

Item No. 7

APPLICATION NUMBER	CB/12/01255/FULL
LOCATION	53 North Street, Leighton Buzzard, LU7 1EQ
PROPOSAL	Demolition of existing house, outbuildings and boundary wall and redevelopment with 12 houses and 1 flat and all ancillary works and reconstruction of boundary wall to No. 51 North Street
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Vicki Davies
DATE REGISTERED	20 April 2012
EXPIRY DATE	20 July 2012
APPLICANT	Trustees of the Leighton Buzzard Townlands Trust
AGENT	BHD Ltd
REASON FOR COMMITTEE TO DETERMINE	At the request of Cllr Shadbolt due to concerns regarding the impact on the Listed Almshouses
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site is located to the north of Leighton Buzzard town centre, on the western side of North Street. The site is approximately 70m from the town centre boundary.

The site is currently occupied by a single dwelling surrounded by grassland with a number of outbuildings along the northern boundary. There is also a small single storey building within the site which is a former fire station. The site is located to the rear of the Almshouses which face onto North Street. The Almshouses consists of a terrace of ten cottages with small front and rear gardens. The Almshouses are listed buildings and the walls surrounding the dwellings are also listed due to their proximity to the dwellings.

To the north of the site is the Wheatsheaf Public House and other commercial buildings with the Baker Street car park beyond. To the west of the site is a three storey flat block. To the south of the site the boundary is defined by an old stone wall approximately 2m in height with some large trees screening views. Beyond the wall the Quaker Meeting House can be seen.

The whole site falls within the built up area of Leighton Buzzard and immediately adjacent to the Conservation Area. The site is also influenced by the existence of a number of listed buildings close to or adjoining the boundaries.

The Application:

The application seeks consent for the demolition of the existing house, outbuildings and boundary wall and redevelopment of the site with 12 houses and 1 flat and all ancillary works and reconstruction of boundary wall to No.51 North Street.

The application proposes the demolition of the existing 3 bed house and the erection of 7 x three bed houses, 5 x two bed houses and 1 x one bed flats. The 1 bed flat would be above the car port on the western side of the site. The houses would be arranged in terraces to the northern and southern sides of the site. The road and parking provision would be within the centre of the site.

This application is similar to that refused by the Development Management Committee on 4th January 2012 reference CB/11/0334/FULL for 10 houses and 5 flats. The reasons for refusal were that:

- the development would place an unacceptable burden on local education services due to the lack of mitigating financial contributions,
- that inadequate provision would be made for off street parking within the site to meet the existing and emerging guidance, and
- that the provision of amenity space for plots 5 and 6 and the flats would be inadequate and reflect the overdevelopment of the site.

This application seeks to overcome the reasons for refusal by seeking to increase the level of parking from 15 to 13, increasing the size of the rear amenity space and reducing the number of units on site. The application is accompanied by a legal agreement offering a financial contribution towards education.

RELEVANT POLICIES:

National Planning Policy

National Planning Policy Framework

Regional Spatial Strategy East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

Bedfordshire Structure Plan 2011

No relevant policies

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations

T10 - Controlling Parking in New Developments

H1 - Making Provision for Housing - Allocation Site No. 25, Land off Baker Street / Rear of 53/69 North Street.

H3 - Meeting Local Housing Needs

H4 - Provision of Affordable Housing

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the following policies are broadly consistent with the Framework and significant weight should be attached to them except policy T10.

Luton and southern Central Bedfordshire Core Strategy - (November 2010) as amended/approved for Development Management purposes by Executive, August 2011

CS1 - Development Strategy
CS3 - Developer Contributions for Infrastructure
CS6 - Housing For All Needs
CS8 - Quality of Design

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development

Planning History

CB/11/03341/FULL Demolition of existing house, outbuildings and boundary wall and redevelopment of site with 10 houses and 5 flats and all ancillary works and reconstruction of boundary wall to No. 51 North Street. Refused 4/1/12

**Representations:
(Parish & Neighbours)**

Leighton-Linslade Town Council	Object on the following grounds: <ul style="list-style-type: none">– detrimental impact on the visual amenity of the Listed Building– detrimental impact on the streetscene– overdevelopment;– detrimental effect on the security of residents of the Almshouses;– loss of privacy for nearby residents;– loss of on-street parking on North Street;– premature piecemeal application: this is only part of a site originally designated for housing in the Local Plan. The original designated site had proposed access from Baker Street and indicated a lower density of housing;– detrimental impact on trees and wildlife.
Neighbours	6 letters of objection against the proposal have been received in connection with the application. The reasons for objection are set out below: <ul style="list-style-type: none">– the existing house should be renovated rather than demolished;– highway safety;

