

Item No. 6

APPLICATION NUMBER	CB/13/00710/FULL
LOCATION	Dukeminster Estate (South East Corner) Church Street, Dunstable, LU5 4HU
PROPOSAL	Proposed new build C2 use care home facility and upgrade of existing access road.
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Young
CASE OFFICER	Mr J Spurgeon
DATE REGISTERED	27 February 2013
EXPIRY DATE	29 May 2013
APPLICANT	Quantum Care Developments Ltd
AGENT	RDT Design
REASON FOR COMMITTEE TO DETERMINE	Being an application for major development it is considered to be a departure from the Development Plan
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

Although this site is located within a Main Employment Area on the South Bedfordshire Local Plan Review (Policy E1) the emerging Development Strategy for Central Bedfordshire recognises that this status has been considerably influenced by a previous appeal decision whereby there was no justification to reserve the land for employment purposes. Nevertheless, this proposal provides a form of employment use while also providing necessary accommodation for elderly people in accordance with the Policy 31 of the Development Strategy. Access and parking would be provided while encouraging modal choice by staff and visitors, especially through the location being highly accessible to public transport, a future cycleway and the town centre. Design takes into account proposed and existing neighbouring developments and would integrate well with the local diverse character (Policies BE8 of the Local Plan and 43 of the Development Strategy).

Site Location:

This 0.66 ha site comprises the south-east corner of the 6.5ha Dukeminster Estate, until recently a commercial enclave on a rectangle of land half a mile east of Dunstable Town Centre with a long history of commercial use. The site was until recently mainly occupied by a 6-storey office block with car parking; this has now been cleared above ground leaving large areas of slab or tarmac with a small landscaped strip within it. To the west the site includes the first part of the internal estate road, and there is an eastern boundary with the Luton-Dunstable Busway (at an advanced stage of construction) with a Sainsburys superstore beyond. To the south, and parallel with Church Street, is a new bus slip road splitting from Church Street to the busway. Original perimeter chain link fencing remains and this has

been replaced by hoardings on the public and busway frontages. The former parking areas extend beyond the northern boundary, with an unoccupied block of commercial units beyond.

The Application:

It is proposed to build a care home catering for people with dementia and needing respite and other specialist care for the elderly. The building would be in the form of a main 3-storey block facing south towards the bus slip road and Church Street, a linked 2/half-storey block at right angles centrally to the rear which then splays west and east further north as a linked 'V' shaped 2-storey block. The irregular plan building would be roughly in the centre of the site and the remainder would be landscaped for residents' use and parking/access from the estate road. A total of 75 resident suites would be provided (each comprising bedroom with en-suite). These would be divided among 5 wings on each floor with pairs of wings having a common open plan dining and living space. Service rooms and a cafe/foyer would be located just behind the frontage block, where the main entrance would be.

The following documents have been submitted:

- Design and Access Statement
- Planning statement
- Landscape strategy plan
- Noise impact assessment
- Energy efficiency statement
- Public consultation statement
- Ecological appraisal
- Contamination assessment
- Transport Assessment

There would be 2 accesses to the site - a main approach to the front door with 4 accessible parking spaces and the main car park to the north, having 29 spaces in total. These accesses would be from a modified estate road which is also part of this application. The remainder of the frontage would be hedged with an avenue of trees; tree planting would feature extensively around the site perimeter and around the car parks. Being a relatively closed environment there are extensive pleasure grounds incorporating lawns, beds and paving. The site would be bounded by an acoustic fence towards the Busway and weldmesh fencing/hedging elsewhere.

Surface water drainage would be to soakaway and foul water to mains. Although the site is fairly level there is a slight increase from south to north of 1m. The finished floor level of the proposed building would be constant throughout and at a level appropriate for the topography. It is confirmed that there would be no increase in the level of the land from topsoil deposit after remediation.

