

Item No. 5

APPLICATION NUMBER	CB/18/00181/FULL
LOCATION	Land rear of 133 & 135 Station Road, Lower Stondon, Henlow, SG16 6JJ
PROPOSAL	Demolition of 133 & 135 Station Road Lower Stondon and erection of 149 residential dwellings (including 3 custom built plots and 52 affordable housing units) with associated access, road, parking, LEAP and amenity space. Construction of surface water attenuation basin and associated pumping station and provision of 0.12ha of land for community facility.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Donna Lavender
DATE REGISTERED	12 January 2018 (EOT until 6th Dec 2018)
EXPIRY DATE	13 April 2018
APPLICANT	C/O Agent
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Major Application & Departure from Development Plan with a retained Parish Council Objection
RECOMMENDED DECISION	Recommended for Approval

Recommendation:

That Planning Permission be **APPROVED** subject to the completion of a s106 agreement and 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 materials to be used for the external walls and roofs of the development as shown on drawing no.006 Rev F shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.

(Policy DM3 of the Core Strategy for the North and Section 12, NPPF)

- 3 The planting and landscaping scheme shown on approved Drawing Nos. LS-001C, 002C, 003C, 004C, 005C, 006C, 007C, 008C, 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 shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.

(Sections 12 & 15, NPPF)

- 4 No dwelling hereby approved shall be occupied, until a Landscape, ecological and Sustainable Drainage System Maintenance and Management Plan for a period of ten years from the date of its delivery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved maintenance and management plan. The landscaping and SuDs shall be maintained and managed in accordance with the approved plan following its delivery.

Reason: To ensure that the appearance of the site would be acceptable and a net gain in biodiversity could be retained, in accordance with Policy DM14 & DM15 of the Core Strategy and Sections 14 & 15 of the NPPF.

- 5 The positioning of the protective fencing details as supplied in support of the application, shall be erected to protect the natural canopy spread and root protection areas of the trees/hedgerows proposed to be retained. The protective fencing shall then be fully implemented before the commencement of any site construction works, and the approved fencing shall remain firmly in place throughout the entire course of development.

Reason: To ensure that a satisfactory standard of landscape protection is fully implemented in the interests of maintaining the health and natural canopy spread of the protected trees. Failure to secure these details prior to commencement of development could result in the unreasonable loss of a trees and landscaping that adds amenity value. (Policy CS16 of the Core Strategy and Section 15 of the NPPF).

- 6 No development shall take place above slab level, until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority demonstrating energy and water efficiency measures. The works shall then be carried out in accordance with the approved details.

Reason: This condition is pre-commencement of above slab level as many energy efficiencies relate to fabric first approach which will be required to be ordered in advance of construction start and in the interests of sustainability. (Policy DM2 of the Core Strategy for the North & Section 14 of the NPPF)

- 7 No development shall take place above slab level, until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.

Reason: This condition is pre-commencement as the ground works for connectivity will need to be considered prior to construction in order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 12 of the NPPF.

- 8 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Impact Assessment (December 2017 Rev 1) 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.**

The applicant should address the following concerns when submitting details to discharge the condition:

Details of the final proposed impermeable area, peak flow rate and storage requirement, with full calculations and methodology. The scheme to be submitted shall include provision of attenuation for the 1 in 100 year event (+ 40 climate change) and demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event (to include for climate change and urbancreep) will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

Reason: This condition is pre-commencement 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.

- 9 **No development shall take place (including ground works or site clearance) until an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content shall be informed by an up to date Ecological Appraisal of the site and include the:**
- a) purpose and objectives for the proposed works;**
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
 - c) extent and location of proposed works shown on appropriate scale maps and plans;**
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
 - e) persons responsible for implementing the works;**
 - f) details of initial aftercare and long-term maintenance.**

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

Reason: This condition is pre-commencement to ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework. (Policy DM15 of the Core Strategy for the North and Section 15, NPPF)

- 10 **No development shall take place until details of the method of disposal of foul water drainage have been submitted to and agreed in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

Reason: This condition is pre-commencement as ground works will be required prior to construction to ensure that adequate foul water drainage is provided and that existing and future land drainage needs are protected. (Section 14, NPPF)

- 11 **No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:**

A Phase 2 investigation report as recommended by the previously submitted December 2017 Travis Baker Geo Environmental Ltd Desk Study and Site Investigation Report, along with a Remediation Method Statement should the Phase 2 discover the need for remediation.

Reason: This condition is pre-commencement as it relates to ground works and remediation to ensure that the site is suitable for its end use and to protect human health and the water environment. (Section 8, NPPF)

- 12 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Validation Report by means of which the effectiveness of the remediation implemented by any Remediation Method Statement shall be demonstrated to the Local Planning Authority (to incorporate photographs and depth measurements).

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

Reason: To ensure that the site is suitable for its end use and to protect human health and the water environment.

