

**Item No. 10****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/11/03036/FULL</b>
<b>LOCATION</b>	<b>Scyttels Court, Vicarage Close, Shillington</b>
<b>PROPOSAL</b>	<b>Demolition of 2 storey block of flats and erection of 13 no new 2 and 3 bed dwellings with associated amenity and parking.</b>
<b>PARISH</b>	<b>Shillington</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr MacKilligan</b>
<b>CASE OFFICER</b>	<b>Clare Golden</b>
<b>DATE REGISTERED</b>	<b>19 September 2011</b>
<b>EXPIRY DATE</b>	<b>19 December 2011</b>
<b>APPLICANT</b>	<b>Grand Union Housing Group</b>
<b>AGENT</b>	<b>David Coles architects ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr MacKilligan has requested that the application be determined at the Development Management Committee on the grounds of a high level of public interest and concern</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Site Location:**

The application site is located at Scyttels Court, adjacent to Vicarage Close in the village of Shillington. The 0.38Ha site comprises of Aragon House, a detached, one and two storey building with interlinking blocks constructed of brickwork with timber clad panels. The building was built in the mid 1970s and contains 22 self-contained 1 bedroom flats and one self-contained 3 bedroom wardens flat. The flats have historically been used as rented retirement properties, accompanied by communal lounge space, staff offices and kitchen facilities. The facility is in the process of being shut down.

The building is surrounded by gardens and an open car park, and is accessed from Vicarage Close. A pedestrian footpath from the north links Church Street through to Vicarage Close. The north west corner of the site has been designated as an area of Important Open Space within the Adopted Core Strategy.

The site is surrounded predominantly by residential development with Vicarage Close to the west and south, Church Street to the north and High Road to the east.

The site is located within the settlement envelope and within the Shillington Conservation Area. The site also falls within the setting of two grade II Listed buildings, Chestnut Tree Farmhouse to the east and Nutcracker Cottage, also to the east on High Road.

## **The Application:**

This application seeks full planning permission for the erection of six 2 bedroom houses, six three bedroom houses and one 2 bedroom bungalow, following the demolition of Aragon House.

This would be a 100% affordable housing scheme with 6 being for rent and 6 shared ownership.

## **RELEVANT POLICIES:**

### **National Policies (PPG & PPS)**

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS5: Planning for the Historic Environment

PPG13: Transport

PPG17: Planning for Open Space, Sport and Recreation

### **Policies of the Adopted Core Strategy, Development Management Policies, 2009**

CS1 - Large Villages

CS2 - Developer Contributions

CS3 - Open Space for New Dwellings

CS5 - Location of new Residential Development

CS7 - Affordable Housing

CS14 - High Quality Development

CS15/DM13 - Heritage

DM1 - Renewable Energy

DM2/CS13 - Sustainable Construction of new buildings

DM3 - High Quality Development

DM4 - Settlement Envelopes

DM5 - Important Open Space within Settlement Envelopes

DM10 - Housing Mix

DM15 - Biodiversity

### **Supplementary Planning Guidance**

Design in Central Bedfordshire: A Guide for Development, Adopted January 2010

Design Supplement 1: New Residential Development

Design Supplement 5: The Historic Environment

Planning Obligations Strategy 2008

Shillington conservation Area Appraisal, 2006

### **Planning History**

CB/11/03037/CA

Conservation Area Consent: Demolition of 2 storey block of flats. **Pending consideration.**

**Representations:  
(Parish & Neighbours)**

Shillington Parish  
Council

**Object** on the following grounds:

- Density of the development
- Type of housing
- Increase in traffic
- Parking congestion
- Highway safety
- Loss of parking for the Congregational Church

Adjacent Neighbours

46 letters of **objection** have been received on the following grounds:

- The loss of elderly accommodation
- Insufficient level of elderly accommodation in the parish
- An accommodation needs survey should be carried out
- The layout is too dense
- The mix of property types
- Not in-keeping with the character of the surrounding development, and conservation area
- Insufficient open space in the development
- 100% affordable housing
- The loss of parking for the Congregational Church
- Increase in traffic
- Detrimental impact on Highway safety
- Increase in on-road parking in the surrounding area
- Insufficient resident and visitor parking
- Close proximity of parking to No. 25 Vicarage Close
- Additional pressure on local services
- Loss of trees
- Impact on the setting of the adjacent Grade II Listed buildings
- The dwellings will overlook adjacent houses and gardens
- Insufficient areas of outside space for children to play in
- There are no regular bus services to and from Hitchin
- The proposals do not take account of the Village Plan
- Additional noise disturbance
- Access to Church Street will be disrupted

**Consultations/Publicity responses**

Site notice posted on 23.09.11  
Advertised on 30.09.11

Conservation Officer No objection.  
Trees and Landscape Officer No objection.

Archaeology No objection.  
Highways No objection, subject to conditions relating to details of the junction between the estate road and the highway,

		visibility splays, surfacing, construction workers parking and access.
Shillington Design Association	Village	Support the redevelopment of the site for housing and landscaping, but have reservations about the following: <ul style="list-style-type: none"> <li>- The layout is too dense</li> <li>- The parking provision of two marked spaces for each property is inflexible and insufficient as there are only 3 visitor spaces. Suggest that there be one designated space per each dwelling with the remainder to be available for residents or visitors as needed.</li> <li>- There is no indication of any parking spaces being available for the Congregational and All Saints Churches. If not provided, this will cause considerable nuisance. A reduction in the number of dwellings would allow parking for both residents and visitors.</li> <li>- There is no indication of whether an up to date Housing Needs Survey has been undertaken for Shillington. Believe that the last needs survey carried out some four years ago is met by the Marshall's Avenue application currently under consideration.</li> <li>- Welcome the use of materials appropriate to Shillington and sympathetic to the adjacent buildings in this conservation area. However, the application is short on detail particularly in relation to window and door materials. Request that the Planning Officer closely monitors the choice of materials.</li> <li>- Concern regarding the capacity of Shillington treatment works to cope with any more effluent.</li> </ul>
Public Protection North		No objections subject to conditions relating to contaminated land and the control of noise and dust.
Architectural Officer - Police	Liaison Bedfordshire	No objections.
Ecology		No objections.
Waste/Recycling		No objection subject to a condition requesting details of the bin storage.
Housing Strategy		Support the proposal.
English Heritage		Recommend that the application be determined in accordance with national and local policy and on the basis of the Council's specialist conservation advice.
Internal Drainage Board Shillington		No comments.
Congregational Church		Commented on the application on the following grounds: <ul style="list-style-type: none"> <li>- The private drive of the Church was used as a footpath as part of an agreement with Mid Beds District Council in 1974/5. As part of the agreement, the Council would re-surface the whole of the entrance/driveway. This would allow the driveway to be used as a path and still allow the parking of vehicles on it. It was found however that a safe walkway could not be maintained whilst vehicles were parked in the drive. Subsequently, through verbal agreement, it was agreed that Church users would be</li> </ul>

allowed to park on the Scyttels Court parking area providing that there was no interference with the resident's requirements. This arrangement has successfully been in place for more than 35 years.

Originally, five cars could safely be parked on the length of the driveway and this number should be used in your redevelopment planning of the site.

Apart from Church services, the buildings are now used seven days of the week for many village activities.

## **Determining Issues**

The main considerations of the application are;

- 1. The principle of the development**
- 2. Visual impact on the character and appearance of the surrounding area and street scene**
- 3. Impact on the character and appearance of the conservation area and setting of the adjacent Grade II Listed buildings**
- 4. Impact on the residential amenities of neighbouring properties**
- 5. Any other material considerations**

## **Considerations**

### **1. The principle of the development**

The application site is located within the village settlement of Shillington which is classed as a Large Village in the Adopted Core Strategy. Policy DM4 - Settlement Envelopes states that proposals for new housing development within settlement envelopes defined on the proposals map will be considered acceptable in principle. The preamble for DM4 goes further to state that the scale of any type of new development should reflect the scale of the settlement in which it is located. Similarly, PPS3 encourages the re-use of previously developed land for housing.

