

Item No. 10

SCHEDULE B

APPLICATION NUMBER	CB/11/03036/FULL
LOCATION	Scyttels Court, Vicarage Close, Shillington
PROPOSAL	Demolition of 2 storey block of flats and erection of 13 no new 2 and 3 bed dwellings with associated amenity and parking.
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr MacKilligan
CASE OFFICER	Clare Golden
DATE REGISTERED	19 September 2011
EXPIRY DATE	19 December 2011
APPLICANT	Grand Union Housing Group
AGENT	David Coles architects ltd
REASON FOR COMMITTEE TO DETERMINE	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
RECOMMENDED DECISION	Full Application - Granted

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 Amphill 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.

NOTES

- (1) In advance of the consideration of the application the Committee were advised that subsequent to the despatch of the agenda consultation had been received from Shillington Men's Club, Shillington Women's Institute and Shillington Wives Group. Concerns were raised in relation to the loss of an informal car parking arrangement at Scyttels Court for visitors to the church and problems associated with this. A letter of objection from Shillington Parish Council regarding nil Section 106 contributions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.