

Item No. 17

APPLICATION NUMBER	CB/12/00645/OUT
LOCATION	Stables Rear Of 50, High Road, Shillington, SG5 3PJ
PROPOSAL	Outline Application: Residential development following demolition of existing garage and stable building. All matters reserved except access.
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr MacKilligan
CASE OFFICER	Clare Golden
DATE REGISTERED	24 February 2012
EXPIRY DATE	25 May 2012
APPLICANT	City and County Projects Ltd.
AGENT	Woods Hardwick Planning
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a Major application with an unresolved objection from Shillington Parish Council
	Outline Application - Granted

Recommendation

That Planning Permission be **Granted** subject to the following conditions and completion of a Section 106 agreement:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 2 Approval of the details of:-
 - (a) the scale of the buildings;
 - (b) the appearance of the buildings;
 - (c) the landscaping of the site and
 - (d) layout

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularized in the application for planning

permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 4 **Prior to the commencement of development a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 5 The number of dwellings on this site shall not exceed 20 units and shall comprise of the following:

Private:

7 x 4 bedroom

7 x 3 bedroom

2 x 2 bedroom

Total: 16

Affordable:

2 x 2 bedroom

2 x 3 bedroom

Total: 4

Reason: For the avoidance of doubt and to ensure that the number of dwellings and mix remains in accordance with the planning obligations sought for this development.

- 6 **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. 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.

- 7 **No development shall commence until a surface water strategy/flood**

risk assessment has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

- 8 Prior to the commencement of the development hereby approved, a scheme outlining measures for ecological enhancements on the site through the development, shall be submitted to and approved by the Local Planning Authority. The scheme shall include the provision of bird and bat boxes.

The weather van tower shall be dismantled by hand under the direction of a licensed bat worker to verify the absence of bats. Should bats be found to be present, works shall cease and the advice sought from Natural England.

There shall be no clearance of vegetation undertaken during the bird nesting season of March to August inclusive.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the development does not have an adverse impact and supports the ecology and biodiversity on the site, in accordance with Policies CS18 and DM15 of the Adopted Core Strategy and Section 11 of the National Planning Policy Framework, 2012.

- 9 Prior to the commencement of the development hereby approved, details of the proposed boundary treatment adjacent to No.s 1-11 Marshalls Avenue, and the means of mitigating against potential noise disturbance to these dwellings as a result of vehicle movements along the access road shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the amenity of the neighbouring residential occupiers.

- 10 Before development commences details of the visitor parking spaces shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the visitor parking spaces have been constructed in accordance with the approved details.

Reason: To provide adequate on site visitor parking provision.

- 11 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.

- 12 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 43.0m 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 which is likely to use it.

- 13 **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.

- 14 No dwelling shall be occupied until all triangular vision splays are provided on each side of the all accesses onto the new road and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described 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 accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

- 15 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

- 16 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.

- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 18 The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

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

- 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 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) 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.

- 21 **Development shall not begin until a scheme to restrict the speed of traffic on the estate road has been approved by the Local Planning Authority and no building shall be occupied until that scheme has been implemented in accordance with the approved details.**

Reason: In the interests of road safety.

- 22 The access shall have a minimum width of 5.0m.

Reason: In the interest of road safety and for the avoidance of doubt.

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

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

- 24 **Prior to the commencement of the development hereby approved, details of a refuse collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented in accordance with these details prior to the occupation of any dwelling and shall be retained thereafter.**

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

- 25 **Prior to the commencement of the development hereby approved, details of the achievable forward visibility curve shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the forward visibility curve has been constructed in accordance with the approved details, and thereafter the forward visibility curve as indicated on the approved drawing and the highway boundary shall be kept free in perpetuity from all obstructions.**

Reason: In the interests of road safety.

- 26 **Prior to the commencement of the development hereby approved, details of the service margin around the proposed highway adoptable areas of the site, inclusive of the turning head and along the channel of the carriageway at plots 1-3 shall be submitted to and approved by the Local Planning Authority and the development shall not be brought into use until the service margin has been constructed in accordance with the approved details.**

Reason: For the avoidance of doubt.

- 27 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 16660/1003; 16660/1003C; 13885/2001B.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development is acceptable in principle and would not have a detrimental impact on the character and appearance of the surrounding area, the residential amenities of neighbouring properties or the local highway network; as such it is considered to be in conformity with policies CS1, CS2, CS4, CS7, DM3 and DM4 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; and the National Planning Policy Framework, 2012. Furthermore, the proposal is in conformity with supplementary planning guidance Design in Central Bedfordshire - A guide for development and Planning Obligations Strategy (2008).

Notes to Applicant

1. 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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
2. The applicant is advised that if it is the intention to request the Central Bedfordshire County 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 shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.
3. The applicant is advised that in order to comply with Condition 13 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 Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN.

All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

4. The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Sustainable Transport Team, Central Bedfordshire Council, Technology House, Bedford MK42 9BD.

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses from nearby residents objecting to the proposal. Additional Conditions were suggested.

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