The application site presently accommodates Aragon House which contains 23 one bedroom flats and 1 three bedroom flat. The facility is presently being closed down and this application seeks to redevelop the site. The proposal would result in the net loss of 11 dwellings.

Concern has been raised in relation to the replacement of the former Sheltered Housing accommodation, with a view that the former building should be replaced with similar accommodation for the elderly. There are no policies in the Core Strategy that require the retention of this type of accommodation, however. The applicant's have stated that the building is no longer satisfactory to meet current living standards and that adapting the building would not be economically viable. They have further stated that there has been a high void turnover in this building and sheltered accommodation of this type has become less attractive, with a shift now to accommodating elderly people within their own homes and adapting these to deliver support at the home.

Policy CS7 (Affordable Housing) aims to secure affordable housing on

developments of 4 or more dwellings stating that 35% or more should be affordable. The development complies with this policy and exceeds this by proposing 100% affordable housing with a mixture of rented and shared ownership dwellings.

The principle of new residential development in this location is in accordance with Policy DM4 and CS7 and therefore acceptable subject to careful consideration of the criteria set out in Policy DM3, in particular, the size of the site needs to be adequate, there must be sufficient on site parking, the design of the proposed dwellings must be in keeping with their surroundings and there must not be an unduly adverse impact on the amenities of neighbours.

## **2. Visual impact on the character and appearance of the surrounding area and street scene**

### The character and appearance of the surrounding area:

Core Strategy policy DM3 requires that new development be appropriate in scale and design to their setting and should contribute to creating a sense of place and respect local distinctiveness through design and use of materials. The aims of this policy are reinforced in the Council's adopted Design Guidance - 'Design in Central Bedfordshire', 2010.

The character of the surrounding area is comprised of a mixture of dwellings of varying sizes, ages and styles with different plot sizes. To the north of the site is Church Street which is the historic core of the village and has the greatest number of historic buildings which creates a good sense of enclosure. The area of Church Street closest to the application site is characterised by two storey, Victorian terrace cottages, and larger houses with yards leading to back-land development. To the west, lies Vicarage Close, a 1980s residential development of detached dwellings. Two groups of elderly person's bungalows also lie within this development. To the south, five dwellings in Vicarage Close extend into Scytles Court, and behind these lie detached dwellings which front High Road. Dwellings along High Road continue to border the site to the east and this area comprises a mix of Victorian, 17th Century, and mid to late 20th Century residential development, interspersed by commercial properties.

The materials palette in this area is predominantly gault brick, with some red brick detailing, and slate roofs, reflecting the predominance of Victorian buildings. Painted render is also less commonly used in mainly cream and yellow hues, on older buildings. Later, 20th residential development is generally construction in red brick. The site lies within the Shillington Conservation Area.

Views into the site are afforded from Vicarage Close, and from the rear gardens of neighbouring properties. Limited views are afforded from Church Street, and mainly through the sides of houses and from the footpath which connects with the site.

### The existing site and proposal:

The site itself comprises of Aragon House, which is a large building of interconnecting blocks which has a design, very much of its era and is in contrast to the character and appearance of the surrounding area. The building is not considered to make a positive contribution to the character or appearance of the conservation area.

It is proposed to construct 13 dwellings on the site with six being 2 bedroom

houses, six 3 bedroom houses and one 2 bedroom bungalow. The dwelling types would comprise a mixture of 5 pairs of semi-detached properties, two linked detached and one detached bungalow.

Concern has been raised in respect of the density of the development. PPS3 requires the efficient use of previously developed land and advises that good design is fundamental to using land efficiently. The density of the development is 34 dwellings per hectare which meets the Council's density requirements for village infill development which is set at 30-45 dph. All of the dwellings have a minimum 10 metre deep rear garden and exceed the minimum 50m<sup>2</sup>. The dwellings have landscaping to the front and open space integrated into the layout. The development also retains the 506m<sup>2</sup> parcel of Important Open Space in the north western corner of the site. The plot sizes and distances between dwellings reflect much of the surrounding grain of development, and in this context, the density of the site is considered to be acceptable and would not result in overdevelopment.