Outline planning permission (see below) has been resolved to be granted for the whole Dukeminster Estate for a mixed scheme of residential, care home and commercial development, but the legal agreement remains to be signed. In that application the indicative layout shows the land to the north of the site for residential development and the current site for care home use.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

- 4 - Promoting sustainable transport
- 7 - Requiring good design
- 10 - Meeting the challenge of climate change, flooding and coastal change
- 11 - Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review Policies

- BE8 Design Considerations
- E1 Main Employment Areas
- T4 Translink Project

Development Strategy for Central Bedfordshire (pre-submission version Jan 2013)

- Policy 1 Presumption in favour of sustainable development
- Policy 7 Employment sites and uses
- Policy 26 Travel plans
- Policy 27 Car parking
- Policy 28 Transport assessments and travel plans
- Policy 31 Supporting an ageing population
- Policy 43 High quality development
- Policy 44 Protection from environmental pollution
- Policy 47 Resource efficiency
- Policy 48 Adaptation
- Policy 49 Mitigating flood risk

(Having regard to the NPPF, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013).

Supplementary Planning Guidance

- Design in Central Bedfordshire
- Central Bedfordshire Local Transport Plan: App. F, Parking Strategy
- Dunstable Town Centre Masterplan

Planning History

(key decisions, whole Dukeminster Estate)

- SB/OUT/06/0884 Appeal permission expired – Residential development for up to a maximum of 458 dwellings (85 dwellings per hectare maximum) with associated parking and open space and up to a maximum of 300m² of Class A1 floorspace and up to a maximum of 520m² of Class D1 floorspace.
- CB/11/02380/FULL [Dukeminster Estate excluding this site] Resolved to Grant - Demolition of all existing buildings and redevelopment for up to 172 residential dwellings together with 300m² (gfa) of Class A1 retail space and 513m² (gfa) of

and frontage to Church Street] Class D1 accommodation. Section 106 Agreement not signed.

CB/11/04497/OUT Resolved to Grant – Demolition of all buildings on the site and redevelopment for a mixed use scheme for up to: 203 residential dwellings together with a 75 bed care home; 568m² (GFA) of class A1 retail space; 505m² (GFA) of class A2 financial and professional services or class 3 restaurants and café space; 555m² (GFA) of class D1 non residential institutions space; 783m² (GFA) of B1 business space together with associated vehicular parking and landscaped areas. Section 106 Agreement not signed.

**Representations:
(Parish & Neighbours)**

Town Council (20/3/13) No objection.

Neighbours No response.

Consultations/Publicity responses

Highways Officer (22/3/13, 27/3/13) Notes that it is proposed to adopt access road under S.38 of the Highways Act. Although the modelled refuse vehicle is shorter than used by CBC, as this will be privately serviced the internal arrangements are satisfactory. Recommends conditions.

Highways Agency (12/3/13) This site is part of a larger site where planning permission is resolved to be granted. To be consistent with that 'permission' the same Travel Plan condition should be attached here.

Tree and Landscape Officer (21/3/13) No objection to framework plan but asks for condition to secure a scheme which is accurately assessable, quantifiable and enforceable.

Ecological Officer (14/3/13) No objection to proposals and agrees with Ecological Report recommendation for a condition requiring a reptile survey at an appropriate time of year and, if reptiles are found, suitable mitigation.

Public Protection - contamination (19/3/13) Requests condition.

Environmental Health Officer (27/3/13) No objections. An earlier Environmental Noise Assessment recognised the commercial nature of surrounding land and a busway but a condition is recommended for sound insulation in the new building. Another condition is proposed to ensure that noise from fixed plant does not affect future residential use of adjacent land. Asks for informatives on working hours

and site preparation/construction best practice.

Environment Agency
(25/3/13, 26/3/13)

No objection in principle. Most of the contaminants found breached the acceptability threshold and proposed source removal is considered acceptable. Conditions are recommended.

Anglian Water

Comments will be reported on the Late Sheet.

Adult Social Care
(18/3/13)

Seeks explanation of garden design for people with dementia, security, use of corridor ends, noise attenuation and design implications of nursing practice.

