

Item No. 10

APPLICATION NUMBER	CB/16/05887/OUT
LOCATION	Land opposite The Lane & Lombard Street, East of Marston Road, Lidlington, Bedford, MK45 2JQ
PROPOSAL	Outline planning application with all matters reserved except access for up to 40 residential dwellings (C3) with associated car parking and infrastructure; removal of redundant former scout hut and replacement with informal open space and associated green infrastructure improvements, habitat creation and landscaping
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Nikolas Smith
DATE REGISTERED	21 December 2016
EXPIRY DATE	22 March 2017
APPLICANT	Millbrook Proving Ground Ltd
AGENT	DLP Consultants
REASON FOR COMMITTEE TO DETERMINE	This application is being reported back to Development Management Committee because of a material change in circumstances since it was resolved to grant planning permission.
RECOMMENDED DECISION	Outline Application – Approval

In the event that a s106 agreement securing the heads of terms set out in the report, including a Build Rate Timetable and a Network Rail contribution, is not completed within a period judged to be reasonable by the Head of Service, officers are authorised by the Development Management Committee to refuse planning permission using delegated powers.

Recommendation:

That planning permission is granted subject to the conditions and planning obligations as set out in the March 29th Development Management Committee Report, the Late Sheet and Minutes for that meeting and in the Update Report.

- 1 No development shall commence at the site before details of the appearance, landscaping, layout and scale of the development (herein called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 An application or applications for the approval of all of the reserved matters**

shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter 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.

- 3 This permission does not extend to the Indicative Masterplan (1459-27/PL01 rev A) or Indicative Outline Landscape Design (SK01 rev A) submitted with the application.

Reason: To avoid doubt.

- 4 **No development shall commence at the site before details of the junction between the proposed access road and the public highway have been submitted to and approved in writing by the Local Planning Authority and no building at the site shall be occupied before that junction has been constructed in accordance with the approved details.**

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed access road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 5 No building at the site shall be occupied before details of the relocation of the bus stop and bus shelter on Marston Road opposite the site access including a timetable for their relocation have been submitted to and approved in writing by the Local Planning Authority. Their relocation shall be carried out in accordance with the approved details and the approved timetable.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed access road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 Before the new access is first brought into use visibility splays shall be provided on each side of the new access at its junction 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 from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The vision splays so described shall thereafter be kept free of all obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

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

- 7 **No development shall commence at the site before a scheme showing the provision of a 2.0m wide footway across the site frontage together with details of pedestrian crossing/s on The Lane/Marston Road have been submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the footway and crossing/s has been constructed in accordance with approved details unless otherwise agreed beforehand in writing by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.**

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 8 Any subsequent application for the approval of Reserved Matters shall include the following:

- a) Estate road design to geometric standards appropriate for adoption as public highway
- b) Cycle parking and storage in accordance with the council's standards applicable at the time of submission
- c) Vehicle parking and garaging, inclusive of visitor parking in accordance with the council's standards applicable at the time of submission
- d) A Construction Management Plan detailing the hours of construction work and deliveries, parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, storage of plant and materials used in constructing the development and wheel washing facilities

Reason: To ensure that the Local Planning Authority is able to determine whether the highways and traffic implications of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 9 Any application for the approval of Reserved Matters shall be accompanied by an Ecological Design Strategy (EDS) addressing mitigation, compensation and enhancement.

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 after care 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 that ecology and biodiversity at the site is protected and enhanced in accordance with Policies CS18, DM3 and DM18 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the aims and objectives of the National Planning Policy Framework (2012).

- 10 **No development shall commence at the site before a Written Scheme of Archaeological Investigation that adopts a staged approach and includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved archaeological scheme.**

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the Framework, that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 11 **Notwithstanding the submitted details, no development shall commence at the site before a detailed surface water drainage scheme for the site and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to Qbar as outlined in the Drainage Strategy Report, as well as details of how the system will be constructed including any phasing of the scheme.**

No building at the site shall be occupied before the scheme has been completed in accordance with the approved details.

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. The details that would be secured by this condition require

approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 12 No building at the site shall be occupied before a Maintenance and Management Plan for the surface water drainage system at the site, inclusive of any adoption arrangements and/or private ownership or responsibilities has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The system shall be maintained and managed in accordance with the approved details.