Concern has been raised in respect of the external appearance of the dwellings, and how they relate to the character and appearance of the surrounding development. Policies DM3 and CS14 require that all new development be appropriate in scale and design to their setting and contribute to local distinctiveness. The site is unusual in that it forms quite an isolated, outward facing development, surrounded by the backs of other development. Apart from the five dwellings to the south, the site does not have an immediate front-facing context to visually compete with. The site is also surrounded by a wide mixture of buildings with varying characteristics. The design response therefore has been to create a contemporary style for the dwellings to reflect the 21st Century approach to design, whilst still being sympathetic to the historic context of the surrounding area, by interpreting the traditional styles, materials and proportions that are characteristic of other buildings in the village. The dwellings have a traditional form and use traditional window and door proportions, with the use of modern materials such as steel and aluminium which is in-keeping with the overall design concept. Subject to the use of good quality materials, it is considered that the external appearance of the dwellings would preserve the visual amenity of the surrounding area and enhance the character and appearance of the conservation area.

Despite the comparatively small size of the development, there is variation within the streetscene created by the layout and landscaping, and subtle variations in the elevations. The dwellings also incorporate solar panels on the south facing roofslopes and incorporate measures to increase the thermal performance of the buildings to ensure that they are constructed to meet current best practice building standards.

The landscaping for the scheme has incorporated many of the existing significant trees on the site, as well as proposing new tree planting. This is considered acceptable to preserve the visual amenity of the surrounding area.

The form of the new buildings are considered to be appropriate in terms of their scale and relationship with the surrounding development. The design and layout of the dwellings is acceptable in the existing street scene, and subject to control of the proposed materials to be used, and a hard and soft landscaping scheme, the proposal is considered to be an enhancement to the character and appearance of the conservation area, and wider area, in accordance with Policy DM3 of the Adopted Core Strategy and the Adopted Design Guide SPD.

### **3. Impact on the character and appearance of the conservation area and setting of the adjacent Grade II Listed buildings**

The site is wholly located within the Shillington Conservation Area where new development must preserve or enhance the character and appearance of the area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, PPS5: Planning for the Historic Environment and in accordance with Policies CS15 and DM13 of the Adopted Core Strategy.

The site also lies within the setting of two Grade II Listed buildings, Chestnut Tree Farmhouse (94 High Road). The Crown Public House on High Road and Victorian cottages on Church Street, to the north and north east of the application site have been identified as buildings of local interest, along with the Congregational Church. In accordance with PPS5: Planning for the Historic Environment, these buildings and the conservation area are Heritage Assets meaning that they have a degree of significance requiring consideration in the planning applications.

A Heritage Asset Assessment has been submitted to support the application and it identifies the special interest of the conservation area and the buildings within it as Heritage Assets. It further assesses the impact of the proposal on that special interest.

#### Demolition:

The existing building on the site is not considered to make a positive contribution to the character or appearance of the conservation area and there is no objection in conservation terms to its demolition, subject to a scheme for redevelopment being secured to avoid the creation of an unattractive 'gap site' within the conservation area.

#### Setting of Chestnut Tree Farmhouse and Nutcrackers Cottage:

Chestnut Tree Farmhouse is a two storey, detached dwelling located approximately 27 metres away from the existing building on the site. It is a timber framed building dating from the 17th Century and it has architectural and historic interest, as well as making a positive contribution to the character and appearance of the conservation area. The setting of this building has been significantly altered over time and consequently, the dwelling lies on a much reduced plot in terms of its original size, although the setting of the building still benefits from a deep front garden.

Concern has been raised in respect of the impact the proposed development will have on the setting of this Listed building. Presently, the rear gardens of this property and Aragon House form the separation between the built form which helps preserve the immediate setting of the Listed building to the rear. The proposed development would not be sited any further towards the Listed building and gardens would still remain in between. The proposed development would reduce the amount of building to the south of the Listed building which is being replaced by gardens, and a parking court.

