

Item No. 10**SCHEDULE B**

APPLICATION NUMBER CB/11/01305/FULL
LOCATION 1 Lincoln Way, Harlington, Dunstable, LU5 6NB
PROPOSAL Single storey rear extension and new dwelling within garden.
PARISH Harlington
WARD Toddington
WARD COUNCILLORS Cllrs Costin & Nicols
CASE OFFICER Mary Collins
DATE REGISTERED 07 April 2011
EXPIRY DATE 02 June 2011
APPLICANT Mr T Culverhouse
AGENT Paul Lambert Associates Ltd
REASON FOR COMMITTEE TO DETERMINE Previous refusal at Development Management Committee

RECOMMENDED DECISION Full Application - Granted

Approved subject to a Section 106 agreement

- 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 **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.

- 3 **Prior to the commencement of the development hereby permitted, acoustic fencing shall be erected along the western and northern boundaries to the rear of the application site. A 1.8 metre high brick wall shall be erected on the boundary between the side of the dwelling at 41 Church Road and the front garden of the dwelling hereby approved. Details of the position and design of the walling and fencing shall be submitted to the Local Planning Authority before the**

development is commenced. The brick wall shall be retained in place at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide an acceptable noise environment and level of amenity for future occupants of the development.

- 4 Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 5 Before development begins, a scheme for the secure and covered parking of cycles on the site for the new dwelling (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented 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.

- 6 No work shall commence on site until details of all the 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.

- 7 Development of the new dwelling shall not begin until the junction of the proposed vehicular access with the highway and the on site parking for the existing dwelling has been surfaced and constructed in accordance with the approved details.**

Reason: To order to replace the existing on site parking and access for the existing dwelling.

- 8 The accesses shall have a minimum width of 2.75m.**

Reason: In the interest of road safety and for the avoidance of doubt.

- 9 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the**

fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

- 10 Before the new premises are occupied the on site vehicular areas shall be constructed and surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits.

- 11 Before the new dwelling is occupied any lengths of the existing access that are surplus to requirements 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 site.

- 12 Details of bin collection point located at the site frontage shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 13 The turning/manoeuvring space for vehicles illustrated on the approved Drawing No 2505-02 shall be constructed before the development is first brought into use.

Reason: To enable vehicles to manoeuvre and park outside the highway limits.

- 14 Notwithstanding Schedule 2, Part 1, Classes A, B, C, D, E, F, and G 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 or material alteration of the buildings hereby permitted or the erection of any building/ structure within the curtilage of the dwelling hereby approved until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

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

- 15 No work shall commence on site until details of surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include the installation of new manholes at the upstream and downstream ends of the application property curtilage to enable future maintenance of the culvert and a "flood pathway" to allow overground flow to the outfall pond for when the culvert is overloaded in times of high rainfall. The drainage works shall be constructed in accordance with the approved plans before any part of the development is brought into use and shall be retained.

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

- 16 If any spring were to emerge as a direct result of the works hereby approved, it must be captured and diverted back in to the culvert to the satisfaction of the Local Planning Authority.

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

Full details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans, including schedule of size, species, positions, density and times of planting and cultivation details including operations required to establish new planting.

The development shall be carried out in accordance with the approved details.

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

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access for the existing dwelling 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, 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 for the existing dwelling 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 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.

3. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
4. The applicant is advised that the closure of any surplus lengths of the 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 Customer Contact Centre on 0300 300 8308. 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.
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
6. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.
7. The granting of this planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IV B of *Circular 06/2005*.

The *Leylandii* trees should not be removed during the nesting season March - August inclusive. Once cut down the brash should be removed from the site as birds will still nest in *leylandii* when it's on the ground as it resembles good scrub cover in their eyes.

Prior to commencement of development, it is advised that a CCTV survey of the culvert is carried out from the manhole in front of the property through to its outfall behind the garage block off of Wingate Road and that all faults are remedied before construction works are started.

Notes

(1) In advance of the consideration of the application the Committee received representations made under the Public Participation scheme

(2) In advance of the consideration of the application the Committee were advised of consultation received from the Internal drainage Board, Building

Control, Wildlife Trust and Ecology Officer. The Committee were furthermore advised of additional/amended Conditions and notes to applicant as set out in the late sheet attached to these Minutes.