

Item No. 10

APPLICATION NUMBER	CB/14/03858/FULL
LOCATION	Land at 2 Totternhoe Road, Eaton Bray, Dunstable, LU6 2BD
PROPOSAL	Construction of 1x 4-bed house with garage
PARISH	Eaton Bray
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Mrs Mustoe
CASE OFFICER	Abel Bunu
DATE REGISTERED	01 October 2014
EXPIRY DATE	26 November 2014
APPLICANT	Stockgrove Homes Ltd
AGENT	BHD Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Cllr Mrs Mustoe for the following reasons : <ul style="list-style-type: none">• Overdevelopment of site• Double amount of traffic – leaving and entering a narrow access/near sharp bend in road• Increased drainage/flooding concerns
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reasons for Recommendation:

The proposed development is acceptable in principle as it represents infill development. Furthermore, the development would deliver the following benefits :

- Enhancing or preserving the character and appearance of the Conservation Area
- Increasing the housing stock in the village
- Ensuring the efficient use of land and
- Make adequate financial contributions towards infrastructure provision

Furthermore, the development would, subject to appropriate conditions, not be harmful to residential amenity and would not be prejudicial to highway safety thereby conforming to the development plan comprising Policies BE8, SD1, and T10 of the South Bedfordshire Local Plan Review, Policies 27, 43, 45 and 59 of the emerging Development Strategy for Central Bedfordshire and national advice contained within the National Planning Policy Framework and the revised supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2014.

Site Location:

The development site comprises the side garden of Number 2 Totternhoe Road which lies within the Eaton Bray Conservation Area. To the east and south of the site are the rear of residential dwellings of a two storey construction at The Orchards and The Comp respectively. Directly opposite the site and to the west of Totternhoe Road are newly built two storey dwellings on the site which previously comprised land associated with the Five Bells Public House, which has also been converted to a dwelling.

The proposal:

The development proposal is for the erection of a two storey four bedroom detached dwelling and a single storey double garage to the front. Appropriate works would be required on the existing access to serve the existing and proposed dwellings.

RELEVANT POLICIES:

National Planning Policy Framework (27 March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents PPS's and PPGs. The following sections of the NPPF are considered relevant to this application.

Paragraphs 6 to 17 : Achieving Sustainable Development.

Section 4 : Promoting Sustainable Transport

section 6 :Delivering a wide choice of high quality homes.

Section 7: Requiring good design.

Section 12: Conserving and enhancing the historic environment.

South Bedfordshire Local Plan Review Policies

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the following policies are broadly consistent with the framework, with the exception of policy T10, and significant weight should be attached to them.

SD1 Sustainability Keynote

H2 Fall-In Sites

H3 Local Housing Needs

BE8 Design Considerations

T10 Parking in New Developments

Development Strategy for Central Bedfordshire

The draft Development Strategy was endorsed for Development Management purposes on the 27th May 2014 and was submitted to the Secretary of State on the 24th October 2014. It is therefore considered that having regard to the stage of the plan preparation, the policies listed below are given weight in the determination of this application :

Policy 1 : Presumption in Favour of Sustainable Development

Policy 2 : Growth Strategy

Policy 19 : Planning Obligations and the Community Infrastructure Levy

Policy 27 : Car Parking

Policy 29 : Housing Provision

Policy 43: High Quality Development

Policy 45 : The Historic Environment

Policy 59 : Woodlands, Trees and Hedgerows

Supplementary Planning Guidance

1. Central Bedfordshire Design Guide : A guide for designing high quality new developments (September 2014)
2. Planning Obligations Strategy, October 2009

