

## **Item No. 14**

<b>APPLICATION NUMBER</b>	<b>CB/18/02171/VOC</b>
<b>LOCATION</b>	<b>Houghton Regis Central, High Street, Houghton Regis, Dunstable, LU5 5QT</b>
<b>PROPOSAL</b>	<b>Variation of Condition 29 of planning permission CB/16/3378/FULL (Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant &amp; Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping). All instances of Aurubis copper to flat roofs, first floor canopies and wall claddings replaced with Zinc in standing seam finish.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Goodchild &amp; Kane</b>
<b>CASE OFFICER</b>	<b>Peter Vosper</b>
<b>DATE REGISTERED</b>	<b>31 May 2018</b>
<b>EXPIRY DATE</b>	<b>30 August 2018</b>
<b>APPLICANT</b>	<b>Assets Directorate, Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Central Bedfordshire Council</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application is for a major development and Central Bedfordshire Council is the applicant, and an objection has been received by Houghton Regis Town Council contrary to the recommendation to grant planning permission.</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

### **Reason for Recommendation:**

The variation of the approved plans condition (condition 29) of planning permission CB/16/03378/FULL to enable all instances of Aurubis copper to flat roofs, first floor canopies and wall claddings on the proposed building to be replaced with zinc in standing seam finish is considered acceptable. This is because the use of zinc would be compatible with the approved scheme and with the character and appearance of the surroundings and the Houghton Regis Conservation Area, and would have no impact on the Listed Buildings within and near to the site.

### **Site Location:**

The 1.46 hectare application site is in Houghton Regis town centre, and the eastern section is in the Houghton Regis Conservation Area. It was developed previously with houses and small commercial buildings including a smithy in the north and east of the site prior to 1880 until the 1960s/1970s when the majority of these buildings were demolished, with the exception of The Red House, a Grade II Listed Building.

Sheltered accommodation (Red House Court) was built in the south east corner of the site in the late 1970s and extended to the south west in the late 1990s.

A Co-op supermarket and Community Centre were built in the north of the site, with associated car parking in the south west in the early 1980s but were demolished in 2005 following a large scale fire. Since then, a smaller store operated until early summer 2014, and a social club used temporary portacabins on part of the site.

The site returned back into the full ownership of Central Bedfordshire Council in 2015.

Planning permission (reference CB/16/03378/FULL) and Listed Building Consent (reference CB/16/03379/LB) were granted for a new Independent Living Scheme for Older Persons comprising 168 apartments in November 2016 (full details in Planning History section below).

Planning permission (reference CB/18/00077/FULL) was granted in March 2018 for temporary use of part of the site as a car park for Whitbread employees until 31 July 2018, and subsequently extended to 30 September 2018 (full details in Planning History section below). This use ceased on 30 September 2018.

The Red House, which was formerly part of the Council's housing stock, is presently vacant. Red House Court is still occupied and contains 33 sheltered housing flats.

Vehicular access into the site is from the High Street via a four-arm roundabout which also links into The Green and Tithe Farm Road. The site is relatively flat, although there is a slight slope of around 1.5m from the north west to the south east. The site contains 37 individual trees and five groups of trees, most of which are located near to the site boundaries and in the north eastern part of the site.

The area around the site contains a variety of land uses. Immediately to the north is Bedford Square shopping centre, comprising shop units on the ground floor with flats above. To the north west is All Saints Church which is Grade I listed, originating from the 14th century. To the north east are detached and semi detached residential properties on the High Street.

To the west, positioned at the junction of the High Street and Whitehouse Close, is Rosalyn House, a 46 bedroom care home. Whitehouse Close and Clarkes Way, to the south, contain residential properties, varying in type. To the south east there is a public open space containing a children's playground. There is a large green open space known as The Green to the east of the site. Running along the western edge

of The Green is Redhouse Court Road. Located at the end of this road is Houghton Hall, a late 17th century building which is Grade II\* listed.

There is an existing unofficial pedestrian route through the site which enters via Clarkes Way to the south and provides a connection to the High Street to the north.