- the removal and relocation of the boundary wall would result in an unacceptably small rear garden to number 51;
- loss of on-street parking in the layby;
- 6 cars belonging to residents of the Almshouses currently park on the application site which would be lost due to the development;
- new trees would reduce light to the occupiers of the Almshouses;
- loss of light to Almshouses due to new dwellings close to the boundary;
- loss of privacy to occupiers of the Almshouses due to overlooking;
- noise associated with construction;
- noise associated with the occupation of the development;
- reduced security due to access being possible from the rear of the Almshouses;
- no details of lighting;
- questions over whether there is sufficient space within local schools;
- adverse impact on wildlife on the site;
- the demolition of the wall would have a detrimental impact on the area;
- loss of on-street parking would lead to unauthorised parking;
- loss of on-street parking would have a detrimental impact on businesses on North Street;
- loss of garden to no.51;
- loss of privacy to no.51 due to the access road;
- loss of privacy to no.55 due to footpath passing in front of their house;
- impact on history of the site and loss of historic buildings;
- concern over the increasing population density in the town centre;
- no more flats should be built in the town;
- concern that the structural integrity of the Wheatsheaf public house may be affected
- access to the site should be taken from Baker Street or Westside.

Consultations/Publicity responses

Archaeology

The proposed development site is located within the core of the historic town of Leighton Buzzard. It is an archaeologically sensitive area and a locally identified heritage asset with an archaeological interest as defined by National Planning Policy Framework (NPPF).

The site has been shown to contain a number of archaeological features mainly relating to the post-medieval and modern use of the site. There is no evidence that the site was occupied in the Saxon or medieval periods. The heritage asset these archaeological remains represent is of relatively low significance. Although the construction of the proposed development will have a negative and irreversible impact on the archaeological remains it will not cause a major loss of significance of the heritage asset.

The officer has no objection to the proposal on archaeological grounds.

Waste Services

No response received

Environment Agency

Planning permission should only be granted subject to conditions dealing with contamination of the site, surface water drainage and foundation techniques.

Leighton Buzzard Society

Object - overdevelopment of the site, inappropriate design within this area, the only reasonable access to the site should be from Baker Street to avoid the need to demolish the existing house, outbuildings and wall.

Tree and Landscape

Recommends conditions to secure a tree protection plan and arboricultural method statement, ensure the installation of new services in root protection areas does not have an adverse effect on trees and the submission of a landscaping scheme.

Highways Development Control

The applicant is proposing to improve the existing narrow access serving the site, to a standard which may be adopted as public highway. The improvement works to the access will involve the removal of the parking lay by, in front of the Almshouses, however the applicant is providing two replacement parking spaces within the new site layout. There is also a public car park which is approximately 70m away from the site, therefore I consider the effect of the relocation of the lay by has been kept to a minimum and would not be detrimental to highway safety.

The junction improvement works will be subject to a section 278 agreement and will involve the realignment of the kerb line in front of the Wheatsheaf Public House and the kerbing of the lay by. The proposed layout is intended to be a shared space and will therefore have no vertical deflection where the carriageway would normally meet the footway/service margin. Instead it is proposed to construct the blockwork to the footway/service margin using a stretcher bond and the carriageway to a

herringbone bond. The site layout has been designed to potentially adoptable standards and incorporates a turning area which is of sufficient size to accommodate a refuse type vehicle.

There are various existing traffic regulation orders in the vicinity of the site entrance which will be reviewed and amended as necessary within the Section 278 works, the cost of which will be borne by the developer.

In terms of the proposed level of parking for the new development the Central Bedfordshire Council's Design Supplement 7 recognises that sites with good access to facilities and public transport may be considered with a lower parking standard provided that local data for car ownership can justify it. It also states that the over provision of car parking is both wasteful of land and is less likely to encourage the use of alternative modes of transport.

With this in mind the applicant has submitted his parking calculation based on the Residential Car Parking Research Document (commissioned by the Department for Communities and Local Government May 2007) and qualified this with the local data from the census database for car ownership within the local ward. The parking calculation also takes in to account the effect of unassigned parking, that is to say if one dwelling has no vehicle but has one assigned parking space, this space would not be used and therefore could be considered wasteful. Unassigned parking spaces takes this in to account and can therefore attract a slight reduction in overall parking provision. Please note that it is essential that the parking bays denoted with the letter 'V' are to remain unassigned and I would suggest a condition is imposed to cover this.

The existing residential unit referred to as No 55 will also be provided with two parking spaces and two replacement parking spaces denoted as HV1 and HV2, which are intended to be adopted as public highway, have been provided due to the re-kerbing of the lay by. I am content that the proposed parking levels comply with current parking guidance.

I would also suggest that in order to address any concerns regarding indiscriminate parking within the new site, blocking the turning head or causing obstruction to potential highway users, a traffic regulation order shall be implemented appertaining to the potentially adoptable highway. I shall suggest a suitable condition is imposed to secure the implementation of the traffic regulation order.

In terms of the amount to be secured for Sustainable Transport I would suggest that this is based on the figure referred to in the previous application. This is based on the Planning Obligations, Supplementary Planning Document (north) and the amount to be secured is £5,762.

