

Item No. 10

APPLICATION NUMBER	CB/15/02916/REG3
LOCATION	Land at Chase Farm, East of High Street, Arlesey
PROPOSAL	Construction of section of relief road between A507 and High Street, formation of a new roundabout junction on the A507 and mini roundabout on the High Street
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Louise Newcombe
DATE REGISTERED	30 July 2015
EXPIRY DATE	19 November 2015
APPLICANT	Central Bedfordshire Assets Team
AGENT	Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	This is a CBC application, advertised as a departure and is also a major application with a Town Council objection
RECOMMENDED DECISION	Application recommended for approval subject to recommended conditions

Recommendation

That the Development Infrastructure Group Manager be authorised to GRANT planning permission subject to conditions.

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 take place until a detailed surface water drainage scheme for the site based on the principles set out within the FRA and submitted Surface Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before any part of the development is brought into use.**

Reason: The condition must be pre-commencement to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies CM13 and DM3 of the Core Strategy and Development Management Policies (2009) and policy MA8 of the Site Allocations DPD (2011).

- 3) **Part A: No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority.**

The written scheme of investigation shall include the following components:

- **A method statement for the investigation of any archaeological remains present at the site;**
- **An outline strategy for post-excavation assessment, analysis and publication**

Part B: The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:

- **The completion of all elements of the archaeological fieldwork, which shall be monitored by the Archaeological Advisors to the Local Planning Authority;**
- **The submission within nine months of the completion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority;**
- **The completion within two years of the conclusion of the archaeological fieldwork (unless otherwise agreed in writing by the Local Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report.**

Reason: In accordance with paragraph 141 of the NPPF; to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidable affected as a consequence of the development and to make the record of this work publicly available. This is also compliant with policy CS15 of the Core Strategy and Development Management Policies (2009) and policy MA8 of the Site Allocations DPD (2011).

- 4) **No development shall take place until updated otter and water vole surveys shall be undertaken by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to and approved by the Local Planning Authority before construction works commence on site. The mitigation measures shall be implemented in full accordance with the approved details.**

Reason: To ensure the development causes no harm to protected species in accordance with policy CS18 of the Core Strategy and Development Management Policies (2009) and MA8 of the Site Allocations DPD (2011).

- 5) **Prior to the completion of the construction of the road hereby approved, a landscaping scheme to include all hard and soft landscaping shall be 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**

completion and/or first use of any separate part of the development (a full planting season means the period from October to March).

Reason: To ensure an acceptable standard of landscaping in the interests of visual amenity and biodiversity in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 57 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 6) **No development shall take place until full details of existing trees and hedgerows on the site indicating those to be retained and the method of their protection during development works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.**

Reason: To ensure that existing landscape features are protected and retained in the interests of visual amenity and biodiversity in accordance with Policy DM14 of the Core Strategy and Development Management Policies DPD (2009).

- 7) Prior to the completion of the development hereby approved a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details.

Reason: To ensure appropriate landscape management in the interests of visual amenity in accordance with policy DM14 of the Core Strategy and Development Management Policies DPD (2009).

- 8) A scheme detailing safe access relating to the ponds hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of construction of the ponds.

Reason: In the interest of public safety in accordance with policy DM3 of the Core Strategy and Development Management Policies DPD (2009).

- 9) No construction groundworks shall take place until the following has been submitted to and approved in writing by the Local Planning Authority: -

1. As shown to be necessary by the previously submitted Environmental Statement, a Phase 2 intrusive sampling investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, and prepared by a suitably qualified person.
2. Where shown to be necessary by the Phase 2 intrusive sampling investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation / 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).

- 10) Details of a pedestrian and cycle crossing of the A507 shall be submitted to and approved in writing by the Local Planning Authority. The approved crossing shall be provided in full prior to either:
- a) the full connection of the road hereby approved between the High Street and the A507; or
 - b) the occupation of any development that would be directly served from any part of the road hereby approved that is accessed from the A507, whichever is the sooner.

Reason: To ensure a crossing for pedestrians and cyclists in the interests of highway safety in accordance with policies CS4 and DM9 of the Core Strategy and Development Management Policies (2009) and policy MA8 of the Site Allocations DPD (2011).

