

Item No. 06

APPLICATION NUMBER	CB/15/04664/FULL
LOCATION	Land adj. to Timber Lane, Woburn
PROPOSAL	Planning application for the erection of up to 10 dwellings, internal access road, car parking, landscaping and ancillary enabling works, together with the formation of a new vehicular access from Timber Lane, Woburn.
PARISH	Woburn
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Lisa Newlands
DATE REGISTERED	10 December 2015
EXPIRY DATE	10 March 2016
APPLICANT	Woburn RP Ltd
AGENT	Savills (UK) Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure from the Development Plan and Called in by Councillor Wells.
RECOMMENDED DECISION	Full Application - Approval subject to the completion of a S106 agreement.

Recommendation:

That Planning Permission be approved subject to the following conditions and an acceptable S106 Agreement:

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 on the construction of the external walls, 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.
(Section 7, NPPF)

- 3 Prior to work commencing on the construction of the external walls, details of the proposed windows and external doors shall be submitted to and approved in writing. The windows shall be of timber construction.

Reason: To ensure the use of appropriate materials and an acceptable finish. (Policy DM3, CSDM)

- 4 The development shall not be brought into use until the proposed access has been formally constructed in accordance with Central Bedfordshire Council's specification for vehicular access.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

- 5 Before the premises are first occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway. (Policy DM3, CSDM)

- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Policy DM3, CSDM)

- 7 The development hereby approved shall be carried out and completed in accordance with the access, siting and layout illustrated on the approved plan number P/SP/211 and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (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, CSDM)

- 8 The dwellings hereby approved shall not be occupied until details of the bin storage/collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage/collection areas shall be retained thereafter.

Reason: In the interest of amenity.
(Section 7, NPPF)

- 9 **No development shall take place until details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The measures set out in the method statement shall be implemented throughout the construction period and until the completion of the development.**

**Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Section 7, NPPF)**

- 10 A scheme for 2 short stay cycle parking 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.

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, CSDM)

- 11 **Development shall not commence until a scheme detailing access provision to/from the site for construction traffic and the provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure appropriate highway measures during the construction period. (Policy DM3, CSDM)

- 12 **No development shall take place until a contaminated land desktop study has been submitted to and approved in writing by the Local Planning Authority. In addition, and where deemed necessary by the Local Planning Authority, an intrusive investigation proposal, a subsequent remediation statement and a validation document, shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the remediation measures thereby approved have been completed in accordance with the approved details.**

**Reason: To ensure that the site is suitable for its end use and to protect human health and the water environment.
(Section 11, NPPF)**

- 13 **No development shall commence until the final detailed design of a Surface Water Drainage Scheme including proposed standards of operation, construction, structural integrity and ongoing maintenance shall be compliant with the 'Non-statutory technical standards for**

sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753). The scheme shall include details of how the system will be constructed, including any phasing, and how it will be managed and maintained during and after completion of the site. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The applicant should address the following concerns when submitting details to discharge the condition:

1. Further investigation to establish the operational capacity and functionality of the receiving downstream system, and any necessary remedial work to be undertaken prior to any surface water from the proposed site discharging to this system.
2. Further investigation of ground conditions and feasibility of infiltration, in accordance with BRE 365 standards.
3. Details of ownership and permissions required to connect to the downstream system and for any off site works, with evidence of agreements.
4. Details of the final proposed impermeable area, peak flow rate and storage requirement, with full calculations and methodology. The scheme to be submitted shall include provision of attenuation for the 1 in 100 year event (+allowance for climate change) and demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event (to include for climate change and urban creep) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Including management of exceedance flow routes both on and off site in the event of system exceedance or failure.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

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No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

1. The FRA suggested SAB adoption, this is not an option. If a management company is to be used the consideration of further sustainable drainage could be considered, removal of gully pots for rain garden interceptors, swales, rills etc. could reduce installation cost.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 15 **No development shall take place until an ecological design strategy (EDS) addressing ecological mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority.**

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.**
- b) Review of site potential and constraints.**
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.**
- d) Extent and location/area of proposed works on appropriate scale maps and plans.**
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.**
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.**
- g) Persons responsible for implementing the works.**
- h) Details of initial aftercare and long-term maintenance.**
- i) Details for monitoring and remedial measures.**
- j) Details for disposal of any wastes arising from works.**

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure a net biodiversity gain within the development in accordance with the requirement of the NPPF

- 16 **Both prior to and during development, all tree protection measures and working methodology shall be implemented in strict accordance with Section 10 "Recommendations for the protection of trees during Construction (Arboricultural Method Statement), which forms part of the document "Arboricultural Impact Assessment and Arboricultural Method Statement" (Ref 2516.AIA Rev C. Woburn.Waterland), which shall include the provision of tree protection fencing to be erected in strict accordance with the "Tree Protection Plan" (Ref. 2516.TPP.Rev.C.), as prepared by Andrew Benson (Tree Consultant).The tree protection fencing shall then remain securely in position throughout the entire course of development.**

Reason: To ensure that a satisfactory standard of tree protection of retained trees is maintained throughout the entire course of development, in order to prevent both above and below ground damage to trees, in the interests of visual amenity.

- 17 **The planting and landscaping scheme shown on approved Drawing No. Landscape Design V3 dated 07/04/16 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 shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be**

replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)

- 18 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To ensure an acceptable finish to the proposed development given its location.
(Section 12, NPPF)

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P/SP/211 Rev B; X/SP/201; P/LP/01; P/LP/02; P/LP/03; P/LP/04; P/SE/201; P/SP/201 Rev C; Landscape Design V3; 2516.TPP Rev C; 2516.AIP Rev C.

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

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 write to 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, under the provisions of the Highways Act 1980, no part of the structure, including boundary foundations and surface water hardware shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway. (HN iii)

4. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. 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, Bedfordshire, SG17 5TQ.
7. 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. (HN xi)
8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".
9. 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 Management Group, 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.
10. The British Standard for Topsoil, BS 3882:2007, specifies requirements for top soils that are moved or traded and should be adhered to. The British Standard for Subsoil, BAS 8601 Specification for subsoil and requirements for use should also be adhered to
11. 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 SHE.

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 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 was advised of additional comments, as detailed in the Late Sheet, from the following:
 - a. 4 Timber Lane – objections to the application
 - b. 3 Timber Lane – objections to the application
 - c. 46 Timber Lane – objections to the application]