English Heritage

Whilst English Heritage does not object to the principle of developing the site, the proposals will have some impact on the Conservation Area, principally associated with the new access. Currently there is a narrow single vehicle driveway at this point which hardly interrupts the enclosure on the west side of North Street. This enclosure is reinforced by a 1.5m high stone wall and a mature tree. Forming the new access would result in the loss of part of this stone wall and the tree and will open up views into the new development. These views terminate on unit 1 where the projecting bay will provide an appropriate visual stop. It will be important to ensure the enclosure to the rear garden to plot 1 on its east side is formed by a brick wall at least 1.5m high. This revised design shows the parking bays visible from the Conservation Area will be screened by planting which is an improvement.

Due to the limited number of dwellings the access would serve consideration should be given to forming it as a shared surface roadway. Such a solution would allow for the width of the opening to be reduced, thereby allowing a greater length of historic wall to be retained.

The former fire engine house has been extensively rebuilt over time and little of the historic fabric remains today. It is still a building of some local interest and should be recorded before it is demolished and that record placed on the HER.

The new housing draws on traditional materials and details, and this should include setting the sash windows back 100mm into the brickwork reveals. In order to protect the setting of the Conservation Area and adjacent Listed Almshouses good quality traditional materials should be used for the development, including clay roofing tiles or natural slate (not concrete).

Ecology

The officer has considered the Ecological Walkover Survey Report and is satisfied that the proposals will not have a detrimental impact on the ecological interest of the site. Mitigation strategies detailed in chapter 6 of the report should be followed during the development process. The report also makes further

recommendations for ecological enhancements to the development which would be welcome additions.

Conservation

The application site is allocated housing land in the South Beds. Local Plan Review, January 2004, under guidelines that any development must take account of the location of the site on the edge of the Town Centre Conservation Area, and the setting of the listed North Street almshouses and Friends Meeting House.

The current scheme seeks to redevelop the site with these guidelines in mind and the applications need to be considered on this basis, but the proposed North Street access additionally entails demolition and reconstruction, on a new alignment, of the sandstone rubble built flank wall of the North Street almshouses, to form a site access between this listed group and the listed Wheatsheaf Public House adjacent.

I am broadly happy with the design aspects of the proposed development, assuming that the usual Conditions will be applied to any permission minded to be granted, to ensure high-quality materials and detailing, and will confine my comments to the issues of demolition and site layout.

The application site contains several buildings proposed for demolition, all shown on the historic Ordnance Survey Town Plan 1880 (annotated copy supplied to accompany report), and therefore requiring assessment.

Fire Engine House (Building D) – this is the historic precursor of the formal fire station, and therefore of potential significant social-historical value. Examination of the existing building has revealed that it has been almost exclusively rebuilt, with just one gable end, with chimney, appearing original, and has therefore lost its architectural integrity. Consequently, there are insufficient grounds for opposing demolition, but the existence of the structure should clearly be commemorated at the site (see suggested Conditions, below).

Onion Shed (Building B) - a record for a Onion Shed at the site is held within the Historic Environment Record (HER). Upon site inspection, the building is not typical of the specific 'Onion Shed' building type which is so distinctive in the Ivel valley, but is rather the historic ad hoc adaptation of an existing building for a small-scale market-garden operation. Consequently, there are insufficient grounds for opposing demolition of the building.

Almshouses boundary wall (E) – this is a robust boundary wall constructed in the locally distinctive coursed sandstone rubble. On the North Street frontage return, it incorporates a historic wallplaque (F), now largely unreadable and concealed by shrubbery, which may commemorate the construction of the earlier group of almshouses on the site. The wall clearly has both historic and townscape value. The 1880 Ordnance Survey Town Plan, however, shows the layout of the almshouse group in some detail, and from this it is evident that repositioning of this wall, as proposed, would not affect the rhythm of individual house and back garden that appears to be basis of the layout.

The success of reconstruction of this wall, as proposed, and including the historic wall plaque, will be dependant upon the quality of the work and the use of appropriate coursing and mortar bedding. This should be an absolute condition of any permission for demolition.

Conservation Area setting – in terms of historic townscape, the current access to the site is an interesting 'lane' of intimate, semi-rural character, that contributes positively to the wider Conservation Area setting.

Although a widening of the access, as proposed, would weaken the intimate character of the lane, I feel that sufficient remediation will be gained through the careful choice of surfacing materials, preferably combined with the informality of a shared access, and the use of strong planting lines to soften long views into the site, and do not think, therefore, that the proposed alteration of the existing site access is sufficient grounds for refusal of the application.

Suggested Conditions

If Permission/Consent is minded to be granted, I recommend the following Conditions to be applied:

- Pre-demolition building recording – a full photographic and a drawn record (elevations and floor plans) should be made of all buildings proposed for demolition.
- Drawn details to be submitted showing the constructional method and mortar mixes for the boundary wall to be reconstructed, including details of the incorporation of the relocated historic almshouses wallplaque.
- A sample panel in respect of the boundary wall reconstruction shall be produced and agreed.