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.

- 13 No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. No dwellings at the site shall be occupied until the strategy has been completed in accordance with the approved details.

Reason: To ensure that foul water at the site is properly managed to prevent environmental and amenity problems arising from flooding in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 14 No development shall commence at the site before details of how the development would achieve the following sustainability standards has been submitted to and approved in writing by the Local Planning Authority.
- That of the 10% energy demand of the development would be secured from renewable or low carbon sources;
 - That the dwellings would be water efficient and achieve a standard of 110 litres per person per day.

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

Reason: To ensure that the development achieves the sustainable objectives in accordance with policies CS13, DM1, DM2 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 15 No development shall commence at the site before Tree Protection Plan and Method Statement showing how retained trees and hedgerows at the site would be protected during and after construction has been submitted to and approved in writing by the Local Planning

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

Reason: To ensure that trees and hedgerows at the site would be properly protected in accordance with policies CS17, CS17, DM3, DM14 and DM16 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 16 Any application for Reserved Matters shall include details of existing and proposed site levels, slab, eaves and ridge heights of proposed buildings and cross sections through the site showing the relationship between the development and the highway and properties on the northern side of Marston Road.

Reason: To ensure that the appearance of the development would be acceptable and that the scheme is designed to reduce the impact of it on the landscape in accordance with policies CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 17 Notwithstanding the details shown on the submitted Indicative Masterplan, any application for the approval of Reserved Matters shall not show any built development proposed on land at the site at a level of 80.0 AOD or greater as shown on drawing number 150603-MPG-AIA-LJ (appended to the Arboricultural Impact Assessment).

Reason: To ensure that the appearance of the development would be acceptable and that the scheme is designed to reduce the impact of it on the landscape in accordance with policies CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 18 Prior to the submission of any application for the approval of reserved matters, a Design Code for the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall demonstrate how the layout of buildings, their scale at different parts of the site, their design and proposed landscaping would respond to the landscape setting of the site and the variations in levels across it.

Reason: To ensure that the development would be of a sufficiently high quality and to reduce the impact of the development on the character of the area and the landscape setting in accordance with policies CS14, CS16, DM3, and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 19 Other than where expressly excluded by conditions attached to this permission, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans and reports:

1459-27/PL01 rev A, SK01 rev A, Acoustic Assessment reference RP01-16181 REV1, Great Crested Newt Report dated July 2014, Design and Access Statement dated December 2016, Heritage Statement dated 14th December 2016, Residential Travel Plan dated December 2016, Planning Statement dated December 2016, Preliminary Ecological Appraisal dated June 2015, Phase 2 Environmental Investigation dated September 2013, Transport Assessment dated December 2016, Protected Species Report dated December 2016, Flood Risk Assessment dated December 2016, Drainage Strategy Report dated December 2016, Arboricultural Impact Assessment dated June 2015 and Landscape and Visual Impact Assessment dated February 2016

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 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
3. The applicant is advised that in order to comply with planning conditions attached to 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 Highways Contract team Central Bedfordshire Highways, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
4. 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.
5. 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 Highways Contract Team, Central Bedfordshire Highways, 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.

6. The applicant is reminded that it will be necessary to apply for an EPS licence from Natural England once planning permission is granted.
7. The Council's waste collection pattern for Lidlington is as follows:

Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy

Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

Wherever possible, refuse collection vehicles will only use adopted highways. If the access road is to be used, it must be to adoptable standards. Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for at least 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags. Waste vehicles will reverse a maximum of 15m to the point of collection.

8. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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 the consideration of the application the Committee were advised of additional consultation received from Network Rail and an amendment to the recommendation.
- (2) In advance of the consideration of the application the Committee received representations made under the public participation scheme.

(3) In advance of consideration of the application the Committee was advised of a submission submitted by the applicant.

The Committee resolution included the following further heads of terms:

- A financial contribution towards a study of junction capacity at Lidlington A507/Bury Ware junction
- A commuted sum associated with the transfer of the 'Scout Hut land'
- That the Council is made aware of how Network Rail intends to spend the contribution secured and that it determines whether to transfer that contribution to Network Rail in light of that information