

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/13/00728/OUT</b>
<b>LOCATION</b>	<b>Land off Steppingley Road and Froghall Road, Flitwick</b>
<b>PROPOSAL</b>	<b>Outline: The construction of up to 400 new homes, up to 4,400 Sq metres of employment floorspace within class B1 (Business) and Class B2 (General Industrial) Development; new access arrangements from Steppingley Road and Froghall Road, including engineering works on Froghall Road; provision of public open space; associated infrastructure including a storm water basin and the demolition of 8 former agricultural buildings.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Hannah Pattinson</b>
<b>DATE REGISTERED</b>	<b>27 February 2013</b>
<b>EXPIRY DATE</b>	<b>29 May 2013</b>
<b>APPLICANT</b>	<b>Old Road Securities Plc</b>
<b>AGENT</b>	<b>Framptons Planning</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>A major development which is considered to be contrary to the Development Plan and is recommended for approval</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval</b>

### Recommended Reasons for Granting

The site is allocated for a mixed use development to provide a *minimum* of 450 dwellings and at least 1.1 ha of B1 and B2 employment land under Policy MA2 of the Central Bedfordshire (North) Site Allocations DPD. Whilst the application proposes *up to* 400 dwellings the lower number of dwellings proposed is considered to be acceptable in view of there no longer being minimum density requirements set by Central Government and a general acceptance of lower density developments. The application has however been advertised as a departure from Development Plan policy for the above reason.

The proposal will deliver a sustainable form of mixed use development which will include provision of 1.1 Ha of employment land, affordable housing, on site open space facilities, off-site highways improvements and financial contributions towards infrastructure to mitigate the local impacts of the development. The proposal is considered to be in accordance with relevant sections and policies of the National Planning Policy Framework, Central Bedfordshire (North Area) Core Strategy and Development Management Policies 2009, Affordable Housing (July 2004) and Planning Obligations (north) (November 2009) SPD's, Mid Bedfordshire Recreation Open Space Strategy (2004), Design in Central Bedfordshire: A Guide to

Development (2010) and the Masterplan for Land at Steppingley Road and Froghall Road, Flitwick which was approved as technical guidance for Development Management purposes (October 2012).

## **Recommendation**

That Outline Planning Permission be **granted** subject to satisfactory completion of a Section 106 Agreement and the following conditions:

### **RECOMMENDED CONDITIONS**

- 1 **Approval of the details of the appearance, landscaping, layout and scale of the development within each area approved as identified in condition 4, (herein called ‘the reserved matters’) shall be obtained in writing from the local planning authority before development is commenced within that area. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Article 4 (1) of the Town and Country Planning (Development Management Procedure) Order 2010.**

- 2 Application for approval of the reserved matters for each area, as identified in condition 4, shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. The development shall begin no later than two years from the approval of the final reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 Each reserved matters application shall demonstrate how it has taken account of the principles set out within the submitted Design and Access Statement (Woods Hardwick dated 20<sup>th</sup> February 2013):
  - a) Master Plan 1 – Movement Plan
  - b) Master Plan 2 – Landscape, Open Space & Play Areas Plan
  - c) Master Plan 3 – Built Form, Massing & Character Areas
  - d) Section 5.6 – Character Areas

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policies CS14 and DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 4 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and approved in writing by the Local Planning Authority. The areas plan shall show a maximum of 6 residential areas and shall define the location and extent of the employment area and each residential area and the number of dwellings in each area; and also define:

- a) the timing of the provision of the movement network shown on Master Plan 1 contained within the submitted Design and Access Statement;
- b) the timing of the provision of the vehicular access points onto Steppingley Road and Froghall Road as shown in principle on submitted Drawing No's: 46381000/P/3250/006 Rev A and 46381000/P/3250/005 Rev A prepared by URS Infrastructure and Environment UK Ltd;
- c) the timing of the provision of the open space, play areas and surface water attenuation areas shown on Master Plan 2 contained within the submitted Design and Access Statement.

The development and timing of provision of the movement network, vehicular access point(s) open space and play areas and surface water attenuation areas for each area shall be carried out in accordance with the approved areas plan.

Reason: In order to ensure the timely provision of the development.

