

Item No. 6

APPLICATION NUMBER	CB/14/04276/FULL
LOCATION	Goods Yard, Cambridge Road, Langford, Biggleswade, SG18 9PS
PROPOSAL	The erection of 22 No. affordable housing units with access, parking, bund and acoustic fencing, and landscaping.
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	19 November 2014
EXPIRY DATE	18 February 2015
APPLICANT	North Hertfordshire Homes
AGENT	Beacon Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	The application is linked with CB/14/04634/Full at land rear of The Wrestlers, Church Street, Langford, which is also reported to this committee.
RECOMMENDED DECISION	That planning permission be granted subject to the expiry of the revised plan consultation period.

REASON FOR RECOMMENDATION

The proposed residential development is within the Settlement Envelope for Langford and is therefore acceptable in principle. The development for 22 Affordable Housing Units would also comply with Policy CS7 of the Core Strategy and Development Management Policies Document. The proposal is also considered to be acceptable with regard to the impact on the character and appearance of the area, neighbouring amenity, amenity of future occupants and highway safety. The proposal is therefore considered to be acceptable and in conformity with Policies DM4, DM3 and CS7 of the Core Strategy and Development Management Policies Document (2007) and Central Bedfordshire Council Design Guide (Revised March 2014).

Recommendation

That planning permission be granted subject to the expiry of the revised plan consultation period.

RECOMMENDED CONDITIONS / REASONS

- 1 The works shall begin not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved 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 DM3 of the Core Strategy and Development Management Policies Document (2009).

- 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 4 **No development shall take place until a detailed landscaping scheme to include all hard and soft landscaping, boundary treatments, external lighting, minor equipment and signage, 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 DM3 of the Core Strategy and Development Management Policies Document (2009)

- 5 **No development shall commence until a scheme for protecting the proposed dwellings from noise from the railway line adjacent to the proposed development has been submitted and approved in writing by the local planning authority. Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of the noise barrier along the boundary with the railway, building insulation and alternative ventilation strategy for the proposed dwellings.**

The scheme shall ensure that internal noise levels from rail traffic shall not exceed 35 dB LAeq,07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAmax, 23:00-07:00 inside any bedroom and that noise levels from rail traffic in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates. All approved works in respect of each dwelling shall be completed before that dwelling is first occupied.

Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 6 Development shall not begin until details of a ventilation scheme (which shall be designed to achieve the standards set out below) for the proposed dwellings has been submitted to and approved in writing by The Local Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for rail noise as specified in the above condition.**

Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 7 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:**

As shown to be necessary by the previously submitted April 2014 BRD ST Consult Site Investigation Report, a Phase 3 remediation scheme with an explanation 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.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 8 **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 carried out as approved.**

Reason: In the interest of sustainability in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies Document (2009)

- 9 Before the internal site access are first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the accesses safe and convenient for the traffic which is likely to use them in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 10 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 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway to the west and 43.0m measured from the centre line of the proposed access to the centre line of Cambridge Road to the east. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 11 No dwelling shall be occupied until a 2.0m wide footway fronting Cambridge Road has been constructed in accordance with Plan number 1862-PL-102 rev C. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

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

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 13 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval. (See Notes to the Applicant)

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 15 The turning space for vehicles illustrated on the approved drawing no. SD213362/SK5 Rev P1 shall be constructed before the development is first brought into use and retained thereafter.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 16 **No development shall commence until a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. (See Notes to the Applicant)**

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport In accordance with the Core Strategy and Development Management Policies Document (2009)

- 17 Details of a refuse collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with the Core Strategy and Development Management Policies Document (2009)

- 18 **No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, a method statement of preventing site debris from being deposited on the public highway, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, construction traffic access to the site and construction traffic parking and details of the amount of traffic moments/earth and size of vehicle required for the construction of the bund. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 19 Notwithstanding the details shown parking bay no. 3(2) shall measure 2.5m x 5.0m and have a 6.0m forecourt in front of it. Parking bays 18(2), 19(2) and 20(2) shall measure 2.5m x 6.0m each.

Reason: For the avoidance of doubt and for ease of vehicle movement and in accordance with the Core Strategy and Development Management Policies Document (2009)

- 20 Notwithstanding the details shown a visibility splay shall be provided at the south side of the junction of the parking bays of 7(1) and 7(2) with the public highway before the building is occupied. The minimum dimensions to provide the required splay line shall be 2.0m measured along the centre line of the proposed access from its junction with the channel of the public highway and 17.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 21 Notwithstanding the details shown and before development commences details of; the speed table inclusive of the extent of the adoptable highway; the turning area for a refuse vehicle within the parking forecourt inclusive of a 0.5m service strip; the demarcation of the visitor parking spaces; and the demarcation/keep clear hatching/signage of the turning area in front of plots 20 and 21 shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the speed table, service margin, turning area and demarcation of the visitor parking bays and turning area have been constructed in accordance with the approved details.

Reason: To provide a safe and adequate adoptable highway with turning provision and adequate on site visitor parking provision in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 22 Notwithstanding the details shown details of a 17.0m forward visibility curve, on the east side of the internal access road, in the vicinity of the frontage of plot, shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the forward visibility curve has been constructed in accordance with the approved details and shall thereafter be kept free from all obstructions.

Reason: In the interests of road safety and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 23 Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 24 Notwithstanding the details shown development shall not begin until details of the junction of the proposed vehicular access with the highway and tracking diagrams for a refuse size vehicle leaving the site in an easterly direction without crossing the centre line of Cambridge Road, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Sound Solution Noise and Vibration Assessment 18180 R3, Sound Solution Continuation Assessment (Noise) 21032 R2, Highway Design Report D-213362 Rev A, Site Investigation Report JN0589, 1862-PL-01 rev A, 1862-PL-102 REV C, 1862-PL-103 REV B, 1862-PL-104 REV B, 1862-PL-105 REV B, 1862-PL-106 REV B, 1862-PL-107-REV D, 1862-PL-108 REV D, 1862-PL-109 REV D, 1862-PL-110 REV B, D213362/01 P4, D213362/08/P5, D213362/09/P4, D213362/10/P4, D213362/SK1/P4, D213362/SK2/P4, D213362/SK3/P4, D213362/SK5/P1, 46652/1, 14/03 REV, PLANTING LIST REV 2.

Reason: To identify the approved plan/s and to avoid doubt.

Notes to Applicant

1. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

The applicant is advised that in order to comply with the highway conditions of this permission it will 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.

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

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.

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

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".

The applicant is advised that no works associated with the CTMP should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under the Highways Act to be implemented.

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant 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.
4. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoil's 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission is recommended. The Council acted pro-actively through positive engagement with the applicant 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.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of revised plans amended the general site layout and elevation design. Langford Parish Council were supportive of the scheme.

Committee were advised of an amendment to Condition 6.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.