



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<sub>LAeq</sub>, 23:00-07:00 and 45dB<sub>LAm</sub>, 23:00-07:00 for bedrooms and 35dB<sub>LAeq</sub>, 07:00-23:00 for habitable rooms. External noise levels from road traffic noise sources shall not exceed 55dB<sub>LAeq</sub>, 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<sub>A90</sub> 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 Within 3 months of the commencement of development detailed plans of the proposed highway lighting within the development using light emitting diodes (LED) or other approved lighting shall be submitted to and approved in writing 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 Within 3 months of the commencement of development a scheme to restrict the speed of traffic on the estate road shall be submitted to and approved in writing 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 and M10026-A received 18/4/13.

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.

**NOTES**

In advance of the consideration of the application the Committee were advised of a further consultation response from Anglian Water. As there are assets owned within



or close to the development, an additional informative be attached. Dunstable has available capacity for foul water flows. Therefore the Surface Water Strategy be conditioned.

The Committee noted additional comments made in relation to Access and Design and other considerations relating to Human Rights Issues and Equalities Act 2010.

Amended conditions were proposed for Conditions 20, 21 and 23. An additional Informative was also proposed.