Planning History

Application:	Planning	Number:	CB/14/03070/FULL
Validated:	05/08/2014	Type:	Full Application
Status:	Withdrawn	Date:	29/09/2014
Summary:		Decision:	Application Withdrawn
Description:	Construction of 1x 4-bed house with garage		
Application:	Planning	Number:	CB/13/03445/FULL
Validated:	21/10/2013	Type:	Prior Approval Offices to Dwelling
Status:	Withdrawn	Date:	12/12/2013
Summary:		Decision:	Application Withdrawn
Description:	Demolition of the existing garage and replacement erection of a single storey side extension (located on the existing driveway). Erection of one and a half storey side extension. Relocation and enlargement of windows, new canopy over the main entrance, and new front bay window and addition of cladding to first floor.		
Application:	Planning	Number:	CB/13/02336/PAPC
Validated:	05/07/2013	Type:	Pre-Application - Charging Fee
Status:	Decided	Date:	31/07/2013
Summary:		Decision:	Pre-App Charging Fee Advice Released
Description:	Pre-application non-householder charge: Erection of a 2 storey dwelling and garage within an existing garden plot and re-positioning of the existing access.		
Application:	Planning	Number:	CB/13/02218/PAPC
Validated:	21/06/2013	Type:	Pre-Application - Charging Fee
Status:	Withdrawn	Date:	04/07/2013
Summary:		Decision:	Application Withdrawn
Description:	Pre-application charge: Erection of two 2 storey dwellings within an existing garden plot and create new separate access road		
Application:	Planning	Number:	CB/12/02205/FULL
Validated:	07/08/2012	Type:	Full Application
Status:	Decided	Date:	07/08/2012
Summary:		Decision:	Not Proceeded With
Description:	Construction of a new dwelling within an existing garden area.		
Application:	Planning	Number:	CB/14/03477/ARCH
Validated:		Type:	Archaeology
Status:	Received	Date:	
Summary:	Unknown	Decision:	
Description:	Construction of one four bed house with garage		

Representations: (Parish & Neighbours)

Eaton Bray Parish
Council

Objection

- (1) Overdevelopment of site
- (2) Double amount of traffic – leaving & entering a narrow access/near sharp bend in road
- (3) Increased drainage/flooding concerns

Cllr Marion Mustoe

Application called in on the grounds set out in the Parish Council's objection letter.

Neighbours

1, Three Farthings, The Comp, 37 The Orchards, The Old Forge

Objections

- Loss of privacy to the rear garden of Three Farthings, The Old Forge, 1 The Comp and 37 The Orchards.
- The thought of a large house to be built in a neighbouring garden is really upsetting.
- This would be a complete overdevelopment of a site where there is a perfectly sized house, with a nice sized garden. To cram another house in that garden space would be absurd and thoughtless to all surrounding homeowners.
- Access to the site has previously been a problem in the previous application in 2012. Development should limit reliance on private modes of transport rather than encourage it.
- Detrimental impact on the adjoining footpath that runs along the main road in the Village.
- The Bedfordshire Structure Plan suggests that there should be increased restraint on village development. The application needs to demonstrate that it would assist the viability of the Village, meets and identifies local needs and is sympathetically designed. The proposed dwelling is poorly designed.
- Increased noise due to additional garage, more traffic and new occupants.
- Trees on site are admired in this Conservation Area setting.
- Application refers to replacement of an existing dwelling. This is misleading.
- Archaeological investigation required on the site.
- The development would devalue adjoining properties.

Consultations/Publicity responses

Conservation and Design Officer

I previously confirmed (CB/13/02336/PAPC) no *in principle* objection to a new dwelling in this context, or the proposed form of development, of main structure with subsidiary element and separate garage, a form which does echo new build dwellings of traditional character recently erected opposite to the application site.

This is a prominent Conservation Area location, and new development should respect local character and make a positive contribution to it. In this context, I feel that the new property would closely reflect the traditional character of the historic 'cottage' dwellings in the village, and I am happy that this (new) design does achieve this key expectation to an acceptable degree.

I am therefore happy for permission to be granted subject to the attachment of appropriate (standard) Conditions securing constructional materials of suitable quality (including 'heritage range' cast-aluminium rainwater goods), and appropriate external finishes. The Conditions should be accompanied by the standard 'Conservation' informative advising of the acceptable sectional proportions and finish treatments of traditional weatherboarding, as appropriate to the aspired new building in its village Conservation Area location.

Informative

Weatherboard cladding - To assist in the correct selection of external materials and finishes, both applicant and applicant's agent should be advised of the traditional standard dimensions for traditional weatherboard, namely 175mm (7") board width with sectional thicknesses of 25mm (1") at the lower, exposed edge, tapering down to 6mm (1/4") at the top edge. Black stain or black tar paint are both acceptable finishes.

Highways Officer

This latest application following the withdrawal of the previous one indicates the garage moved slightly to the north of the site.

