommendation

That Planning Permission be granted subject to the completion of a satisfactory S106 agreement and the following conditions:

- 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 **Before development is undertaken on site, full details of both hard and soft landscaping, including a revised Landscape Strategy, 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;**
- **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.

- 3 **Development shall not begin on site until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority. 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 highways and the proposed estate road.

- 4 **Development shall not take place on site until detailed plans and sections of the proposed road(s), including gradients and methods of storm water disposal, have been approved in writing by the Local Planning Authority. No building shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed roadworks are constructed to an

adequate standard

- 5 No development shall begin on site 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.

- 6 No development shall begin 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 car parking during construction in the interests of road safety

- 7 Development shall only be carried out using foundations details of which shall have been previously agreed in writing by the Local Planning Authority to include the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site.**

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

- 8 Before development is undertaken 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 reference to both the site and adjoining properties. Thereafter, the development shall be implemented in accordance with the approved details.**

Reason: To ensure that there is a satisfactory relationship between the new development and adjacent buildings and public areas.

- 9 Before development is undertaken on site, a scheme of works to upgrade the surface of Public Footpath No. 11 shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed scheme shall be implemented prior to the occupation of any dwelling on the site.**

Reason: In order to protect the footpath's surface from additional usage that will result from the development.

- 10 **Development shall not be undertaken on site until a surface water drainage scheme for the site, based on sustainable drainage principle, has been submitted to, and approved in writing by, the Local Planning Authority. Details of the future management and maintenance of the scheme shall also be submitted. The approved scheme shall be constructed in accordance with the approved plans before any part of the development is brought into use and the scheme shall be implemented and managed/ maintained in accordance with the approved details.**

Reason: To prevent the risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of these.

- 11 **Before development is undertaken on site, the following documentation shall be submitted to, and approved in writing by, the Local Planning Authority:**

a) A Phase I Desk Study incorporating a site walkover, site history, maps and all features of industry best practice relating to potential contamination;

b) Where shown to be necessary by the Phase I Desk Study, a Phase II Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling;

c) Where shown to be necessary by the Phase II investigation, a Phase III detailed scheme for remedial works and measures to taken to mitigate any risks to human health, groundwater and the wider environment;

d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase VI validation report to incorporate photographs, material transport tickets and sampling.

Any remediation scheme and any variations shall be agreed in writing with the Local Planning Authority before development is undertaken on site. This should include responses to any unexpected contamination discovered during works on site.

Reason: To protect human health and the environment.

- 12 **Before development is undertaken on site, full details of all proposed external lighting on the site, including a scheme for dusk to dawn lighting of communal parking courts, shall be submitted to, and approved in writing by, the Local Planning Authority. the approved lighting shall be implemented prior to the first occupation of any**

dwelling utilising the spaces within the parking courtyards.

Reason: To ensure that the security and attractiveness of the development, including the parking courts, is maintained.

- 13 Before development is undertaken on site, a scheme detailing access provision to and from the site for construction traffic, clearly indicating what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be operated throughout the period of construction works.**

Reason: To ensure the safe operation of the road network in the interests of road safety.

- 14 Before development is undertaken on site, details of the method of disposal of foul sewage for the site shall be submitted to and approved by the Local Planning Authority. The approved 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 foul water drainage is provided to prevent pollution of the surrounding environment.

- 15 Development shall not be undertaken on site until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the Local Planning Authority. The boundary treatment 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

- 16 Before development is undertaken on site, full details of a scheme for the protection of Ampthill Country Park County Wildlife Site, including appropriate boundary fencing, during construction works, shall be submitted to and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

Reason: To protect Ampthill Park County Wildlife Site and to prevent to discharge of materials of contaminants into this area

- 17 Before development is undertaken on site, a Site Waste Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved plan.**

Reason: In the interests of the satisfactory removal of waste materials from the site.

- 18 Any retaining walls within the site and forming part of the development hereby permitted shall be constructed in facing materials to match those used on any immediately adjacent building unless otherwise agreed in**

writing by the Local Planning Authority.

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.

- 19 **The mitigation measures included within the submitted habitat surveys (ref: Ecological Assessment, February 2010 & Reptile Survey Report and Mitigation Strategy, June 2010) shall be implemented to the satisfaction of the Local Planning Authority and in accordance with a timetable to be agreed in writing by the Local Planning Authority before development is undertaken on site.**

Reason: In the interests of nature conservation and the amenity of the area.

