

Item No. 6

APPLICATION NUMBER CB/14/01271/FULL
LOCATION 126A High Street, Clophill, Bedford, MK45 4BL
PROPOSAL Demolition of bungalow, erection of 4 bed detached dwelling.
PARISH Clophill
WARD Amphill
WARD COUNCILLORS Cllrs Duckett, Blair & Smith
CASE OFFICER Sarah Fortune
DATE REGISTERED 01 April 2014
EXPIRY DATE 27 May 2014
APPLICANT Mr DM Ward-Clarke
AGENT Mr L Butler
REASON FOR COMMITTEE TO DETERMINE Called in by Councillor Paul Duckett on grounds of over development of the site

RECOMMENDED DECISION Full Application - Approve

Summary of recommendation:

There are no policy objections to the principle of the erection of a dwelling on this an infill site in the built up area of the village of Clophill. The size, siting and design of the two storey house are considered to be in keeping with the character of the area and objections from neighbours have been fully considered in this revised scheme. The Highways Officer is not raising any objections to the access and parking arrangements. The development would be in accordance with the objectives of the National Planning Policy Framework (2012) and policies in the Core Strategy and Development Management Planning Document dated 2009 and the emerging Development Strategy for Central Bedfordshire dated 2013.

Recommendation

That Planning Permission be granted subject to the signing of a Unilateral Undertaking and the following:

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 details of materials to be used for the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4
- The scheme approved in Condition 3 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development. Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 5 **No building shall be occupied until the junction of the modified vehicular access with the highway 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.

- 6 Before the modified access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured 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 foot way into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicants 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 accesses safe and convenient for the traffic that is likely to use it.

- 7 The proposed vehicular parking areas within the site shall be constructed and surfaced in a durable bound material 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 or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 8 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 purposes.

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.

- 9 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site.

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

- 10 Prior to the commencement of development 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, 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. (See Notes to the Applicant).

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

- 11 The refuse collection point indicated on the approved drawing no 100 Plan No 2 shall be fully provided prior to occupation of the dwelling and shall be retained thereafter.

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

- 12 Development shall not commence 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 adequate off street parking during construction in the interests of road safety.

- 13 Notwithstanding any provision 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 further extension or alteration shall take place to the dwelling hereby approved without the prior approval by way of a planning consent from the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 14 Notwithstanding any provision 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 further window or other opening shall be formed on the east and west facing elevations of the building without prior approval by way of a planning consent from the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 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 fence, wall, gate or other means of enclosure shall be erected unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

- 16 **No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the building is occupied.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 17 **Prior to the first occupation of the building the first floor window in the west facing elevation of the development shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and shall have a restriction on its opening. Details of the window shall have been previously submitted to and agreed in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100/Plan No 1, 100/Plan No 2 and 25314

Reason: For the avoidance of doubt.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the modified 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 on 0300 300 8049. 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 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.
3. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority. If necessary further details can be obtained from Bedfordshire Highways (Amey), the District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.

4. 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"
5. 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 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 consideration of the application the Committee received representations made under the Public Participation Scheme.
2. There was an additional 2 letters of objection received.
 - a. The first letter dealt with the siting of the new house. It was confirmed that the siting of the house had been corrected by the site visit by the Committee.
 - b. The second letter dealt with the siting of the house in relation to their property, the impact on their amenities and inaccuracies both on the plans and within the report. Officers provided clarification on all points raised.]