

Item No. 14

APPLICATION NUMBER	CB/14/04324/OUT
LOCATION	Bridge Farm, Ivel Road, Shefford, SG17 5LB
PROPOSAL	Outline Application: Development of a care home (Class C2) with associated works and site access
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Birt & Brown
CASE OFFICER	Samantha Boyd
DATE REGISTERED	07 November 2014
EXPIRY DATE	06 February 2015
APPLICANT	Castleoak Care Developments
AGENT	AKA Planning
REASON FOR COMMITTEE TO DETERMINE	Major Development - Objection from Town Council

RECOMMENDED DECISION

Outline Application - Approval Recommended subject to the expiry of the advertisement in the local press and the completion of a S106 Agreement to secure a contribution to / provision of a pedestrian crossing on Ivel Road in consultation with Ward Members, the Chairman, Vice-Chairman and Officers.

Reason for recommendation

The proposal is contrary to Policy MA6 of the Council's Site Allocations Development Plan Document (adopted April 2011) which allocated 5 hectares of land at Bridge Farm Shefford for a minimum of 70 dwellings and 2 hectares of employment land to be developed for uses compatible with the neighbouring residential area. However the proposed Care Home is considered to outweigh the departure from policy as it would provide a facility for which there is an identified demand in this location. The proposal would also generate a high level of job provision for the local community. It would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, the proposal is in conformity with Policies DM3, DM4 and CS3, CS5 and CS9 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework.

Recommendation

That conditional planning permission be granted subject to the expiry of the advertisement in the local press and the completion of a S106 Agreement to secure a contribution to / provision of a pedestrian crossing on Ivel Road in consultation with Ward Members, the Chairman, Vice-Chairman and Officers, for the following reason:

Reason for recommendation

The proposal is contrary to Policy MA6 of the Council's Site Allocations Development Plan Document (adopted April 2011) which allocated 5 hectares of land at Bridge Farm Shefford for a minimum of 70 dwellings and 2 hectares of employment land to be developed for uses compatible with the neighbouring residential area. However the proposed Care Home is considered to outweigh the departure from policy as it would provide a facility for which there is an identified demand in this location. The proposal would also generate a high level of job provision for the local community. It would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its size, design and location, the proposal is in conformity with Policies DM3, DM4 and CS3, CS5 and CS9 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework.

RECOMMENDED CONDITIONS / REASONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 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 approval of the details of the appearance, landscaping, layout and scale of the development (herein called "the reserved matters") has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.

- 4 **No development shall commence until a scheme of noise attenuation measures which will ensure that internal noise levels from external road traffic noise sources shall not exceed 35dBLAeq, 0700-2300 in any habitable room or 30dBLAeq 2300-0700 inside any bedroom, and that external noise levels from external road traffic noise sources shall not exceed 55dBLAeq 1hr in any outdoor amenity areas, ahs been**

submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the local 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 authority.

Reason: In the interest of amenity.

- 5 All plant, machinery and equipment installed or operated in connection with this permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dB below the existing background level (or 10dB below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling.

Reason: In the interest of amenity.

- 6 The Carehome hereby granted permission shall only be used for a use within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (Amended) or as subsequently amended.

Reason: To ensure that the building is used for an appropriate use in the interests of residential amenity and highway safety.

- 7 **No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:**

A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling and adhering to BS 10175.

Reason: To protect human health and the environment

- 8 **No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:**

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme with measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling),

unless an alternative period is approved in writing by the 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. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Reason: To protect human health and the environment

- 9 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed to achieve a very good BREEAM rating. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 10 **The proposed building shall not exceed the height parameters as shown on plan F005 rev D Indicative Scale Parameters.**

Reason: In the interests of visual amenity.

- 11 **No development shall commence until full engineering details of the access arrangements shown on the submitted plans have been submitted to and approved by the Local Planning Authority and no development approved under any subsequent reserved matters application shall be brought into use until such time as the agreed works have been implemented.**

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety.

- 12 **Notwithstanding the detail shown on the plans submitted with the outline permission hereby approved any submission for approval of reserved matters shall include the following;**

- Pedestrian and cycle linkages to existing routes.
- Vehicle parking in accordance with the councils standards applicable at the time of submission or otherwise agreed by the Local Planning Authority
- Provision for service vehicles to park and turn within the Care Home site
- Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- Wheel cleaning arrangements.
- Closure of any existing vehicle access within the Ivel road frontage of the site.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers F003 rev F, F005 Rev D, Statement of Community Involvement, Arboricultural Survey 30/10/14, Interim Travel Plan October 2014, Bat Survey ref J005527, Flood Risk Assessment ref: 8684, Care Needs Assessment Report October 2014, Waste Management Plan 9V1/24/07/14), Transport Statement October 2014, Extended Phase I Habitat Survey ref J005315, Sustainability Statement July 2014, Engineering Design Philosophy October 2014, Marketing Report October 2014, Quarterly Marketing Update February 2014

Reason: To identify the approved plan/s 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.
2. The applicant is advised that in order to comply with this permission it may be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

Statement required by the Town and Country Planning (Development

Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Approval of Planning permission has been recommended for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

NOTE

1. In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.
2. Condition 13 amendment to the first bullet point to read:
 - Pedestrian and cycle linkages to existing routes