### **The Application:**

Planning permission reference CB/16/03378/FULL dated 11 November 2016 granted approval for:

*'Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping.'*

An application has now been submitted for a minor material amendment to the planning permission to vary the following approved plans condition (condition 29):

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14065wd2.001, MID4237-01, MID4237-500 Rev A, 294993-T-01.dwg Sheet 1 of 1, 14065wd2.002, 14065wd2.010 Rev B (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 14065wd2.012, 14065wd2.013, 14065wd2.014, 14065wd2.015, 14065wd2.016, 14065wd2.017, 14065wd2.020, 14065wd2.021, 14065wd2.022, 14065wd2.023, 14065wd2.024, 14065wd2.025, 14065wd2.026, 14065wd2.027, 14065wd2.028, 14065wd2.029, 14065wd2.030 (omitting the ramp into the undercroft which is superseded by proposed section SS on plan 14065wd2.038), 14065wd2.031, 14065wd2.032, 14065wd2.033, 14065wd2.034, 14065wd2.035, 14065wd2.036, 14065wd2.037, 14065wd2.038, 14065wd2.050, 14065wd2.051, 14065wd2.052, 14065wd2.053 Rev A, 14065wd2.054, 14065wd2.055, 14065wd2.056, 14065wd2.057 Rev A, 14065wd2.058 Rev A, 14065wd2.059 Rev A, 14065wd2.060 Rev A, 14065wd2.070, 14065wd2.071, 14065wd2.072, 14065wd2.073, 14065wd2.074, 14065wd2.075, 14065wd2.076, 14065wd2.077, 14065wd2.078, 14065wd2.079, 14065wd2.080, 14065wd2.081, 14065wd2.082, 445/100 Rev C (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/101 Rev B (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/102 Rev C, 445/103 Rev D, 445/104 Rev D, 445/105 Rev D (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/106 Rev D (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/107 Rev D, 445/108 Rev C, 445/500 Rev C (omitting the area of

public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), and 445/501 Rev B.

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

It is sought to vary the condition to enable all instances of Aurubis copper to flat roofs, first floor canopies and wall claddings to be replaced with zinc in standing seam finish.

### **Relevant Policies:**

#### **National Planning Policy Framework (NPPF), July 2018**

Section 2: Achieving sustainable development  
Section 4: Decision-making  
Section 5: Delivering a sufficient supply of homes  
Section 6: Building a strong, competitive economy  
Section 7: Ensuring the vitality of town centres  
Section 8: Promoting healthy and safe communities  
Section 9: Promoting sustainable transport  
Section 11: Making effective use of land  
Section 12: Achieving well-designed places  
Section 15: Conserving and enhancing the natural environment  
Section 16: Conserving and enhancing the historic environment

#### **South Bedfordshire Local Plan Review, January 2004**

Policy BE8: Design Considerations  
Policy T10: Controlling Parking in New Developments  
Policy H3: Meeting Local Housing Needs  
Policy TCS1: Sustaining and Enhancing the District's Town Centres  
Policy TCS3: Houghton Regis Town Centre  
Policy TCS5: Houghton Regis Town Centre Enhancement

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the Framework. It is considered that Policies BE8 and H3 are broadly consistent with the Framework and carry significant weight. Policies T10, TCS1, TCS3 and TCS5 carry less weight but are considered relevant to the proposal.

#### **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

Policy SP2: NPPF - Sustainable Development

Policy H1: Housing Mix

Policy H2: Housing Standards

Policy H3: Housing for Older People

Policy R1: Ensuring Town Centre Vitality

Policy R3: Town Centre Development

Policy T3: Parking

Policy EE4: Trees, woodlands and hedgerows

Policy HQ1: High Quality Development

Policy HQ3: Provision for Social and Community Infrastructure

Policy HE3: Built Heritage

### **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide, March 2014

Houghton Regis Town Centre Masterplan Supplementary Planning Document (SPD), 2008

Central Bedfordshire Sustainable Drainage Guidance, April 2014

### **Relevant Planning History:**

Application Number	CB/18/03289/VOC
Description	Variation of Condition 10 of planning permission CB/16/3379/LB (Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the

demolition of an existing Sheltered Housing scheme with associated parking and landscaping). Natural stone cladding on external walls to be replaced with Sto Lotusan through-colour render. Colour to be 31237.

Decision Decision to be made at Development Management Committee on 7 November 2018.

Decision Date

Application Number CB/18/03290/VOC  
Description Variation of Condition 10 of planning permission CB/16/3379/LB (Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping). All instances of Aurubis copper to flat roofs, first floor canopies and wall claddings replaced with Zinc in standing seam finish.

Decision Decision to be made at Development Management Committee on 7 November 2018.