- The existing almshouse rear boundary wall, forming the eastern boundary of the site, shall be protected during constructional works and any damage or necessary repairs shall be carried out in an agreed manner.
- Full constructional details of the access road including, as appropriate, the method of protecting the wall fabric and foundations of adjoining listed buildings, both during and after construction, to be submitted and approved.
- Drawn details of a historical plaque, to permanently commemorate the site and function of the Fire Engine House to be submitted and agreed by the LPA in consultation with local amenity groups.

Education

There is insufficient capacity to accommodate any additional pupil yield from new housing on this development site. Contributions are therefore required at all levels, early years, lower, middle and upper schools. Based on the details provided a total contribution of £97,895.52 would be required.

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Impact on Character and Appearance of the Conservation Area & Streetscene
3. Impact on Listed Buildings
4. Impact on Amenities of Nearby Residents
5. Archaeology & Ecology
6. Highways, Access and Parking
7. Section 106 Requirements
8. Other Issues

Considerations

1. Principle of Development

The site is within the built up area of Leighton Buzzard and is part of a site allocated for residential development in the South Bedfordshire Local Plan Review.

South Bedfordshire Local Plan Review (SBLP) policy H1 allocates a site (No.25) of 0.49ha described as land off Baker Street/rear of 55-69 North Street, Leighton Buzzard. The application site is approximately 0.28ha and constitutes the southern part of the allocated site only. A few years ago all landowners of the allocated site prepared a scheme for the whole site however the owner of the land forming the northern part of the site, near Baker Street, decided that they did not wish to go forward with the scheme. The landowner of the southern part of the site therefore developed the scheme which is the subject of this application. Some objectors state that the access to the site should be taken

from Baker Street as set out in the Local Plan. However, the proposals map shows the extent of the site allocation which meets a public highway on Baker Street and the (proposed) private access off North Street. The 'Guidelines' in the Local Plan are silent on the matters of access and in these circumstances an access to the site other than Baker Street access should not be automatically discounted.

Core Strategy, policy CS1 states that sites in the existing urban areas of the main conurbations and Leighton-Linslade will be the priority for new development.

The demolition of the wall, outbuildings and former fire station is acceptable in principle providing that their loss is not considered to have an unacceptable adverse impact on the Conservation Area, Listed Buildings, historic interest or streetscene.

Overall the principle of the proposal is considered to be acceptable as the site is allocated for residential development by SBLP policy H1 and is supported by Core Strategy policy CS1. The detail of the scheme is considered below.

2. Impact on Character and Appearance of the Conservation Area & Streetscene

The majority of the application site is outside of the Conservation Area, with only the first approximately 20m of the driveway falling within the Conservation area. The Conservation Area boundary does however run along the eastern boundary of the site along the rear of the Almshouses land, in front of the dwelling at number 55 and along the southern boundary of the site. Any development on the site could therefore have an impact on the character and appearance of the Conservation Area. Planning policy requires that development within Conservation Areas preserves or enhances the area. A Conservation Area review has recently been undertaken in Leighton Buzzard and has been out to public consultation. The review highlights the importance of the Almshouses within the Conservation Area and notes the unusual use of ironstone for the boundary walls.

The application site is located to the rear of the Almshouses and therefore views from North Street would be limited. Views along the access to the site, which would be located between the Almshouses and The Wheatsheaf PH, would be the main view of the development. The view would terminate on unit 1 where the projecting bay would provide an appropriate visual stop. English Heritage comment that it will be important to ensure the enclosure to the rear garden to plot 1 on its east side is formed by a brick wall at least 1.5m high. This revised design shows the parking bays visible from the Conservation Area will be screened by planting which is an improvement. English Heritage and the Conservation Officer both consider that a shared surface roadway as shown in the application would be appropriate for the access to the site and would reduce the urbanising influence of the access.

The design of the proposed dwellings is considered to be appropriate and is sympathetic to the design style of the wider area. The materials to be used for the development have not been specified however they will need to be of high quality due to the location adjacent to the Conservation Area and Listed

Buildings. The details of the materials can be secured by condition. This view is supported by the Conservation Officer.

The outbuildings along the northern boundary of the site are the subject of a planning statement accompanying the application. The outbuildings are of varying ages and materials however the statement does not highlight any feature or historic interest which would make their demolition unacceptable. The Conservation Officers comments support this view but recommend a condition requiring the recording of the buildings prior to demolition.

The former fire station building has also been assessed and the conclusion drawn that although the site has a historic use as a fire engine house very little remains of the original fabric. The building is not worthy of retention as it has lost its architectural integrity. Therefore it is not considered that there is any reason why the building cannot be demolished. English Heritage support the view that the fire engine house is not worthy of retention but do advise that it should be recorded before demolition and the record placed on the Heritage Environment Record. This view is supported by the Conservation Officer who also considers that the existence of the building should be commemorated by a plaque.

3. Impact on Listed Buildings

The application involves the demolition and relocation of an existing boundary wall to no.51 North Street. The wall is listed due to its proximity and relationship to the listed Almshouses. The demolition of the wall is the subject of a separate Listed Building Consent application (CB/12/01275/LB).