I would advise the comments made on previous application CB/14/03070 are still applicable and they are as follows and are based on drawing number PL-01 rev A.

The applicant wishes to construct a new four bedroom dwelling utilising the existing vehicular access for No 2 Totternhoe Road, Eaton Bray.

The vehicular access is claimed to achieve a visibility splay of 2m x 43m. This will require some alteration to the existing conifer hedge and fence which obstructs visibility to the left hand side on exit and slight trimming of the vegetation to the right hand side. I would suggest that this splay is conditioned as such.

The applicant states that the width of access is 3m but it is capable of being widened. I suggest, as the access will be a shared driveway, it shall be widened within the site to a minimum of 4.1m with 0.3m margin either side for clearance, to permit two-way traffic. This will involve the removal of the splayed brick wall to the north of the site only as the southern splayed wall has already been removed. The width at the entrance of the access, along the public highway, is slightly over 4.1m therefore the vehicle crossing in the public highway requires no alteration.

1. Before the development is brought in to use details of the modified vehicle access which shall have a minimum width of 4.1m with a horizontal clearance margin of 0.3m either side of the access shall be submitted to and approved by the Local Planning Authority and no building shall be occupied until the junction has been modified in accordance with the approved details.

Reason: In the interest of road safety and for the avoidance of doubt.

2. Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2m measured along the centre line of the access from its junction with the channel of the public highway and 43m measured from the centre line of the 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.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic which is likely to use it.

3. 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 minimum distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangement 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.

4. Any gates provided shall open away from the highway and be set back a distance of at least 5.0m 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.

5. The turning space for vehicles illustrated on the approved Plan (No PL-01) shall be constructed before the development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

6. No development shall commence until details of a method statement to prevent and deal with site debris from being deposited on the public highway have been

submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction works and until the completion of the development.

Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

7. Before development begins, a scheme for the parking of cycles on the site 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.

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.

8. Details of bin storage/collection points shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety.

9. 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.

Furthermore, I should be grateful if you would arrange for the following Highway Notes to the applicant to be appended to any consent issued by the council.

i. 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 Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.

ii. 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.

iii. 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".

Archaeologist

The proposed development site lies within the historic core of the settlement of Eaton Bray (HER 16884) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

Eaton Bray is mentioned in the Domesday survey of 1086 AD and is therefore likely to be at least late Saxon in origin. At Domesday it was assessed at 12 hides and 1 virgate, with land for 20 ploughs. The Domesday population was probably around 175 people.

The modern village is the result of infilling between a series of related smaller settlements of late Saxon/medieval origin (HER 16884). This type of polyfocal settlement is a feature more common along the Bedfordshire uplands, where distinctive historic villages are often recognisable by their "Ends". At Eaton Bray there appear to have been four foci; Moor End, Eaton Green Common, around St Mary's Church and Great Green Common. As their names suggest some of the settlements were associated with linear greens (including the area around St Mary's). The presence of archaeological remains relating to the medieval settlement areas within Eaton Bray have been demonstrated at a number of locations within the modern village, for example at Poplar Farm (ASC 2004), Moor End (Northamptonshire Archaeology 2007), Park Farm (BCAS 1992, 1996 and Albion Archaeology 2007) and the White Horse on Park Lane (Albion Archaeology 2013) which lies around 120 metres to the south-west of the proposed development site.

This application is accompanied by a *Heritage Statement* (Albion Archaeology 2014) which notes that the proposed development site lies within the "postulated extent of the medieval village" (pages 7 and 19) and concludes that the groundworks associated with the proposal could "potentially adversely affect any surviving below-ground heritage assets". The impact of which could be low to high depending on the nature of the remains and the type of groundworks (pages 7 and 21-22). I agree with this conclusion.

The proposed development site is located within the historic core of the village of Eaton Bray (HER 16884) and is consequently considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the village. The investigation of rural Saxon and medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25, Oake 2007, 14 and Medlycott 2011, 70).

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). Policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission version, June 2014) echoes this and also requires all developments that affect heritage assets with archaeological interest to give due consideration to the significance of those assets and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will adopt a staged approach, beginning with a trial trench evaluation, which may be followed by further fieldwork if appropriate. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, please attach the following condition to any permission granted in respect of this application.