Decision Date

Application Number CB/18/02163/VOC  
Description Variation of Condition 29 of planning permission CB/16/3378/FULL and Condition 10 of planning Permission CB/16/03379/LB - (Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping). Natural stone cladding on external walls to be replaced with Sto Lotusan through-colour render. Colour to be 31237.

Decision Decision to be made at Development Management Committee on 7 November 2018.

Decision Date

Application Number CB/18/00891/VOC  
Description Variation of Condition 29 of planning permission CB/16/03378/FULL & Variation of Condition 10 of Listed Building Consent CB/16/03379/LB - (Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement

	Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping). Design changes as per the revised architectural and landscape drawings.
Decision	Conditional Planning Permission
Decision Date	15 June 2018
Application Number	CB/18/00077/FULL
Description	Temporary use of land as car park with minor works, temporary stationing of 2 no. portable buildings for ancillary use as security and shelter and temporary stationing of lighting.
Decision	Conditional Planning Permission
Decision Date	1 March 2018
Application Number	CB/16/03378/FULL
Description	Phased Construction of a new Independent Living Scheme for Older Persons comprising 168 apartments with support facilities, a Restaurant & Bar, Retail Units, Cafe, 2no Reablement Suites, the conversion and Change of Use of a Grade 2 listed building and the demolition of an existing Sheltered Housing scheme with associated parking and landscaping.
Decision	Conditional Planning Permission
Decision Date	11 November 2016
Application Number	CB/16/03379/LB
Description	Listed Building: Phased construction of a new Independent Living Scheme for older persons comprising 168 apartments with support facilities, a restaurant & bar, retail units, cafe, 2no reablement suites, the conversion and change of use of a Grade 2 listed building and the demolition of an existing sheltered housing scheme with associated parking and landscaping.
Decision	Conditional Listed Building Consent
Decision Date	11 November 2016
Application Number	CB/16/01922/SCN
Description	EIA Screening Opinion: Construction of new Independent Living Scheme for Older persons comprising 167 apartments with support facilities, a restaurant & Bar, 6 no retail units, a cafe, 2 no re-ablement suites, the conversion and change of use of a grade 2 listed building and the demolition of an existing sheltered housing scheme
Decision	Environmental Impact Assessment not required

Decision Date 8 July 2016

**Consultees:**

Houghton Regis Town Council Objection for the following reasons:

The Town Council regrettably objects to the proposed variation. The proposed variation would not complement the existing environment and would have a detrimental effect on the aesthetic appeal of the building. The assurances made by Central Bedfordshire Council, to residents, should remain. Allowing this variation would result in a downgrade of quality, resulting in residents being let down. The original specification should remain.

Conservation and Design There is no objection to the proposed VOC, and happy to concur with the view of the Applicant that the change of roofing material, from copper to zinc, is not only cost-efficient and prudent, but will not compromise the architectural and aesthetic merit and quality of the development.

Historic England No comments.

**Other Representations:**

Neighbours No representations received.

**Determining Issues:**

The main considerations of the application are:

1. Character and Appearance, and Impact on Conservation Area and Listed Buildings
2. Other Material Planning Considerations
3. Other Considerations

**Considerations:**

**1. Character and Appearance, and Impact on Conservation Area and Listed Buildings**

- 1.1 The application site is in Houghton Regis town centre, and the eastern section is in the Houghton Regis Conservation Area. The site also contains The Red House, a Grade II Listed Building. To the north west is All Saints Church which is Grade I listed. The proposed development needs to relate to its surrounding environment, including the Heritage Assets and other nearby buildings.



- 1.2 The proposal submitted for application CB/16/03378/FULL was considered compatible with the character and appearance of its surroundings and the Houghton Regis Conservation Area, and would relate to and not be detrimental to the historic significance and traditional character of the Listed Buildings within and near to the site.
- 1.3 The current proposal seeks to vary the approved plans condition on the planning permission to enable all instances of Aurubis copper to flat roofs, first floor canopies and wall claddings to be replaced with zinc in standing seam finish.
- 1.4 The use of Aurubis copper was considered to contribute towards the success of the proposed building as approved. It is noted that Houghton Regis Town Council object to the proposed change in material as it *'would have a detrimental effect on the aesthetic appeal of the building'* and *'would result in a downgrade of quality'*. Whilst these comments are noted, the use of zinc, as now proposed, would have an acceptable appearance and maintain its colour and aesthetic qualities over time. As stated in the Conservation and Design consultation response, the use of zinc would not compromise the architectural and aesthetic merit and quality of the development.
- 1.5 Overall, the proposed change in material would be compatible with the approved scheme and with the character and appearance of the surroundings and the Houghton Regis Conservation Area, and would have no impact on the Listed Buildings within and near to the site. The proposal would comply with Section 12 (Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework and Policy BE8 (Design Considerations) of the South Bedfordshire Local Plan Review.

