

Item No. 11

APPLICATION NUMBER CB/12/03575/FULL
LOCATION 29 Steppingstones, Lancot Drive, Dunstable, LU6 2AP
PROPOSAL Demolition of existing care facility and construction of new building with associated works. Proposed ground floor 8No x studio bedrooms with ensuites and associated communal and staff facilities. First floor assisted living 4No x two bedroom flats and 2No x one bedroom flats.
PARISH Dunstable
WARD Dunstable Northfields
WARD COUNCILLORS Cllrs Mrs Green & Murray
CASE OFFICER Vicki Davies
DATE REGISTERED 24 October 2012
EXPIRY DATE 23 January 2013
APPLICANT Macintyre Housing Association
AGENT Kyle Smart Associates
REASON FOR COMMITTEE TO DETERMINE The application site is owned by CBC and an objection has been received which cannot be overcome by conditions.

RECOMMENDED DECISION Full Application - Granted

Recommendation

That Planning Permission be approved 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 **No development shall commence unless and until a scheme setting out the details of the materials to be used for the external walls and roof has been submitted to and approved in writing by the Local Planning Authority. 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. (SBLPR BE8 & DSCB 43)

- 3 **Before development begins, a landscaping scheme to include any hard surfaces 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 & DSCB 43).**

- 4 **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.

- 5 **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 cleaners 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.

- 6 **No development shall commence unless and until a temporary turning space for construction vehicles has been provided and maintained throughout the construction period in a position to be approved in writing by the Local Planning Authority.**

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 7 **No development shall commence unless and until a scheme for the parking of cycles on the site has been 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.

- 8 **No development shall commence, including any ground clearance or excavation, unless substantial protective fencing, the details of which shall first be approved in writing by the Local Planning Authority, has been erected in such a manner as to protect all trees and hedgerows to be retained as shown on plan 09023 wd2.01 rev B and the fencing shall be retained at full height and extent until the development is substantially completed. No materials shall be stored or deposited and no mixing of materials shall take place within the area so protected.**

**Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2005 or as may be subsequently amended.
(Policy BE8 S.B.L.P.R & DSCB 43)**

- 9 **No development shall commence until details of mitigation measures to be undertaken to safeguard protected species and protection of the habitats during the proposed works have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented to the satisfaction of the Local Planning Authority and in accordance with a timetable agreed in writing by the Local Planning Authority.**

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

- 10 In the event that works do not commence prior to April 2014 the development hereby permitted shall not commence until the reptile survey has been updated and submitted to and approved in writing by the Local Planning Authority as colonisation may have occurred during this time.

Reason: In order to ensure that there are no reptiles on site which would be affected by the development.

- 11 Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents.

- 12 No part of the hedgerow demarcating the north eastern boundary of the site is permitted to be removed, trimmed or lowered without the prior written agreement of the Local Planning Authority.

Reason: In order to retain the hedgerow for its screening and ecological benefits.

- 13 No external lighting shall be installed unless and until a scheme of lighting including details of the location, design, lux level and light spill of all lights has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented solely in accordance with the scheme.

Reason: To protect the amenity of neighbouring properties and/or highway safety. (Policy BE8, S.B.L.P.R & DSCB 43).

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 09023 lp.01, 09023 wd2.01 rev C, 09023 wd2.02, 09023 wd2.03, 09023 wd2.04, 09023 wd2.05 rev A, 09023 wd2.06 rev A, 09023 wd2.07A & 09023 wd2.08

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

The proposed development would not detrimentally impact upon the character and appearance of the area nor would there be any adverse impact on the amenities of neighbouring residents. 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, South Bedfordshire Local Plan First Review policy BE8 and policies 43 & 44 of the emerging Development Strategy for Central Bedfordshire. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development" and the Parking Strategy, Appendix F of the Central Bedfordshire Local Transport Plan.

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 National Planning Policy Framework, the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
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 Council's ecologist supports the recommendations set out in the Reptile Survey and advises that any areas of rough grassland must be strimmed back short prior to the commencement of development and that this should be done in one direction away from the buildings on site in order to allow animals to escape. In addition if prior to or during demolition or construction works on the site any reptiles are discovered, all works must cease until the Council's ecologist or Natural England has been contacted and a way forward has been agreed.

[Notes:

1. In advance of consideration of the application the Committee were informed of updates contained within the late sheet which included:-
 - Highways development control – the development falls within Category C2 of for parking purposes. Whilst the road is unadopted it falls within the Lancot Lower School Site.
 - The Bedfordshire Highways has been requested to investigate making a TRO to enable the restrictions to be enforced. Currently the double yellow lines outside of the site are not subject to a Traffic Regulation Order.]