In accordance with Policies CS15 and DM13 it is not considered that the proposal would alter the setting of this Listed building significantly or cause harm to this setting and special interest of this Listed building.

Nutcrackers Cottage, a 17th Century timber framed building is located to the south of the application site and No.s 25-29 Vicarage Close lie between it and the application site. By virtue of this distance and context of the surrounding



development, it is not considered that the proposal will harm the setting of this Listed building.

By virtue of the degree of separation and scale of the proposed development, it is not considered that the special interest of other undesignated heritage assets would be significantly, or detrimentally affected.

Impact on the character and appearance of the conservation area:

Views into the site from the conservation area, and across the wider area would not be impeded by the proposed development because of the siting of the buildings and the building heights will be comparable to those of the surrounding development.

The merits of the layout and external appearance of the dwellings has been discussed in Section 2 of this report, and for the reasons outlined, it is clear that the design of the proposed scheme has been informed by an assessment of the significance of the surrounding Heritage Assets and it is considered that the proposal would not harm this significance. In accordance with PPS5, policies CS15 and DM13, and guidance in the Adopted Conservation Area Appraisal and Design Guide, it is considered that the proposal would result in an enhancement to the character and appearance of the conservation area.

#### **4. Impact on the residential amenities of neighbouring properties**

Core Strategy policy DM3 requires development to respect the amenities of neighbouring residents. The Council's Adopted Design Guide, and in particular, supplement 1: New Residential Development, provides guidance on designing to respect aural and visual privacy, light and outlook.

Privacy:

The proposed dwellings would back onto the rear gardens of other dwellings along Vicarage Close to the west, and south, Church Street to the north, and High Road to the east and south. Concern has been raised in respect of the close proximity of the proposed dwellings and the potential for them to overlook neighbouring dwellings and gardens.

The proposed development accords with the Council's guidelines in terms of back to back distances between dwellings to achieve an adequate level of privacy and to avoid potential overlooking. A back to back distance of greater than 21 metres is achieved between the rear of the proposed dwellings and surrounding neighbouring properties. The rear gardens of each proposed dwelling would also be a minimum of 10 metres. The layout meets the Council's standards to protect aural and visual privacy therefore, and although the individual comments made by neighbouring properties have been considered, the relationships with neighbouring properties has been found to be in accordance with Policy DM3 and the Adopted Design Guide.

Outlook:

Concern has been raised with respect to the close proximity of the dwellings to the rear gardens of neighbouring properties and the impact this may have in terms of outlook and by appearing overbearing. Whilst the development does back onto the gardens of surrounding neighbouring properties, it is noted that there is a good provision of screening in the boundary treatment around the site. Even without the boundary treatment, by virtue of the back to back distances and garden depths, it is not considered that this proximity would be harmful or

overbearing to the visual amenity afforded to the residents using their gardens, or harmful to the aural and visual privacy afforded to them.

#### Noise & General Disturbance:

Concern has been raised in respect of the close proximity of the car parking with neighbouring dwellings and the impact this may have in terms of noise, light and general disturbance.

The development provides designated parking for residents and visitors. Whilst most of these spaces are to the front and side of the dwellings, some are located to the rear, and some adjacent to boundaries with neighbouring properties. The Council's adopted design guide advises that parking spaces (whether allotted to the property or not) should be a minimum of 2 metres away from the windows of a habitable room. All of the parking spaces exceed the 2 metre minimum distance and would not result in a significantly greater increase in disturbance, than that which already occurs by the existing parking arrangement.

#### Loss of Light:

Apart from Plot 13, the proposed dwellings are separated from the existing dwellings by distances of 10 metres or more, therefore no adverse loss of light or overbearing impact would occur. Plot 13 would be located approximately 4 metres (at the narrowest point) to the north east of No. 25 Vicarage Close, although both dwellings would be side facing to each other and No. 25's single storey garage would be located inbetween. By reason of this orientation of the buildings, the modest height of Plot 13, and distance between both dwellings, it is not considered that the proposal would result in a significant reduction in the amount of light afforded to this property, nor would it appear overbearing within No. 25's outlook.

