

Item No. 8

APPLICATION NUMBER	CB/14/03075/FULL
LOCATION	Land at The Gateway (former BTR site) London Road, Dunstable, LU6 3DX
PROPOSAL	Proposed 66 bed care home for older people with associated car parking and landscaping
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Stuart Robinson
DATE REGISTERED	14 August 2014
EXPIRY DATE	13 November 2014
APPLICANT	Ideal Carehomes
AGENT	LNT Construction ltd
REASON FOR COMMITTEE TO DETERMINE	Departure from the adopted Development Plan.
RECOMMENDED DECISION	Full Application – Recommended for Approval

Reasons for Granting

The site, which is designated a Main Employment area, has been thoroughly marketed for over nine years and has no reasonable prospect of being developed for employment uses. Although the development would not comply with Policy E1 of the South Bedfordshire Local Plan Review, it would provide some form of employment land and the principle of development would comply with Policy CS7 of the emerging Development Strategy and the principles of the National Planning Policy Framework, to which greater weight can be achieved. On balance the principle of development is considered acceptable.

The proposed design of the development would complement the local character and would comply with Policy BE8 of the South Bedfordshire Local Plan Review and Policy CS43 of the emerging Development Strategy for Central Bedfordshire. The design would accord with the Central Bedfordshire Council Design Guide and the principles of the National Planning Policy Framework. As such the development is considered acceptable.

Site Location:

The application site comprises of an area of vacant land, previously used as part of the British Tyre and Rubber (BTR) works. The site is located at the south-eastern edge of the built-up area of Dunstable, however the site is located within the Parish of Caddington.

The site is located on the A5 (London Road), fronting the road for approximately 82 metres. Access to the site is provided by a road, connecting to the A5. The site measures approximately 0.56 hectare in area.

The site is located within an area predominantly made up of residential properties. The northern area of the former BTR site is currently being developed for 64 dwellings. To the west is a residential area which includes a recently constructed apartment building (Brockwell Place), which reaches six storeys in height. To the east of the site lies a recently constructed hotel (Holiday Inn), which reaches approximately seven storeys in height.

The land located directly to the north of the application site forms part of an application which the Committee has recently resolved to grant outline planning permission for up to 50 dwellings, subject to the completion of a Section 106 Agreement.

The site is located within the settlement boundary of Dunstable. The site is identified as a Main Employment Area in the South Bedfordshire Local Plan Review and as Employment Land within the emerging Central Bedfordshire Development Strategy. The site is not within close proximity to the Dunstable Conservation Area or any TPO trees.

The Application:

The application proposes a 66 bed care home for older people with associated car parking and landscaping.

The development is designed in three sections, an eastern section, a western section and a central section.

The eastern section would be located parallel to the A5, set back from the road by 9.6 metres. This section would measure 30.6 metres in width, 15.0 metres in maximum depth and 11.6 metres in height. This section would also include a corner area, to be used as a quiet lounge. This corner area would measure 10.4 metres in depth, 3.4 metres in width and 8.8 metres in height. The eastern section would reach three storeys in height.

The eastern section connects to a central section, which measures 30.6 metres in width, 18.2 metres in depth and 12.6 metres in height. The central section would reach three storeys in height.

The central section connects to the western section, which is positioned on a 20 degree angle from the road, to a maximum set back of 22.0 metres from the A5. This section would measure 32.0 metres in width and 15.0 metres in maximum depth. This section would measure 11.6 metres in height. The western section would reach three stories in height.

The application would include an 18 space car park to the rear of the building. It also proposes several new areas of fencing around the boundary of the site. This would include new 1.5 metre metal railings to the south-western and south-eastern boundaries and 1.8 metre high close boarded timber fencing to the north-western boundary and for 21.6 metres along the north-eastern boundary.

The design of the proposed care home has been revised following initial consultation. As such the revised design has been subject to an additional round of consultation which expired on 3rd November.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

- Chapter 1: Building a strong competitive economy
- Chapter 6: Delivering a wide choice of high quality homes
- Chapter 7: Requiring good design

South Bedfordshire Local Plan Review Policies (2004)

- Policy BE8 Design Considerations
- Policy E1 Main Employment Areas
- Policy T10 Controlling Parking in New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policy BE8 is still given significant weight. Policies E1 and T10 are afforded less weight).