(Section 8, NPPF)

- 13 No part of the development hereby approved shall be brought into use until a Public Art Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall address suitable themes and artistic opportunities; strategies for pupil involvement as appropriate; timescales for implementation of the strategy; and project management and long-term maintenance arrangements. The Public Art Strategy shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting local distinctiveness and creating a sense of place, in accordance the Central Bedfordshire Design Guide and Section 12 of the NPPF.

- 14 No building shall be occupied until the junctions of the proposed vehicular access points with the highway has been constructed in accordance with the approved details. No other part of the development shall take place until the visibility splays at the junction of the accesses with the public highway shown on the approved drawing have been provided. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: In order to minimise danger and to provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF)

- 15 Before any vehicular access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 2m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2m 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 600mm above the adjoining footway level.

Reason: To provide adequate pedestrian/driver intervisibility between the highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF).

16 **No development shall take place, including any works of demolition, until a Construction Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:**

- **The parking of vehicles**
 - **Loading and unloading of plant and materials used in the development**
 - **Storage of plant and materials used in the development**
 - **The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
 - **Footpath/footway/cycleway or road closures needed during the development period**
 - **Traffic management needed during the development period.**
 - **Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.**
 - **details of the responsible person who can be contacted in the event of a complaint;**
- (A) mitigation measures in respect of noise and disturbance during construction including piling techniques, vibration and noise limits, prior notification to the occupiers of potentially affected properties, monitoring technology, screening, a detailed specification of plant and equipment to be used, and construction traffic routes; and**
- (B) a scheme to minimise and monitor the emission of dust and dirt during construction and to prevent the burning of materials on site.**
- (C) Measures for controlling the use of site lighting whether required for safe working or for security purposes.**

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: This condition is pre-commencement, in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF).

17 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exists and made operational and the Site**

Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Section 12, NPPF)

- 18 **No development shall take place until a written scheme of archaeological investigation; that includes provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme and this condition will only be fully discharged when the post-excavation analysis and reporting is complete and the future of the site archive is secured.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the *National Planning Policy Framework (NPPF)* that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).

- 19 No dwelling shall be occupied until details of a timetable for the implementation of Local Equipped Areas of Play and Local Areas of Play as shown on drawing no. SM555-LS-005d and details of its long term management, has been 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 the appearance of the development and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Section 8 of the NPPF.

- 20 The scheme for the provision of electric car charging points as shown on drawing no. SL-001Y (Site Layout) and accompanied memo dated 20.11.18 shall be fully implemented in accordance with the approved scheme, prior to occupation of the dwellings to which they relate and thereafter retained for this purpose.

Reason: To ensure the development protects and exploits opportunities for the use of sustainable transport modes for the movement of people. (Section 4, NPPF)

- 21 Plot Numbers 1, 15, 36, 43, 67, 69, 85, 90, 92, 145 shall meet the definition of Category 2 homes, in accordance with the National Described Space Standards as shown on drawing no. SL-001Y (Site Layout).

Reason: To ensure that an appropriate level of housing to meet the needs of future generations by being adaptable and accessible, have been provided in accordance with Nationally Described Space Standards and having regard to the benefits proposed of the scheme. (Section 5 of the NPPF)

- 22 **No development shall be commenced above slab level, until an estate street phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.**

Reason: This condition is pre-commencement to ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policies DM3 of the Core Strategy and Sections 9 & 12 of the NPPF.

- 23 The measures included within the Travel Plan dated November 2018 (Revision D) shall be implemented in accordance with the stated timetable followed by a review annually for a period of five years.

No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan.

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

- 24 The development hereby permitted shall be carried out in accordance with the approved noise mitigation scheme as specified in section 7 of the Cole Jarman noise assessment report ref no 17/0270/R2, mitigation amended 11 October 2018. The developer shall submit technical specifications for the glazing, ventilation and noise barriers prior to installation to validate that the approved noise scheme will be fully implemented. No dwelling shall be occupied until the works to protect the dwellings concerned have been completed in accordance with the approved details.

Reason: To protect the amenity of future occupiers and to safeguard the interests of local businesses.

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers EL-001 (Location Plan), SL-001Y (Site Layout), SL -002Y (Colour Layout), SL-003J (Boundary Plan), SL-004E (Garden Plans), SL-005F (Parking), SL-006G (Materials) SL-007 (Bus Stop Plan),