## **2. Other Material Planning Considerations**

- 2.1 The principle of residential and retail development on a large and partly vacant town centre site is acceptable. There is an identified need for additional housing in the district of Central Bedfordshire and a specific need for independent living accommodation for older people. The proposal would not have an adverse impact on the amenity of existing and future neighbouring occupants, and is acceptable in highway terms. The development would provide far in excess of a policy complaint scheme, i.e. 83.9%, from an affordable housing perspective.

## **3. Other Considerations**

### **3.1 Human Rights issues**

The proposal raises no Human Rights issues.

## Equality Act 2010

It is acknowledged that the building has been designed to ensure that it adopts inclusive design principles to enable all residents of the building, along with members of the community, to access and benefit from the facilities. Furthermore, the building and landscape design incorporates dementia needs. An informative will be attached to any permission granted drawing the attention of the applicant to their responsibility under The Equality Act 2010.

### **Recommendation:**

That the Variation of Condition application be APPROVED subject to the following:

### **RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby permitted shall begin not later than 11 November 2019.

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, and to comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall commence until a full suite of external material samples, to include walls, roofs, windows, doors, rainwater goods and hard landscaping, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.  
(Policy BE8, SBLPR and Sections 12 and 16, NPPF 2018)**

- 3 **No development shall commence until an external finishes schedule has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.**

**(Policy BE8, SBLPR and Sections 12 and 16, NPPF 2018)**

**4 Notwithstanding the details submitted with the application, and prior to the commencement of development, details of the following in respect of all proposed new and/or altered boundary enclosure structures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

- (Red House garden brick wall and wall-top railings): drawn elevation detail at a scale of 1:10; drawn elevation and layout plan at a scale of 1:50;**
- (Red House garden wall): drawn detail at a scale between 1:10 and 1:20 in elevation and section, showing the method of the formation of the proposed decorative brick arch gate opening; and**
- masonry wall details, including coping type, brickwork bond and mortar jointwork finishing.**

**Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.**

**(Policy BE8, SBLPR and Sections 12 and 16, NPPF 2018)**

**5 Notwithstanding the details submitted with the application, and prior to the commencement of development, full details of all new gates, timber and metal bollards and exterior lighting installations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.**

**(Policy BE8, SBLPR and Sections 12 and 16, NPPF 2018)**

**6 Notwithstanding the details submitted with the application, and prior to the commencement of development, a method statement and specification detailing fully the proposed method of construction of the proposed natural stone cobble/river washed pebble hard landscape surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.**

**(Policy BE8, SBLPR and Sections 7 and 12, NPPF 2018)**

- 7 **Notwithstanding the details submitted with the application and prior to the laying out of the cobbled hard landscape surfaces, a finished sample section demonstrating clearly the materials to be used (including edgings and representative cobbles/pebbles) and the manner of surfacing bedding and finishing, shall be constructed on site, and retained, for agreement in writing by the Local Planning Authority, and the approved works shall be implemented thereafter in strict accordance with the approved details.**

**Reason: To ensure that the appearance of the development is acceptable, and is carried out in a manner that safeguards the historic significance and traditional character of listed buildings and to safeguard the character and appearance of the Conservation Area and its immediate setting of which the site is part.**

**(Policy BE8, SBLPR and Sections 7 and 12, NPPF 2018)**

- 8 Before the new accesses are first brought into use, any existing accesses within the frontage of the land to be developed, not incorporated in the accesses hereby approved, shall be closed in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

(Section 9, NPPF 2018)

- 9 The development shall not be occupied until a Full Travel Plan has been submitted to and approved in writing by the Council; such a Travel Plan to include details of:

- Predicted travel to and from the site and targets to reduce car use.
- Details of existing and proposed transport links, to include links to pedestrian, cycle and public transport networks.
- Measures to minimise private car use and facilitate walking, cycling and use of public transport.
- Timetable for implementation of measures designed to promote travel choice.
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the Council.
- Details of provision of cycle parking in accordance with Council guidelines.