The Emerging Central Bedfordshire Development Strategy (June 2014)

- Policy 1 Presumption in Favour of Sustainable Development
- Policy 6 Employment Land
- Policy 7 Employment Sites and Uses
- Policy 8 Change of Use
- Policy 27 Car Parking
- Policy 31 Supporting an Ageing Population
- Policy 43 High Quality Development

(Having regard to the National Planning Policy Framework, weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State on 24th October 2014).

Technical Guidance

Revised Central Bedfordshire Design Guide (2014)

Planning History

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| CB/14/03075/FULL | Screening opinion issued, identifying that an Environmental Impact Assessment is not required. |
| CB/14/03080/OUT | Outline planning permission granted subject to a completed Section 106 Agreement: Residential development of up to 50 dwellings with all matters reserved except for access on to the main site access road. |
| CB/12/04249/RM | Reserved Matters application granted: Erection of 64 dwellings (associated with outline planning permission CB/09/06991/OUT). |
| CB/11/00172/NMA | Non-material change granted: Variation of Condition 2 of CB/10/03201/RM in respect of safeguarding existing hedgerow adjoining south-eastern site boundary during construction and operational phases of proposed development |
| CB/10/03201/RM | Reserved Matters application granted: Erection of 120 bed hotel (Class C1) with associated access, parking and |

	landscaping pursuant to outline planning permission CB/09/06991/OUT
CB/10/02949/REN	Extension of time limit to implement planning permission SB/TP/07/0716 granted - Erection of B1 development comprising of 8 units with remainder of the site landscaped pending future re-development with associated highway works, landscaping and car parking.
CB/09/06991/OUT	Outline planning permission granted: Mixed use development comprising a maximum of 64 dwellings, a hotel (Class C1) comprising a maximum of 120 bedrooms, offices (Class B1) with a maximum floor area of 880sqm and a specialised care home (Class C2) with a maximum of 75 bedrooms.
SB/09/00214/OUT	Outline planning permission refused: Mixed use development comprising maximum of 95 dwellings (Class C3), hotel with maximum of 120 bedrooms and maximum of 880sqm of office floorspace (Class B1(a)).
SB/SCN/08/00656	Request under Regulation 5 of EIA Regulations for screening opinion in respect of approximately 5,500sqm of B1 office units, hotel comprising 120 bedrooms and residential development of approximately 2.2ha or maximum of 100 dwellings.
SB/TP/07/00716	Full planning permission granted: B1 development comprising 8 units (remainder of site being landscaped pending future redevelopment) with associated highway works, landscaping and car parking.
SB/TP/05/01168	Full planning permission granted: B1 development comprising 8 units (remainder of site being landscaped pending future redevelopment) with associated highway works, landscaping and car parking.

**Representations:
(Parish & Neighbours)**

Caddington Parish Council	No comments received.
Dunstable Town Council	The Town Council's comments on the original submission have been summarised below. Any further comments received in respect of the amended plans will be reported either in the Late Sheet or verbally to the Committee. <ul style="list-style-type: none"> • No objection to the siting. • Object to overall design. • The location is a key gateway site to Dunstable and the design is uninspiring for this location. • Members particularly object to the yellow balconies.
Neighbours	Comments received on the original submission have been summarised below. Again any comments received in respect of the amended plans will be reported.

A resident from 10 Brockwell Place has objected to the application. Stating that:

- The existing plans will have a detrimental intrusive

- impact upon the property and quality of living.
- The proposed development may overlook or obstruct the area.
- The development should not extend beyond two storeys so that the development does not intrude or overlook the neighbouring properties. Alternatively, if the development were to be built to 3 stories in height, the development could be built underground

A resident from 9 Brockwell Place has objected to the application. Stating that:

- The care home will block the property's natural light.

