

## **Item No. 13**

<b>APPLICATION NUMBER</b>	<b>CB/12/01722/RM</b>
<b>LOCATION</b>	<b>Land at 59 &amp; 69 The Green, Stotfold, Hitchin, SG5 4AN</b>
<b>PROPOSAL</b>	<b>Reserved Matters: Residential development of 33 dwellings (pursuant to outline planning permission CB/10/02061/REN dated 31 August 2010)</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>10 May 2012</b>
<b>EXPIRY DATE</b>	<b>09 August 2012</b>
<b>APPLICANT</b>	<b>Abbey New Homes</b>
<b>AGENT</b>	<b>AAP Architecture</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>A decision on this application was deferred by the Committee in March to allow an opportunity to look again at car parking and the relationship of the site with the near by skate park. The application was originally before the Committee because of an Objection from the Town Council to a major application.</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Grant subject to conditions</b>

### **Reason that the application is recommended for approval:**

The principle of the development on this site has already been established on the outline planning permission (CB/10/02061/REN), and the details in this application relating to layout, scale, external materials, landscaping and noise impacts, are considered to be acceptable to preserve the character of the area, and the residential amenity of neighbouring and new properties. Therefore, by reason of its site, design and location, the proposal is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009 and the National Planning Policy Framework. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

### **Planning Context:**

A decision on this application was deferred by the Development Management Committee at its March meeting so as to allow an opportunity to address an under provision of car parking at the site and to look again at the relationship between the site and an existing skate board park to the East. The number of car parking spaces at the site would be increased and having looked again at the issue of noise related to the skate park, it is considered that on balance, planning permission should not be withheld for that reason. As such, the approval of this application subject to conditions is recommended.

### **Site Location:**

The site lies to the east side of The Green and currently comprises two properties, namely no's. 59 & 69 The Green. No. 59 is the site of the old Salvation Army Hall and No. 69 is a timber framed two storey dwelling. The garden land of these two buildings and also the garden land of No. 67 constitutes the majority of the application site.

The site is relatively flat with no significant features. The surrounding area comprises a public park to the immediate east, beyond which open countryside is located. A small skate park, circular cycle track and MUGA are located within the park, the Skate park and cycle track being located to the immediate east of the application site. Manor Farm and associated out buildings is located to the south. Stotfold Football Club (Roker Park) lies to the north, which has an outline planning permission for residential development. Residential properties surrounding The Green are located to the west of the site.

The site is within the settlement boundary for Stotfold but is not an allocated site in the LDF Site Allocations DPD. There are no other planning designations affecting the site.

### **The Application:**

This is a reserved matters application following the granting of outline permission in MB/06/00738/OUT, for a residential development with all matters reserved except means of access. This permission was subject to an extension of time application under Section 73 of the Town and Country Planning Act in 2010 (CB/10/02061/REN). A new set of reserved matters and conditions were attached to this latter planning permission. The current submission also includes details pursuant to conditions 6 and 7 of CB/10/02061/RM (protection against noise and lighting from the use of adjacent land).

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework, 2012**

- 4 - Supporting sustainable transport
- 6 - Delivering a wide choice of high quality homes
- 7 - Requiring good design
- 8 - Promoting healthy communities
- 11 - Conserving and enhancing the natural environment
- 12 - Conserving and enhancing the historic environment

#### **Central Bedfordshire North Core Strategy and Development Management Policies, 2009:**

- CS2 - Developer contributions
- CS3 - Healthy and sustainable communities
- CS4 - Linking communities
- CS7 - Affordable housing
- CS13 - Climate change
- CS14 - High quality development
- CS15 - Heritage

CS16 - Landscape and woodland  
 CS17 - Green Infrastructure  
 CS18 - Biodiversity and geological conservation  
 DM1 - Renewable energy  
 DM2 - Sustainable construction of new buildings  
 DM3 - High quality development  
 DM4 - Development within and beyond settlement envelopes  
 DM10 - Housing mix  
 DM13 - Heritage in new development  
 DM14 - Landscape and woodland  
 DM15 - Biodiversity  
 DM16 - Green Infrastructure