“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.

This request is in line with the requirements of Chapter 12 of the NPPF and policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission version, June 2014).

Tree and Landscape Officer

No objection.

Public Protection

No comment.

Environment Agency

We have no objection to this application. My points regarding the withdrawn application (CB/14/03070/FULL) remain pertinent :

This plot falls within Flood Zone 1 (lowest probability of flooding). Therefore, unless your Council or the IDB (this falls within the IDBs jurisdiction) have information to the contrary I would say a flood risk objection cannot be sustained.

We do not hold information on surface water drainage, so please either speak to your drainage engineer or Trevor Skelding at the IDB.

We and I am sure the IDB would not expect a FRA to be submitted with this application.

FYI – Flood Zone 2 and 3 starts at no.3 in a southerly direction on our Maps.

Internal Drainage Board

I note from the application that storm water would be disposed of by a sustainable drainage system (SUDs). However, there is no indication of the type of SUDs to be implemented, ie, soakaway, filter, drain, etc.

If the method of storm water disposal is to be by way of soakaways, then it is essential that the ground conditions be investigated and found to be satisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest 365.

Please include a suitably worded condition in any planning permission that may be granted.

Determining Issues

The main considerations of the development proposal are;

1. Whether or not the proposed development is acceptable in principle
2. Impact on the character and appearance of the Historic Environment
3. Impact on residential amenity
4. Impact on off-street parking provision and highway safety
5. Other Matters

Considerations

1. Principle of the proposal

Policies SD1 and H2 of the South Bedfordshire Local Plan Review (SBLPR) encourage the use of infill sites to provide additional accommodation. Whilst national advice contained in the National Planning Policy Framework (NPPF) generally encourages the effective use of land, specific advice regarding the development of residential gardens is clear that this should be resisted where harm would be caused to the local area. (paragraph 53). Further advice is provided in Annex 2 where the definition of previously developed land excludes private residential gardens. It is however acknowledged that the plot on which the existing house sits is generously sized. Accordingly, the proposed development would represent the effective use of land and as such, there would be no in principle objection to the erection of a dwelling and garage. However, the development would need to demonstrate that there would be no resultant harm to residential amenity, the character of the locality, highway safety and in addition, appropriate financial contributions would be required to provide community infrastructure. These matters will be addressed below.

2. Impact on the character and appearance of the historic environment

Policy H2 of the South Bedfordshire Local Plan Review sets out the criteria for assessing proposals for development on infill sites. The policy states that :

WITHIN BUILT UP AREAS EXCLUDED FROM THE GREEN BELT PROVISION OF NEW HOUSING BY DEVELOPMENT OF INFILL SITES; REDEVELOPMENT; CONVERSION AND RE-USE OF BUILDINGS; AND SUB-DIVISION OF LARGE RESIDENTIAL PROPERTIES IN ACCORDANCE WITH POLICY H9 WILL BE APPROVED WHERE IT WOULD:

- MAKE EFFICIENT USE OF THE SITE OR BUILDING IN TERMS OF DENSITY AND LAYOUT;
- NOT RESULT IN LOSS OF OPEN SPACE OF RECREATIONAL OR AMENITY VALUE OR POTENTIAL;
- RESPECT AND ENHANCE THE CHARACTER OF THE SURROUNDING AREA;
- PROVIDE GOOD QUALITY LIVING CONDITIONS FOR RESIDENTS;
- BE READILY ACCESSIBLE TO PUBLIC TRANSPORT AND LOCAL SERVICES;
- BE ACCEPTABLE IN TERMS OF HIGHWAY SAFETY AND TRAFFIC

FLOW;

- NOT RESULT IN UNACCEPTABLE LOSS OF EMPLOYMENT LAND; AND
- NOT UNACCEPTABLY CONSTRAIN DEVELOPMENT OF ADJOINING LAND FOR AN ALLOCATED OR PERMITTED USE.

As will be discussed below and in subsequent sections, it is considered that the development would satisfy the above criteria.