Consultations/Publicity responses

Highways Agency	<p>No objection.</p> <p>This comment has been reiterated following the revised design.</p>
Environment Agency	<p>No comments received.</p>
Public Protection	<p>No objection has been raised.</p> <p>Two conditions have been recommended to control noise levels.</p> <p>These comments have been reiterated following the revised design.</p>
Public Protection – Contaminated Land	<p>A Contaminated Land Officer has advised that, due to the history of the site, a condition should be included on any planning permission to provide details of a validation report.</p> <p>These comments have been reiterated following the revised design.</p>
Planning Policy	<ul style="list-style-type: none"> • The site is designated as Employment Land in the South Bedfordshire Local Plan Review (2004) and should be protected against development to any non-employment land uses. • Policies 7 and 8 of the emerging Development Strategy advise that change of use for allocated employment sites may be acceptable in exceptional circumstances. • The proposed care home would provide an element of employment use on site. • The site is a prominent 'gateway' location. As such it is expected that the design will be of high quality to enhance the entrance to Dunstable.

- Caddington Parish Council are working on a Neighbourhood Plan with Slip End Parish Council. The Plan is currently being prepared.

This comment has been reiterated following the revised design.

Economic Development

- The site has been vacant since 2005.
- The site was heavily contaminated as a result of the previous industrial use. The remediation costs were very high.
- The access to the A5 has been completely redesigned, with a crossroads as required by the Highways Agency.
- The costs of the remediation and the highways works have been borne by the owner and may have a resultant impact on the viability of the redevelopment of the site.
- The submitted marketing report, compiled by Lambert Smith Hampton is, in my view, comprehensive and accurate.
- It is regrettable that an office development has not come forward during the last few years. It is unlikely that the site would be developed for offices due to its location which is on the edge of the town and some considerable distance from the town centre.
- The proposed redevelopment of the site for a care home will provide an employment generating use, which is welcomed.

Waste

- The scheme is a commercial enterprise and will require a commercial waste collection scheme.
- The Council do not offer a commercial waste collection scheme. therefore the applicant will need to look to the private sector.

Ecology

- No objection
- Would expect the new development to deliver a net gain for biodiversity.
- In addition to a reduction in hard surfacing the Officer would hope to see native species used in the landscaping scheme with nectar and berry rich species.
- Integrated bird bricks should also be provided
- The presence of landscaped areas rich in wildlife can provide social and health benefits as well as ecological.

These comments have been reiterated following the revised design.

Highways

- The site is accessed from a newly formed spine road

which is accessed from a signal controlled junction from the A5 (London Road). Due to the nature of the junction the Highways Agency should be consulted.

- There is a cycleway/footway along some of the A5 and this should be extended in to the site.
- The access should be increased in width from 6.53 metres to 7.30 metres. The Officer has raised slight concerns regarding the alignment of the access and the forward visibility. The Officer has stated that, provided it is proven that a refuse vehicle can get round and that forward visibility can be achieved, the access would be acceptable.
- Concern has been raised that refuse vehicles and HGVs would need to reverse into or out of the site. The site is of sufficient size to accommodate a suitable turning area.
- A cycle parking area is shown, however it is too remote from the access.

If planning permission is granted the Officer has recommended several conditions to control the location of cycle parking, the provision of a turning area, the surfacing of the car park and to provide a wheel-cleaning facility.

This comment has been reiterated following the revised design.

Urban Design

Comments on the original design:

- The proposed building should respect the established building line and in doing so provide a larger recreational space for the care home residents at the rear.
- The proposed pitched roof is not consistent with the neighbouring buildings visible from London Road.
- The eastern and western elevations should be designed to turn the corner and be more integral to the design of the south elevation.
- The building should mark the proposed entrance to the wider site off London Road (opposite Beech Road); this corner should be the focus of the elevation both in terms of design and scale.
- The immediate built-form context is more contemporary and visually interesting, the proposed building should take more inspiration from these buildings and positively contribute to this gateway location.
- Balconies that are incorporated into the building and larger areas of glazing will further animate London Road and help make the façade more contemporary.
- There does not appear to be a strong distinction in terms of materials between the car park to the proposed care home and the street. The car park must

be identifiable as a private space via the use of a strong boundary treatment and a change of surface materials.

- There should be a pedestrian entrance off London Road as well as an entrance that relates to the car park at the rear.

Revised plan comments:

The revised plans have been discussed with the Urban Design Officer. These comments have been summarised below.