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

Policy 1	Presumption in favour of sustainable development
Policy 27	Car parking
Policy 43	High quality development
Policy 44	Protection from environmental pollution
Policy 47	Resource efficiency
Policy 48	Adaptation
Policy 49	Mitigating flood risk
Policy 59	Woodlands, Trees and Hedgerows

## **Supplementary Planning Guidance**

Central Bedfordshire (North) Site Allocations DPD, April 2011  
 Design in Central Bedfordshire - A Guide for Development, 2010

## **Planning History**

CB/12/00349/RM	Reserved Matters: Residential development of 33 dwellings (pursuant to outline planning permission CB/10/02061/REN dated 31 August 2010). <b>Withdrawn.</b>
CB/11/00126/SE73	Section 73: Variation of Condition 8 on planning approval CB/10/02061/REN dated 31 August 2010 for residential development (all matters reserved except means of access) replacement of planning permission MB/06/00738/OUT dated 7 September 2007. Condition 8 amended to show visibility splay as indicated on drawing E1130/2. <b>Granted.</b>
CB/10/02061/REN	REN: Residential development (all matters reserved except means of access) replacement of planning permission MB/06/00738/OUT dated 7 September 2007. <b>Granted.</b>
CB/10/01172/OUT	Adjoining site to the north: Outline: The erection of 43 No. dwellings (all matters reserved except access). <b>Granted.</b>
MB/06/00738/OUT	Outline: Residential Development (all matters reserved except means of access) - <b>Approved 07/09/07.</b>

**Representations:  
 (Parish & Neighbours)**

Stotfold Town Council

**Object** to the proposal on the following grounds:

- The garages do not meet Central Bedfordshire Council guidelines for size
- Insufficient parking
- The fence between Stotfold Football Club and the development is only 1.8metres high, which will allow footballs to enter domestic dwellings

Neighbours

Four letters have been received from the occupiers of the following neighbouring properties:

29 Queen Street, Stotfold;  
83 The Green, Stotfold;  
2 Wrayfields, Stotfold; and,  
73 Regent Street, Stotfold.

These residents **object** to the proposal on the following grounds:

- Overdevelopment of the site
- The site has not been allocated for housing
- The development will put additional pressure on the public utility services
- Additional traffic
- The development will put additional pressure on school places and the existing schools will not be able to accommodate the additional demand
- The development would not preserve the character and appearance of the countryside
- Increase the number of dogs in the area

One letter has been received from the occupier of 29 Queen Street commenting on the application:

- Would like the trees at the front of the site to be retained as part of the landscaping scheme, but not enclosed by private gardens

### **Consultations/Publicity responses**

Archaeology	No objections (subject to condition)
Tree and Landscape Officer	No objections.
Internal Drainage Board	No objections.
Highways	No objections.
Waste Services	No objections, subject to details of collection points etc. being secured.
Public Protection	Commented in September 2012 that the applicant had provided insufficient information to demonstrate that the proposed layout will not result in detriment to residential amenity from noise and light from adjacent land uses,

and therefore objected to the proposal. The applicant provided a noise impact assessment in November 2012, which concluded that with mitigation, the impacts upon residents would be negligible. The noise assessment used a methodology based on assessments of clay-pigeon shooting (to mimic the nature of skate park noise), which the consultant considers to be the most appropriate in this case. Public Protection have viewed the report and mitigation, and remain unsatisfied that the impacts from the skate park and football club have been fully assessed or mitigated against, and therefore maintain an objection to the proposal.

Further comments have been received from Public Protection, who have received a desk-top acoustics report commissioned by them, completed by *Alan Saunders Associates*.

The ASA assessment concludes that the *Cole Jarman* report submitted by the applicant underestimates the impacts of the proposed skate park upon future occupants, concluding that complaints would be likely. ASA also argue that the methodology adopted by *Cole Jarman* is flawed, and should have taken into account other methods of assessment, including BS4142: *Rating Industrial Noise Affecting Mixed Residential and Industrial Areas*, and the World Health Organisation document *Guidelines on Community Noise 1999*. The ASA report concludes that even with acoustic fencing and vents, 'the skate park is likely to cause substantial annoyance to people living in the closest of the new dwellings'.

