

Item No. 10**SCHEDULE B**

APPLICATION NUMBER	CB/11/03414/FULL
LOCATION	Land rear of 100 Common Road, Kensworth, Dunstable, LU6 3RG
PROPOSAL	Erection of 1 bed bungalow
PARISH	Kensworth
WARD	Caddington
WARD COUNCILLORS	Cllrs Mrs Gammons & Stay
CASE OFFICER	Abel Bunu
DATE REGISTERED	26 September 2011
EXPIRY DATE	21 November 2011
APPLICANT	Gleneden Properties Ltd
AGENT	Lee Butler MRICS
REASON FOR COMMITTEE TO DETERMINE	Member call in by Ward Councillor Stay on the grounds of overdevelopment of site
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be **GRANTED** subject to the following:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Before development begins, samples of the materials to be used for the external walls and roofs of all new buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building.
(Policy BE8 S.B.L.P.R).**

- 3 The hedgerow to be removed shall be replaced by a new planting, the size, position and species of which shall be approved in writing by the Local Planning Authority. The hedge shall be planted by a date not later than the end of the full planting season immediately following the removal of the hedge and shall be maintained until satisfactorily established (a full planting season shall mean the period from October to March).

Reason: To ensure the planting of replacement hedge in the interests of visual amenity.
(Policy BE8 S.B.L.P.R).

- 4 **Before development begins, the position of the dwelling shall be pegged out on site and its position approved in writing by the Local Planning Authority.**

**Reason: To enable consideration to be given to the precise layout of the development.
(Policy BE8 S.B.L.P.R).**

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area.
(Policy BE8 S.B.L.P.R).

- 6 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the Local Planning Authority.

Reason: To control the development in the interests of the amenities of the area.
(Policy BE8 S.B.L.P.R).

- 7 The existing vehicular access shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 8m into the site, measured from the highway boundary, before the premises are occupied. Arrangement 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 into the highway so as to safeguard the interest of the highway.

- 8 The development shall not be brought into use until a turning space for service vehicles has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 9 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: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety.

- 10 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.

- 11 No development shall commence until the apparatus for wheel cleaning has been provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The apparatus for wheel cleaning 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.

- 12 Before the vehicular access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay 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 highway level.

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

- 13 Visibility splays shall be provided at the junction of the vehicular access with the highway. The splays shall extend to the limits of the site's highway frontage on each side of the access from a point on the centre line of the access measured 2m back from the edge of highway. The vision splays so described shall be maintained free of any obstruction to visibility.

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

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 13911.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not, be inappropriate in the Green Belt, detract from the appearance of the locality, be harmful to residential amenities and would make adequate provision for off-street parking thereby conforming with the development plan policies comprising policies ENV2,ENV7, H1, SS1 of the Regional Spatial Strategy for the East of England, Policy 25 of the Bedfordshire Structure Plan, BE8, SD1, H12, H3 and T10 of the South Bedfordshire Local Plan Review and national advice contained in Planning Policy Statements 1, 3, 7 and Planning Policy Guidance 2, 13 and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010 and the Planning Obligations supplementary planning document.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

ENV2 - Landscape Conservation

Bedfordshire Structure Plan 2011

7 - Areas of Great Landscape Value (AGLV)

South Bedfordshire Local Plan Review

BE8 - Design Considerations

T10 - Parking - New Development

NE3 - Control of Development in Areas of Great Landscape Value (AGLV)

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. Only clean, uncontaminated surface water, should be discharged to any soakaway, watercourse or surface water sewer.

5. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Planning Authority. The maximum acceptable depth for soakaways is 2.00 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
6. If during any site investigation, excavation, engineering or construction works, evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall thereafter be remediated to the satisfaction of the local Planning authority to ensure that the site is made suitable for its end use.
7. 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 9BD 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.
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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.
9. 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.
10. 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 Guidance - July 2010".
11. The applicant is reminded that a licence is required should any scaffolding be required which will overhang or encroach part of the Public Footpath.

12. No materials or vehicles associated with the development should be left on or near the Public footpath so as to cause an obstruction or hazard to its users at any time, including preparation for the development and during any work carried out.
13. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional information regarding the inspector Appeal decision.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.