

Item No. 6

APPLICATION NUMBER	CB/13/02497/FULL
LOCATION	Land At Central Garage, High Street, Cranfield
PROPOSAL	Erection of 135 dwellings.
PARISH	Cranfield
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Gammell
DATE REGISTERED	25 July 2013
EXPIRY DATE	24 October 2013
APPLICANT	Bellway Homes Ltd (Northern Home Counties)
AGENT	DLA Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	This is a major application with an objection from the Parish Council.

RECOMMENDED DECISION **Full Application - Granted**

Recommendation:

That Planning Permission is granted subject to the Environment Agency removing their objection to the development, the satisfactory completion of a suitable Section 106 agreement reflecting the terms set out in this report and the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

- 3 **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.

- 4 **No development shall commence at the site before details and samples of materials to be used in the construction of the dwelling houses, garages and external surfaces of 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.

- 5 Landscaping shall be in accordance with approved plans 5268/PP1 B, 5268/PP2 B, 5268/PP3 B, 5268/PP4 B, 5268/PP5 B 5268/PP6 B, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance at the site.

- 6 The planting and landscaping scheme shown on approved Drawings 5268/PP1 B, 5268/PP2 B, 5268/PP3 B, 5268/PP4 B, 5268/PP5 B 5268/PP6 B shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be 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 with others of a similar size and species.

Reason: To ensure a satisfactory standard of landscaping.
(Policies 43 and 58, DSCB)

- 7 **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.

8 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.

9 No development shall commence on site until a Public Art strategy has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any of the dwellings the Public Art thereby approved shall be constructed in accordance with approved details.

Reason: To ensure a satisfactory standard of public art for the site which would relate to the dwellings, to better integrate the dwellings and public open space into the wider development of Cranfield.

10 No development approved by this permission shall take place until the following have been submitted to and approved in writing by the Local Planning Authority:

- a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**
- b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**
- c) Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

d) Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report, unless an alternative period is approved in writing by the Authority.

Reason: To protect human health and the environment .

- 11 **No development shall begin on site until, the applicant has submitted in writing for the approval of the Local Planning Authority a scheme of noise attenuation measures which will ensure that internal noise levels from external air traffic noise sources shall not exceed 35dB LAeq, 07.00-23.00 in any habitable room or 30 dB LAeq, 23.00-07.00 and 45 dB LAmax 23.00-07.00 inside any bedroom and that external noise levels from air traffic noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the authority.**

Reason: To protect human health.

- 12 **No development shall commence until the detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been submitted to, and approved in writing 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 roadworks are constructed to an adequate standard.

- 13 **If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.**

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 14 **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.

- 15 **No development shall commence until 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 2 short stay spaces per unit, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented for each individual dwelling before that dwelling is first occupied 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.

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12044 (D) 040, 12044 (D) 050 A, 12044 (D) 200 A, 12044 (D) 201 A, 12044 (D) 202 A, 12044 (D) 300, 12044 (D) 301 A, 12044 (D) 302 A, 12044 (D) 303 A, 12044 (D) 304 A, 12044 (D) 310, 12044 (D) 311 A, 12044 (D) 312 A, 12044 (D) 313, 12044 (D) 314, 12044 (D) 315, 12044 (D) 316 A, 12044 (D) 330 A, 12044 (D) 331 A, 12044 (D) 332 A, 12044 (D) 340, 12044 (D) 341 A, 12044 (D) 350, 12044 (D) 351 A, 12044 (D) 360 A, 12044 (D) 361 A, 12044 (D) 400, 12044 (D) 401 A, 12044 (D) 402 A, 12044 (D) 403 A, 12044 (D) 405 D, 12044 (D) 406 D, 12044 (D) 407 A, 12044 (D) 408, 12044 (D) 410 A, 12044 (D) 411 A, 12044 (D) 412 A, 12044 (D) 413 A, 12044 (D) 415 A, 12044 (D) 416, 12044 (D) 418 A, 12044 (D) 420 A, 12044 (D) 421 B, 12044 (D) 422 C, 12044 (D) 425 B, 12044 (D) 426 B, 12044 (D) 428, 12044 (D) 429 C, 12044 (D) 430 B, 12044 (D) 431 B, 12044 (D) 432 B, 12044 (D) 433 A, 12044 (D) 434 A, 12044 (D) 435 A, 12044 (D) 436 A, 12044 (D) 437 B, 12044 (D) 438 A, 12044 (D) 439 A, 12044 (D) 440 A, 12044 (D) 441 A, 12044 (D) 442 A, 12044 (D) 444, 12044 (D) 445 A, 12044 (D) 446, 12044 (D) 447 A, 12044 (D) 450, 12044 (D) 460, 12044 (D) 461 A, 12044 (D) 462 A, 12044 (D) 463 A, 12044 (D) 464 A, 12044 (D) 465, 12044 (D) 466 A, 12044 (D) 470 A, 12044 (D) 471 A, 12044 (D) 472 A, 12044 (D) 473 A, 12044 (D) 474 A, 12044 (D) 480 B, 12044 (D) 481 B, 12044 (D) 500, 12044 (D) 501, 12044 (D) 510, 12044 (D) 511, 12044 (D) 512, 12044 (D) 513, 12044 (D) 900 A, 12044 (D) 910 A, 12044 (D) 920 A, 12044 (D) 930 A, 12044 (D) 940 A, 12044 (D) 950, 12044 (D) 951, 12044 (D) 952, 12044 (D) 953, 12044 (D) 954, 12044 (D) 955, 12044 (D) 956, 12044 (D) 960, 12044 (D) 970, 12044 (D) 971, 12044 (D) 972, 268/ASP1 B, 5268/PP1 B, 5268/PP2 B, 5268/PP3 B, 5268/PP4 B, 5268/PP5 B, 5268/PP6 B, 12044 (D) 050 B.

Reason: For the avoidance of doubt.

- 17 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 plus climate change 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:
- 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.
 - 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”.
 - Clear details of the ownership; responsibility and maintenance requirements 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.

Notes to Applicant

1. **The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.**
Applicants are reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.
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.

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. 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 in accordance with the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation / publicity responses from the following
 - a. The Environment Agency removed its objection and a condition was recommended instead.
 - b. There was a 2nd consultation response from a neighbour objecting to the hedge removal from the centre of the site.
 - c. The removal and replacement of the hedgerow would be done outside of nesting bird season.
 - d. The Highway office provided comments on 2/9/10, a copy of a letter is attached to the Late Sheet. The letter confirms the access road serving the Bloor Homes development and the Wraywood land was satisfactory as detailed on drawing No. A(C64)01C.
3. The Section 106 was currently unsigned the financial details were listed in the Late Sheet.
4. There would be 5 Traffic Regulation Orders as detailed in the Late Sheet.
5. An additional condition as requested by the Environment Agency has been added at Condition 17 regarding surface water drainage.
6. Condition 7 has been amended above and condition 16 the block plan drawing number has been amended.
7. The Committee has requested an additional note to the applicant regarding the traffic issues in Flitt Leys Close and finding alternative solutions with officers.
8. A legal agreement be amended to contain a request for the footpath next to the High Street be paved to help access the development.]