Public protection endorse the ASA report and wish to maintain their objection to the proposed reserved matters application, advising that if complaints received amount to a statutory noise nuisance, the Council will be obliged to serve a noise abatement notice, which in all likelihood will require the skate park to be relocated by Stotfold Town Council, the body responsible for the park.

The applicant has reviewed the ASA report and provided a rebuttal. In this *Cole Jarman* state that their own assessment is based upon actual readings taken at the site, which should therefore prove to be more reliable. In addition, they comment that the predicted assessment used by ASA is based on data from a larger, concrete skating bowl, used by up to 20 skaters over a continuous 7 hours period. *Cole Jarman* make the point that such a park would be of substantially greater scale than the small local facility at Stotfold. Ultimately, *Cole Jarman* maintain that their assessment is accurate and with the mitigation proposed (2.5m acoustic fence and acoustic

trickle vents), would be unlikely to lead to complaints from new residents.

The Council's consultants have reviewed the amended plan that shows garages located on the Eastern boundary of the site. They remain of the view that the development would be unacceptable and set out that in order for the proposed relationship to be an acceptable one, there would need to be a distance of 250m between the skate ramps and the nearest proposed house.

## **Determining Issues**

The main considerations of the application are;

- 1. Principle of the development**
- 2. Impact on the character and appearance of the surrounding area**
- 2. Building for Life Assessment**
- 3. Impact on the residential amenity of new and neighbouring occupants**
- 4. Other considerations**

## **Considerations**

### **1. Principle of the development**

The application site is located within the settlement envelope for Stoffold and as such the principle of residential development on this site is considered to be acceptable.

The principle of erecting 33 dwellings on the site has been established under the outline planning permission which was granted in 2006 with all matters reserved, except access. The 2006 outline proposal was in fact submitted with layout proposed, but this was withdrawn at the time since potential noise and light impacts from the adjoining football club and play park had not been established.

The 2006 permission was further extended under a replacement planning permission granted on 31 August 2010. In both permissions, the matters for consideration are: the scale of the buildings; the layout, external appearance of the buildings; and the landscaping of the site. These details are considered in the next section.

### **2. Impact on the character and appearance of the surrounding area**

The surrounding area comprises of residential properties to the north, south and west and Stoffold Football Club to the north. Manor Farm lies to the south. A recreation ground lies to the east.

No's 63 and 67 The Green are the closest properties to the site and these comprise detached dwellings. There have been buildings on this part of the site since the 19th Century. The surrounding area has then been subject to later, residential infill developments to the north along The Green and to the west, opposite the site. The surrounding buildings therefore range from the 18th, 19th,

and 20th Century and vary in terms of their size and style.

The site previously comprised two buildings towards the site frontage but these have now been demolished. The remainder of the site is currently undeveloped and is given over to coarse scrub land.

Core Strategy policy DM3 requires that new development be appropriate in scale and design to their setting and should contribute to creating a sense of place and respect local distinctiveness through design and use of materials.

The application site is approximately 1.1Ha. The proposed density of the site therefore would be 30 dwellings per hectare and this is in accordance with the recommended density for village infill development, (30-45dph) outlined in the Adopted Design Guide. The housing is proposed at 2 and 2.5 storeys, which is commensurate with the prevailing character of the surrounding area and therefore would be acceptable in this respect.

#### Layout:

The layout of the proposed development has been influenced by the relatively narrow width of the site, and the single access road which runs through the site and terminates at the end with a turning head. This creates quite a linear character in terms of the layout, although there are small pockets of variation where dwellings have different orientations away from the access road. Consequently, it is not considered that the road unduly dominates the layout, rather, the spaces between buildings, small turning areas and the frontage provided by the existing dwellings, No's 63 and 67, help create a degree of variation and a sense of place within the development.

The proposed layout has been considered in relation to the surrounding grain of development, and also the layout approved in CB/10/01172/OUT for the erection of 43 dwellings on the football ground to the north. It is considered that the proposed layout would complement the existing pattern of development and surrounding housing layouts.