The proposed development would be located to the rear of the listed Almshouses and would involve the demolition of part of the boundary wall. The Conservation Officer comments that the wall clearly has both historic and townscape value. The 1880 Ordnance Survey Town Plan (attached to this report) shows the layout of the Almshouse group in some detail and from this it is evident that the repositioning of the wall would not effect the rhythm of the individual house and back garden that appears to be the basis of the layout.

The success of the reconstruction of the wall is dependant on the quality of the work and the use of appropriate coursing and mortar bedding.

Subject to conditions as set out in the consultation response above the Conservation Officer has no objection to the proposal.

4. Impact on Amenities of Residents

SBLP policy BE8 requires that new development does not have an unacceptable adverse impact on general or residential amenity or privacy. A number of objectors raise concern regarding the impact of the new dwellings on their privacy and general amenity.

The proposed new dwellings would be located to the rear of the Almshouses on North Street. The closest new dwelling to the Almshouses would be a house on plot 13 which would be 12 metres away. This dwelling would be orientated side on to the Almshouses and would not have any side facing windows at first floor level and only one obscured glazed wc window at ground floor. In relation to

this dwelling there would not be any adverse impact on privacy on the occupiers of the Almshouses.

The dwelling on plot 1 is some 20m from the Almshouses. Windows to two of the bedrooms would provide views towards the Almshouses. Whilst some views towards the Almshouses would be possible it is not considered that the level of views possible would have such an adverse impact on privacy to justify refusing planning permission.

Views from the flat above the garage at the west end of the site towards the Almshouses would be possible however these views would be over a distance of 45m. It is therefore not considered that this would lead to an unacceptable loss of amenity or privacy.

A three storey block of flats on Westside is located immediately to the west of the application site. The proposal has been designed to take into account the presence of the flatted development and is inward facing. There are no clear glazed windows on the western end elevations of the dwellings. The privacy and amenity of existing residents on Westside and future residents on the application site are safeguarded.

Number 55 is located to the north of the application site and the occupiers have raised concern that their privacy would be affected as the footway along the access road would be immediately outside of their house. The front elevation of number 55 would be approximately 4m from the back edge of the footpath and this is not an unusual situation in residential development. For example the Almshouses are set back only around 3m from the back edge of the pavement. It is accepted that the occupiers of number 55 would have more people and vehicles passing their dwelling but it is not considered that this would have a sufficiently adverse impact on their amenities to justify refusing planning permission.

The occupier of Number 51 North Street, the most northerly of the Almshouses, is concerned about the loss of amenity space. The area of garden to the side of this property appears from historical plans to have been a kitchen garden area probably shared by all the dwellings in the terrace.

Some objectors raise concern regarding noise from the development both during construction and on completion. Noise and disturbance during construction work would be controlled by conditions, such as working hours etc. Noise following completion of the development would be limited to the normal activities of residents. It is not considered that the level of noise generated by residents would be sufficiently high to cause unacceptable disturbance to other local residents.

It is possible that the Wheatsheaf pub located to the north of the application site could have an adverse impact on the future residents of the site by reason of live music at the pub. There are existing residents within close proximity to the pub who would already be affected by the noise from the pub. As the proposed dwellings would be further away and designed to face into the site it is unlikely that the level of disturbance could be demonstrated to be so severe as to warrant refusing planning permission.

Concern is raised regarding loss of light to the Almshouses. There would not be a significant loss of light as a result of the location of the proposed dwellings as the closest would be 12 metres from the Almshouses. There is limited planting proposed along the boundary between the Almshouses and the development with additional landscaping only shown on the northern corner of the boundary. It is therefore not considered that additional landscaping would result in an unacceptable loss of light.

One of the reasons for refusal on the previous application was the lack of amenity space to two of the plots indicating overdevelopment of the site. A number of the dwellings on the previous application had rear gardens which were less than 50m² in size. Design in Central Bedfordshire: A Guide for Development, design supplement 1 sets out that amenity space should be appropriate to the size of dwelling but should not be less than 50m². This application seeks to address this issue and the number of dwellings on the site has been reduced providing more land for each dwelling and enabling the provision of a higher level of outdoor amenity space.

Overall it is considered that the proposal would not have an unacceptable impact on residential or general amenity or privacy for existing or future residents.

5. Archaeology & Ecology

The site is within an area of archaeological sensitivity and a locally identified heritage asset and as such the application was accompanied by an archaeological report in accordance with NPPF.

The archaeological officer comments that the report submitted incorporates the results of an archaeological field evaluation comprising the excavation of a series of trial trenches.

The site has been shown to contain a number of archaeological features mainly relating to the post-medieval and modern use of the site. There is no evidence that the site was occupied in the Saxon or medieval periods. The heritage asset these archaeological remains represent is of relatively low significance. Although the construction of the proposed development will have a negative and irreversible impact on the archaeological remains it will not cause a major loss of significance of the heritage asset.

The proposal is therefore considered to be appropriate in terms of archaeology.