- 20 **Before development is undertaken on site, full details of the proposed play area, including play equipment and a boundary fence, and areas of public open space, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved plans.**

Reason: To ensure the satisfactory provision of open space and play areas within the development

- 21 **Before development is undertaken on site, full details of the design of the proposed electricity sub-station shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

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

- 22 The development shall at no time obstruct the public footpath/ rights of way adjoining the site.

Reason: In the interests of pedestrian safety.

- 23 Prior to the occupation of any dwelling on site, full details of the management and maintenance of all communal areas, including parking courts, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure their availability to residents and to ensure that they are appropriately maintained in the interests of visual amenity.

- 24 Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any vegetation have to be removed during, or close to, this period, it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds, appropriate mitigation measures suggested if necessary, and then agreed in writing with the Local Planning Authority.

Reason: To protect breeding birds.

- 25 The garages hereby permitted shall be kept available for the parking of motor vehicles at all times. The garages shall be used solely for the benefit of the occupants of the dwellings of which they form a part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: Having regard to current highway guidance and the intensively developed nature of the site, to retain off-street parking which could adversely affect the convenience of road users.

- 26 The development shall be implemented in accordance with the submitted materials schedule ref: AA1557-17.0-002, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a high quality development within the Conservation Area and in close proximity to Ampthill Park.

- 27 No shrubs or hedges on the site shall be removed or cut down without the prior written consent of the Local Planning Authority.

Reason: To safeguard the existing shrubs and hedges on the site in the interests of visual amenity.

- 28 The soil levels within the root spread of the trees/ hedgerows to be retained shall not be raised or lowered.

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

- 29 The burning of materials shall not take place where it could cause damage to any tree or tree group to be retained, either on site or on adjoining land.

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

- 30 The scheme approved in Condition 2 above shall be carried out in accordance with a timetable previously agreed in writing by the local planning authority. 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.

- 31 The promotion of sustainable travel associated with this development shall be implemented in accordance with the approved Transport Statement and Travel Plan (MEC, ref: 20011/TR/07-10/3024 rev A) dated July 2010 and shall include the following agreed measures;

- * Appointment of a Travel Plan Co-ordinator;
- * Agreed Targets;

* Marketing and promotion of sustainable transport choices including the provision of welcome packs to include site specific travel and transport information: travel vouchers; maps showing the location of shops, recreational facilities, employment and educational facilities; details of relevant pedestrian, cycle and public transport routes to/ from the site; copies of relevant bus and rail timetables;

* Monitoring upon first occupation and annually thereafter for a period of five years.

Reason: For the avoidance of doubt and to reduce reliance on the private car.

- 32 The structures to be located in the rear gardens for the parking of cycles as shown on drawing ref: AA1557-2.1-001B and to be located within the building as shown on drawing ref: AA1557-2.1-003B shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. Development shall not commence until the visual appearance of the freestanding structures has been submitted to, and agreed in writing by, the Local Planning Authority.

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

- 33 If the 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 interests of the road safety.

- 34 Before the premises are occupied, all on-site vehicular areas shall be surfaced in a manner to the Local Planning Authority's written approval so as to ensure the satisfactory parking of vehicles outside the 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

- 35 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 works shall be commenced for the extension (Class A) or erection of outbuildings (Class E) of plots 17 - 21 and 30 - 36 without the express grant of planning permission.

Reason: To preserve and enhance the character of Ampthill Park and to protect the root systems of trees in and around the site.

- 36 Notwithstanding the approved plans, the proposed gates at accesses serving plots 1 and 2 shall be removed. Any gates provided shall open away from the highway and be set back a distance of at least 5 metres 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.

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

Reason: In the interests of protecting the quality of groundwater in the area.

- 38 **Before development is undertaken on site, full details of the storage of rubbish bins, including bin collection points, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

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

- 39 **Before development is undertaken on site, full details of the proposed gates to the allotments, including appearance, height, method of opening, maintenance and management of the gates, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

Reason: In the interests of the visual amenity of the area and to protect the route of the public footpath adjacent to the allotments.

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 Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BA 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 a 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 developer's expense to

account for extra surface water generated. Any improvements must be approved by the Highways Development Control Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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 Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
4. The applicant is advised that if it is the intention to request 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, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . 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.
5. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.
6. Applicants are reminded that, should groundwater or surface water courses be at risk of contamination during of after development, the Environment Agency should be approached for approval of measures to protect water sources separately.
7. Anglian Water has assets close to or crossing the site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate these assets within either prospectively adoptable highways or public open space. If this is not practicable, then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry Act 1991, or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
8. The applicant is advised that the relevant law protecting species should be complied with, including obtaining and complying with the terms and conditions of any licences required, as described in Part IV B of Circular 06/2005.
9. Please note that this planning permission is subject to a legal agreement (S106 agreement).