

## **Item No. 12**

<b>APPLICATION NUMBER</b>	<b>CB/18/01651/RM</b>
<b>LOCATION</b>	<b>Harlington Station Yard, Station Road, Harlington</b>
<b>PROPOSAL</b>	<b>Reserved Matters following Outline Approval CB/14/02348/OUT Redevelopment up to 45 residential units with associated amenity space, landscaping and parking provision. Demolition of existing bungalow.</b>
<b>PARISH</b>	<b>Harlington</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Caroline Macrdechian</b>
<b>DATE REGISTERED</b>	<b>10 May 2018</b>
<b>EXPIRY DATE</b>	<b>09 August 2018</b>
<b>APPLICANT</b>	<b>W E Black Ltd</b>
<b>AGENT</b>	<b>W J Macleod Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Parish Council objection that cannot be overcome through conditions.</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Recommended for Approval</b>

### **Summary of Recommendation:**

The detailed matters relating to layout, scale, appearance and landscaping are considered acceptable and would serve to provide an attractive redevelopment of the land. It is considered that the proposal would positively contribute to the rejuvenation of this vacant and underused brownfield site. The impact on adjoining neighbours would be acceptable, and a suitable design and landscaping provision has been achieved that would provide a high quality environment for future occupiers. Having regard to the sustainable location of the site, the level of parking is deemed appropriate. The proposal is thereby considered to accord with the objectives of national and local planning policy and represents a sustainable form of development. It is therefore recommended for approval.

### **Site Location:**

The application site is an elongated parcel of land measuring approximately 0.77 hectares that lies adjacent to the Midland Mainline Railway to the west of the site, beyond which is Harlington Train Station. Access to the site is from Station Road, which lies adjacent to the northern boundary of the site. Residential dwellings in Park Leys, Christian Close, Prudence Close and Pilgrims Close adjoin the eastern boundary of the site but are separated by a public footpath that runs from Station Road to Prudence Close. A mature band of trees is provided along the eastern boundary of the site. There is a drop in levels into the site from Station Road and there are level differences between neighbouring properties to the east of the site, most

notably properties in Prudence Close and Pilgrims Close. Station Road to the north of the site is within Harlington Conservation Area.

### **The Application:**

Outline consent for up to 45 residential dwellings on the site was granted in November 2017. The outline consent sought approval for the access only with all other matters reserved for future approval.

The reserved matters application seeks the provision of 45 residential units (24 no. one bedroom flats and 21 No. 2 bedroom flats) to be provided in six three storey buildings. Approval of layout, scale, appearance and landscaping is sought. The proposal includes parking for 70 vehicles, cycle and bin stores, and private amenity areas.

Details are provided in this application in relation to condition 4 (tree survey), 7 (highway standards), 10 (safeguarded links), and 13 (noise assessment). It is appropriate then to consider those submissions within the determination of this RM application.

### **RELEVANT POLICIES:**

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

- 2: Achieving sustainable development
- 4: Decision-making
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport
- 11: Making effective use of land
- 12: Achieving well-designed places

The National Planning Practice Guidance should be used in support of the NPPF.

#### **Core Strategy and Development Management Policies - North 2009**

- CS1 Development Strategy
- CS5 Providing Homes
- DM2 Sustainable Construction of New Buildings
- DM3 High Quality Development
- DM4 Development Within & Beyond Settlement Envelopes
- DM9 Providing a Range of Transport
- DM10 Housing Mix

#### **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:

- LP SP2: NPPF - Sustainable Development
- LP H1: Housing Mix
- LP H2: Housing Standards
- LP H4: Affordable Housing
- LP HQ1: High Quality Development
- LP T2: Highway Safety and Design
- LP EE4: Trees, woodlands and hedgerows
- LP SP7: Development within Settlement Envelopes
- LP T3: Parking

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

- Central Bedfordshire Design Guide (March 2014)
- Supplement 1 - Placemaking in Central Bedfordshire
- Supplement 5 - Residential Development

### **Relevant Planning History:**

Application Number	14/02348/OUT
Description	Outline: Redevelopment up to 45 residential units with associated amenity space, landscaping and parking provision. Demolition of existing bungalow.
Decision	Granted
Decision Date	22/11/2017
Application Number	MB/05/00262/FULL
Description	Construction of 60 space car park
Decision	Granted
Decision Date	13/02/2008
Application Number	MB/03/00982/FULL
Description	Construction of car park (175 spaces) following demolition of existing workshop and office.
Decision	Granted
Decision Date	13/02/2008

## Consultees:

Harlington Parish  
Council

The proposal was that HPC should object on the grounds of:

It is not in keeping with the conservation area. Insufficient parking, below the required level of social housing.

