

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – Date 11/10/17

Item 6 (Pages 13-48) – CB/17/03683/OUT – Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF

Additional Consultation/Publicity Responses

There is text missing from the first two paragraphs in the Highways (Development Management) consultation response on page 20 of the agenda. The paragraphs should read:

'The proposal is for a 68 bedroom care home and while the access has been in use by the police service to serve the station I believe that the junction and intervisibility is slightly substandard. However, I am sure that this can be overcome by the introduction of a build-out along the frontage of the site.'

However, I am concerned that parking spaces 30 and 1 are too close to the access. But even eliminating these two parking spaces the proposal would appear to provide adequate parking and the turning provision appears to meet the authority's standard.'

There are figures missing in the third Highways condition on page 21.

These are 2.4 and 43.

The final sentence in the third paragraph on page 40 should read (amendment in bold text):

*'To ensure privacy is protected for existing and potential occupants, a condition should be attached to any planning permission granted to ensure obscure glazing of the **second** floor windows and for no further windows at first or second floor level.'*

There is text missing from the 'Highway Considerations' section on page 41. This is:

'The Highways (Development Management) consultation response outlines that the current junction and intervisibility is slightly substandard. However, it is considered that the proposed access can address this.'

Notwithstanding this, the Highways response outlines concern that the car parking spaces labelled 1 and 30 on plan LBCH8000/2.1/100 are too close to the proposed access. However, even if these two spaces are eliminated, the proposal would still appear to provide adequate parking and the turning provision appears to meet the Council's standard. Vehicles should be able to enter and exit the site in a forward gear.'

The comments from Buzzcycles refer to a lack of indication on the site plan of areas for cycle parking, and requires proper provision of secure cycle provision for staff and visitors. The site plan is indicative, and it is acknowledged that space exists for secure cycle parking without, for example, the loss of car parking spaces or open space. A condition requiring such provision should be attached to any planning permission granted.

Subject to this and further conditions in respect of the maximum gradient of the vehicular access and for any gates provided to open away from and be setback from the highway, the proposal is acceptable in highway terms.

The Highways response also requests conditions in respect of the improvements to the vehicular access and visibility splays. However, this is not considered necessary at this stage, as access is a reserved matter and such detail will be required with the submission of this subsequent application.'

Amendments and Additions to Conditions

Amendments (in bold text):

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

8. **Save for demolition of the buildings**, no development approved by this permission shall take place until a Phase 2 investigation and report, as recommended by the previously submitted EPS Phase 1 Geo-Environmental Desk Study report dated 20th March 2017 (Ref: UK17.2600), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 investigation and report, a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To protect human health and the environment.
(Section 11, NPPF)

Additions:

New condition 16. **Prior to the commencement of development, samples of all external materials to be used in the development hereby approved shall**

be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved samples.

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF and Policy BE8, SBLPR)**

- 17. Prior to the commencement of development, details of the improvements to the junction of the proposed vehicular access with the highway shall be submitted to and approved by the Local Planning Authority. 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 the premises.
(Section 4, NPPF)**

- 18. Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 0.6m above the adjoining footway 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 which is likely to use it.
(Section 4, NPPF)**

- 19. Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. 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 required vision splays shall, on land in the applicant's control, 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 which is likely to use it.
(Section 4, NPPF)**

- 20. Noise resulting from the use of plant, machinery or equipment associated with the residential care home shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014.**

Reason: To prevent the adverse impact of noise and odours on the amenity of nearby residents.

(Policy BE8, SBLPR, and Section 11, NPPF)

21. Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing and shall be maintained thereafter.

Reason: To prevent the adverse impact of noise and odours arising from cooking activities on the amenity of nearby residents.

(Policy BE8, SBLPR)

22. No external lighting shall take place on the site otherwise than in accordance with a scheme the details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. Following its implementation, the external lighting shall be retained in accordance with the approved details.

Reason: To avoid any intrusive light, glare or overspill adversely impacting on the amenity of neighbouring residential occupiers.

(Policy BE8, SBLPR)

23. No secure cycle parking provision shall take place on site otherwise in accordance with a scheme the details of which shall have previously been submitted to and approved in writing by the Local Planning Authority. Following its implementation, the secure cycling provision shall be retained in accordance with the approved details.

Reason: To ensure adequate cycle parking provision.

(Section 4, NPPF)

24. **No demolition shall take place, until a Demolition Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of demolition. The Statement shall provide for:**
- a) The parking of vehicles of site operatives and visitors**
 - b) Loading and unloading of plant and waste**
 - c) Storage of plant and materials used in demolition**
 - d) The erection and maintenance of fencing to secure the site**
 - e) Measures to control the emission of dust, dirt and noise**
 - f) A scheme for the recycling/disposing of waste arising from demolition works**
 - g) Hours of operation**

- h) A scheme to address any potential contamination both prior to and during demolition,**
- i) A timetable for the removal from the site of all debris and material resulting from the demolition.**

Reason: In the interests of highway safety and the control of environmental impacts on neighbouring occupiers during development of the site.

(Policy BE8, SBLPR, and Sections 4 and 11, NPPF)

25. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LBCH8000/2.1/100, LBCH8000/2.1/101, Sheet 1 of 1, 4758/10 Rev A, 4758/11 Rev A, CBC/001, CBC/002, CBC/003, CBC/004 and CBC/005

Reason: To identify the approved plans and to avoid doubt.

Additional Informatives

- 5. 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, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.
- 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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN
- 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.

