

Item No. 9

APPLICATION NUMBER	CB/13/03357/FULL
LOCATION	Land at former Church of St Vincent, Tithe Farm Road, Houghton Regis
PROPOSAL	Erection of 58 Bed Nursing Home with associated parking and manoeuvring C2 use.
PARISH	Houghton Regis
WARD	Tithe Farm
WARD COUNCILLORS	Cllr Williams
CASE OFFICER	Abel Bunu
DATE REGISTERED	22 October 2013
EXPIRY DATE	21 January 2014
APPLICANT	Innoventions Consultancy
AGENT	Knight Architecture & Design
REASON FOR COMMITTEE TO DETERMINE	Major application with objections from Houghton Regis Town Council.
RECOMMENDED DECISION	Full Application - Approval

Recommendation

That Planning Permission be **GRANTED** subject to the following:

RECOMMENDED 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 **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 buildings 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 buildings.
(Policies BE8 S.B.L.P.R and 43 DSCB).

- 3 **Prior to the commencement of development, a landscape planting scheme shall be submitted to the Local Planning Authority for approval, clearly showing new planting species, sizes, planting density, and planting specification for new trees, shrubs and climbers, with particular emphasis on replanting along the western boundary where protected trees have already been felled. The development shall thereafter be implemented in accordance with the approved details and 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 and maintained until satisfactorily established.

**Reason: To ensure a satisfactory standard of landscape.
(Policies BE8 S.B.L.P.R and 43 & 59 DSCB).**

- 4 **Prior to development, all protective tree fencing, and tree protection measures, shall be strictly implemented in accordance with the Tree Survey Report "Pre-Development Arboricultural Survey and Impact Assessment", including Appendix 3 (Tree Protection Plan), as prepared by RGS Arboricultural Consultants dated September 2013.**

**Reason: In the interests of putting in place a satisfactory standard of tree protection to ensure that the retained trees are not damaged in the course of development works.
(Policies BE8 S.B.L.P.R and 43 & 59 DSCB).**

- 5 **Prior to development, all recommended tree work shall be undertaken in strict accordance with the recommendations stipulated in Appendix 2 (Survey Schedule) of the Tree Survey Report "Pre-Development Arboricultural Survey and Impact Assessment", as prepared by RGS Arboricultural Consultants, dated September 2013, and in strict accordance with the British Standard BS 3998 (2010) "Tree Work Recommendations".**

**Reason: To ensure that the required tree work is undertaken in accordance with good arboricultural practice and is also undertaken to a satisfactory standard of quality and workmanship.
(Policies BE8 S.B.L.P.R and 43 & 59 DSCB).**

- 6 **Prior to the commencement of the development details of the fume extraction equipment that is to be installed to effectively suppress and disperse fumes and other odours produced by cooking and food production shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the method of odour abatement and all odour abatement equipment to be used including predicted noise levels of equipment in operation. The approved equipment shall be installed and in full working order prior to the first use of the premises as a nursing home and the equipment shall be effectively operated for as long as a commercial food use continues.**

**Reason: in order to prevent any adverse impact of odours arising from cooking activities on the amenity of the nearby residential properties.
(Policies BE8, S.B.L.P.R and 43 DSCB).**

- 7 **Construction work shall only take place between the hours of 8 AM - 6 PM Monday to Friday and 8 AM – 1 PM on Saturdays and not at all on Sundays, Bank Holidays or Public Holidays.**

**Reason: To protect residential amenity.
(Policies BE8, S.B.L.P.R and 43 DSCB).**

- 8 **Development shall not begin until details of the junction of the proposed vehicular access with the highway which should include a separate pedestrian access, have been approved by the Local Planning Authority and the building shall not be occupied until the junction and pedestrian access have 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.
(Policy 43 DSCB).**

- 9 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.
(Policy 43 DSCB).

- 10 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.
(Policy 43 DSCB).

- 11 The parking details shown on Drawing Number 28268-01 Rev.F shall be implemented prior to the first occupation of the building hereby approved and thereafter retained for that purpose.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway.
(Policy 27 D.S.C.B).

- 12 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
(Policies T10 S.B.L.P.R and 27 & 43 DSCB).

- 13 **Notwithstanding the details submitted, development shall not begin until further details of secure cycle storage for staff and cycle parking for visitors have been approved by the Local Planning Authority and the building shall not be occupied until the said storage and parking have been constructed in accordance with the approved details and thereafter retained for that purpose.**

**Reason: In order to promote sustainable modes of transport.
(Policies 24 & 43 DSCB).**

- 14 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.
(Policy 43 DSCB).

- 15 **No development shall commence 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 wheel cleaner(s) shall be removed from the site once the roadworks 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.
(Policy 43 DSCB).**

- 16 **Development shall not commence until a scheme detailing provision for on site parking for construction workers 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.
(Policy 43 DSCB).**

- 17 **Before development begins, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in full within 3 months of the building being occupied. Thereafter, the Travel Plan shall be monitored and reviewed annually, with a written report to be submitted to and agreed in writing by the Local Planning Authority which updates the plan and monitors the progress in meeting the agreed targets for reducing car journeys.**

**Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.
(Policies SD1, S.B.L.P.R and 24 & 26 DSCB).**

- 18 **Development shall not begin until details of the refuse storage area and collection point have been approved by the Local Planning Authority and the building shall not be occupied until the said storage and collection point has been constructed in accordance with the approved details and thereafter retained for that purpose.**

Reason: To ensure the refuse collection bins do not cause a hazard or obstruction to the highway or parking area and in the interest of preserving the appearance of the street scene.

(Policies BE8, S.B.L.P.R and 43 DSCB).

- 19 **Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.**

**Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
(Policies 43 & 44 DSCB).**

- 20 **No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority and no hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.
(Policy 49 DSCB).**

- 21 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 28268-07(Site location Plan), CBC/01, 28268-01 Rev.F, 28268-02 Rev.E, 28268-03 Rev.E, 28268-04 Rev.E, 28268-05 Rev.D, 28268-06 Rev.D, 28268-07 Rev.C and 28268-08 & Rev.B.**

Reason: For the avoidance of doubt.

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, P.O.Box 1395, Bedford, MK42 5AN 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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Cauldwell Street, Bedford MK42 9AP.
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.
6. 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).

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 positive engagement with the applicant before 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.