The layout would be influenced by the level of car parking required for this number of units but not to an extent that would be harmful or unacceptable.

No's 63 and 67, existing buildings which will fall within the new development, have been integrated into the development by ensuring that these retain generously sized plots with wide, and deep frontages.

#### The external appearance of the buildings:

The proposed dwellings would reflect a modern house builders interpretation of local design influences. Proposed houses would have multi-pane windows, brick arches, cills and brick windows. All have modest proportions and detailing. Five of the proposed dwellings would be two and-a-half storeys, although the majority of the development would remain as two storey. The proposed two and-a-half storey dwellings have the potential to impact on the character and appearance of the proposed development and surrounding area, however, it should be noted that these would make up a very small proportion of the

development, have relatively low ridge heights and can be considered in relation to other examples of two and-a-half and three storey dwellings in the existing surrounding developments. It is not considered therefore, that the proposed two and-a-half storey dwellings in this development would appear incongruous within the surrounding area.

The proposed materials comprise of brick work, render and plain tiles. The proposed materials are considered to be locally appropriate to the surrounding area and the proposed design is considered in-keeping with the character and appearance of the surrounding development. The intended design, layout and external appearance of the proposed dwellings and development, would comply with the requirements of Core Strategy DM3 and the adopted design 'A guide for Development'.

#### Landscaping of the site:

Core Strategy policy DM3 also states that development should provide hard and soft landscaping appropriate in scale and design to the development and its setting.

A landscaping proposal was submitted as part of the application and this was considered acceptable by the Tree and Landscape Officer subject to further planting within the site. The landscaping scheme has since been revised and incorporates all comments and advice from the Tree and Landscape Officer who is satisfied with the details.

There are a number of attractive trees to the front of the site which are proposed to be retained and which will form part of the landscaping to the front of the site, outside of private gardens.

Overall it is considered that the proposed landscaping is appropriate in scale and design to the development and its setting.

In light of the above assessment, the proposed dwellings are in-keeping with the surrounding area and are not considered to have an adverse impact upon the character and appearance of the area, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies and the Adopted Design Guide.

### **3. Building for Life Assessment**

It is a Council commitment in the 'Medium Term Plan' that design quality is assessed under Building for Life approach. In this case details of reserved matters were submitted in May 2012 and therefore the Building for Life 20 (2008 version) method has been used. The assessment concludes that the development would achieve a rating of 13.5 out of 20, which passes the benchmark of 12 set for developments by the Council. In general the development is considered to score highly in terms of its location, accommodation mix and tenure, legibility, street layout, car parking, pedestrian and cycle layout, general safety and adaptation. The development performs less favourably on matters of access to public transport, environmental mitigation, overall design approach and character, road hierarchy, integration with



surrounding development, public space, architectural quality and energy performance. Nonetheless, none of the above matters are considered to be sufficiently poor to warrant a refusal of the scheme.

#### **4. Impact on the residential amenity of new and neighbouring occupants**

Core Strategy policy DM3 requires development to respect the amenities of neighbouring residents and this approach is mirrored in policy 43 of the emerging Development Strategy for Central Bedfordshire.

The neighbouring dwellings considered to be potentially most affected by the development are No's 57 The Green to the north of the application site, No's 63 and 67 The Green, located to the north of the application site and No's 71 and 73 High Street located to the south of the application site. No's 8 to 18 The Green are located opposite the application site.

No. 57 is a bungalow located to the north of the application site. A metal clad outbuilding lies adjacent to this property and the application site. A narrow track also separates this property with the application site. The nearest proposed dwelling, Plot 1, would be predominantly screened by the existing outbuilding adjacent to No. 57 and then a four bay car barn would be sited against the northern boundary which would provide further screening from the adjacent development. By virtue of the good degree of separation between this property and the proposed development, it is considered that there would not be a significant impact on the outlook afforded to this dwelling, nor would the proposed development reduce the amount of privacy or light afforded to the dwelling, nor would any part of it appear unduly overbearing.