8. The applicant is informed of the following comments of the Environment Agency:

Contamination

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS)

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

9. The applicant is informed of the following comments of Bedfordshire Fire and Rescue:

A. Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw the developer's attention to the requirements of Building Regulations "Approved Document B (Fire Safety) Volume 1 - Dwellinghouses" or "Volume 2 – Buildings other than dwellinghouses" as appropriate, particularly 'B5 - Access and Facilities for the Fire Service', to ensure compliance is met and specifically as below with respect to dwelling houses:-

- Vehicle access for a pump appliance to within 45m of all points within a dwelling house;
- Turning facilities should be provided in any dead end access route that is more than 20 m long. This can be by a hammerhead or turning circle, designed on the following table.

Vehicle Access Route Specification:-

Vehicle Access Route Specification:- Table 2 : Typical Vehicle Access Route Specification

(**Based on Bedfordshire FRS vehicles)

Appliance Type	Minimum Width of Road between Kerbs (m)	Minimum Width of Gateways (m)	Minimum Turning Circle between Kerbs (m)	Minimum Turning Circle between Walls (m)	Minimum Clearance height (m)	Minimum Carrying Capacity (tonne)**
Pump	3.7	3.1	16.8	19.2	3.7	18.0

If the criteria for fire appliance access to within 45 metres as set out above cannot be reached for residential premises, the Building Control and Fire Authority should be consulted at an early stage, as alternative arrangements may be acceptable. Typically, this is either because the new site is landlocked or because the new access is too narrow to get an appliance close enough.

The following options are available if access is within:-

45 - <60 metres - Domestic/residential sprinklers required;

60 - 90 metres - Domestic/residential sprinklers and a fire hydrant installed immediately by the access driveway;

Over 90 metres - Not acceptable

B. We would ask that fire hydrants are installed in number and location at the developer's cost as follows:-

5. Education, health and community facilities

5.3 Secondary schools, colleges, large health and community facilities:-

Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

In addition to the formal guidance or requirements, I would add that where possible consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries (e.g. in an area designated for parking or loading as part of the development).

Item 7 (Pages 49-60) – CB/17/03402 – Land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey

Additional Consultation/Publicity Responses

Additional Condition

The trees shown to be retained in the development to the front of the site shall be protected using tree protection fencing in line with BS5837 2012 Trees in relation to Design, Demolition and Construction. The fencing shall be installed prior to commencement of development and retained during the course of construction of the dwellings and the relocated parking area.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Sections 7 & 11, NPPF).

Item 8 (Pages 61-72) – CB/17/03684/FULL – 65 High Street, Ridgmont

Additional Consultation/Publicity Responses

Paragraph 5.1 refers to the applicant's offer to restrict the planting of any trees or hedging within the visibility splay on the existing front garden of no 65 by way of a covenant written into the sale of no. 65. As this is a civil matter a condition cannot be attached to any permission granted to enforce this. However, condition 7 has been revised to include trees and hedging. As such the condition will now read:

Before the access is first brought into use the existing vision splay on land under the applicant's control shall be provided and maintained in perpetuity free of any obstruction (including trees, hedges, landscaping or boundary treatment) to visibility exceeding a height of 600mm above the adjoining foot way level.

Reason: To provide and retain adequate visibility between the existing highway and the access, and to make the access safe and convenient for the traffic which is likely to use it. (Section 4, NPPF)

Following the submission of a Preliminary Roost Assessment no bats were found to be using the buildings on site and consequently works can progress without causing harm to a protected species. The report makes recommendation for the provision of Two Schwegler 2FR bat tubes to be inserted into the southern elevations of the new building. These will provide permanent roosting provision for local bats and support a net gain for biodiversity.

As such the Council's Ecology Officer has recommended the following condition be attached to any permission granted:

During the construction of the dwelling hereby permitted, 2no Schwegler 2FR bat tubes shall be built into the fabric of the building, positioned side by side, providing access to the wall cavity. The tubes should be positioned close to the eaves and no less than 3m off ground level. No artificial light should shine on the tubes and clear flight paths to and from the boxes should be considered. The tubes shall be retained thereafter.

Reason: To provide permanent roosting provision for local bats and support a net gain for biodiversity (Section 11, NPPF)

Item 9 (Pages 73-82) – CB/17/03624/FULL - 2 Jordan Close, Henlow, SG16 6PH

Henlow Parish Council – No comments received

Highways officer - On behalf of the highway authority I make the following comments based upon RW/17/01 Rev B and RW/17/02 Rev B.

The site is located off a private drive known as Jordan Close, three dwellings are primarily served by this private drive whilst there are 2 dwellings that appear to have rear garden access taken from this private drive.

The proposal is to extend the existing garage by adding an extension to the rear for a store with study and first floor covering both the existing garage and ground floor extension. The first floor is said to be for a games room/gym.

The existing parking is to remain both within the double garage and on the driveway, the site could accommodate 2 cars in the garage with 2 cars to the front and another to the side. Given that would be no loss of car parking I would not raise any objection on highway grounds.

Clarification of submitted plans

The applicant has submitted revised plans indicating a revised site edged red omitting the garage of no. 3 Jordan Close, obscuring the proposed velux windows on the northern elevation of the building, and clarifying the proposed eastern windows do not overlook the occupiers of 16 Church Road given the significant difference in levels between the properties.

Condition 4 should therefore read:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers RW/17/01B; RW/17/02B; CBC/01 (site section)

Reason: To identify the approved plans and to avoid doubt.