- Details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:
  - Site specific travel and transport information;
  - Travel vouchers;
  - Details of relevant pedestrian, cycle and public transport routes to/from and within the site; and
  - Copies of relevant bus and rail timetables.
- Details of the appointment of a travel plan co-ordinator.
- An Action Plan listing the measures to be implemented and timescales for this.

No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.  
(Section 9, NPPF 2018)

- 10 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.  
(Section 9, NPPF 2018)

- 11 The development shall not be occupied until all on site vehicular areas have been 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 and of the premises.  
(Section 9, NPPF 2018)

- 12 **Prior to the commencement of development, a scheme for the parking of cycles on the site 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.  
(Section 9, NPPF 2018)**

- 13 **Prior to the commencement of development, details of the amendments to the public highway including if necessary stopping up of the existing public highway to the east of the application site (i.e. the area indicated as Road Retained on plan 14065wd2.018 and Adopted Highways on plan 14065wd2.019) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with the approved details.**

**Reason: To ensure the highway is amended in an appropriate manner for the locality and if necessary stopped up in an adequate manner.  
(Policy BE8, SBLPR and Section 9, NPPF 2018)**

- 14 **Prior to the commencement of development, details of alterations to the existing zebra crossing on the High Street to the north of the application site, consisting of the introduction of a central island, shall be submitted to and approved in writing by the Local Planning Authority. The altered crossing shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

**Reason: In the interest of road safety and aiding pedestrian flows.  
(Section 9, NPPF 2018)**

- 15 **Prior to the commencement of development, details of physical measures to include bollards, benches, lamp posts and tree planting in the proposed pedestrianised area on the High Street frontage, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

**Reason: To prevent vehicle parking on the pedestrianised area in an appropriate manner for the locality.  
(Policy BE8, SBLPR and Sections 9, 12 and 16, NPPF 2018)**

- 16 **Prior to the commencement of development, the detailed design for the surface water drainage for the site and associated details of its proposed management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The final design shall be based on sustainable drainage principles and a site-specific assessment carried out in accordance with BRE Digest 365, and shall include provision of attenuation and a restriction in run-off rates to replicate greenfield conditions or provide betterment of the existing drainage regime. The approved drainage system shall then be implemented in**

**accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved surface water drainage system functions to a satisfactory minimum standard of operation and maintenance.**

**(Section 14, NPPF 2018)**

- 17 No building shall be occupied until a 'Management and Maintenance Plan' for the entire surface water drainage system, demonstrating that all surface water management structures and facilities shall be maintained in perpetuity to assure that the structures and facilities function as originally designed, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the implementation and long term operation of a sustainable drainage system.

(Section 14, NPPF 2018)

- 18 **Prior to the commencement of development, a scheme for the protection of the dwellings from noise from road traffic shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details and has been demonstrated to achieve the required noise levels to the satisfaction of the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.**

**Reason: To protect the residential amenity of future occupants.**

**(Policy BE8, SBLPR and Section 15, NPPF 2018)**

- 19 Noise resulting from the use of plant machinery or equipment in relation to the use hereby approved 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. The levels shall not exceed those stated in table 4 of the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016.

Reason: To protect the residential amenity of future occupants.

(Policy BE8, SBLPR and Section 15, NPPF 2018)

- 20 **Prior to the commencement of development, a scheme for the protection of the residential dwellings from internal and external noise (including deliveries) from adjacent commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall**

**follow the recommendations identified in the Noise Impact Assessment (Cass Allen, Ref RP01-15382Rev1) dated 14th June 2016. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.**

**Reason: To protect the residential amenity of future occupants.  
(Policy BE8, SBLPR and Section 15, NPPF 2018)**

- 21 Prior to the commencement of development, a Phase 2 investigation report, as recommended by the Preliminary Contamination Risk Assessment (FWS Consultants, Ref 19720R01) dated January 2016, shall be submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the Phase 2 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 15, NPPF 2018)**

- 22 Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:**
- a) The construction programme and phasing**
  - b) Hours of operation, delivery and storage of materials**
  - c) Details of any highway works necessary to enable construction to take place**
  - d) Parking and loading arrangements**
  - e) Details of hoarding**
  - f) Control of dust and dirt on the public highway**
  - g) Details of consultation and complaint management with local businesses and neighbours**
  - h) Waste management proposals; and**
  - i) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.**

