

Item No. 9

APPLICATION NUMBER CB/13/03519/FULL
LOCATION Land at Mill Lane, Hulcote, Beds, MK17 8BP
PROPOSAL Erection of new dwelling including new access to site.
PARISH Hulcote/Salford
WARD Cranfield & Marston Moretaine
WARD COUNCILLORS Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER Judy Self
DATE REGISTERED 15 October 2013
EXPIRY DATE 10 December 2013
APPLICANT K R Childrens Trust Fund
AGENT George Crutcher Planning
REASON FOR COMMITTEE TO DETERMINE The proposed development is in open countryside and therefore is contrary to Policy DM4 of the Core Strategy and Development Management Policies

RECOMMENDED DECISION Full Application - Approval

Recommendation

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS

- 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 samples of the materials to be used for the external walls and roof have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **No development shall take place until final levels of the dwelling and the extent of the area to be contoured have been submitted to and approved in writing by the Local Planning Authority, and development shall thereafter be implemented accordingly.**

Reason: To produce a satisfactory relationship between the various elements of the scheme.

- 4 **No development shall take place until full details of all energy efficient features of the building and site have been submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved scheme.**

Reason: To secure an energy efficient building.

- 5 **No development shall take place until a plan designating the curtilage of the house has been submitted to and approved in writing by the Local Planning Authority. Only the area so designated shall be taken as forming the curtilage of the house.**

Reason: To ensure that the curtilage of the house is clearly identified in the interests of the character and appearance of the site and the surrounding areas.

- 6 **No development shall take place until details of the junction of the proposed vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority and the dwelling shall not be occupied until the junction 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.

- 7 **No development shall take place until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed and made operational before development commences and the site developer shall ensure that all vehicles exiting the site use the approved wheel cleaning facilities. The wheel cleaning facilities shall be retained until the development has been substantially completed or until such time as the Local Planning Authority is satisfied that the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

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.

- 8 **No development shall take place until a scheme detailing access provision to and from the site for construction traffic has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall show what arrangements will be made for controlling and restricting such vehicles to the approved points of access and egress and 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.

- 9 **No development shall take place until 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 that adequate off street parking is provided during the construction period in the interests of road safety.

- 10 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 distance of 8m into the site, measured from the highway boundary, before the premises are occupied. Arrangements 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, gravel or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 11 Before the new access is first brought into use visibility splays shall be provided on each side of the new access at its junction with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 70m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction to visibility exceeding a height of 1.05mm above the adjoining carriageway 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 that is likely to use it.

- 12 Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.

- 13 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 14 The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no works shall be commenced for the extension or material alteration of the building, or the erection of any building or structure within its curtilage, until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the visual amenities of the area.

- 16 No waste material shall be imported to the site for use in landscaping.

Reason: to restrict the development to that applied for and to minimise disturbance to the local environment.

- 17 The landscaping works shall accord with the details set out on drg. nos. 405.13.1; 405.13.2; 405.13.3; 405.13.4; 405.13.5; 405.13.6 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the site surrounding the new build to set the building in a new woodland setting.

- 18 The management and maintenance of the landscape works (trees, shrubs, hedges, wildflower meadow, wetland/marsh area) shall be carried out in accordance with the 'Soft Landscape Specification and Maintenance' plan (September 2012) and any measures thereby included shall be fully implemented until the development is completed.

Reason: To ensure the longevity of the high quality landscaping scheme.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1460.02.01 (proposed site plan); 1460.02.02 (proposed ground floor plan); 1460.02.03 (proposed basement floor plan); 1460.02.04 (proposed elevations); 1460.02.05 (proposed elevations); 1460.02.08 (vehicular entrance, waste & recycling); Site Location Plan; Block Plan.

Reason: For the avoidance of doubt.

Notes to Applicant

1. 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 Ampthill Road, Bedford MK42 9BD 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.
2. 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 Ampthill Road, Bedford MK42 9BD.
3. 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.
4. The applicant is advised that the closure of existing access shall include the reinstatement of the highway to include any verge and carriageway edging in a manner to be agreed in writing with Bedfordshire Highways, Central Bedfordshire Council's Highways Helpdesk, Technology House, 239 Ampthill Road, Bedford MK42 9BD. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.
5. The ecological appraisal states that no records of Great Crested Newts (GCN) were returned from the data search and yet on looking at the NBN gateway 15 records appear within 500m of the site. As an existing water course forms the western boundary of the site there is a possibility that GCN may have migrated across to the proposed development site.

It is therefore recommended that any works undertaken to the rank grass and tall vegetation within the watercourse corridor be cleared / cut short to 25mm during Summer months when GCN would be in breeding ponds and not hibernating so as to avoid risk of disturbance and hence avoid any offence being committed.

Equally as the proposals include the provision of a new pond and associated marsh edge planting, a further enhancement which would be beneficial could be the inclusion of a reptile / amphibian hibernacula.

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 proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively 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 the consideration of the application the Committee were advised of consultation received from The Internal Drainage Board.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.