#### The amenities of the new occupants:

The layout of the site has been designed so that the future occupants would not suffer any loss of amenity. Adequate separation between the plots and the location of windows ensures that there is no adverse loss of privacy.

The proposed dwellings, by reason of their siting and design, will not cause a detrimental impact on the residential amenities of occupiers of neighbouring properties in terms of overlooking, loss of privacy, outlook, loss of light or by having an overbearing impact. The proposal is therefore considered to accord with Policy DM3 of the Adopted Core Strategy, Development Management Policies and guidance in 'Design in Central Bedfordshire', Adopted SPD, 2010.

## **5. Any other material considerations**

#### Highway Safety:

Concern has been raised in respect of the level of off-street parking for the new development, and the impact this may have in terms of on-street parking in the surrounding area. The scheme proposes 29 parking spaces which equates to 2 spaces per dwelling and three visitor parking spaces. In accordance with the parking standards outlined in the Adopted Design Guide, Supplement 7: Movement, Streets and Places, this level of off-street parking is considered to be acceptable.

The car park at the site is currently also used by visitors to the Congregational Church and St Andrew's Church and visitors to Vicarage Close. Concern has

been raised in regard to the loss of these spaces and the impact this may have on increased on-street parking in the surrounding residential streets. The use of the car park for these purposes appears to have been an informal arrangement and whilst the proposed development will remove this opportunity for parking, it would be unreasonable to refuse permission on this basis where this hasn't been formally designated for such use.

Concern has been raised in respect of the potential for an increase in traffic to and from the site.

The application has been accompanied by a Transport Statement which shows that there will be a modest increase in vehicle trips to and from the site (13 movements per day). The Council's Highways Officer considered that this is likely to be nearer to 25 movements per day but that such an increase is still relatively modest and would not result in any significant impact on the local highway network or highway safety.

#### Sewage:

Comments have been received in respect of the potential impact the proposal may have on existing services in the area. These matters will be dealt with under the remit of Building Regulations.

#### Archaeology:

The proposed development is on the edge of the historic core of the village. It is an archaeologically sensitive area and a locally identified heritage asset with an archaeological interest as defined by PPS5: Planning for the Historic Environment.

Although the site does have the potential to contain Saxon and medieval archaeological deposits relating to the origins and development of Shillington, construction of the existing building at the site will have had a substantial and damaging impact on any archaeological remains the site contains and on the significance of the heritage asset with an archaeological interest. This and the location of the site in relation to the identified heritage asset mean that redevelopment of the site is unlikely to have a serious impact on archaeological deposits or the heritage asset they represent. There is no objection to the application on archaeological grounds, therefore.

#### Section 106 matters:

The Planning Obligations Strategy, wherein the construction or creation of one dwelling or more is required to make a financial contribution towards the costs of local infrastructure and services, was adopted by the Council on 20th February 2008 and has been operative since 1st May 2008. The Draft Supplementary Planning Document was subject to a six week public consultation period between 6th July and 17th August 2007.

The SPD is a material consideration in the determination of planning applications and refusal of planning permission is likely when development proposals do not comply with its requirements. There is provision within this document to consider applications where the level of planning obligation contributions is being challenged, although this is in exceptional circumstances and must be subject to the submission of a financial viability statement which justifies the case for a reduction in the level of contributions.

The proposal would attract a total contribution of £99,752 based on £72,271 for education and £27,481 for Play and Open Space. The applicant's have provided a financial viability assessment of the proposal which has shown that the

scheme would result in an initial loss and that the proposed contributions would make the scheme economically unviable. The financial information provided and justification has been accepted by the Council's Housing Development Officer who recommends nil contributions.

Given that the scheme proposes 100% affordable housing which is a priority of the Council, and in accordance with Policy CS7, it is recommended that the Council agree to accept nil contributions to enable the scheme to progress, with this subject to the proposed affordable provision being contained within a legal agreement, to ensure that the dwellings remain affordable.

## **Recommendation**

That Planning Permission be **Granted** subject to the following conditions and the completion of a Section 106 requiring the development to remain as affordable housing.