**Development shall proceed in accordance with the approved plan.**

**Reason: In the interests of highway safety and the control of environmental impacts.**



**(Policy BE8, SBLPR and Sections 9 and 15, NPPF)**

- 23 Except as may be otherwise required by condition 13 of this permission, the scheme shall be carried out in accordance with the Landscape Statement (Churchman Landscape Architects, Ref 445\_001\_D) dated October 2016. A timetable for its implementation and a programme of management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure satisfactory landscape treatment of the site.  
(Policy BE8, SBLPR and Sections 12 and 15, NPPF 2018)

- 24 **Prior to the commencement of development, a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement.**

**Reason: To ensure that trees and hedgerows are properly protected at the site.  
(Policy BE8, SBLPR and Sections 12 and 15, NPPF 2018)**

- 25 Prior to occupation of the development, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. Installation of Public Art shall commence on site prior to occupation of 50% of dwellings. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: To assist in creating a quality environment.  
(Policy BE8, SBLPR and Section 12 and 15, NPPF 2018)

- 26 **Prior to the commencement of development, a scheme for biodiversity enhancement at the site including a timetable for its delivery shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

**Reason: To ensure that biodiversity is properly protected at the site.  
(Section 15, NPPF 2018)**

- 27 No first floor windows or other openings shall be formed in the first floor of the development facing the north east side elevation of No. 1 Whitehouse Close.

Reason: To safeguard the privacy of occupiers of adjoining properties.  
(Policy BE8, SBLPR and Section 12, NPPF 2018)

- 28 The two proposed pedestrian accesses from the development onto Whitehouse Close shall be for emergency use only.

Reason: For the avoidance of doubt, and to prevent additional footfall and traffic activity in Whitehouse Close.  
(Policy BE8, SBLPR and Section 12, NPPF 2018)

- 29 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14065wd2.001, MID4237-01, MID4237-500 Rev A, 294993-T-01.dwg Sheet 1 of 1, 14065wd2.002, 14065wd2.010 Rev P1B (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 14065wd2.012 Rev P1B, 14065wd2.013 Rev P1B, 14065wd2.014 Rev P1B, 14065wd2.015 Rev P1B, 14065wd2.016 Rev P1B, 14065wd2.017 Rev P1B, 14065wd2.020 Rev P1B, 14065wd2.021 Rev P1B, 14065wd2.022 Rev P1B, 14065wd2.023 Rev P1B, 14065wd2.024 Rev P1B, 14065wd2.025 Rev P1B, 14065wd2.026 Rev P1B, 14065wd2.027 Rev P1B, 14065wd2.028 Rev P1B, 14065wd2.029 Rev P1B, 14065wd2.030 Rev P1B (omitting the ramp into the undercroft which is superseded by proposed section SS on plan 14065wd2.038), 14065wd2.031 Rev P1B, 14065wd2.032 Rev P1B, 14065wd2.033 Rev P1B, 14065wd2.034 Rev P1B, 14065wd2.035 Rev P1B, 14065wd2.036, 14065wd2.037, 14065wd2.038, 14065wd2.050, 14065wd2.051, 14065wd2.052, 14065wd2.053 Rev A, 14065wd2.054, 14065wd2.055, 14065wd2.056, 14065wd2.057 Rev A, 14065wd2.058 Rev A, 14065wd2.059 Rev A, 14065wd2.060 Rev A, 14065wd2.070, 14065wd2.071, 14065wd2.072, 14065wd2.073, 14065wd2.074, 14065wd2.075, 14065wd2.076, 14065wd2.077, 14065wd2.078, 14065wd2.079, 14065wd2.080, 14065wd2.081, 14065wd2.082, 445/100 Rev C (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/101 Rev B (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/102 Rev C, 445/103 Rev D, 445/104 Rev D, 445/105 Rev D (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/106 Rev D (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), 445/107 Rev D, 445/108 Rev C, 445/500 Rev C (omitting the area of public highway to the east of the application site which is to be considered by a scheme submitted pursuant to condition 13), and 445/501 Rev B.

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. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

4. This permission sits alongside planning permission CB/16/03378/FULL, which remains intact.

**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 at pre-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.

**DECISION**

.....  
.....  
.....  
.....