- 11) **No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority to include the Development Management Committee Chairman and Vice Chairman in consultation with the Arlesey Ward Members. The CEMP shall include details of:**

- a) **Construction Activities and Timing;**
- b) **Plant and Equipment, including loading and unloading;**
- c) **Soil Management Strategy including a method statement for the stripping of top soil for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007**
- d) **Site Waste Management Plan**
- e) **Appropriate measures for the safeguarding of protected species and their habitats and breeding birds**
- f) **Construction traffic routes, points of access/egress to be used by construction vehicles 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**
- g) **Details of site compounds, offices and areas to be used for parking for construction workers and for deliveries and storage of materials;**
- h) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**
- i) **Details for the monitoring and review of the construction process including traffic management (to include a review process of the CEMP during development).**

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period, to protect the amenity of neighbouring properties, in the interests of

maximising waste re-use and recycling opportunities and in order to minimise danger, obstruction and inconvenience to users of the highway and within the site in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009). Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with the development.

- 12) Full details of the 2m noise barrier for protecting existing dwellings adjacent to the proposed development from increases in road traffic noise shall be submitted and approved in writing by the Local Planning Authority. The barrier shall be implemented in accordance with the approved details, and shown to be effective, prior to the relief road being brought into use, and it shall be retained in accordance with those details thereafter.

Reason: To protect the residential amenity of existing residential occupiers in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 13) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

100 G, 101 E, 102 F, 103 B, 104 B, 105 E, 110 A, 111 A, 112 B, 116 E, 117 D, 118 E, 119 B

Reason: For the avoidance of doubt.

- 14) Prior to commencement of the development hereby approved full details of the proposed new mini roundabout forming the junction between the proposed relief road and High Street including details of the raised table, lighting and signage as set out in the Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The junction shall be constructed in full accordance with the approved details.

Reason: To ensure the junction meets the recommendations of the Safety Audit in the interests of highway safety in accordance with policies CS4, DM9 and policy MA8 of the Site Allocations DPD (2011).

Statement of reasoning for pre-commencement conditions:

In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, only conditions which are formally required to be discharged prior to works commencing on site have been suggested as pre-commencement conditions (marked in bold). These are imposed as they involve details to be approved for the arrangements of the work on site - Construction Environmental Management Plan (11), landscape protection (6), groundworks and infrastructure approval - contamination (9), archaeology (3) and drainage (2). These details are required to be submitted and approved by the Local Planning Authority prior to commencement of development.

Notes to Applicant

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the Core Strategy and Development Management Policies (2009), the Site Allocations DPD (2011) and the National Planning Policy Framework.
2. This permission relates only to that required under the Town and 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 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.
4. Notwithstanding the details shown on the plans hereby approved for planning purposes the proposed works shall be carried out in full compliance with standards contained in Design Manual for Roads and Bridges and or Manual for Streets as appropriate.
5. 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.
6. 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.
7. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person

experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

8. Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any such vegetation have to be removed during, or close to this period it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than a 5m zone around the nest) should be left intact and undisturbed until it is confirmed that any young have fledged before works in that area proceed. This process should be agreed in writing with the Local Planning Authority.

In order not to cause destruction of, or damage to, the nests of wild birds, their eggs and young. This corresponds to the protection afforded to them under the Wildlife and Countryside Act 1981 (as amended).

9. All environmental information has been taken into full consideration by the Local Planning Authority in reaching this decision.
10. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, only conditions which are formally required to be discharged prior to works commencing on site have been suggested as pre-commencement conditions (marked in bold). These are imposed as they involve details to be approved for the arrangements of the work on site - Construction Environmental Management Plan (11), landscape protection (6), groundworks and infrastructure approval - contamination (9), archaeology (3) and drainage (2). These details are required to be submitted and approved by the Local Planning Authority prior to commencement of development.

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process regarding transport and environmental concerns resulting in the submission of amended details. 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 additional Consultation / Publicity responses as detailed in the Late Sheet from the following:

- a. Arlesey Town Council objecting to the application
- b. A resident in Lymans Road sent a letter objecting
- c. A Safety Audit accompanied the Transport Assessment and has resulted in a new condition 14 above.]