

Item No. 13

APPLICATION NUMBER	CB/13/02360/FULL
LOCATION	Land adj to 2 Sandy Lane, Leighton Buzzard, LU7 3BE
PROPOSAL	Demolition of existing garages & construction of a new 2 bed bungalow, together with a new access and parking for No 2 Sandy Lane. (Re-sub of 12/3697Full)
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Nicola Darcy
DATE REGISTERED	03 July 2013
EXPIRY DATE	28 August 2013
APPLICANT	Mr & Mrs M Ciancio
AGENT	Lee Butler MRICS
REASON FOR COMMITTEE TO DETERMINE	Applicant's partner is an employee of the Council
RECOMMENDED DECISION	Full Application – For Approval

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed bungalow shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building. (Policies BE8 S.B.L.P.R and Policy 43 D.S.C.B.).

- 3 No building shall be occupied until the proposed vehicular access has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

(Policies BE8 & T10, S.B.L.P.R and policies 27 & 43, D.S.C.B)

- 4 Before the access is first brought into use, a triangular vision splay shall be provided on each side of the new access and shall measure 2.8m along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic which is likely to use it.

(Policies BE8 & T10, S.B.L.P.R and policies 27 & 43, D.S.C.B)

- 5 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a minimum distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangement shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

(Policies BE8 & T10, S.B.L.P.R and policies 27 & 43, D.S.C.B)

- 6 Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

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

(Policies BE8 & T10, S.B.L.P.R and policies 24 & 43, D.S.C.B)

- 7 Before development begins, details of a bin storage/collection point shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be provided prior to the first occupation of the development and shall thereafter be retained for such purpose.**

Reason: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety.

(Policy BE8, S.B.L.P.R and policy 43, D.S.C.B)

- 8 **Prior to development, a Tree Protection Plan shall be submitted to the Local Planning Authority for approval in writing. The Tree Protection Plan shall be based on the requirements of BS 5837 : 2012 "Trees in relation to design, demolition and construction - Recommendations", and BS 5837 : 2005 where this is appropriate. The Tree Protection Plan shall clearly indicate the position and build specification of protective fencing and/or ground protection that shall entirely enclose the existing grass areas within the site that falls within the Root Protection Area of the adjacent highway Oak tree. The fencing and/or ground protection shall be clearly dimensioned from existing fixed points on the site, to enable accurate setting out and checking. Fenced exclusion zones shall exclude all plant, machinery, builders access, vehicle parking, storage materials, installation of underground services and all construction operations. Ground protection shall resist all compaction of the lower ground surfacing, protect the ground from all excavation and underground service incursion and shall act as a load suspension layer. The approved Tree Protection Plan shall then be strictly implemented before all construction operations commence, and shall be maintained in place until the end of all construction works.**

Reason: To create a construction exclusion zone and/or ground protection zone around the Root Protection Area of the adjacent highway Oak tree by securely enclosing, or adequately covering, the Root Protection Area of this tree in order to avoid root damage and soil compaction being incurred in this area during all construction operations, and to prevent incursion by underground services, thereby maintaining the good health and stability of the Oak tree in the interests of visual amenity.

(Policy 59, D.S.C.B.)

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, alterations or addition of windows to the building hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of residential amenity.

(Policy BE8 S.B.L.P.R. and Policy 43 D.S.C.B.).

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 51112 & 17912.

Reason: For the avoidance of doubt.

- 11 **No development shall take place until, the parking provision of 3 car parking spaces for the existing dwellinghouse of 2 Sandy Lane, in accordance with drawing no. E/P/1, has been completed and thereafter retained for that purpose and prior to the occupation of the new dwellinghouse, the parking provision of 2 car parking spaces, shall be completed and thereafter retained for that purpose.**

**Reason: To ensure the continued provision for car parking clear of the highway.
(Policies 27 and 43 D.S.C.B)**

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Amphill Road, Bedford MK42 9BA quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. 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.
5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect. (HN xi)
6. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".

7. This permission is subject to a legal obligation under Section 106 of The Town and Country Planning Act 1990.

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

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

Reasons for Granting

The proposal would not have a significant impact on the amenity of neighbouring occupiers, visual amenities of the area or impact upon the highway Oak tree and is acceptable in terms of highway safety and therefore is in conformity with Policies BE8, T10 and H2 of the South Bedfordshire Local Plan Review 2004, policies 19, 27 and 43 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

- (1) In advance of the consideration of the application the Committee were advised that and a revised parking plan had been received, demonstrating car parking spaces. In addition the Committee were advised of an additional condition.