Determining Issues

The main considerations of the application are;

1. Planning history and policy
2. Access and design
3. Other considerations

Consideration

1. Planning history and policy

Together with the rest of Dukeminster Estate, the site is allocated in the South Bedfordshire Local Plan as a Main Employment Area; relevant Policy E1 is still saved. The site is shown on the Policies Map for the pre-submission Development Strategy for Central Bedfordshire as 'Main employment area (category 1) lost to residential development'. In a pivotal appeal decision on the Estate, the Secretary of State, in allowing an appeal for 458 dwellings (and 300m² retail/520m² Class D1) in 2007 noted that the proposal would provide new and additional housing in a sustainable location including a good quantity of affordable housing, and that there was evidence of sufficient employment land elsewhere. Subsequent applications have been determined which relied on the steer given by the Secretary of State in respect of the employment land and which is still relevant. The most recent (11/04497) application covering Dukeminster Estate was resolved to be granted permission by Development Management Committee on 23rd May 2012 but the S106 Agreement remains to be drawn up and signed. In this application, the current site was indicated as the location for a care home of up to 75 beds. The instant proposal therefore accords with an application which has been approved in principle subject to securing developer contributions and affordable housing provision.

While discussions are ongoing in respect of the remainder of the 11/04497 application proposal, to include an Extra-care facility promoted by this Council, separate discussions have taken place on this site to ensure a scheme which would relate well to the scale and character of its likely neighbours and which could be delivered early.

The Dunstable Town Centre Masterplan coverage extends to this site, being part of the Dukeminster Estate. Reference is made to the 11/02380 'planning

permission' (see history above) because the 11/04497 submission was still being considered. The Masterplan states "There is an opportunity to consider the site for comprehensive redevelopment. However, an element of the sites original employment function would need to be retained in some form." It is now generally accepted that employment uses can extend to care homes and this aspiration can be met in the proposal.

The Luton to Dunstable Guided Busway adjoins the site to the east and is at an advanced stage of construction. The proposal does not prejudice its implementation and operation and the access to the site does not rely on crossing the bus slip road.

The 11/04497 application was subject to a comprehensive public consultation exercise which remains relevant as the current application comprises a component of that proposal.

The applicant refers to *Central Bedfordshire Together - Sustainable Community Strategy 2010-2031* in which is set out a priority for supporting and caring for an aging population and those who are most vulnerable. An increasing demand for care provision would be addressed by integrating care and support to people with dementia and their carers...'. *Delivering your priorities - Our plan for Central Bedfordshire 2012-2016* reflects this in the priority 'Promoting health and wellbeing and protecting the vulnerable'. An expanded social care market that provides choice is envisaged and dementia care is a focus for support. Policy 31 of the emerging Development Strategy directly supports this proposal as it not only provides appropriate accommodation for an ageing population but is in a very sustainable location and has a flexible range of services.

We have screened this proposal under the Town and Country Planning (Environment Impact Assessment) Regulations 2011 and concluded that, having regard also to the proposed developments elsewhere on Dukeminster Estate, the proposal does not constitute EIA Development.

2. Access and design

The 2011 application retained the southern part of the estate road to serve the redeveloped Dukeminster site. However, the extensive road works associated with the Busway form a comprehensive highway layout in the vicinity which re-works this junction. It is therefore acceptable, indeed preferable, for the proposal to take access from the estate road. Pedestrian and cycle access would be from the same place. After using his experience in his 26 other developments, the operator has provided a total of 29 parking spaces in this scheme. Four of these are located in front of the main entrance to the block, and these would accommodate ambulances and disabled-user vehicles. The main car park is accessed further up the estate road. This figure equates to the basic requirement according to the new parking strategy after applying the discounting for accessibility.

The estate road would be slightly reduced in width at this point and, being delivered by this scheme, would then be available to serve the remainder of the redeveloped Dukeminster Estate.

