

Item No. 16

APPLICATION NUMBER	CB/13/00371/FULL
LOCATION	Land at Boot Lane, Dunton, Biggleswade, SG18 8RP
PROPOSAL	Construction of 24 houses and associated garaging, roads and sewers
PARISH	Dunton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Nikolas Smith
DATE REGISTERED	05 February 2013
EXPIRY DATE	07 May 2013
APPLICANT	Linden Homes Midlands
AGENT	NKW Design
REASON FOR COMMITTEE TO DETERMINE	Objection on material planning grounds from the Parish Council that cannot be overcome by planning conditions
RECOMMENDED DECISION	Full Application - approval subject to conditions and s106

Reason the application is recommended for approval:

The development would cause no harm to the appearance of the site or the area, would cause no harm to living conditions at neighbouring properties and would cause no harm to the safe and free flow of vehicular and pedestrian traffic. Standards of accommodation would be acceptable and existing rights of way through the site would be protected. The impacts of the development on existing local infrastructure would be adequately mitigated and affordable housing would be provided in line with the Council's policy standards. The development would be in accordance with the objectives of the National Planning Policy Framework (2012), the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Central Bedfordshire Planning Obligations Supplementary Planning Guidance (2009), Design in Central Bedfordshire (a guide for development) and Appendix F Parking Strategy of the Central Bedfordshire Local Transport Plan.

Recommendation:

That Planning Permission be granted subject to the completion of a s106 agreement securing the above planning obligations and to the following conditions:

- 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 shall commence at the site before samples of bricks and roof tiles to be used in the construction of the houses have been submitted to and approved in writing by the Local Planning Authority.**

The development shall be carried out as approved.

Reason: To ensure that the appearance of the site would be acceptable.

- 3 No dwelling shall be occupied at the site before boundary treatment has been completed in accordance with drawing number 1135-005 rev A.

Reason: To ensure that the appearance of the site and the standard of accommodation provided would be acceptable.

- 4 No dwelling shall be occupied at the site before the landscaping at the site and within the 'buffer zone' has been carried out in accordance with the submitted Landscape Proposals rev A and Landscape Schedules (revised April 2013).

Reason: To ensure that the appearance of the site would be acceptable.

- 5 **No development shall commence at the site before a Landscape Maintenance Scheme for landscaping at the site and within the 'buffer zone' for a period of five years has been submitted to and approved in writing at the site. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site would be acceptable.

- 6 Existing trees and hedges at the site shall be protected in accordance with the details shown on drawing numbers 2307.TPP and 2287.AIA for the duration of the development at the site.

Reason: To ensure that existing trees and hedges are protected during construction.

- 7 The public footpath running between the South East and North West of the site shown on drawing number 1135-004 rev E and that running along the South of the site (including access points to the Recreation Ground) shall be made available for public use prior to the occupation of any unit at the site and shall be permanently retained unobstructed thereafter unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: To ensure that the right of way is available for public use.

- 8 **No development shall commence at the site before details of areas for the storage and collection of waste and recycling have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved.**

Reason: To ensure that adequate facilities for waste and recycling are provided for future occupiers.

- 9 The development shall be carried out in accordance with the recommendations contained within the Extended Phase 1 Habitat Survey and Protected Species Assessment updated in January 2013 and prepared by ADAS UK Ltd.

Reason: To ensure that local ecology is properly protected.

- 10 **No development shall commence at the site before an energy strategy which demonstrates how the development will achieve a reduction in energy usage of 10% against the standards set out in Part L of the Building Regulations has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the development would be sustainable.

- 11 **No development shall commence at the site before details of the design and construction of methods to accommodate storm water have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that drainage is properly dealt with at the site.

- 12 **No development shall commence at the site before detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been submitted to and approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access to it has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed road works are constructed to an adequate standard.

- 13 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.

- 14 The proposed development shall be carried out and completed in all respects in accordance with the highway configuration illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 15 No dwelling shall be occupied at the site before details of modifications to the road markings at the junction of Boot Lane with Cambridge Road have been submitted to and approved in writing by the Local Planning Authority.

The junction works shall be carried out as approved before any dwellings at the site are occupied unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: In order to provide an improved visibility splay in the interests of highway safety.

- 16 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.

- 17 **No development shall commence at the site before details of a wheel cleaning facility at all site exits have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved. The wheel cleaner(s) shall be removed from the site once the road works 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.

- 18 **No development shall commence at the site before details of a scheme detailing access provision to and from the site for construction traffic and provision for on site parking for construction workers and deliveries 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 as approved.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 19 **No development shall commence at the site before a Written Scheme of Archaeological Investigation 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 ensure that no harm is caused to archaeological heritage assets at the site.

- 20 **No development shall commence at the site before details of existing and proposed site levels including cross sections through the development and houses on Boot Lane that adjoin the site boundary have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site and the impact on living conditions at neighbouring properties would be acceptable.

- 21 **Notwithstanding any details shown on the plans hereby approved, no development shall commence at the site before revised details of external sills and headers to windows on the houses have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site would be acceptable.

- 22 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [Extended Phase 1 Habitat Survey and Protected Species Assessment updated January 2013 and prepared by ADAS UK Ltd, Drainage Statement dated 31st January 2013 and prepared by iD Ltd, Site Investigation dated December 2012 and prepared by BRD, Planning01 rev C, 1135/GAR/01 rev A, 1135-006 rev A, 1135-005 rev A, 1135-004 rev E, Dntn - Topo 01, 2287.AIA, 2307.TPP, Planning01 rev B, AF3B-P01, AF2B-P01, Planning02 rev B, AF3B-P02, AF2B-P02, Planning01 rev C, Planning02 rev C, Planning01 rev B, Planning02 rev B, Planning01, Planning02, Planning, Design and Access Statement dated January 2013 and prepared by 3D Planning Ltd, Highway Impact Assessment dated February 2013 and prepared by Infrastructure Design Ltd, Highway Statement dated January 2013 and prepared by iD Ltd and Tree Survey received 4th February 2013].

Reason: For the avoidance of doubt.

Notes to Applicant:

1. 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 Development Control Group, Development Management Division, 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.
2. 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 Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

3. The applicant is advised that in order to comply with conditions 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 Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
4. 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 Annexes - July 2010"

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

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:

1. In advance of consideration of the Application, the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the Application, the Committee were advised that Parish Council had withdrawn its objection to the Planning Application.]