LS-001C, 002C, 003C, 004C, 005C, 006C, 007C, 008C, (Landscape Scheme), LS-009A (Planting Details), EN-006E (Refuse Tracking), EN-013A (Emergency Vehicle Tracking), SM555-EN-015 Rev A (Finished Floor Levels), Noise Report 17/0270/R2 & Supplementary Noise Assessment, Flood Risk Assessment Rev C, Design & Access Statement July 2018, Lighting Impact Assessment, Desk Study & Site Investigation Report 16134-RPT-GE02, Arboricultural Method Statement July 2018, Landscape Strategy Rev C, Transport Assessment Rev C, Historic Environment Desk Based Assessment June 2018, Landscape & Visual Impact Assessment Jan 2018, Ecological Appraisal Dec 2017, Statement of Community Involvement Jan 2018, Air Quality Assessment Aug 2017, Planning Statement Jan 2018, Residential Travel Plan Rev D, 1BF04(4)PL 52-55, 72-75 Elevations, 1BF04(4)PL 52-55, 72-75 Floor Plan, 2B.CB PL 112-113 Floor Plans & Elevations, 2B.CB PL 58-61, 78-81 Elevations, 2B.CB PL 58-61, 78-81 Floor Plan, 2B.CB PL 99-101 Elevations, 2B.CB PL 99-101 Floor Plans, 2B.CB+4B.CB PL 9-10 Elevations, 2B.CB+4B.CB PL 9-10 Floor Plans, 2B.CB PL 48-51 Elevations, 2B.CB PL 48-51 Floor Plan, 2B.CB PL 114-116 Elevations, 2B.CB PL 114-116 Floor Plan, 2B.CB PL 102-105 Elevations, 2B.CB PL 102-105 Floor Plan, 2B.CB PL 56-57 Floor plans & Elevations, 3B.CB (OPP) PL 11-12 Floor Plans & Elevations, 3B.CB PL 82-83 (Chimney) Floor Plans & Elevations, 3B.CB PL 7-8,108-109,110-111 Floor Plans & Elevations, 3B.CB PL 97-98 Floor Plans & Elevations, 3B.CB PL 76-77 Floor Plans & Elevations, 3B.CB PL 106-107 Floor Plans & Elevations, 2BB.C PL REV A 45-47 Elevations, 2BB.C PL REV A 45-47 Floor plan, 2BB.C PL REV A 62-64 Elevations, 2BB.C PL REV A 62-64 Floor Plan, 378.PL 3-4, 146-147 Floor Plans & Elevations (Chimney), 378.PL 13-14,27-28,29-30,33-34,95-96 Floor Plans & Elevations, 378.PL 117-118, 141-142 Floor Plans & Elevation (Render &Chimney), 382(OPP).PL 2,40,89,119,139 Floor Plans & Elevations, 382.PL 71,121,148 Floor Plans & Elevations, 383.PL 16-17,38-39,41-42,128-129,131-132 Floor Plans, 383.PL 38-39,41-42,131-132 Elevations, 383.PL 16-17 Elevations (chimney), 383.PL 128-129 Elevations (Render &chimney), 472(OPP).PL 6,21,26,88,91,122 Floor Plans, 472(OPP).PL 6,21 Elevations (render & chimney), 472(OPP).PL 26,88,91,122 Elevations (chimney), 472.PL 31,37,66,70,86,93,130,138,144 Floor Plans, 472.PL 31,66,70,86,130 (render) Elevations, 472.PL 37,93,138,144 Elevations (chimney), 475(OPP).PL 92 Floor Plans & Elevations, 475.Wotton PL 90 Floor plans & Elevations (Chimney&render), 477(OPP).PL 22,23,35,68,140 Floor plans & elevations, 477.PL 32,120,143,149 Floor plans & Elevations, 477.PL 44 Floor Plans & Elevations (render), 479(OPP).PL 1,67,69 Floor plans, 479(OPP).PL 67,69 Elevations, 479(OPP).PL1 (Chimney) Elevations, 479.PL 15,36,43,85,145 Floor plans, 479.PL 36,43 (Chimney) Elevations, 479.PL 15,85,145 Elevations, 481(OPP).PL 18,19,20,24,25,84,123 Floor Plans, 481(OPP).PL 18,19,20,123 Elevations, 481(OPP).PL 24,25,84 (Chimney) Elevations, 481.PL 137 Elevations, 481.PL 137 Floor Plan, 483(OPP).PL 65 Elevations, 483(OPP).PL 65, 87 Floor plans
483(OPP).PL 87 Elevations, 483.PL 5, 94 (CHIMNEY) Elevations, 483.PL 5, 94 (CHIMNEY) Floor Plans, and GOWER plots 124-125, 126-127, 133-134, 135-136 Floor Plans & Elevations.

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

26. No building shall be occupied until the junction of the proposed vehicular access points 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. (Section 4, NPPF)

27. Visibility splays shall be provided at all 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 33m 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. (Section 4, NPPF)

28. No dwelling shall be occupied until (a) revised refuse collection points, (b) increase of initial 8m of private drives to 4.8m and (c) traffic calming on the section of road serving plots 112 to 137 has been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety and pedestrian movement. (Section 4, NPPF)

29. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users. (Section 4, NPPF)

INFORMATIVE NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

- 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
- 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 This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.
4. 1/The applicant is advised that in order to comply with Condition 1 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail highwaysagreements@centralbedfordshire.gov.uk

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.

2/ The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways HelpDesk tel: 0300 300 8049

3/ The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .

4/ The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

5/ The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.