

Item No. 9

APPLICATION NUMBER	CB/15/04081/OUT
LOCATION	7-37 Barton Road, Gravenhurst, Bedford, MK45 4JP
PROPOSAL	Outline: Residential development of up to 24 dwellings with ancillary works. All matters reserved except access.
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Alex Harrison
DATE REGISTERED	29 October 2015
EXPIRY DATE	28 January 2016
APPLICANT	The RonCon Trust
AGENT	Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Call in by Councillor Graham <ul style="list-style-type: none">• Not infill development as set out in DM4• Loss of amenity to neighbouring residents• Gravenhurst not a sustainable location• Flood risk to Barton Road residents.
RECOMMENDED DECISION	Outline Application - Approval recommended

Recommendation:

That Planning Permission be granted subject to the completion of a S106 agreement
That Planning Permission be granted subject to the completion of a S106 agreement to include a clause requiring compliance with an agreed timetable for the delivery of housing to fulfil the 5 year supply. The timetable is to be agreed up front and if an acceptable timetable cannot be agreed then planning permission should be refused and the decision delegated to the Development Infrastructure Group Manager and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters 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.

- 4 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in 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 (2009).

- 6 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 7 **No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and**

management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 6.

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 8 No development shall commence until a detailed surface water drainage scheme, including construction and maintenance plans, for the site based on the agreed Surface Water Drainage Strategy (October 2015) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the Surface Water Drainage Strategy (October 2015). The scheme shall be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed maintenance plan.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revise Pre-Submission Version June 2014.

- 9 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 10 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.**

Reason: In the interests of sustainability.

- 11 **No development shall take place until details of the junction between the proposed access road and the highway have been approved by the Local Planning Authority and no building shall be occupied 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 of the proposed estate road.

- 12 No dwelling hereby approved shall be occupied until visibility splays have been provided on each side of the junction of the access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and 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 that is likely to use it.

- 13 **No development shall take place until detailed plans and sections of the proposed access road, 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.

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15016 (D) 090 and TS/APPENDIX 1 Rev B

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

- 15 Notwithstanding the details in the approved plans the existing planting at the southeastern boundary of the site, referred to as G8 and G9 in the Tree Survey Schedule prepared by ACD Arboriculture Ref: WHK20175tr (dated 30 September 2015) and shown on Drawing Number WHK20175-01 which accompanies the report shall be retained. Any reserved matters proposal shall be submitted incorporating this existing landscape feature into the detailed design.

INFORMATIVE 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 no works associated with the construction of the vehicular access 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 Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

3. 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
4. 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.
5. 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.
6. 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.
7. 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.

8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
9. The applicant's attention is drawn to the change in levels through the site and the raised level of the site at its northern extent is such that it is unlikely that 2 storey dwellings will be an acceptable scale of development throughout the site.
10. The Applicant is advised to note that the Council expects a detailed reserved matters application to be designed taking account of the existing mature trees on site and to avoid their removal where possible. A scheme that proposes removal of mature species that provide amenity value is unlikely to be supported in principle.
11. S106 discussion to include consultation with NHS with a view to securing a contribution if appropriate.

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

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) 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 comments as detailed in the Late Sheet from the following:
 - a. Clarification on the recommendation to members
 - b. Conditions 2, 6 and 7 have been amended as above.]