Constraints on design for the building arise from the need to address Church Street and also the frontage building on the western part of the Estate. Using pre-submission information the form of the development on this adjacent land has effectively been finalised. Adjacent to the estate road it would present a 4 storey 'drum' feature of a modern design, although the ground floor would be double height. The frontaging building on the site is 3 storeys high with a ridge roof while the building components to the rear are 2 storey. It is likely that the rear of the site will abut 2-storey housing with minimal buffering. On the front elevation (facing Church Street) a varied composition of materials (brick and render) incorporate vertical elements to increase the apparent scale while remaining practical for the user. Central in this elevation would be paired covered balconies on the upper floors served from communal living spaces. A vertical brick feature nearest the west corner would wrap round to face the estate road and the corner itself would be 'hollowed out' to reveal generous balconies on the upper floors. These would have access from 'quiet spaces' on the upper 2 floors.

The choice of facing materials continues the interest of the elevations. Under grey roof tiles a general use of red brick for ground and first floors and painted render at second floor would be punctuated by vertical projections of horizontal boarding with Juliette balconies. Steel railings and vertical columns would also feature.

The main entrance is in the arm to the rear of the frontage block and faces west to the estate road. It would be recessed behind a symmetrical layout of planting and parking spaces yet be slightly understated. Two further wings would fan out from this point to the north. The residents would be allocated to a 'household' and each household would have its own dining/living area. Those on the ground floor would open onto a hedged 'room' outside the building. In addition, there would be a central café area which also opened onto one of the 3 external 'rooms'. The overall design would present multiple faces of buildings screened through trees and shrubs, which is a great improvement to the bleak car park and office block landscape of the previous user.

Various elements of the construction would be upgraded to exceed baseline Building Regulations to provide an inherent reduction in energy demand by reducing the load on the heating system. Service systems would include technologies such as air source heat pumps, solar thermal hot water pre-heating, and photovoltaic panels. The final selection would be made for Part L compliance. Low energy fittings and features would reduce load elsewhere.

The CBC Adult Social Care Commissioning Officer has asked how the design and services relate to each other. In response the applicant has emphasised the quality of care intended in this (as in other homes owned by the company). Specifically he explains the attention to detail in the garden layout, the security in place to prevent unintended exit from the premises, the use of corridor ends, wings intended to accommodate residents at a similar stage of dementia, noise attenuation and inclusion of end of life care.

3. Other considerations

ECOLOGY

The greater part of the ecological interest at Dukeminster resides in the other land, with the site having very poor ecological value. But the site abuts the new Busway which sits at a slightly lower level. Before construction this corridor had been designated a County Wildlife Site but much of this habitat has been compromised and the current proposal does not have an impact on the remaining banks. The Ecological Report was based on the Dukeminster Estate document and references to reptiles relate to land north of this site. Consequently, there is no need for a reptile survey on this site.

NOISE

The site is considered suitable for the proposed development subject to conditions specifying ventilation and glazing systems to achieve appropriate internal noise levels and to an imperforate fence along the north-east site boundary.

PLANNING CONDITIONS

It is instructive to examine the proposed conditions for the later 2011 application, which covered this site. Conditions relating to submission of a landscaping scheme and materials will be relevant. With no trees of any size on the site there will be no need for tree protection. The ecological submissions do not point to a need to consider protected species, especially badgers as there are no signs of activity on this largely barren site. The expected contamination conditions (CBC and EA) should be imposed. Noise conditions will be needed both to safeguard future residential development on adjacent land from fixed plant within the site, and to protect residents on the site from commercial noise on either side as well as traffic noise on Church Street. A waste audit will be required in view of the survival of substantial building platforms and car parking areas. On the subject of highway works, as well as the usual junction and wheel cleaning details, a condition should tie in the upgrading of the Estate road and ensure its completion (up to final surfacing) before occupation of the building. A Travel Plan should be sought (as proposed in the Transport Statement) together with facilities for cycle parking for staff. The Environment Agency has asked for conditions relating to drainage and the comments of Anglian Water will be reported at the meeting.

By including residential development, the 2011 application required a raft of infrastructure contributions through the calculator. In addition, the S106 Agreement would secure the travel plan and links to the Busway stop in College Drive as well as affordable housing. The contributions and affordable housing requirement fall away in respect of a care home and the site is too distant to benefit from that particular Busway stop; the travel plan is proposed as a condition in this much smaller scheme.