Dangerous entry and exit to the location. Network rail has a concern regarding parking and the ability to access the area with maintenance vehicles.

Local Councillors  
Conservation Officer  
Archaeology

No representations received

No representation received.

No objection to this application on archaeological grounds as this matter is to be addressed through condition 3 of the outline permission.

Network Rail

A detailed response has been provided.

Site access - Note and appreciate the inclusion of condition 10 in relation to railway access in the outline permission. Swept path analysis supports requirements for continued access by large vehicles to the railway access point at the eastern end of the site. Concern is raised regarding the narrow width of the road and potential for this to be restricted by parked vehicles.

Require the removal of trees on the corner between blocks A and B to ensure vehicle access is not prohibited once the trees are fully grown.

Drainage - Note that the outline permission includes conditions in relation to drainage. The response includes the drainage requirements for Network Rail (can be added as an informative).

Landscaping - a detail list of the types of trees that are acceptable/unacceptable adjacent to a railway are provided. The proposed planting plan appears to meet the requirements.

Lighting - It is appreciated that condition 8 of the outline permission relates to this issue.

Conditions should be added in relation to the method statements/Asset Protection Project Manager (OPE). All other matters can be addressed through informatives.

Highways

Initial response - The proposal is for the construction of 45 flats taking access from Station Road.

The access is shown to be a bellmouth and measuring 5.5m wide. There is a footway running along one side (but behind the hedge) and terminates at the first bend of the new access road.

The proposal is for 21 two bedroom flats and 24 one

bedroom flats along with 70 parking spaces. There should be a 2.0m footway for the entire length of the access road which will also ensure that the required inter visibility from the parking courts can be provided and maintained.

To comply with the authority's parking standard 77 spaces would be required while only 70 are shown.

Further, some of these bays are substandard as they would be difficult to manoeuvre into and out of.

The parking spaces that would need to be reconsidered as follows:-

Bays 34 and 70 will need to be extended 1.0m in each direction;

Bays 46-47 and 57-58 will need to be extended by 1.0m in each direction; and

Bays 59 and 64; Bays 48 and 52; Bays 35 and 41; Bay 28 - will need a 1.0m apron

between the 2 bays extending beyond the parking aisle.

As submitted the proposal cannot be supported.

Please advise the applicant of my comments and suggest they withdraw the proposal. However, if they wish to proceed please advise and I will provide you with reasons for refusal which will encompass all the issues above.

Comments on revised proposal - Content with the arrangement and confirm that the proposal could be approved with standard highway conditions.

Trees Officer

I have examined the plans and documents relating to this application, in particular the Arboricultural Survey supporting document undertaken by Merewood Arboricultural Consultancy, dated 16th April 2018. In respect of this document, Section 5.0 'Implications Assessment' has identified encroachment of parking areas into the Root Protection Areas of a number of adjacent trees, and proposes three options to address this conflict.

By far the more favourable option would be to implement Option 3, as set out in Section 5.15 of the document, which requires the use of a 'no-dig' car parking area option. This would need to be secured by way of a condition requiring an appropriate Arboricultural Method Statement, in addition to securing tree protection measures as set out in the Tree Protection Plan, and the pruning identified in the 'Implications Assessment' that is required to accommodate the buildings, especially Block D. There is no objection to the loss of just the one tree T16 (Alder). Conditions to be imposed.

Waste Services

This must be paid prior to discharging the relevant condition. A purchase order must be raised for the quantity of bins required and sent to Waste Services

quoting the relevant planning reference number.

Wherever possible, refuse collection vehicles will only use adopted highways. If an access road is to be used, it must be to adoptable standards suitable for the refuse vehicle to manoeuvre safely around site (please see vehicle dimensions below). The current vehicle tracking has been done using the incorrect vehicle so will need to be revised and resubmitted to Highways to confirm it is suitable.

As this is a development of flats, the following information applies. Communal waste provision is allocated on the basis of 90l per week per waste stream per property; therefore, we would provide 1100 litre, 660 litre or 360 litre bins to be collected fortnightly. Our waste collection crew will move communal bins a maximum of 10m from the bin store to the waste collection vehicle, providing there are suitable dropped kerbs. We will require confirmation of this prior to ordering any bins for the development.

Bin stores should be easily accessible from the main highway and it is crucial that the store is secure with a lock to prevent potential fly tipping issues. A lock code will need to be provided to the Central Bedfordshire Waste Services Team. The door used by the collection crews will need to be wide enough to allow for easy removal of bins from the storage area. A dropped kerb will need to be provided to enable easy manoeuvrability, access and egress of the bins. The crew are not expected to move the bins over any undulating, non-paved, uneven surface, or where the gradient is deemed excessive. Lighting within the bin store should be provided so that the bins can be used safely by residents when it is dark. We would require a design layout to highlight where the bin store will be located.