No. 63 is a two storey dwelling, is sited to the north of the application site and would lie adjacent to the car barns for plots 1-4 which are single storey structures. No. 63 would be afforded a large frontage adjacent to the new access road, as would No. 67 (also two storey), and neither would be significantly overlooked by any of the proposed adjacent dwellings.

Manor Farm and its outbuildings are located to the south of the application site. The rear gardens of the proposed dwellings located to the south of the site, would extend to the southern boundary with this property. Each garden would meet or exceed the Council's 10metre garden depth standards, and the closest buildings at Manor Farm to the proposed dwellings would be outbuildings which are not used as residential accommodation.

No's 8 - 18 directly opposite the application site to the west, would be sited 31metres away from the closest new dwellings. By reason of this degree of separation, the size of the proposed dwellings, and their set back behind landscaping, it is not considered that these dwellings would have an adverse impact in terms of outlook or by appearing overbearing.

It is also important to consider the potential impact of the development on the residential amenities of potential occupiers of the new dwellings. The scheme accords with the Council's guidelines in terms of back to back, and separation

distances between dwellings to achieve an adequate level of privacy, outlook, light and to avoid potential overlooking. A back to back distance of greater than 21 metres is achieved between the rear of the proposed dwellings and surrounding neighbouring properties. The rear gardens of each proposed dwelling would also be a minimum of 10 metres.

However, the outline planning permission was granted with conditions requiring the submission of schemes to protect new residents from impacts in respect of noise (from the adjacent recreation ground, specifically the skate park) and light from the neighbouring football ground.

The current reserved matters proposals were initially submitted without the above details having been included. The Public Protection officer therefore recommended that the reserved matters proposals should not be approved. In response, the developer has commissioned a noise impact report by Cole Jarman acoustic consultants, who have employed techniques more commonly used to assess the impact of clay pigeon shooting on residential amenity, to assess the impact of the skate park. The assessment concludes that the use of the park would not be likely to lead to adverse impacts upon residential amenity, but since the resulting impact would be close to the threshold whereby nuisance may lead to complaints, it is recommended that additional mitigation is incorporated into the development. This would include the provision of acoustic trickle vents in the windows of those houses in closest proximity to the play area and the provision of a 2.5m acoustic fence between the housing and the park. It is proposed that the fence would primarily ensure that amenity in ground floor rooms and gardens would be protected from noise nuisance during the daytime, when the park would be in use. The applicant does not wish to provide sealed windows, arguing that it would be unlikely that residents would be disturbed in the night time when upper bedroom windows are in use, preferring to give residents the option of having either open or closed windows in their own homes.

The Public Protection Officer, having previously expressed concerns over the impact of the skate park, has viewed the submitted noise assessment and proposed mitigation and maintains an objection to the proposed reserved matters. Concern has been raised on the following matters:

- The noise assessment was carried out at a time of year when the park was not in full use, therefore assessment results will not reflect the true impact of the proposal;
- The clay-pigeon methodology used is agreed as one basis for assessment, but the applicant has failed to make a requested dual assessment under BS4142: '*Method for rating industrial noise affecting mixed residential and industrial areas*'.

As a result, the Public Protection Officer favours the redesign of the scheme to relocate housing away from the noise source, the erection of a 'barrier block' of flats facing the park, or the relocation of the skate park away from sensitive noise receptors. There would need to be a distance of at least 250m between the house and the nearest ramp in order for the relationship to be an acceptable one.

The applicant has considered the above and has concluded they would be unreasonable, given their own acoustic consultant has assessed the impact, with mitigation, to be acceptable (in doing so, providing a rebuttal to comments made over the time of the noise survey). It has been suggested that they explore the option of relocating the skate park (since this is a requirement of the s106 attached to the grant of planning permission for the neighbouring development at Roker Park), but the applicant has declined to do so, stating that this should have been considered at outline stage and fearing that to do so now, may effectively expose them to a 'ransom' situation. Such an approach may also lead to further lengthy delays since the relocation of the skate park would itself require planning permission.