There is no longer a requirement to refer this proposal to the Secretary of State as a departure from the development plan.

Recommendation

That this Planning Application be APPROVED subject to the following:

- 1 The development shall begin not later than three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development hereby approved shall commence until a detailed landscaping scheme to include any hard surfaces and earth mounding has been 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 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.
(Policies: BE8, South Bedfordshire Local Plan Review (SBLPR); 43, Development Strategy for Central Bedfordshire (DS)).

- 3 **No development hereby approved shall begin until the following have been submitted to and approved in writing by the Local Planning Authority:**
 - (a) **a Phase 3 Remediation Method Statement containing a detailed scheme, including site plans, for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment, as recommended by the previously submitted *Curtins Consulting Site Investigation Report* of January 2013.**
 - (b) **A Phase 4 Validation Report demonstrating the effectiveness of the Phase 3 scheme (to incorporate photographs, material transport tickets and excavation-wall chemical validation sampling), unless an alternative period is approved in writing by that Authority. Any such validation should include responses to any unexpected contamination discovered during works.**

Any works which form part of the Phase 3 scheme approved by the Local Planning Authority shall be completed in full before any part of the proposed building is occupied. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and shall be adhered to.

REASON: To protect human health.
(Policies: 43, 44, DS).

- 4 Prior to occupation of any part of the development hereby permitted, 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 that Authority.

REASON: To confirm that remediation is completed to an acceptable standard. This is to ensure that the groundwater below the site (which is used to provide drinking water to the public) is not polluted (Environment Agency condition).

(Policy: 44, DS).

- 5 No infiltration of surface water drainage into the ground at the site 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 and prevent the pollution of controlled waters (particularly the underlying Principal aquifers and protected waterbodies under the EU Water Framework Directive) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework pars. 109, 120, 121, EU Water Framework Directive, River Basin Management Plan and Environment Agency Groundwater Protection (GP3:2012) position statements A4 to A6, D1 to D4 and D7. To ensure that the groundwater (which is used to provide drinking water to the public) below the site is not polluted. (Environment Agency condition).

(Policy: 44, DS).

- 6 The development hereby approved shall be implemented in accordance with the submitted foul and surface water scheme (as indicated on drawings 410012/SK150D and 151C).

REASON: (as 5).

(Policy: 44, DS).

- 7 **No development shall commence until samples of proposed facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

REASON: To ensure a quality development in the context of its situation.

(Policies: BE8, SBLPR; 43, DS).

- 8 **No development shall commence until a detailed waste audit addressing issues in respect of waste generated by the site clearance,**

construction and subsequent occupation phase of the development has been submitted to and approved in writing by the Local Planning Authority. The waste audit shall include details of:

- (a) the anticipated nature and volumes of waste that the development will generate,**
- (b) measures to maximise the re-use of on-site waste arising from demolition, engineering and landscaping,**
- (c) steps to be taken to ensure effective segregation of wastes at source during demolition and subsequent construction of the development including, as appropriate, the provision of waste sorting and recovery and recycling facilities,**
- (d) any other steps to be taken to minimise the generation of waste throughout any required demolition and during the construction of the development,**
- (e) provision within the proposed development to encourage the occupier to manage waste effectively and sustainably,**
- (f) provision for monitoring the implementation of steps (a) to (e) above, and**
- (g) a timetable for implementing the above steps.**

REASON: To ensure that waste is managed sustainably during the lifetime of the development in accordance with the objectives of saved policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

- 9 To protect against intrusive externally generated noise, sound insulation and absorbent materials shall be applied to all dwellings as is necessary to achieve as a minimum standard an internal noise level of 30dB_{LAeq}, 23:00-07:00 and 45dB_{LAm}, 23:00-07:00 for bedrooms and 35dB_{LAeq}, 07:00-23:00 for habitable rooms. External noise levels from road traffic noise sources shall not exceed 55dB_{LAeq}, 1hr in outdoor amenity areas. The effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results submitted to and approved in writing by that Authority before any permitted dwelling is occupied. Furthermore, the applicant/developer shall identify any windows that need to remain closed in order for the internal noise environment to meet the required standards (other than for road traffic noise). Such windows shall be fixed closed and be non-openable with alternative means of ventilation provided for the rooms affected.

