

Item No. 8

APPLICATION NUMBER	CB/17/04447/FULL
LOCATION	4 Cotswold Farm Business Park, Millfield Lane, Caddington, Luton, LU1 4AJ
PROPOSAL	The proposal seeks the redevelopment of this previously developed land, comprising the demolition of the existing buildings, removal of hard surfaces, and for the construction of seven dwellings, private access road, parking and landscaping. The proposed development would consist of seven new dwellings with internal access road, parking and landscaping.
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Peter Vosper
DATE REGISTERED	18 September 2017
EXPIRY DATE	13 November 2017
APPLICANT	Raybridge Corporation
AGENT	Briffa Phillips Architects
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Major application with an objection from the Parish Council. Full Application - Recommended for Approval

Recommendation:

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 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 The development hereby approved shall be carried out in full accordance with the external materials listed on the planning application form and illustrated on plans 1564.208 and 1564.209.

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

- 3 Prior to the completion of development, a landscaping scheme to include all hard and soft landscaping, and featuring native tree planting and a management plan in the event of retention of the Hybrid Black Poplar trees, and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policy BE8, SBLPR and Sections 7, 9 & 11, NPPF)

- 4 Prior to the first occupation of any residential unit of the development hereby approved, visibility splays shall be provided at the junction of the access with the public highway. The dimensions to maximise visibility 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 in a northerly direction and 39m in a southerly direction 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 maximise visibility between the existing highway and the proposed access and to make the access as safe and convenient as possible for the traffic which is likely to use it.
(Section 4, NPPF)

- 5 Prior to the first occupation of any residential unit of the development hereby approved, the turning space for service vehicles illustrated on plan 1564.213 rev 2 shall be constructed and retained thereafter for that purpose.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.
(Section 4, NPPF)

- 6 **The development hereby approved shall not commence until a scheme detailing provision for on site parking for construction workers 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 adequate off street parking during construction in the interests of road safety.
(Section 4, NPPF)**

- 7 The development hereby approved shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions on the public highway and other public rights of way, details of escorts for any abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, banksman and escort details. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site.
(Section 4, NPPF)**

- 8 The development hereby approved shall not commence until a method statement detailing a timetable for undertaking surveys of protected species has been submitted to and approved in writing by the Local Planning Authority. The surveys shall be carried out and any identified measures to protect species shall be implemented in accordance with the approved details.**

**Reason: To protect species interest on site.
(Section 11, NPPF)**

- 9 The development hereby approved shall not commence until the following has been submitted to and approved in writing by the Local Planning Authority:**
- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;**
 - A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study); and**
 - A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation).**

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment. Prior to any permitted dwelling being occupied a validation report shall be submitted

and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

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

- 10 **The development hereby approved shall not commence until a detailed surface water drainage scheme for the site including a management and maintenance plan, and reference to how it links to the landscaping scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme design shall be based on sustainable drainage principles in accordance with the Council's Sustainable Drainage SPD and an assessment of the hydrological and hydro geological context of the development. The scheme shall be implemented in accordance with the approved details 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.
(Section 11, NPPF)**

- 11 **The windows in the first floor side elevations of the dwellings hereby approved shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed.**

**Reason: To safeguard the privacy of occupiers of adjoining properties.
(Policy BE8, SBLPR and Section 7, NPPF)**

- 12 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further windows shall be inserted into the first floor side elevations of the dwellings hereby approved without the grant of further specific planning permission from the Local Planning Authority, or if such windows are inserted they shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed.**

**Reason: To safeguard the privacy of occupiers of adjoining properties.
(Policy BE8, SBLPR and Section 7, NPPF)**

- 13 Notwithstanding the provisions of Part 1, Classes A, B and C of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, or alterations to the roofs of the dwellings hereby permitted, apart from those granted as part of this planning permission, shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development, to protect the openness of the Green Belt, to protect the character and appearance of the development, and to protect neighbouring amenity.

(Policy BE8, SBLPR and Sections 7 and 9, NPPF)

- 14 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the dwellings hereby permitted without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development, to protect the openness of the Green Belt, to protect the character and appearance of the development, and to protect neighbouring amenity.

(Policy BE8, SBLPR and Sections 7 and 9, NPPF)

- 15 **The development hereby approved shall not commence until a scheme for the provision of the proposed footpath shown on plan 1564.200 rev 1, linking to existing footpath FP A16, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the approved Rights of Way Standards and Guidance and include:**

- **Its design to include landscaping, width and surfacing;**
- **Proposals for diversion of public rights of way (where necessary); and**
- **The temporary closure and alternative route provision (where necessary) of an existing right of way.**

The footpath shall be implemented in accordance with the approved details prior to the occupation of the dwellings hereby approved.

Reasons: In the interests of sustainability and the amenity of pedestrians and other non motorised users.

(Sections 4 & 8, NPPF)

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1564.200 rev 1, 1564.201 rev 1, 1564.202 rev 1, 1564.203 rev 1, 1564.204 rev 1,

1564.205 rev 1, 1564.206 rev 1, 1564.207 rev 1, 1564.208, 1564.209, 1564.210 rev 1, 1564.211, 1564.212, 1564.213 rev 2, 9010.103 and CBC/001.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. 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.
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.
4. 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 Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
5. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed development for adoption as highway maintainable at public expense.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The applicant and the Council engaged in discussion and negotiation at pre-application and application stage which led to improvements to the scheme. The applicant and the Council have 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.