- The revised layout provides greater recognition and respect of the established building line.
- The use of pitched and flat roofs helps provide greater recognition of the design of the neighbouring buildings. This design also helps break up the long front elevation.
- The straightening of the eastern section also helps create a corner feature. While this could be more prominent, the design would provide a gateway feature.
- The building line of Brockwell Place could be further respected by the use of a tree line in front of the building, facing the A5.

Trees and Landscape

Comments on the original design

- Concerned that there is a pinch point caused by the end flank of the building against the north-western boundary.
- The tree survey reports the trees along this boundary are low quality, which is not challenged. However, these plants hold an important strategic position. As such the clearance from the boundary should be sufficient to allow replacement with species of the same size and stature.
- The constraints determined in the tree survey should not be discounted, but should be considered to afford sufficient clearance space or planting space for new planting.
- The boundary planting area should be protected during construction and should be subject to a Tree Protection Plan and an Arboricultural Method Statement.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Design
3. Impact on the neighbouring residential amenity
4. Highways

5. Trees

1. Principle of development

The application site is located within the settlement boundary of Dunstable, on a site designated as a Main Employment Area in the South Bedfordshire Local Plan Review and as Employment Land within the emerging Central Bedfordshire Development Strategy.

Policy E1 of the South Bedfordshire Local Plan Review (2004) identifies that Main Employment Areas should not be granted planning permission for uses other than B1, B2 and B8 uses. As the application proposes a care home for older people (Use Class C2) it does not comply with Policy E1.

The National Planning Policy Framework identifies that, while planning should support sustainable economic growth, the long-term, unrealistic, retention of employment sites should be avoided. Paragraph 22 identifies that:

"Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."

The National Planning Policy Framework therefore supports the redevelopment of employment sites, where there is no reasonable prospect of the site being used for employment purposes.

Policy 7 of the emerging Development Strategy for Central Bedfordshire identifies that proposals for non B Class employment generating uses on sites allocated for B1, B2 and B8 uses will only be considered suitable in exceptional circumstances. As such, the following criteria must be met:

- the proposal would not unacceptably reduce the supply, variety or quality of available industrial and commercial land and property in the district; and
- the proposal would contribute towards meeting the employment needs of the district, or widening the range of employment opportunities; and;
- the proposal would be suitable in relation to the location and neighbouring land uses; and
- the location is appropriately accessible and the proposal would not result in unacceptable levels of traffic generation.

The site has been vacant for over nine years during which time it has been marketed for a range of employment uses. This marketing process has been verified by an Economic Development Officer. The Officer has confirmed that the change of use will not reduce the supply, variety or quality of available industrial land. The proposed care home would provide approximately 42 jobs, working to a rotational shift pattern. The employment generating use would contribute to the employment needs of the area. A care home is considered to be an appropriate use in relation to its surrounds, the location is easily accessible and the use would not result in unacceptable levels of traffic.

The emerging Development Strategy for Central Bedfordshire also provides further support for the provision of accommodation for older people. Policy 31 identifies that opportunities to secure appropriate accommodation for older people will be supported in planning terms provided that the application meets the following criteria:

- A suitable location based on information from the latest evidence base available.
- Sustainable location in terms of access to local services and shops.
- Offers various affordable tenures such as social rent, shared ownership and outright purchase to promote choice & independence.
- Financially viable in terms of the whole care and support package rather than just the physical building.
- Meeting the standards set by the Department of Health and the Housing Corporation for Extra Care Housing developments.
- Meeting the standards set by Care Quality Commission for Residential Care Homes and Care Homes with Nursing.
- Consistent with other policies in the Development Strategy.

The proposed application would be located in a predominantly residential location, with the nearest shops and services located within the Downside area, to the north west. The proposed development would be financially viable in terms of the whole care and support package. The proposed care home would meet the standards set by the Care Quality Commission for Residential Care Homes and Care Homes with Nursing.

The policy identifies that accommodation for older people will be supported where the development offers various affordable tenures but this criteria is associated with larger sites (around 100+ units), as identified in the preamble to the policy. The proposed care home would offer a specific tenure, providing single room accommodation for rent, with en-suite facilities, health care and communal/recreational space. The proposed care home would also comply with the other Policies within the emerging Development Strategy.

One must also note that a residential care home has already been approved for the former BTR site, as part of planning application CB/09/06991/OUT although this will no longer be implemented.