On balance, and despite the continued concerns of the Public Protection officer, it is considered that the applicant has taken reasonable steps to minimise the potential impact of noise and disturbance from the skate park upon the amenities of new occupants,. Moreover, further steps, such as the redesign of the housing layout would be unreasonable. In addition, whilst not guaranteed, it is likely that the football club site will be developed in the near future, which will result in the relocation of the skate park in any case. As such and on balance, it is considered that the developer has put forward a scheme of mitigation to minimise adverse noise impacts that are within the tests of reasonableness. It is considered that further demands for mitigation have not been proven and therefore a refusal on these grounds would be difficult to justify. Therefore, the proposal is considered to be acceptable.

In terms of lighting, whilst planning permission has been granted for the replacement of the football ground with residential development, this is yet to be implemented. There is clearly the potential for football matches and training to have an impact on the amenities of the dwellings proposed. Conditions on the outline approval sought to control the impact of noise and flood lighting to an acceptable degree, and in this respect the applicant has proposed additional landscaping in the form of fast-growing evergreen trees on the northern boundary of the site, the siting of all but one of the proposed houses in proximity to the boundary at a 90 degree angle to the football pitch, and the inclusion of 'built-in' screen blinds to north facing upper windows serving bedrooms. It is therefore considered that a reasonable standard of amenities can be provided for the dwellings on the application site.

The proposed dwellings, by reason of their scale, siting and design, will not cause a detrimental impact on the residential amenities of occupiers of neighbouring properties in terms of overlooking, loss of privacy, outlook, loss of light or noise impacts. The proposal is therefore considered to accord with Policy DM3 of the Adopted Core Strategy, Development Management Policies and guidance in 'Design in Central Bedfordshire', Adopted SPD, 2010.

## **5. Other considerations**

### Highway Safety

The reserved matters details were submitted in May 2012 following the withdrawal of an earlier submission, and relate themselves to outline permission renewed in 2010. The proposal has therefore been designed and presented

having regard to the Council's parking standards and approach which existed prior to October 2012. On this basis, policy DM3 (High Quality Development), states that new development should provide adequate areas for parking and servicing, and further guidance is provided by Design Supplement 7 (Movement, Streets and Places) of DCB (2010). This required at least two parking spaces for a three bedroom house and at least three spaces for a four or five bedroom house. Visitor parking should also be provided at a rate of 0.25 spaces per dwelling.

A previous reserved matters application (CB/12/00349/RM) was withdrawn in April 2012 following concerns raised by the Planning Officer in relation to residential amenity, garage widths, and landscaping details. The applicant's sought to resolve these concerns with revisions which were subsequently agreed in principle subject to further minor adjustments suggested by the Officer prior to a revised application being submitted.

The application in its current form therefore, has been informed by pre-application discussions that resulted from the earlier withdrawn application.

#### Parking:

The Council's parking standards set out that a development of this site should provide 127 car parking spaces. When the application was presented to the Development Management Committee in March, the proposed parking provision for the 33 dwellings was 99 spaces, resulting a shortfall of 28 spaces. The majority of this shortfall would have been for the provision of parking to the 24 x 4 and 5 bedroom houses proposed at the site, each property generally only providing 3 designated off-street car parking spaces.

After the application was deferred, the applicant undertook a reassessment of car parking at the site. Now proposed are 138 spaces (11 over the Council's total standard). That figure is slightly skewed by an overprovision at some units. 9 units would have one space less than the Council's standards say that they should (they would all be 4 bedroom houses with 3 spaces). Crucially, 15 visitor parking spaces would be provided (6 more than the standards say might be).

Despite the modest under provision at some of the units, a number of the houses would have an overprovision and additional visitor spaces would help mitigate modest shortfalls and would help to prevent car parking overflowing on the road.

By virtue of the amount of land still proposed to be afforded to No's 63 and 67, the proposal would not result in the loss of parking provision for these dwellings.

#### Garages and Cycle Parking:

Concern has been raised that the garages shown on the submitted plans do not conform to the Council's requirements for garage widths of 3.3 metres including piers and 3.15 metres excluding piers. The applicant has maintained that the proposed garages do meet the Council's requirements and thus it may be a small discrepancy in relation to the scale of the drawings when printed out. For the avoidance of doubt, it is recommended that a condition be imposed to any

approval that the width of the garages must comply with the Council's depth standards.

