

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 12 OCTOBER 2011**

#### **SCHEDULE B**

#### ***Item 7 (Page 15-38) – CB/11/02380/OUT – Dukeminster Estate, Church Street, Dunstable.***

##### **Additional Consultation/Publicity Responses**

Highways Officer (7/10/11) –

No objections. Sets out required conditions and informatives. To fund/contribute to the improvements to public transport, especially the Luton-Dunstable Busway and Real Time Information, a contribution should be sought equal to £650 per dwelling.

Anglian Water (4/10/11) –

Asks for informative on assets affected. Foul water network upgrades will be required to prevent risk of flooding. A condition should be attached requiring improvement works in accordance with a strategy. Surface water should preferably go to SUDs. The submitted strategy/FRA is unacceptable and the applicant needs to consult further on this through a condition.

Sustainable Growth Officer (22/9/11) –

Welcomes commitment to build Code Level 4 sustainable homes, which appear to exceed Building Regulations spec. for Level 4. But concerned that electric heating systems would be used (with their higher carbon emissions than gas). Would ask for more information on how photo-voltaic and solar energy panels would be used to supplement heating systems. No information is provided on the non-residential part of the development, and BREEAM excellent should be met.

Youth and Community Artsworkeer (29/9/11) –

Part of the public art contribution would enable completion of the Busway contemporary history sculpture trail. Additional funding would enable an artist/community partnership for the design and enhancement of the skateboard project, engendering more Pride of Place.

##### **Additional Comments**

Following a site meeting with the Busway Project team a possible foot/cycle route has been identified between the northern corner of the site and the proposed Court Drive bus stop. This would enable residents of the new estate to have easy access to fast buses and would be a strong impetus to developing sustainable travel habits. Much work remains to be done and will input into ongoing discussions for the estate as a whole. However, an informative should be attached to encourage progress on this front should this application be taken forward to reserved matters stage.

In respect of the Anglian Water proposed conditions, the surface water condition requirements are well covered by the proposed condition 13 which needs no amendment. Amendment of proposed condition 22 would accommodate the new wording of the foul water condition.

The comments from the Sustainable Growth Officer may be carried forward as an informative for further consideration at reserved matters stage.

### **Additional/Amended Conditions**

22. (Replacement wording) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied unless the works have been carried out in accordance with the foul water strategy so approved unless otherwise agreed in writing by that Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

23. As per agenda.

24. (New) Development shall not begin until details of the improvements to 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.

25. Visibility splays shall be provided at all road junctions and vehicular access points within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

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

26. Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access 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.

27. No dwelling shall be occupied until all triangular vision splays are provided on each side of all accesses on to the new road 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 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.

28. The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

29. 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.

30. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

31. The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

32. If the proposed 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 interest of road safety.

33. 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.

34. Before development begins, a scheme for the parking of cycles on the site 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.

35. Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: In the interest of amenity.

36. Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.

Reason: To ensure that the proposed highways are adequately lit.

37. Development shall not begin until a scheme to restrict the speed of traffic on the estate road has been approved by the Local Planning Authority and no building shall be occupied until that scheme has been implemented in accordance with the approved details.

Reason: In the interests of road safety.

38. 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.

39. Condition 24 in the agenda.

### **Additional/Amended Informatives**

6. The reserved matters application should include further details (a) exploring the use of heating systems which have lower carbon emissions than electricity, (b) how photo-voltaic and solar energy panels would be used to supplement heating systems, and (c) to show that BRREAM excellent would be achieved in the non-residential element.
7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's expense under S185 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 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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
9. The applicant is advised that if it is the intention to request the Central Bedfordshire County 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 Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.
10. The applicant is advised that in order to comply with Condition \_\_\_\_ 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 Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN.
11. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Streets", or any amendment thereto.

