

## Item No. 14

<b>APPLICATION NUMBER</b>	<b>CB/12/00182/FULL</b>
<b>LOCATION</b>	<b>Reach Lane Quarry, Reach Lane, Heath And Reach</b>
<b>PROPOSAL</b>	<b>Change of Use of existing building G/F Office with F/F Residential to detached dwelling with replacement front porch.</b>
<b>PARISH</b>	<b>Heath &amp; Reach</b>
<b>WARD</b>	<b>Heath &amp; Reach</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Versallion</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>13 January 2012</b>
<b>EXPIRY DATE</b>	<b>09 March 2012</b>
<b>APPLICANT</b>	<b>JER Developments Ltd</b>
<b>AGENT</b>	<b>Mr L Butler</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Application called in at the request of Cllr Versallion due to concerns raised by the Parish Council and residents; site access and safeguarding the existing Right Of Way.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### 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/s.  
(Policies BE8 & H8, S.B.L.P.R).**

- 3 **Before development begins, a landscaping scheme to include the removal of parts of the existing hardstanding and any other hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

**Reason: To ensure that the development does not have a cumulatively adverse impact on the openness of the Green Belt and to secure improvements to the residential environment of the area. (Policy BE8, S.B.L.P.R).**

- 4 Before the development hereby permitted is commenced, any existing access to the adjoining quarry site within the frontage of the land to be developed shall be closed in a manner to the Local Planning Authority's written approval.

Reason

In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 5 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, 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.

- 6 Any gates provided shall open away from the highway and be set back a distance of at least 5.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason

To enable vehicles to draw off the highway before the gates are opened.

- 7 **Before the development hereby permitted is commenced, details of a scheme showing the provision of four off-street parking spaces to serve the new dwelling shall be submitted to and approved by the Local Planning Authority. The details to be approved shall include the proposed materials for construction and 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. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.**

**Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.**

- 8 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 be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason :To ensure the site is safe to use

(Policy BE8, S.B.L.P.R)

- 9 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 buildings in the interests of the amenities of the area and the openness of the Green Belt.  
(Policy BE8 S.B.L.P.R.).

- 10 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 and the openness of the Green Belt.  
(Policy BE8 S.B.L.P.R.).

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 221111.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed development would, not be inappropriate in the Green Belt, represent an efficient use of previously developed land and would not be harmful to the general amenity and character of the area, thus conforming to the relevant policies of the Development Plan comprising policies ENV7, H1 and SS1 of the Regional Spatial Strategy for the East of England and Policies BE8, H3 and NE12 of the South Bedfordshire Local Plan Review and national advice contained in the National Planning Policy Framework and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010.

### **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:

**Regional Spatial Strategy**

**East of England Plan (May 2008)**

ENV7 Quality in the Built Environment

H1 Regional Housing Provision 2001 - 2021

SS1 Achieving Sustainable Development

**South Bedfordshire Local Plan Review**

BE8 Design Considerations

H3 Local Housing Needs

SD1 Keynote Policy

T10 Parking - New Developments

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. The applicant is advised that the proposal is situated over a Principal aquifer within Source Protection Zone 2, of the Environment Agency's Groundwater Protection Policy. Any pollutants entering the aquifer below this site could potentially contaminate the potable water supply within 400 days and hence 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. 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.
7. 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".

## NOTES

(1) In advance of the consideration of the application the Committee were advised that Page 100, Paragraph below the Policy NE12 criteria to read (Correction shown in bold):

Whilst there is no information submitted with the application to demonstrate that the proposed development would satisfy the requirements of paragraphs **A** (i), (ii) and (iii) of Policy NE12 as set out above, it is considered that other material considerations exist to outweigh the policy harm and these are examined below.

(2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.