With these points in mind, both Economic Development and Planning Policy Officers have confirmed that they do not object to the proposed development. It is therefore considered that the principle of the redevelopment of the employment site for residential uses is acceptable.

The development would not be in accordance with South Bedfordshire Local Plan Review Policy E1. However the site would still provide some form of employment and it would be in accordance with the National Planning Policy Framework and Policies 7 and 31 of the emerging Development Strategy for Central Bedfordshire to which greater weight can be attached.

2. Design

The proposed development would take the form of a three storey building, located at the southern edge of the former BTR site. The site is in a prominent

location, between a block of flats to the west, and a hotel to the east. The block of flats provides a clear building line, closely related to the A5. The design of the block of flats is similar in nature to the Holiday Inn site, which also acts as a focal point, providing a key gateway into Dunstable.

The development was initially submitted with a layout which took the form of a V-shape, with the central section forming the only section fronting the A5. This design included a duo-pitched roof across the entire building. The initial development would have been constructed with red/buff brick external walls, interspersed with sections of render, and a grey tiled roof with a red ridge.

This design drew concerns from Dunstable Town Council, who stated that the design was uninspiring for such a prominent location. Concern was also raised regarding the inclusion of yellow balconies.

The Urban Design Officer also raised concerns regarding the proposed design. These comments identify that the development should respect the established building line, should turn the corner of the signalised junction, should include a flat roof design and should provide a more prominent gateway design, taking inspiration from the adjoining development.

Following these comments the applicant has reconsidered the design of the proposed care home, making the eastern section continue the building line of the central section.

The revised layout would include a more prominent building line, stretching to the corner of the signalised junction, providing a corner feature to act as a gateway to the site. The design would retain the duo pitched roof, however the design would include flat roof sections to 'break up' the large façade.

It is considered that this design would be far more consistent with the local character of the area, drawing inspiration from the adjoining contemporary buildings, but also from the pitched roof design of the more traditional buildings in the locality.

In summary the proposal is in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire. The design accords with the Revised Central Bedfordshire Council Design Guide (2014) and would not result in a detrimental impact upon the character and appearance of the area or the street scene. As such the design is considered acceptable.

3. Impact on the neighbouring residential amenity

The site is located between a block of the flats to the west (Brockwell Place), a Holiday Inn to the east, a parcel of the site where the Committee resolved to grant outline planning permission, subject to an agreed Section 106 Agreement, for up to 50 dwellings to the north and The Chiltern School, located to the south.

Two residents have raised concerns that the development would have a detrimental impact on Brockwell Place, through its size and scale, resulting in overlooking, loss of light and a detrimental impact on the quality of life of the neighbouring properties.

The proposed three storey building would be located at least 8.4 metres away from Brockwell Place, separated by a 1.8 metre high boarded timber fence and existing planting. The care home would be located at an angle to Brockwell Place and, as such, would not be directly faced by the development. The proposed western elevation includes three windows on each storey, serving a landing area. Due to the angle of the building, these windows would not directly face Brockwell Place.

The residential parcel to the north of the application site is located approximately 16.0 metres away from the proposed care home, separated by a car park and a section of fencing. It must be noted that the detail related to layout, scale and appearance have not been determined and, if the outline application for up to 50 dwellings is granted planning permission, these matters will be considered through detailed planning applications.

To the east of the application site is a Holiday Inn, which reaches approximately seven storeys in height. This site is located over 30.0 metres away from the application site.

The Chiltern School, located to the south of the application site, is situated on the opposite side of the A5. This building is located over 50.0 metres away from the application site.

Therefore it is considered that the proposal meets the requirements of Policy BE8 of the South Bedfordshire Local Plan Review (2004) and Policy 43 of the emerging Central Bedfordshire Development Strategy (2014). It also complies with the objectives of the Revised Central Bedfordshire Design Guide (2014). As such the proposal is not considered to cause a detrimental impact in terms of loss of privacy, loss of light or result in noise or light pollution and is considered acceptable.

4. Highways

The Highways Officer has no objection to the proposal in terms of traffic generation but has raised concerns regarding the proposed width and visibility of the access road into the application site. The access road would also provide access to the adjoining residential site.