Unless otherwise shown as cycle storage structures, it is considered that cycle parking will be accommodated within the garages.

It is not considered that the proposal would result in a significant increase in the amount of traffic in Stotfold. The wider issue of the ability of Stotfold to cope with additional development is acknowledged, but it is not considered appropriate to refuse this application on those grounds as this is outside the control of the applicants.

#### Waste Storage:

Waste storage and collection points would ensure that refuse and recycling would be handled and disposed of appropriately.

#### Archaeology:

Archaeology have commented on the current application that the development site partially lies within the Stotfold Green medieval settlement which is an archaeologically sensitive area and an important local and regional heritage asset. The Council's Archaeologist has therefore recommended that an investigation and recording of any archaeological remains that may be affected by the development should be carried out and submitted for approval by the Local Planning Authority before development commences. However, it is considered that such matters should have been included at the time the outline application was determined and it would therefore be unreasonable to request these at reserved matters stage.

#### Drainage:

The Internal Drainage Board has requested details of the method of storm water disposal to be employed. This matter is the subject of conditions attached to the outline planning permission, therefore details will be required for approval in advance of any development at the site.

#### Planning Obligation

The planning obligation associated with the outline approval secures contributions towards local infrastructure and the provision of affordable housing as part of the development.

There are no further issues.

### **Recommendation**

That Planning Permission be **Granted** subject to the following conditions:

- 1 **No development shall commence until a Site Waste Management Plan**

**has been produced and submitted and approved by the Local Planning Authority.**

**The applicant will need to provide the following information:**

- The location and size of proposed collection points**
- Details of the designs of any communal bin stores and the access to the store for collection vehicles. This should not exceed 10 metres from the rear of the collection vehicle to the store.**

**The development shall be completed in accordance with these approved details.**

**Reason: To ensure that there is sufficient provision for managing household waste on the site and in accordance with policy DM3.**

- 2 The landscaping works of the development hereby permitted shall be carried out in accordance with the details and notes on Drawing No.s P860/100; JBA 11/273-403 C; JBA 11/273 402 C.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is complemented by an appropriate landscaping scheme, in accordance with policy DM3.

- 3 **No development shall commence until samples and details of materials to be used for the external finishes of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

**Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing buildings, the visual amenities of the locality in accordance with Policies DM3 and DM13 and of the Adopted Core Strategy, Development Management Policies, 2009.**

- 4 Notwithstanding the width of the garages shown on the drawings submitted with this application, the garages hereby approved shall have a width of no less than 3.3metres (including piers) and 3.15metres (excluding piers).

Reason: For the avoidance of doubt and to ensure that the garages conform to the Council's Adopted Design Guidance Supplement 7, Paragraph 6, 10.4, so that they can properly accommodate the parked car, cycle parking, storage and allow for sufficient access into the car whilst parked in the garage.

- 5 No development shall be carried out on the site until details of the proposed acoustic fencing, acoustic trickle vents and 'built-in' blinds to windows, have

been submitted to and approved in writing by the Local planning Authority. Once approved, the development shall be carried out in accordance with the approved details and the dwellings shall not be occupied until the approved details are installed and retained in situ thereafter.

Reason: In order to ensure residential amenity is safeguarded in accordance with the submitted layout plan and mitigation details, to comply with policy DM3 of the Core Strategy and Development Management policies DPD 2009.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: P860.120; P860/123 A; P860.110 A; P860.105; P860.108; P860.122; P860.112 A; P860.119; P860.118; P860.113; P860.117; P860.111; P860.101; P860.109; P860.104; P860.115; P860.107; P860.114; P860.116; P860.121; P860.103 A; P860.102 A; P860.106; 0110 A; P860/100 K; JBA 11/273 402 C; JBA 11/273-403 C; Measured Works Schedule, Detailed Soft Layout Proposals, James Blake Associates; Arboricultural Implications Assessment and Arboricultural Method Statement Combined, January 2012.

Reason: For the avoidance of doubt.

**Statement as 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 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**

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