Section 40 of the NERC Act 2006 requires Local Authorities to consider the impact of development on biodiversity. It is acknowledged that part of the site is grassland forming amenity space around the existing dwelling. The land does have the potential to accommodate biodiversity. A walkover survey of the site was completed and a report on the findings submitted as part of the application. The Council's Ecologist has reviewed this report and has advised that the site is of low ecological value and no protected species would be harmed as a result of the development. The report included an ecological mitigation strategy and recommendations for ecological enhancements. The mitigation strategy includes a precautionary approach to site clearance and a specific approach to

searching for species. The enhancements include bird and bat boxes, bird feeders, insect and hedgehog houses and an appropriate landscaping scheme. The Ecologist has no objection providing the mitigation and recommendations are undertaken. The mitigation and enhancement can be secured by condition.

6. Highways, Access and Parking

Access to the site is proposed to be taken from North Street at the northern end of the Almshouses. There is an existing single width access which leads to the existing dwelling on the application site. The applicant is proposing to improve the existing narrow access serving the site, to a standard which may be adopted as public highway. The improvement works to the access would involve the removal of two spaces within a parking lay by, in front of the Almshouses, however the applicant would provide two replacement parking spaces within the new site layout. There is also a public car park which is approximately 70m away from the site, the effect of the relocation of the parking spaces has therefore been kept to a minimum. The Highways Development Control officer is satisfied that this arrangement would be acceptable and would not be detrimental to highway safety.

The junction improvement works would involve the realignment of the kerb line in front of the Wheatsheaf Public House and the conversion of the lay by into footway.

Within the site the proposed layout is intended to be a shared space with blockwork to the footway using a stretcher bond and the carriageway to a herringbone bond. The site layout has been designed to potentially adoptable standards and incorporates a turning area which is of sufficient size to accommodate a refuse type vehicle. Once adopted the roads and paths would be the responsibility of the Highway Authority.

In terms of the proposed level of parking for the new development the Central Bedfordshire Council's Design Supplement 7 recognises that sites with good access to facilities and public transport may be considered with a lower parking standard provided that local data for car ownership can justify it. It also states that the over provision of car parking is both wasteful of land and is less likely to encourage the use of alternative modes of transport. With this in mind the applicant has submitted his parking calculation based on the Residential Car Parking Research Document (commissioned by the Department for Communities and Local Government May 2007) and qualified this with the local data from the census database for car ownership within the local ward.

The parking calculation also takes in to account the effect of unassigned parking, that is to say if one dwelling has no vehicle but has one assigned parking space, this space would not be used and therefore could be considered wasteful. Unassigned parking spaces takes this in to account and can therefore attract a slight reduction in overall parking provision.

The existing residential unit referred to as No 55 (which is outside of the application site) would also be provided with two parking spaces as the proposed development would impact on their existing parking arrangements. A further two parking spaces have been provided due to the loss of the lay by.

The Highways Development Control Officer is content that the proposed parking levels comply with current parking guidance in light of the evidence submitted regarding car ownership. It is considered that the site's town centre location would result in a lower level of car ownership as residents would have easy access to public transport.

In order to address any concerns regarding indiscriminate parking within the new site, blocking the turning head or causing obstruction to potential highway users, a traffic regulation order could be implemented appertaining to the potentially adoptable highway, this can be secured by condition.

The majority of objectors have raised concerns that the development would have an adverse impact on parking provision and therefore highway safety. The proposals would result in the removal of an existing layby on North Street which provided 2 off-street parking spaces. Two spaces would be provided within the development to replace those lost. Number 55 which is located immediately north of the development site would be allocated 2 parking spaces within the application site. The occupiers of this dwelling state that they currently have three parking spaces which appear to be provided on the existing access road rather than within their property. It is considered that providing 2 dedicated spaces for the dwelling is acceptable as there would be other parking spaces within the development the occupiers could utilise. The occupiers of the Almshouses currently park up to 6 cars on the application site via an informal arrangement. It is accepted that the proposal would mean that this would no longer be possible. The arrangement has been an informal one and it is therefore considered disproportionate for the developer to provide 6 off-street parking spaces for existing dwellings which only use the land informally.

Due to the limited level of parking provided within the site it is considered necessary for the development to make a contribution towards sustainable transport provision. This is discussed in more detail below.

Overall, subject to conditions recommended by the Highways Development Control Officer, it is considered that the proposal is acceptable in terms of highways, access and parking.

7. Section 106 Requirements

South Bedfordshire Local Plan policy H4 requires that affordable housing is provided on sites of 1ha or more or where 25 plus houses are proposed. The application site is less than 1ha and only proposes 15 dwellings, no affordable housing is therefore required. Core Strategy policy CS6 requires that 35% affordable housing is provided on sites of 4 or more dwellings in Leighton Linlade and in the rural area. As pre-application discussions on the development of this site have been ongoing for sometime and the application was submitted before the Core Strategy was ratified it has been accepted that no affordable housing will be provided.