The Highways Officer has raised concerns that, if there were on-street parking on the access road, vehicular access would be significantly reduced. On this basis the Officer has advised that the road is widened from 6.53 metres to 7.30 metres. If this cannot be accommodated the Officer has suggested on-street parking controls.

While these comments are noted, the illustrative layout indicates that parking provision for the care home can be satisfactorily accommodated within the site. As such, as part of this planning application, there is nothing to suggest that the development will generate on-street parking on the access road.

The Highways Officer has also identified that the development should provide room for an appropriate turning area, an appropriate location for cycle parking and a cycleway/footway into the site. These matters can be addressed by a condition, if the application is granted planning permission.

5. Trees

The Trees and Landscape Officer has raised concerns regarding the impact the development would have on a tree boundary located along the north western edge of the site, separating the site and Brockwell Place. The Officer has identified that these trees hold an important strategic position which should be retained within the proposed development.

In order to address these concerns a condition is suggested to control the detail of the soft landscaping, including tree planting, should the application be approved. This will involve retaining most of the original trees, for which a tree protection condition is also recommended, and supplementing these with additional parking.

Human Rights issues

In deciding this planning application, the Council must consider the issue of Human Rights. Article 8, right to respect for private and family life, and Article 1 of Protocol 1, right to property, are engaged. However, in balancing human rights issues against residential amenity, further action is not required. This planning application does not present any human rights issues.

Equality Act 2010

In deciding this planning application, the Council should have regard to the need to eliminate unlawful discrimination. This application does not present any issues of inequality or discrimination.

Recommendation

That planning permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted 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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces, including the external brick walls, rendered walls and tiled roof, of the development hereby permitted have been 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 in the interests of the visual amenities of the locality in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 3 **No development shall take place until details of wheel-cleaning facilities at all site exits have been submitted to and approved in**

writing by the Local Planning Authority. No development shall take place until the approved facilities have been installed and made operational and the Site Developer shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until 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 in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 4 No development shall commence until details of substantial protective fencing for trees on the north western boundary of the site have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected on a scaffolding framework, constructed with uprights and cross members, being well braced to resist impact, with the vertical poles driven firmly into the ground. The approved fencing shall remain in position for the entire duration of development shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 59 of the emerging Development Strategy for Central Bedfordshire.

- 5 No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 58 of the emerging Development Strategy for Central Bedfordshire.

- 6 No development shall take place until details of the method of disposal of foul and / or surface water drainage have been submitted to and**

agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 7 The development shall not be brought into use until details of a turning space for vehicles within the curtilage of the site have been submitted to and approved in writing by the Local Planning Authority and the approved turning space has been constructed.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 8 The development hereby permitted shall not be brought into use until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

- 9 The development hereby permitted shall not be brought into use until a scheme for noise attenuation measures has been submitted to and approved in writing by the Local Planning Authority. The noise attenuation measures will ensure that internal noise levels from external road traffic noise sources shall not exceed 35 dB 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 noise levels from external inside any bedroom, and that noise levels from external inside any bedroom, and that noise levels from external road 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 Planning 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 Local Planning Authority.

Reasons: To protect the amenity of neighbouring residents in accordance with Policy BE8 of South Bedfordshire Local Plan Review and Policy 43 of the emerging Central Bedfordshire Development Strategy.

- 10 The development shall not be brought into use until the following document has been submitted to and approved in writing by the Local Planning Authority:
- A Validation Report, identifying the effectiveness of the June 2014 JPB Summary Statement incorporating a modified remediation plan (incorporating photographs, material transport tickets and validation sampling) unless an alternative period is approved in writing by the Local Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Reason: To protect human health and the environment in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 11 Noise resulting from the use of the plant, machinery or equipment on the site shall not exceed a level of 5 dBA below the existing background level (or 10 dBA below if there is a tonal quality) when measured in accordance with BS 4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To ensure that the residential amenity of neighbouring occupiers is not prejudiced by excessive noise in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

- 12 This approval relates only to the details shown on the submitted plans, numbers LU6 3DX-A-01, LU6 3DX-A-02A, LU6 3DX-A-03, LU6 3DX-A-04A and LU6 3DX-A-05A.

Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. 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 recommended for approval for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

DECISION

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