- 5 No more than 400 dwellings and no more than 4400 square metres gross of employment floorspace within Class B1 (Business) or Class B2 (General Industrial) of the Town and Country (Use Classes) Order 1987 (as amended) shall be constructed on the site pursuant to this planning permission.

Reason: For the avoidance of doubt.

- 6 The 'Froghall Bridge Signalised Shuttle Working' and the 'Froghall Road Tie-in to existing footpath' works as shown on submitted Drawing No's: 46381000/P/3250/001 Rev A and 46381000/P/3250/007 Rev A prepared by URS Infrastructure and Environment UK Ltd; shall be constructed and available for public use prior to the opening of any new vehicular or pedestrian access points onto Froghall Road to serve the development.

Reason: To provide safe and convenient pedestrian access under the railway bridge and onwards towards local facilities in Ampthill in accordance with policy CS4 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 24 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 7 The traffic calming works on Froghall Road as shown on submitted Drawing No's 4638000/P/3250/005 Rev A and 46381000/P/3250/006 Rev A shall be constructed and open to vehicular traffic prior to the opening of any new vehicular access point onto Froghall Road to serve the development.

Reason: To ensure that speeds are adequately reduced on Froghall Road in the interests of highway safety and in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 8 **No development shall commence until an overarching Landscape and Open Space Strategy has been submitted to and approved in writing by the local planning authority. The Landscape and Open Space Strategy shall set out the in principle requirements for treatment of**

**the areas of landscaping and open space, shall be in accordance with the principles set out within Master Plan 2 – Landscape, Open Space & Play Areas Plan contained within the submitted Design and Access Statement and the areas plan approved by condition 4 and shall include:**

- a) a programme for implementation;**
- b) long-term design objectives for the laying out of areas of green infrastructure and open space within the residential development areas including any replacement planting;**
- c) short and long-term management responsibilities;**
- d) maintenance schedules for all hard and soft landscape areas and open spaces (other than privately owned domestic gardens), and any associated features.**

**The development shall be carried out in accordance with the approved overarching Landscape and Open Space Strategy.**

**Reason: To ensure a satisfactory appearance of the development in accordance with policies DM3 and DM16 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 9 No development approved by this planning permission shall take place until such time as a detailed surface water drainage scheme, including details of timing of provision, in accordance with the submitted Flood Risk Assessment dated February 2013 prepared by Woods Hardwick has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the approved timing arrangements as per condition 4.**

**Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to others downstream of the site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 49 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 10 No development in any area of the development approved as per condition 4 of this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:**

**(1) A preliminary risk assessment which has identified:**

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

**(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

**(3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

**(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**The scheme shall be implemented as approved.**

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 11 No occupation of any area of the development approved as per condition 4 of this planning permission shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that defined area 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. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and**

nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 12 If, during development within an area of development approved as per condition 4, contamination not previously identified is found to be present at the site then no further development within that area (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy for that defined area to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 13 Infiltration systems for surface water disposal shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 44 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012). The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

- 14 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be 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 groundwater. 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 and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 44 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012). Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

- 15 **No development shall take place in an area of the development approved as per condition 4 above until such time as a scheme to dispose of foul and surface water for each area and in addition in relation to the employment area a scheme for the installation of oil and petrol separators has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.**

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 16 **No development approved by this permission shall be commenced until a scheme for connection to the existing sewerage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the approved scheme for connection to the existing sewage system has been completed.**

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 17 **No development shall take place in an area of the development approved as per condition 4 above until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme for that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The development of dwellings and/or commercial units in each area shall be carried out in accordance with the approved details shall not thereafter be used for any other purpose.**

**Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 18 **The details required by condition 1 of this permission in relation to each area approved by condition 4 shall include details of the finished floor and site levels including full details of finished floor levels for each building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing ground levels. The development shall thereafter be carried out strictly in accordance with the approved level details.**

**Reason: For the avoidance of doubt and to ensure a satisfactory form of development.**

- 19 **Means of access to the site shall be from Steppingley Road and Froghall Road as shown in principle on submitted Drawing No's: 46381000/P/3250/006 Rev A and 46381000/P/3250/005 Rev A. No development shall commence until construction details of the junctions have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 20 **No development shall take place in an area of the development approved as per condition 4 of this permission until details of the plans and sections of the proposed estate roads in that area, including gradients and method of surface water disposal have been submitted to and approved in writing by the Local Planning Authority and no building within that area shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development**



**Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 21 No occupation of any of the employment land shall take place until a vehicle height sensor, railway bridge warning device and any necessary signage have been installed on the employment land access road in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 22 Any Class B1 commercial units on the employment land hereby approved shall not be used except between the hours 8am till 7pm Monday to Saturdays and at no time on Sundays, Bank or Public Holidays and any Class B2 commercial units on the employment land hereby approved shall not be used except between the hours 8am till 6pm Monday to Saturdays and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the neighbouring residential properties from noise associated with their future use in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 23 No development in any area of the development approved as per condition 4 of this permission shall commence until a scheme of attenuation measures for noise and vibration from the adjacent railway line as identified in the Noise Assessment Report of URS Infrastructure & Environment UK Limited .Reference 47065407 R01 Revision 3 dated 11th February 2013 has been submitted to and approved in writing by the Local Planning Authority so far as may be necessary to ensure that internal noise levels within dwellings from the adjacent railway line shall not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 - 07:00 and 45 dB LAfmax 23.00 - 07:00 inside any bedroom, and that external noise levels in outdoor amenity areas of dwellings from the railway line shall not exceed 55 dB LAeq, 07:00 – 23:00. The submitted scheme shall include a verification plan to demonstrate the effectiveness of the scheme. The works which form part of the scheme approved by the Local Authority for each dwelling shall be completed before the dwelling is occupied. The effectiveness of the scheme shall be demonstrated to the Local Planning Authority in accordance with the approved verification plan.

Reason: To protect the amenity of the future occupiers of the residential properties from noise and vibration associated with the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version).

- 24 Noise resulting from the use of the plant machinery or equipment from any

commercial unit on the employment land hereby permitted shall not exceed a level of 5dBA below the existing background level (or 10 dBA below if there is a tonal quality) when measured according to BS4142:1997, at one point one metre external to the nearest noise sensitive building.

Reason: To protect the amenity of the neighbouring residential properties from noise associated with their future use in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 25 Deliveries to and from the B1 and B2 uses only hereby approved shall only be made between 08:00 hours and 18:00 hours Monday to Saturday, and at no time on Sunday or Bank Holidays without the prior written agreement of the Local Planning Authority.

Reason: In order to protect the interests and amenity of the immediate surrounding residential properties in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 26 **No development in any area of the development approved as per condition 4 of this permission shall commence until a Construction Environmental Management Plan for that area has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and subcontractors will employ and shall include:**

- **Details of traffic routes and points of access and egress to be used for the construction process**
- **Details of the areas for contractors parking and loading and unloading of materials within the site**
- **Measures of controlling dust created by the development**
- **Measures to be used to reduce the impact of noise arising from the noise generating activities on site in accordance with best practice set out in BS:5228:1997 'Noise and vibration control on construction and open sites**
- **The siting and appearance of the works compounds**
- **Wheel cleaning facilities for construction traffic**
- **The hours of work**
- **A scheme to treat and remove suspended solids from surface water run off during construction works**

The development hereby approved shall only be undertaken in accordance with the agreed plan for each area.

Reason: To safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and prevent the deposit of materials on the highway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central

**Bedfordshire (Pre-Submission Version January 2013).**

- 27 **No development shall take place until archaeological investigations have been carried out in accordance with the Brief issued by the Local Planning Authority dated 3<sup>rd</sup> June 2013 or another scheme subsequently submitted to and approved in writing by the Local Planning Authority if the archaeological investigations have not been completed to the satisfaction of the Local Planning Authority by the 3<sup>rd</sup> January 2014 . The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with policy CS15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version January 2013) and paragraph 141 of the National Planning Policy Framework.**

- 28 **No demolition of any buildings on the site shall take place until a written scheme of building recording for the onion drying shed (Building 7 in the Demolition Proposals Statement (Woods Hardwick 20<sup>th</sup> February 2013)) has been carried out in accordance with the Brief issued by the Local Planning Authority dated 3<sup>rd</sup> June 2013 or another scheme subsequently submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved building recording scheme.**

**Reason: To record and advance understanding of the archaeological and historic resource which will be unavoidably destroyed as a consequence of the development in accordance with policy CS15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version January 2013) and paragraph 141 of the National Planning Policy Framework.**