There are various existing traffic regulation orders in the vicinity of the site entrance which will be reviewed and amended as necessary within the Section 278 works, the cost of which will be borne by the developer. The Section 287 would cost approximately £3500.

Other contributions would also be required towards education, sustainable transport, open space, sports provision, green infrastructure, community buildings, cemeteries, emergency services. The Planning Obligations Calculator sets out that contributions of £40,315 are required, however on schemes of more than 10 dwellings the education contribution is calculated by the Education department. The education contribution in this case is £97,895.52.

The applicant has submitted information seeking to show that the scheme is unviable if the total planning obligations requirement of £136,085.52 is paid. The applicant has submitted a legal agreement offering £40,315 which can either be divided between the relevant service areas or given as a lump sum towards education.

Consideration and discussion regarding the viability assessment is ongoing and an update will be provided on the late sheet.

8. Other Issues

Some occupiers of the Almshouses raise concern that to the rear of their properties is currently secured as the access is gated and that this would no longer be the case. Residents of the Almshouses are concerned that the rear boundary to their properties would be vulnerable. The land to the rear of the Almshouses is currently occupied by a single dwelling and although the access is secured by a gate it is not substantial enough to prevent a determined intruder. The use of the site for residential development would mean more people being present on the land providing natural surveillance. In addition the development would include lighting which is not present on the current site and could include additional boundary planting along the wall to provide a further deterrent.

The landlord of the Wheatsheaf pub raises concern that the rear of his building would be less secure than at present. It is considered that appropriate measures to secure the rear of the pub could be put in place on land within the ownership of the pub. In addition the increased number of people passing the building and the additional local residents would provide natural surveillance.

The landlord of the Wheatsheaf pub also raised concern over the structural integrity of the pub building and the impact the access road would have on it. Any works to form the access road close to the pub would be subject to the requirements of the Party Wall Act and is outside of the planning system.

Recommendation

That subject to the prior completion of a satisfactory Section 106 Agreement to provide for contributions towards Council services as outlined above and secure a Traffic Regulation Order, that planning permission be granted subject to the following:

- 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 **Before development begins, a landscaping scheme to include any hard surfaces, boundary treatment and earth mounding 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 a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).**

- 3 **Before development commences 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 building(s) and the visual amenities of the locality.
(Policy BE8, S.B.L.P.R).**

- 4 **Development shall not begin until details of a traffic regulation order to control parking within the proposed estate road have been approved by the Local Planning Authority and no building shall be occupied until the traffic regulation order has been implemented in accordance with the approved details.**

Reason: In the interest of highway safety.

- 5 **Development shall not begin until details of 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.

- 6 **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.

- 7 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.

- 8 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.

- 9 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.

- 10 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority for that phase:**

- 1. A preliminary risk assessment which has identified:**
 - all previous uses.**
 - potential contaminants associated with those uses.**
 - a conceptual model of the site indicating sources, pathways and receptors.**
 - potentially unacceptable risks arising from contamination at the site.**
- 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

- 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with policy 9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document.

- 11 Prior to the commencement of development, a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.**

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with policy 9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document.

- 12 Prior to any demolition work a full photographic and drawn record (elevations and floor plans) of all buildings proposed for demolition shall be made and submitted to the Local Planning Authority for retention on the Historic Environment Record.**

Reason: In order to record the historic buildings prior to demolition.

- 13 Prior to the commencement of development drawn details of the constructional method and mortar mixes for the boundary wall to be reconstructed shall be submitted and approved in writing by the Local Planning Authority. The wall shall then be reconstructed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.**

Reason: In the interests of visual amenity and to protect the setting of the Listed Building.

- 14 **Prior to the commencement of development details of the protection of the rear boundary wall of the Almshouses, forming the eastern boundary of the development site, shall be submitted to and approved in writing by the Local Planning Authority. The protection measures shall remain in place throughout the duration of works on site. Any damage or necessary repairs to the wall shall be undertaken within 6 months of the completion of the development in accordance with details previously agreed in writing by the Local Planning Authority.**

Reason: In order to protect and maintain the Listed Building.

- 15 Prior to the reconstruction of the boundary wall hereby permitted a sample panel of the proposed boundary wall shall be produced and agreed in writing by the Local Planning Authority. The boundary wall shall then be constructed in accordance with the approved sample panel unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the setting of the Listed Building.

- 16 Before the 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 footway 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 footway 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.

- 17 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 both sides, 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 which is likely to use it.

- 18 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.

- 19 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.

- 20 The turning space for vehicles illustrated on the approved Plan PL-001 rev C shall be constructed before the development is first brought into use.

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

- 21 The maximum gradient of any 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.

- 22 The parking bays denoted with the letter V on plan PL-10.1 shall be kept as unassigned parking for the use of residents in plots 1 to 13 inclusive. They shall be kept in an open condition, fully available for this purpose and no bollard, barrier or similar device or designation signs shall be erected thereon.

Reason: To ensure the permanent availability of car parking spaces for residents and visitors.

