

Item No. 7

APPLICATION NUMBER	CB/17/04583/OUT
LOCATION	Land adj 129A and 131 Clophill Road, Maulden, MK45 2AE
PROPOSAL	Outline: Erection of 25 dwellings with roads and sewers
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	24 September 2017
EXPIRY DATE	25 December 2017
APPLICANT	Messrs D, M, S & Miss L Humphries
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Objection from Maulden Parish Council to a major development
RECOMMENDED DECISION	Outline application – Recommend approval subject to completion of legal agreement

Recommendation:

That Outline Planning Permission be GRANTED subject to the completion of a S106 for affordable housing and contributions to local infrastructure and the following conditions:

RECOMMENDED CONDITIONS

- 1 Details of the appearance, landscaping, layout, and scale, (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 Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 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.

- 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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; 1205/1A.

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

- 5 The number of dwellinghouses approved shall not exceed 25.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A and B shall take place.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character of the area and neighbouring living conditions, in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 Prior to first occupation of the buildings hereby approved full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure;
- b) existing and proposed finished levels and finished floor levels.
- c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;
- d) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 8 All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and

species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 9 The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The statement shall include:

- i) waste management measures;
- ii) details of site compounds, offices and areas to be used for the storage of materials;
- iii) methods and details of dust suppression during construction;
- iv) proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic.
- v) construction traffic routes

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

Reason: In the interest of highway safety and the living conditions of surrounding properties.

- 10 Prior to the first occupation of the buildings hereby approved, a scheme for external lighting shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development and in the interest of biodiversity in accordance with Policies CS14, CS18, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 11 A landscape and ecological management plan for the 'buffer' between the development hereby approved and the adjacent SSSI shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of the development. The content of the plan shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The approved development will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 12 Prior to the first occupation of the development hereby approved details for ecological enhancements at the site shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with these details.

Reason: In the interests of biodiversity, in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 13 Should any unexpected contaminated material be encountered during development, the development must cease immediately and the Council must be informed without delay and an appropriate course of action agreed in writing. Subsequently, the development shall continue in accordance with this agreed course of action until completed.

Reason: In the interest of human health.

- 14 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Surface Water Drainage strategy (June 2017) 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. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. 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.

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 of the NPPF

- 15 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.

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.

- 16 No building shall be occupied until the junction of the proposed vehicular access (altered roundabout) with the highway 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.

- 17 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 for the perpetuity of the development remain free of any obstruction to visibility.

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.

- 18 Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 19 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

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

- 20 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head area's for an 11.5m refuse collection vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 21 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be

implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

- 22 No development shall commence until dropped crossing points to both bus stops on Clophill Road in the near vicinity of the development entrance have been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway to the crossing.

Reason: In the interests of road safety and pedestrian movement.

- 23 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include the type, size, tenure mix and location on the site of the affordable housing provision to be made.

Reason: To ensure that the affordable housing associated with this development is appropriate, in accordance with Policies CS7 and DM10 of the Core Strategy and Development Management Policies 2009.

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.

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 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.