Landscape Officer

Concern potential impact of development on substantial treed edge to east of site; the CBC design Guide advises landscaping should be retained within the public realm and not form rear garden boundaries, this is to aid appropriate management and longevity of landscaping.

Orientating development to face this existing landscape feature would allow more space for trees / landscaping and could also assist in enhancing environment / natural surveillance of footpaths and access.

The proximity of development to trees may also be an issue - the CBC Trees & Landscape Officer can offer expert advice.

Landscape mitigation planting to the southern site boundary adjacent to the railway yard is required to integrate development and uses.

Adult Social Care	<p>Detail on design of proposed 3m high acoustic fence is required along with detail on other boundary treatments, gates.</p> <p>In order to be able to meet the needs of older people we would therefore request that any approval is subject to the following planning conditions:</p> <ul style="list-style-type: none"> <li>• The design and layout of the parking, access and all dwellings in the approved scheme shall meet the requirements of M4(2) Category 2 - Accessible and adaptable dwellings, set out in Part M of the Building Regulations 2010.</li> <li>• In addition, the design and layout of not less than three (3) of the dwellings in the approved scheme shall meet requirements of M4(3) Category 3 Wheelchair user dwellings, set out in Part M of the Building Regulations 2010.</li> </ul>
SuDS Management Team Anglian Water	<p>No comments to make but look forward to reviewing the details as they become available.</p> <p>No comments to make as the application does not relate to drainage.</p>
Leisure and Open Space Sustainable Growth	<p>No Leisure comments.</p> <p>The submitted Planning Statement states that the development will be designed to meet the policies DM1: Renewable Energy and DM2: Sustainable Construction of New Buildings requirements, however no details are provided within the submitted application documents. In addition, the development should be designed to ensure that the dwellings are not at risk of overheating to comply with policy CS13: Climate Change.</p>
Education - Spending Officer	No response received
Early Years - Spending Officer	No response received
Affordable Housing - Spending Officer	<p>Strategic Housing support this application as it provides for 5 affordable homes which reflects the affordable housing percentage of 11% from permission CB/14/02348/OUT. The 11% affordable housing being based on viability. The S106 dated 21 st November 2017 denotes the affordable housing requirements from permission CB/14/02348/OUT in terms of the tenure of the affordable units. The S106 requires for 63% affordable rent and 37% shared ownership. No details in relation to tenure have been submitted with the application. We expect the 5 affordable units to fully comply with the S106 requirements with the provision of 3 affordable rented units (63%) and 2 shared ownership units (37%). It would be helpful to have the tenure confirmed by the applicant.</p>

We would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. We would also expect the units to meet all nationally described space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council.

Community Halls -  
Spending Officer

No response received

Libraries - Spending  
Officer

No response received

Sustainability - Spending  
Officer

No response received

Transport - Spending  
Officer

No response received

Public Transport -  
Spending Officer

No response received

Rights of Way Officer

Public Footpath 24 runs N--S immediately outside the eastern edge of the development site. The eastern boundary of the footpath consists mainly of the boundary fences and hedges of the properties in the various closes off Park Leys. The western boundary of the footpath strip is currently separated from the development site by a blue painted metal security fence.

The alignment of the path should not be diverted. The connectivity to highways at both ends should be retained, i.e. to Park Leys and the detached footway leading to Station Rd. at the N end, and to Pilgrims Way & the underpass below the railway onto Public Footpath no. 3 at the south end. If at all possible the development should NOT necessitate the temporary closure of the public footpath, but if this is required any TTRO should be applied for in a timely manner and at least 7 weeks before the closure is required to start; details are on our website under Countryside / Rights of way.

The blue metal security fencing should be removed and the site left open-plan, or partially open-plan to the public footpath, with at least some of the properties overlooking the path rather than backing onto it. This will reduce the likelihood of anti social behaviour.

In lieu of a section 106 contribution towards local public rights of way the developer could carry out improvement works to the existing public footpath; particularly south of the end of the tarmac detached foot way. For example widening to 2.0 metres with a surfaced strip of 1.5 metres, in a porous compacted and blinded material (e.g. gravel or

road planings), that is wheel-chair and child-buggy friendly; and cutting back of the hedge / other vegetation having regard to the presence of mature trees which should be left in situ if healthy. Informal planting done as part of the development should take account of the line and width of the public footpath and should be placed so as not to overhang or obstruct it as it matures. The land strip where the public footpath lies along its frontage with the site, is owned by this Council.

We do not consider that this path warrants upgrading to cycle track as there are existing minor roads that serve this purpose, and we would not like to encourage cyclists onto FP3 etc. west of the rail line where cycling on public footpaths across farmland would constitute civil trespass against the agricultural landowner.