***Item 8 (Page 39-48) – CB/10/02161/FULL – Old Park Farm, Bridle Way, Toddington, Dunstable.***

**Additional Consultation/Publicity Responses**

1. 8 Pilgrims Close, Harlington – Objection. The site was agricultural land for many years and is in the Green Belt. Previously, unacceptable proposals have been put forward for the development of the site. Permanent permission would mean unrestricted motor cross events with possibilities of operational development taking place. The site is close to residential properties in Harlington.
2. Toddington Parish Council – Objection. Request that the application be deferred to enable further consultations with local residents due to the

changes that resulted from the Council elections and changes in ward boundaries.

3. Dunedin, Harlington Road – Supports the application. The sporting activity is best suited to this countryside location.

### **Additional Comments**

The concerns raised by Toddington Parish Council have been noted. However, this is not a new application. The Parish Council has already had an opportunity to comment on the application and their objections are summarised in the Officers' report. The case officer has since communicated with the Parish Council to clarify the position.

The application was called in by Cllr Fiona Chapman on the 29<sup>th</sup> September 2010 before the change in ward boundaries.

### **Additional/Amended Conditions**

None

## **SCHEDULE C**

### ***Item 9 (Page 49-70) – CB/11/02509/FULL – Land at No. 1 and The Chestnuts, Friars Walk, Dunstable.***

### **Additional Consultation/Publicity Responses**

None.

### **Additional Comments**

A draft Unilateral Undertaking in relation to the Planning Obligations Strategy for Southern Bedfordshire was received on Monday, 10<sup>th</sup> October 2011. However, it has not been possible to perform the necessary considerations and assessment of this document and obtain a signed copy of the Agreement prior to the meeting of the Development Management Committee. If the Committee is minded to endorse the Officer's recommendation to grant planning permission, it is proposed that the issue of a grant of planning permission be delegated to the Head of Development Management upon receipt of a signed Unilateral Undertaking and payment of the appropriate Legal fee.

### **Additional/Amended Conditions**

None.

### **Amended Recommendation**

That Planning Permission be delegated to the Head of Development Management to approve the application, subject to the satisfactory receipt of a signed Unilateral

Undertaking; the payment of the appropriate Legal fee and the conditions and informatives as set out in the main agenda.

***Item 10 (Page 71-78) – CB/11/01079/FULL – Ickwell Fields, Ickwell Road, Upper Caldecote.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 11 (Page 79-84) – CB/11/03099/REG3 – Haynes Lower School, Foresters Close, Haynes.***

**Additional Consultation/Publicity Responses**

Additional consultation with Sport England following their earlier response to the application in which they raised an objection as the proposed extension was located in an area that appeared to be marked out as a netball court.

Given that the playground is not marked out for a netball court in the location of the extension and due to the age range at the school, formal sports areas are not required, as such Sport England have withdrawn their objection to the proposal as the extension would not affect the school's playing field.

**Additional Comments**

Sport England – No objections (see above)

Haynes Parish Council – No objections

Neighbours comments – 3 Letters received

One letter in support of the proposal commenting that the current activity room is not available for the intended purpose as it is being used as classroom. Design of extension in appropriate. School must be allowed to meet the needs of the community.

Two letters objecting to the proposal for reasons of the impact of the extra traffic in the area, not enough parking at the school, extension will lead to increase in numbers at the school, traffic problems at school start and finish times, events sometimes held in the evenings causing problems, CBC should not be spending

money on this project at this time, plans to convert the 'wild garden' into additional parking is not included in these plans.

CBC Highways – No objections. There is a school travel plan however this is due to be updated. A condition to ensure the Travel Plan is updated is recommended.

Note from Case Officer: The School Travel Plan relates to the whole school. A condition can only relate to the development the subject of the application, therefore the recommended condition would be unreasonable and not in accordance with Government Guidance in Circular 11/95 - The Use of Conditions in Planning Permissions. As such, it is not recommended that a travel plan condition is imposed should planning approval be granted.

**Additional Condition**

None.