

Item No. 9

APPLICATION NUMBER CB/15/01970/FULL
LOCATION Land at Shuttleworth Court, Biggleswade, SG18 0QG
PROPOSAL Construction of 7 two bed houses, 1 three bed house and 2 two bed elderly persons bungalows. Formation of access and associated parking modification of existing parking to provide additional spaces for existing Shuttleworth Court. External works comprising of landscaping to new area and modification to existing.
PARISH Biggleswade
WARD Biggleswade North
WARD COUNCILLORS Cllrs Jones & Mrs Lawrence
CASE OFFICER Amy Lack
DATE REGISTERED 12 June 2015
EXPIRY DATE 11 September 2015
APPLICANT Grand Union Housing Group
AGENT Levitt Partnership Limited
REASON FOR COMMITTEE TO DETERMINE The application site is partially on Central Bedfordshire Council owned land and neighbour objections have been received.

RECOMMENDED DECISION Full Application - Approval recommended

Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 commence, notwithstanding the details submitted with the application, until such time as details of the materials to be used for the external walls, roofs, windows and doors 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: Details are required prior to the commencement of development in order to control the appearance of the buildings in the interests of the visual amenities of the locality (Policy DM3 Core Strategy and Development Management Policies 2009).

- 3 **No development shall commence until such time as 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: Details are required prior to the commencement of development to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas (Policy DM3 Core Strategy and Development Management Policies 2009).

- 4 **No development shall commence until such time as a Surface Water Drainage Strategy with the detailed design and associated management and maintenance plan of surface water drainage for the site, using sustainable drainage methods and site-specific percolation tests, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and maintenance plan, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.**

Reason: Details are required prior to the commencement of the development in order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to others downstream of the site (Policy DM3 of the Core Strategy and Development Management Policies (2009)).

- 5 **Prior to the first occupation of any of the residential units hereby approved the developer shall submit, in writing to the Local Planning Authority, confirmation that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details. Thereafter the sustainable urban drainage scheme shall be managed and maintained in accordance with the agreed management and maintenance plan in perpetuity.**

Reason: To ensure that the construction of the surface water drainage system is in line with what has been approved (Policy DM3 of the Cores Strategy and Development Management Policies 2009).

- 6 **No site clearance or works on site shall commence until such time as a Reptile Mitigation Strategy has been submitted to the Local Planning Authority detailing how the works will proceed without breaching wildlife legislation, and will ensure that:**
- **Reptiles will be protected from harm that might arise during development work;**
 - and,
 - **Sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternate site, with no net loss of favourable conservation status.**

Reason: To ensure that works proceed in compliance with wildlife legislation and policy DM15 of the Core Strategy and Development Management Policies (2009).

- 7 **No development shall commence until such time as 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 has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To protect human health and the environment (Policy DM3 of Core Strategy and Development Management 2009).

- 8 Prior to the first occupation of any of the residential units hereby approved the following shall be 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 and The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, shall be adhered to.

Reason: To protect human health and the environment (Policy DM3 of Core Strategy and Development Management 2009).

- 9 Notwithstanding the details provided on the plans hereby approved the proposed window openings at first floor level on the: west flank elevation of Plots 3 and 8; and the east flank elevation of Plots 4 and 7 shall be first installed with obscure glazing only, and any opening shall be at least 1.7 metres above the internal finished floor level or the window(s) shall be fixed shut. Thereafter these windows shall remain as first installed in perpetuity.

Reason: To protect the amenities of neighbouring occupiers (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 10 The proposed development shall be carried out and completed in all respects in accordance with the access, siting and layout, surfacing of permeable paving laid in accordance with the manufacturers instructions, car parking provision, turning area for service/delivery sized vehicles, pedestrian access to the rear of each plot, and the refuse collection point illustrated on the approved drawing no. 12450/01 Revision J and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected within the curtilage of any of the dwellings hereby approved other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 12 **No development shall commence until such time as full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **minor structures (e.g. furniture, play equipment);**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 13 All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that are part of the approved landscaping works, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 14 Prior to the first occupation of any of the residential units hereby approved details of the design of the structures proposed for the secure and covered cycle storage, including a scheme for two short stay cycle spaces, and storage of refuse and recycling bins shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented before the development is first occupied 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 (Policy DM3 of the Core Strategy and Development Management Policies 2009).

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 12450/01/J; 12450/03; 12450/04/A; 12450/05; 12450/06/A; 12450/07/A; 12450/08/A; Plan200/A

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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of an additional objection from No. 21 Lawrence Road, which was attached to the Late Sheet in full.]