- 23 The parking bays shown as HV1 and HV2 on plan PL-10.1 shall be kept as unassigned parking, in an open condition, fully available for this purpose and no bollard, barrier or similar device shall be erected thereon.

Reason: To ensure the permanent availability of car parking spaces.

- 24 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 alterations to the carports hereby permitted, including the insertion of a garage door, roller shutter or gate, shall be carried out without the grant of further specific permission from the Local Planning Authority.

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

- 25 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties and highway safety.

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

- 26 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with policy 9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and Planning Policy Statement 23.

- 27 The development hereby permitted shall be undertaken in accordance with the mitigation and enhancement measures set out in the Ecological Walkover Survey Report unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that there is no detriment to biodiversity and to protect the biodiversity within the site.

- 28 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater. There have been historic as well as recent contaminative uses and the Chalk aquifer is a sensitive receptor. Contamination found in the soils is likely to prohibit the use of drainage using infiltration to ground.

- 29 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater. There have been historic as well as recent contaminative uses on site and the Chalk aquifer is a sensitive receptor. At this stage the design of the foundations is not known and should contamination be found in the soils, this needs to be considered in the foundation proposals.

- 30 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL-10.1, PL-11.1, PL-12, PL-13, DA-01A, DA-13A & DA-14A.

Reason: For the avoidance of doubt.

Reasons for Granting

The site is part of a site allocated for residential development in Policy H1 (25) of the South Bedfordshire Local Plan Review. The proposed development would not detrimentally impact upon the character and appearance of the Conservation Area or wider streetscene nor would there be any adverse impact on the amenities of neighbouring residents. The proposed development would not have any adverse impact on the adjoining Listed Buildings or the setting of the Listed Buildings. The proposal would not result in any highway, parking or other issues. The scheme by reason of its siting and design is in conformity with the National Planning Policy Framework and South Bedfordshire Local Plan First Review policies BE8, T10, H1, H3 and H4. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

Notes to Applicant

1. 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).
2. 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.
3. The applicant is advised that in order to comply with Condition 4 of this permission for a new traffic regulation order, the applicant must apply in writing 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 the Road Traffic Regulation Act 1984 to be implemented, the cost of which shall be borne by the developer.
4. The applicant is advised that in order to comply with Condition 5 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 Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing

evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers' expense to account for extra surface water generated. Any improvements must be approved by the Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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 Amphill Road, Bedford MK42 9BD.
7. 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.
8. 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.
9. 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".
10. 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 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 and any proposed traffic regulation orders, 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.
11. Model procedures and good practice. The Environment Agency recommends that developers should:
 - 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
 - 2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information required in order to assess

risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

- 3) Refer to our website at www.environment-agency.gov.uk for more information.

12. Sustainable Drainage Systems

In accordance with the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document, we offer the following advice on Sustainable Drainage Systems (SUDS).

- Soakaways must be constructed in line with guidance provided in Building Research Establishment 365 (BRE365) – Soakaway Design.
- SUDS must be constructed in line with guidance provided in Construction Industry Research and Information Association C697 (CIRIA C697) - The SUDS Manual.
- Direct discharges into groundwater of surface water run-off are not acceptable.
- All infiltration structures (permeable pavements, infiltration trenches, soakaways, etc.) should be constructed to as shallow a depth as possible to simulate natural infiltration. The maximum acceptable depth for infiltration structures is two metres below existing ground level with the base of these infiltration structures at least 1.2 metres above the highest seasonal groundwater-table. Deep bore and other deep soakaway systems are not considered by the Environment Agency to be appropriate in areas where groundwater constitutes a significant resource (i.e. where aquifer yield may support or already supports abstraction). Infiltration structures must not be constructed in contaminated ground. Only clean, uncontaminated water should be discharged to any infiltration structure. Infiltration structures should only be used in areas on site where they would not present a risk to groundwater. If permitted, their location must be approved in writing by the Local Planning Authority (LPA).
- Prior to being discharged into any surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination should be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water should not pass through the interceptor and should discharge to separate infiltration systems to those used for road and vehicle parking areas. Any SUDS from car or lorry parking areas would need to incorporate suitable measures for the protection of water quality, this is likely to include measures to mitigate the discharge of hydrocarbons to surface water or ground. Details of treatment techniques are outlined in CIRIA Report C609. The Environment Agency would wish to be consulted on any protection measures. Any oil interceptors should include separate provision for the interception and removal of sediment (as collection of solids within the interceptor will reduce the capacity and function of the interceptor). Any oil interceptors/sediment chambers should be regularly maintained in accordance with manufacturers guidelines.

13. **Piling**

In accordance with Policy 10-3 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document we recommend that piling on contaminated sites underlain by aquifers is avoided where possible, and that non-invasive methods, such as rafts, should be used instead. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Mitigation measures and/or environmental monitoring may need to be incorporated into the design. The method selected should be presented in a " Foundation Works Risk Assessment Report" which should be submitted to and approved by the Local Planning Authority before development commences.

14. This permission is subject to a legal obligation under Section 106 of The Town and Country Planning Act 1990.

DECISION

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