Additionally, Policy BE8 of the South Bedfordshire Local Plan Review requires all development to, amongst other things, complement and harmonise with surrounding development, to carefully consider setting and to have no adverse impact upon amenity. The proposed development and the remaining plot would complement the general heterogeneous character of the area made up of varying plot and building sizes. Viewed within the wider context of the new development across the road, the proposed design would preserve or enhance the character and setting of the Conservation Area. The proposed garage, set in front of the dwelling would be in keeping with similar garages in the street. Furthermore, the Village Green to the front of the site would help to retain the character of the area. With regards archaeological remains, the Archaeological Officer states that the site is a designated heritage asset whose significance should be described in accordance with national advice contained in Paragraph 128 of the NPPF and this could be secured by a planning condition. The development would therefore conform with Policies BE8 & H2 of the SBLPR, 43 and 45 of the DSCB and national advice within the NPPF.

3. Impact on residential amenity

The existing dwelling has windows in the front elevation facing the development site and hence it is considered that the residential amenity of the occupiers of this adjoining dwelling would be compromised due to loss of light and outlook. However, the applicant's agent has submitted a plan which shows how the internal rooms of the dwelling could be re-configured so as to avoid principal windows facing onto the application site. The agent has also confirmed that a condition requiring the re-configuration of the existing dwelling prior to the occupation of the proposed dwelling would be acceptable. This suggestion is considered reasonable and would satisfactorily address the problems identified. Furthermore, the proposed dwelling would not have any windows in the elevation next to the existing dwelling.

The proposed development would maintain sufficient separation distances with the other neighbouring dwellings, being approximately 21 metres and 28 metres from 3 Totternhoe Road, The Old Forge and Three Farthings respectively and the existing landscaping along the south boundary would assist to screen the development in this direction. The dwelling would also be set approximately 25 metres from 37 The Orchards and 1 The Comp.

4. Impact on off-street parking provision and highway safety

Given that the proposed dwelling and garage would sit on a generously sized plot, there would be adequate off-street parking and turning areas on site. It is therefore not considered that the proposed development would result in additional demand for off-street parking which could not be met on site. Taken together with the proposed access improvements, it is considered that the conditions suggested by the Highways Officer would ensure that the

development does not result in highway safety hazard in the future.

5. Other matters

Representations

The objections raised by the Parish Council and some local residents have been addressed in the relevant sections of this report. However, some of them are specifically addressed below :

Overdevelopment :

The proposed dwelling would be served by a rear garden measuring approximately 220sqm which would far exceed the Council's minimum amenity space requirements. Furthermore, there would be adequate space around the dwelling such that the proposal could not be classed as overdevelopment of the site. Measuring 110sqm, the remaining garden for the existing dwelling would surpass the current Council standards in the Design Guide.

Increased drainage/flooding concerns

Notwithstanding the Internal Drainage Board's recommendation for an appropriate condition to address drainage problems, it is considered that this is best dealt with under the Building Regulations. Furthermore, the Environment Agency raises no objections to the development on these grounds and comments that the plot falls within Flood Zone 1 (lowest probability of flooding).

Accuracy of the application description

The application form makes no references to a replacement dwelling and hence is not misleading.

Significance of trees in the Conservation Area

The proposed development would not result in the removal of trees that make a significant contribution to the Conservation Area. The Tree and Landscape Officer raises no objections in this respect.

Noise due to increased traffic and use of the garage

Noise associated with the proposed garage and intensification of the use of the existing access would not be uncharacteristic for the size of the proposed development.

Agent's response

The applicant's agent was given an opportunity to respond to the objections received and commented as follows :

- The Parish Council's general comment about overdevelopment is not particularly sound. The site is 0.13ha (1300sqm) in total and will contain two houses which will equate to a density of 15 houses/ha (6 per acre) and considering the size of the property in relation to the garden and amenity areas around them, this does not represent a density of development that could be classed as high or even medium.
- Other concerns raised relate to the access of the site, although the Highways Officer has confirmed this is adequate for the modest increase in vehicles using it and in terms of vehicle visibility when leaving the site. Although the

bus stop is located close to the access, the probability of conflict, on what is a relatively low frequency service, would be very low.