- 29 **The landscaping scheme(s) required by condition 1 of this permission shall show the numbers, types and sizes of trees, grass and shrubs to be planted and their location in relation to proposed buildings, underground services and/or engineering works and shall include details of any hard surfaces and earth mounding. The approved scheme for each area approved by condition 4 of this permission shall be implemented by the end of the full planting season immediately following the completion of that identified area (a full planting season means the period from October to March). The trees, shrubs and grass shall be subsequently 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 appearance of the development in accordance with Policies DM3 and DM16 of the Central Bedfordshire (North**

Area) Core Strategy and Development Management Policies (2009) and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 30 **Prior to commencement of any development on site an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement and plan.**

**Reason: To safeguard existing trees on site in accordance with Policy DM14 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 59 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 31 The development shall be carried out in accordance with all ecological mitigation proposals set out in the submitted Ecolocation reports entitled 'Extended Phase One, Initial Bat Assessment & Detailed Bat Surveys' (12<sup>th</sup> February 2013 – Revision B) and 'Great Crested Newt Report' (12<sup>th</sup> February 2013 – Revision B) and the results of any further/updated survey work shall be submitted to the Local Planning Authority.

Reason: To protect and enhance features of recognised nature conservation importance in accordance with Policy DM15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Policy 57 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 32 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for parking, and garaging for the residential units in that area and shall take account of the 'Residential Parking Typologies' set out within Section 5.12 of the submitted Design and Access Statement. In relation to the employment area shall include a scheme for parking manoeuvring loading and unloading of vehicles in respect of each building. The parts of each approved scheme pursuant to condition 1 related to each residential unit or building in the employment area shall be made available for use before the residential unit or building is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate turning, parking and unloading space is available in the interest of road safety in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policies 27 and 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 33 **Prior to commencement of development in each area approved by condition 4 of this permission, a scheme showing the proposed boundary treatment of that area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure and shall take account of the boundary treatment guidance set out**

**within Section 5.6 of the submitted Design and Access Statement. The approved scheme shall be implemented before the adjacent residential units are first occupied.**

**Reason: To ensure a satisfactory appearance for the development and to safeguard the amenity of future occupiers in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 34 No occupation of any of the dwellings or any buildings on the employment land shall take place until a trespass proof fence (which measures a minimum 1.8m high) has been erected adjacent to the railway boundary in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 35 A construction method statement shall be submitted to and approved in writing by the Local Planning Authority for any excavations, pilings or buildings which are located within 10 metres of the railway boundary. The Local Planning Authority shall be notified at least 6 weeks in advance of the commencement of any such works and the works shall be carried out in accordance with the approved statement.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 36 No occupation of any building and/or associated curtilage upon the employment land shall take place until details of any external lighting for that building, including details of type, location, colour and luminance levels, have been submitted to and approved in writing by the Local Planning Authority. All external lighting shall comply with the approved details.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 37 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for cycle parking for

each dwelling and/or commercial unit. The approved scheme pursuant to condition 1 shall be made available for use before the building is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate cycle parking is provided in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 24 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 38 The development hereby permitted shall not be carried out except in accordance with the Approved Plans drawings numbers: Location Plan 16627/1003 prepared by Woods Hardwick , 46381000/P/3250/001 Rev A, 4638100/P/3250/005 Rev A, 4638100/P/3250/006 Rev A and 46381000/P/3250/007 Rev A prepared by URS.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

1. The applicant is advised that in order to comply with the relevant Condition 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)
2. 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 Management Group, 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. (HN xii)
3. You are advised to note the comments of the Environment Agency as set out in the enclosed letter.
4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of the apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

5. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
7. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority. (HN vii)
8. If the developer wishes to connect to the Anglian Water sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will be able to advise of the most suitable point of connection.
9. Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any such vegetation have to be removed during, or close to this period it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than a 5m zone around the nest) should be left intact and undisturbed until it is confirmed that any young have fledged before works in that area proceed. This process should be agreed in writing with the Local Planning Authority.  
REASON: In order not to cause destruction of, or damage to, the nests of wild birds, their eggs and young. This corresponds to the protection afforded to them under the Wildlife and Countryside Act 1981 (as amended).

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

Planning permission has been recommended for approval for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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 National Planning Policy Framework (2012) (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 in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of errors contained within the report and detailed in the Late Sheet.]