

Item No. 6

APPLICATION NUMBER	CB/13/01208/FULL
LOCATION	Land at New Road, Clifton, Shefford
PROPOSAL	Erection of 73 dwelling including affordable housing, an equipped area of play, access and associated works.
PARISH	Clifton
WARD	Arleseey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	28 March 2013
EXPIRY DATE	27 June 2013
APPLICANT	Taylor Wimpey Ltd & Mr T Cook
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	A decision on this application was deferred by the Development Management Committee in June 2013 to allow an opportunity to address concerns raised by Members
RECOMMENDED DECISION	That planning permission should be granted subject to conditions and a s106 agreement

That Planning Permission is granted subject to the satisfactory completion of a s106 agreement reflecting the terms set out in this report and 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 a construction and environmental management plan has been submitted to and approved in writing 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,**
 - **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 sighting and appearance of the works compounds**
 - **Wheel cleaning facilities for construction traffic.**
 - **The hours of work**

The development shall be carried out in accordance with the approved

plan.

Reason: to safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and prevent the deposit of materials on the highway.

- 3 No development shall commence at the site before details of the type and location of bat and bird boxes to be located at the site have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved before any unit at the site is occupied.**

Reason: To ensure that the impact of the development on the ecological value of the site is reduced.

- 4 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall also include

1. Details of all elements (i.e. modelling reference labels, designs, diameters, gradients, dimensions, and so on of all pipes, inspection chambers, and flow control device(s)) of the proposed drainage systems should be provided as part of the detailed surface water drainage scheme.

2. Overland flood flow routes and subsequent flood risk in the event of surface water system failure. It is essential the flood flow is routed away from vulnerable areas and property, and that the development remains “safe”.

3. Clear details of the ownership and responsibility of maintenance of all drainage including pipe networks, control structures and SUDS elements for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

- 5 **Notwithstanding the submitted details, no development shall commence at the site before details of the proposed play area at the site including the proposed equipment, layout and materials to be used together with a timetable for implementation, and details of future management has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the approved timetable.**

Reason: To ensure that adequate provision is made for play at the site.

- 6 **No development shall commence at the site before details of how the development will achieve a reduction in carbon emissions of at least 10% more than required by current Building Regulations through the use of on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 7 **No development shall commence at the site before details of bin storage/collection point have been submitted to and approved by the Local Planning Authority. The details shall be carried out as approved prior to the occupation of any dwelling at the site.**

Reason: In the interest of amenity.

- 8 **Notwithstanding the submitted details, no development shall commence at the site before revised details of hard and soft landscaping at the site including details of the proposed replacement hedgerow on the New Road frontage have been submitted and approved by the Local Planning Authority. The details should include justification for the proposed loss of existing trees and hedgerows at the site and a timetable for the implementation, completion, management and maintenance of landscaping at the site. The details shall be carried out as approved.**

Reason: To ensure a satisfactory appearance at the site.

- 9 **Car parking shall be provided in accordance with drawing 479/03 E prior to the occupation of each residential unit and shall be provided in full prior to the occupation of the last residential unit at the site.**

Reason: To ensure that adequate car parking is provided at the site.

- 10 **No development shall commence at the site before details and samples of materials to be used in the construction of external surfaces at the site 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.

11 **No development shall commence at the site before details of boundary treatment to be used at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure adequate privacy for future occupiers.

12 **No development shall commence at the site before details of existing and proposed site and slab levels and proposed cross sections through houses that border the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To protect living conditions of at neighbouring and proposed properties.

13 **No development shall commence at the site before details of ground protection and tree protection and an arboricultural method statement setting out how the development could take place without causing short or long term damage to existing trees near to the site (including those within the cartilage of No 28 New Road) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.**

Reason: To ensure that trees near to the site are not unduly harmed by the development.

14 **Notwithstanding the details shown for indicative purposes on the plans (and within the Transport Assessment) submitted in support of the application, no development shall commence at the site before a scheme indicating the following measures has been submitted to and approved by the Local Planning Authority.**

- **Speed reduction measures along New Road**
- **Measures to control on-street parking along New Road and surrounding junctions.**
- **Provision of parking bays within the New Road frontage of the site but clear of the existing carriageway.**
- **Provision of a varying width footway along the west side of New Road to form a continuous pedestrian link from the site to the junction of New Road with Shefford Road.**

No dwelling shall be occupied until such time as the approved works have been implemented unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard against any detrimental impact the development may have on existing vehicle movement and parking along New Road and to provide a safe route for pedestrians.