- 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 **Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

**Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing buildings, the visual amenities of the locality and the character and appearance of the conservation area, in accordance with Policies DM3, DM13 and CS15 of the Adopted Core Strategy, Development Management Policies, 2009.**

- 3 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas, and to reduce the risk of flooding, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009, and PPS25.**

4 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- **for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;**
- **for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;**
- **for other natural features along a line to be approved in writing by the Local Planning Authority.**

**Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.**

**Reason: To safeguard the existing trees on the site in the interests of visual amenity, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.**

5 **Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **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;**
- **the physical demarcation of the highway edge**
- **a scheme for replacement tree planting including number, location, size, species and a planting and maintenance schedule shall be submitted to and approved in writing**

**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, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.**

- 6 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the 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 the premises, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.**

- 7 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 33m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.

- 8 Visibility splays shall be provided at the junction of the vehicular access to Plot 1 with the public 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 2.4m back from the road channel. 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, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.

- 9 **Development shall not begin until the detailed plans and sections of the proposed road, 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, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.**

- 10 **The proposed vehicular access to Plot 1 shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. 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 into the highway so as to safeguard the interest of the highway, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.**

- 11 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, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.

- 12 **Prior to the commencement of any phase of development approved by this planning permission the developer shall submit to the Planning Authority for written agreement:**

**a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**

**b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 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 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

**Prior to completion of any scheme hereby approved, 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 4 validation report to incorporate photographs, material transport tickets and validation sampling.**

**Any remediation scheme, including variations, shall be submitted in writing to the local planning authority for the agreement prior to the commencement of such works. This should include responses to any unexpected contamination discovered during works.**

**The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.**

**Applicants are advised that, should groundwater or surface water courses be at risk of contamination during or after development, Environment Agency (EA) approval of measures to protect water resources must be sought. Waste Licensing and related matters are also in the remit of the EA.**

**Reason: To protect human health and the environment.**

- 13 No burning shall take place on site during the demolition and construction of the development. All reasonable steps, including the damping down of site roads shall be taken to minimise dust and litter emissions from the site whilst works of construction or demolition are in progress.

Reason . To protect the amenity of the residential properties

- 14 During the demolition and construction of the development, working hours shall be restricted to 8am - 6pm, Monday to Friday and 8am - 1pm on Saturdays, and not at all on Sundays and Bank holidays. Vehicles arriving at and leaving the site must do so within these working hours.

Reason. To protect the amenity of the neighbouring residential properties.

- 15 **Details of a bin storage/collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The development shall thereafter be completed in accordance with the approved details.**

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

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 09062(D)20 A; 09062(D)21 A; 09062(D)22 A; 09062(D)25; (D)30 A; 09062(D)31 A; 09062(D)32 A; 09062(D)098; 09062(D)097; 09062(D)50 A; 09062(D)102 A; 09062(D)100 D; 09062(D)101 B; 09062(D)099 A; SJA124.01.A; SJA124.04.A; Protected Species Survey, June 2011, Philip Irving; Regulations Compliance Report, July 2011; Transport Statement, Woods Hardwick, August 2011; Tree Survey and Assessment, Steve Jowers Associates, June 2011; Heritage, Design, Access and Justification Statement, David Coles Architects, December 2011;

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposal to demolish the existing building and erect 13 dwellings would not have a negative impact on the visual amenity of the surrounding area, and would preserve the character and appearance of the conservation area. It would not have an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. Therefore, by reason of its site, design and location, the proposal is in conformity with Policies CS1, CS2, CS3, CS5, CS7, CS13, CS14, CS15, DM1, DM2, DM3, DM4, DM5, DM10, and DM15 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1, Planning Policy Statement 3, Planning Policy Statement 5, Planning Policy Guidance 13, Planning Policy Guidance 17. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010, the Council's Planning Obligations Strategy, 2008 and Shillington Conservation Area Character Appraisal, 2006.



## 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 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.
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, Technology House, 239 Ampthill Road, Bedford MK42 9BD.
3. 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 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 Section, 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.
4. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide for Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.

## DECISION

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