- The final two comments from the Parish Council relate to questions of drainage and we do concur that this needs to be carefully considered, bearing in mind the ground conditions likely to be encountered. However, there are several instances of properties very close to this site which have been developed within the last 2 – 3 years which function adequately in similar conditions and because of this we feel confident that this site could be developed in a similar way. I do know also that there are no objections on this particular point from the Internal Drainage Board and Environment Agency. We would, however, be happy to accept a condition on any planning consent granted requiring full details of drainage to be to the approval of the Local Authority.
- The applicant is agreeable for a condition to be included for this application, stipulating that the works to the existing house, as generally indicated on drawing PL-002, should be carried out prior to occupation of the new house.

Overall, I feel that the Parish Council's objections are not sustainable as they are not based on any quantifiable data and I trust you will take this into account when considering the application.

Financial Contributions

Following the adoption of the Planning Obligations Strategy SPD on 23rd October 2009 which was applied to all applications received on or after 5th January 2010, the Council requires either a Unilateral Undertaking or an agreement under S106 of the Town and Country Planning Act 1990 to be submitted with the planning application in order that new development makes commensurate contributions towards new and improved local infrastructure where that development will add to infrastructure needs and requirements. In this case, the applicant has signed a Unilateral Undertaking agreeing to pay financial contributions amounting to **£5, 623**.

Human Rights issues

The application raises no human rights concerns.

Equality Act 2010

No equality issues are raised by this application.

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 include suitable 'heritage range' cast-aluminium rainwater goods to be used in the construction of the external surfaces 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.
(Policies BE8 SBLPR and 43 and 45 DSCB)**

- 3 Before the approved development is brought into use, details of the modified vehicular access which shall have a minimum width of 4.1m with a horizontal clearance margin of 0.3m either side of the access shall be submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the junction has been modified in accordance with the approved details. The modified access shall thereafter be retained as such.

Reason: In the interest of road safety and for the avoidance of doubt.
(Policy 43 DSCB)

- 4 Visibility splays shall be provided at the junction of the access with the public highway before the approved development is brought into use. The minimum dimensions to provide the required splay lines shall be 2m measured along the centre line of the access from its junction with the channel of the public highway and 43m measured from the centre line of the 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.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic which is likely to use it.
(Policy 43 DSCB)

- 5 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 minimum distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangement 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.
(Policy 43 DSCB)

- 6 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m 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)

- 7 The turning space for vehicles illustrated on the approved Plan (No PL-01 Rev. B) shall be constructed before the development is first brought into use and thereafter retained as such for that purpose.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

(Policy 43 DSCB)

- 8 **No development shall commence until details of a method statement to prevent and deal with site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction works and until the completion of the development.**

Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

(Policy 43 DSCB)

- 9 A scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme so approved shall be fully implemented before the development is first occupied or brought into use 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.

(Policies 24 and 43 DSCB)

- 10 Details of bin storage/collection points shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling and thereafter retained for that purpose.

Reason: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety.

(Policy 43 DSCB)

- 11 **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.

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

- 12 Prior to the occupation of the dwelling hereby approved, the dwelling at

Number 2 Totternhoe Road shall be re-configured as shown on Drawing Number PL -002 or in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To protect the residential amenity of the occupiers of this property and the approved dwelling.
(Policies BE8 & H2 SBLPR and 43 DSCB)

- 13 **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.
(Policies 43 & 45 DSCB)**

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number PL-01 Revision B.

Reason: To identify the approved plan/s and to avoid 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 Buckingham & River Ouzel Internal Drainage Board advise that it is essential that ground conditions be investigated and if found satisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest.
In the event that ground conditions are found not to be suitable for soakaway drainage, any direct discharge to the nearby watercourse will require the Board's prior consent. Please contact the Internal Drainage Board at Cambridge House, Cambridge Road, Bedford, MK42 0LH - Telephone (01234 354396) - E-mail contact@idbs.org.uk
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 Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.

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 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".
7. To assist in the correct selection of external materials and finishes, the applicant is advised of the traditional standard dimensions for traditional weatherboard, namely 175mm (7") board width with sectional thicknesses of 25mm (1") at the lower, exposed edge, tapering down to 6mm (1/4") at the top edge. Black stain or black tar paint are both acceptable finishes.
8. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
9. The Council does not accept materials at their offices. Where there is a requirement for materials to be submitted to and approved in writing by the Local Planning Authority, please contact the Case Officer to arrange for them to be viewed, usually this will be on site.

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 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.

DECISION

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