- 15 **Notwithstanding the submitted details, no development shall commence at the site before details of works to Harbrook Lane so that it would be improved to provide a safe and convenient link for pedestrians and cyclists between the site and Shefford Road and a vehicular route for occupiers and visitors to No 39a Shefford Road have been submitted to and approved in writing by the Local Planning Authority. The details shall include surfacing, drainage and lighting (if proposed). No dwelling shall be occupied until such time as the approved works have been completed unless otherwise agreed by the Local Planning Authority.**

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 16 No part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4metres along the centre line of the access measured from the edge of carriageway and a point 43.0metres along the edge of carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

- 17 **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 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.

- 18 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.

- 19 **No development shall commence at the site before details of a wheel cleaning facility have been submitted to and approved in writing by the Local Planning Authority. The facility shall be provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadwork's 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.

- 20 No development shall commence at the site before a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and * short stay spaces per unit, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 21 No development shall commence at the site before a scheme detailing access provision to and from the site for construction traffic that show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

- 22 No development shall commence at the site before a scheme detailing 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.**

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

- 23 Before first occupation of the approved development, all access and junction arrangement serving the development shall be completed in accordance with the approved in principle plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.**

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 24 No development shall commence at the site before details of car ports at the site 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 parking provision would be acceptable.

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [01 (Site Location Plan), 1 of 1 (Topographical Survey), JBA 13-53-02 rev A, JBA 13/53-01 rev B, JBA 13/53-03 rev A, 479/03 C, 479/04 B, HT-01 - 00, HT-02 – 01, HT-03-00, HT-04 – 01, HT-06 – 00, HT-07 – 01, HT-07/A – 00, HT-07/B – 00, HT-07/C – 00, HT-08 – 00, HT-09 – 01, HT-10 – 00, HT-11 – 00, HT-12 – 01, HT-13 – 01, HT-14 – 00, HT-15 – 01, HT-16 – 01, HT-17 – 01, HT-18 – 00, HT-19 - 00, HT-20 - 00, HT-21 – 00, HT-22 – 01, HT-23 – 00, HT-24 – 01, HT-25 – 00, HT-26 – 00, Foul and Surface Water Strategy, Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement, Flood Risk Assessment, Phase II Geo-Environmental Assessment Report, Archaeological Geophysical Survey of Land at Harbrook Lane, Clifton, Bedfordshire, Archaeological Desk Based Assessment, Archaeological Field Evaluation, Draft Heads of Terms, Energy Statement, Planning Statement (including Affordable Housing Statement), Preliminary Contamination Assessment Report, Statement of Community Involvement, Energy and Sustainability Report, Design and Access Statement, Measured Works Schedule Softworks only, Residential Travel Plan, Transport Assessment and Ecological Survey].
Reason: For the avoidance of doubt.

Notes to Applicant:

1. Groundwater flooding was not considered as part of the flood risk assessment. The risk of groundwater flooding should be considered at the detailed design stage, if underground storage is to be used, and appropriate mitigation measures taken based on this assessment.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

2. [Groundwater and Contaminated Land](#)

We have reviewed the MLM Environmental Preliminary Contamination Assessment Report of 6 September 2012 (Ref: DMB/723732/R1), MLM Environmental Phase II Geo-environmental Assessment Report of 19 September 2012 (Ref: DMB/723732/R2) and MLM Environmental Foul and Surface Water Strategy drawing of 28 February 2013 (Ref: 615049/110) among other documents submitted with the application.

Following review of the above documents and our own information, we agree with the conclusion of the report that the site does not pose a significant risk to controlled waters, therefore we will not be providing

detailed site-specific advice or comments with regards to land contamination issues for this site.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency [Guiding Principles for Land Contamination](#).

3. [Environment Management](#)

The developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options in accordance with environmental permitting regulations and in particular the Duty of Care. Further information can be obtained from your local Environment Agency office.

Excavated material arising from land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for its handling, transport, treatment and disposal please see our waste pages at <http://www.environment-agency.gov.uk/business/topics/waste/default.aspx>

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. More information can be found in the Pollution Prevention Guidance 6 - Working at construction and demolition sites - at <http://www.environment-agency.gov.uk/static/documents/Business/EA-PPG6 - 03 2012 Final.pdf>

4. The applicant is advised that in order to comply with 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 and any Traffic regulation Orders. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.

6. 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.
7. 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".
8. 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 developer's 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
9. 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, Technology House, 239 Amphill Road, Bedford MK42 9BD.

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 of representations contained within the Late Sheet:
 - a. 45 additional letters of objection had been received to the Council's consultation on amendments to the proposed development. The objections reinforced concerns but did not raise issues not already noted in the report.
 - b. Clifton Parish Council wrote expressing concerns over the site allocations process and the conclusions reached in the Committee report that was presented to Members in June.
 - c. The revised condition 13 has been amended above to reflect the amendments to the site and the established trees of No. 28 New Road. The boundary of the adjoining property has been amended to ensure the safety of the trees.]