REASON: To protect occupants from externally generated noise.
(Policies: BE8, SBLPR; 44, DS).

- 10 Fixed plant associated with the proposed development must be designed to a level which is at least 5dB(A) below the existing L_{A90} background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant are to apply at a position 1 metre from the closest affected window of the relevant noise sensitive property.

REASON: To prevent nuisance from noise and to safeguard the amenities of the area.

(Policies: BE8, SBLPR; 44, DS).

- 11 Before an access onto the estate road 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 accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

(Policy: 43, DS).

- 12 Visibility splays shall be provided at all private means of access onto the estate road. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the private means of access from its junction with the channel to the through road and 25m measured from the centre line of the access along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

REASON: To provide adequate visibility at road junction in the interest of road safety.

(Policy: 43, DS).

- 13 **Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building hereby permitted 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.

(Policy: NPPF, 32).

- 14 No part of the development hereby approved shall be brought into use until a Travel Plan has been approved in writing by the Local Planning Authority. The Travel Plan shall be in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring and review
- The mechanisms for reporting
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter

- Mechanisms to secure variations to the Travel Plan following monitoring and reviews.

REASON: To ensure the A5 trunk road will continue to be an effective part of the Strategic Road Network in accordance with Circular 02/07 "Planning and the Strategic Road Network".

(Policy: 26, DS)

- 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.

(Policy: NPPF 32).

- 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.

(Policy: 43, DS).

- 17 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.

(Policy: 43, DS).

- 18 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.

(Policies: BE8, SBLPR; 43, DS).

- 19 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.
(Policy: 24, DS).

- 20 **Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and the building hereby approved shall not be occupied until that lighting has been installed in accordance with the approved details.**

REASON: To ensure that the proposed highways are adequately lit.
(Policy: 43, DS).

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

REASON: In the interests of road safety.
(Policy: 32 NPPF).

- 22 **No development shall 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.
(Policy: 32 NPPF).

- 23 This permission relates only to the details shown on drawings 847-PL-001, 010, 100, 200, 300, 400, 500, 600, 601, 602, 605, 606, 607, 620, M10026-A-100A, 410012/SK150D, 151C, 152A, 0446 1.1B received 27/2/13.

REASON: To identify the approved plans and to avoid doubt.

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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DS).
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. With respect to the construction phase reference should be made to the Mayor of London's Best Practice Guidance (BPG) *The control of dust and*

emissions from construction and demolition. The impacts upon air quality are likely to be in the “High Risk” category and mitigation measures will be required, which should also include solid barriers to the site boundary.

Normal working hours should be 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays. Normal working hours should be 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

The Council does not specify permitted noise levels, instead contractors shall employ the “best practicable means” as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites.

Measures would include contractors taking all reasonable steps to minimise noise and be reasonable in the timing of any high noise level activities. These steps would include noise mitigation measures such as temporary screening or at source insulation may have to be utilised, all vehicles, plant and machinery used during the operations are fitted with effective exhaust silencers and that all parts of such vehicles, plant or machinery are maintained in good repair and in accordance with the manufacturer’s instructions and are so operated and orientated so as to minimise noise emissions. Where possible the use of generators should be avoided and mains electricity used. All compressors used shall be “noise reduced” models fitted with properly lined and sealed acoustic covers which shall be kept closed when the machines are in use. Where other alternatives are proposed these should be approved by the Local Authority. All ancillary pneumatic percussive tools should be fitted with approved mufflers or silencers of the type recommended by the manufacturers. All of these items must be kept in good repair and any machinery used intermittently should be shut down when not in use or, where this is impracticable, should be throttled back to a minimum.

4. 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 shall be submitted to the Planning and Control Group, Central Bedfordshire Council's Highways Help Desk, PO 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. (HN xii)

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 at the pre-application stage and 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.

DECISION

.....

.....