Ongoing after the development, the 'Boundary Features' that separate the site and its green space from the public footpath, such as trees, hedges, fences, ditches, banks, bollards, anti-vehicle barriers, etc. abutting the right of way, will be the developers' to maintain, or their successor owners or the management company put in place to manage the infrastructure of the site.

Police Architectural  
Liaison Officer  
Pollution Team

No objections subject to a condition seeking lighting to communal unadopted areas.  
Initial Response - no new/additional information in relation to noise/mitigation in line with the previously submitted revised noise assessment has been submitted. I therefore copy previous comments made on this application below. If more recent noise information has been submitted then please let me know.

Fire Safety

Final comments - Satisfied with the details subject to a condition seeking mechanical ventilation.  
Response highlights that should normally be dealt with a Building Regulations consultation stage. Points raised relate to vehicle access for a pump appliance, turning facilities and provision of fire hydrants at the developers cost.

### **Other Representations:**

Neighbours

Local residents were consulted by letter and site notices were posted in the vicinity of the site. Representations have been received from 3 local residents and the following concerns are raised:

- Balconies would directly overlook garden and house due to 3 storey height;

- Loss of sunlight;
- Traffic flow should be given further consideration due to access constraints;
- 3 storey buildings are out of keeping with the village;
- Encroachment into the copse at the south end of the site;
- No amenity land included;
- Noise assessment is out of date;
- Insufficient number of affordable homes;
- Inadequate public consultation - all properties in Park Leys development should have received letters;
- Overlooking as tree coverage is not all year round;
- noise from residents;
- Building work noise;
- Loss of wildlife;
- Matter should be discussed at village committee;
- An agreement should be in place setting out liability should certain points not be adhered to eg. stating there would be no overlooking.

## **Considerations**

### **1. Main Planning Considerations**

- 1.1 The principle of developing the site for residential purposes and the main access into the site was established by virtue of the outline consent. The material planning considerations therefore relate to layout, scale, appearance and landscaping.

### **2. Layout**

- 2.1 At outline stage an indicative layout was provided and this has informed the final layout approach that has been put forward. The site is constrained due to its elongated shape, close proximity to the railway line, topography and provision of mature trees along the eastern boundary, which have all informed the final layout approach.

- 2.2 The reserved matters layout generally reflects the indicative plan, with the exception that the coach houses have been removed from the scheme. This is beneficial as the built form is positioned further away from Station Road, which is a Conservation Area. Block A would be sited approximately 60m from Station Road and the area between Station Road and block A would be open amenity space. The remaining blocks (B to F) are sited along the eastern boundary of the site in a linear arrangement, and are separated by parking courts. Parking areas in the northern section of the site around block A and B are broken up with the provision of trees, which adds a degree of visual interest.

- 2.3 The Parish Council have objected on the basis that the proposal would not be inkeeping with the conservation area but no further detail is provided to confirm the justification for this. At outline stage, the Conservation Officer confirmed that the site is not situated in the conservation area and is not immediately visible but is located next to an important group of cottages and any development needs to

reflect the urban grain of the village. The revised layout submitted at outline stage was deemed acceptable in terms of the conservation area. As the proposed layout has been influenced by the indicative layout it is not considered that any adverse impact to the conservation area would result.

- 2.4 The access road from Station Road runs adjacent to the eastern boundary of the site but turns between block A and B. The road then continues along the western boundary of the site, where it terminates at the access point for the Network Rail yard. The site incorporates a mixture of pedestrian footways and shared surfaces with the main entrances to the blocks fronting the access road.

- 2.5 In respect to the impact on neighbouring residents, the main consideration relates to the impact on those neighbours to the east of the site. The distance from the rear of the proposed blocks to the flank wall of existing neighbours properties ranges from approximately 10m at the northern end of the site and increases to 30m at the southern end of the site. The Design Guide does not stipulate the separation distance required between the rear of a building and the flank of a neighbouring building. Whilst the neighbouring properties sit at a lower level, due to the tree coverage it is not considered that any resultant overlooking would be adverse. Neighbouring residents have raised concerns on this basis and whilst noted it is not considered to justify a reason for refusal. A further concern raised by residents is that there would be noise disturbance from future residents, however given the residential character of the area it is not considered that any additional noise would be detrimental to neighbouring amenity.

- 2.6 Internally the apartments adopt suitable layouts with all habitable rooms benefitting from appropriate window openings to provide adequate daylight penetration and outlook. The units are generally arranged with open plan kitchen/living areas with either one or two bedrooms and a bathroom. The units achieve the minimum internal space standards set out in the MHCLG *Technical housing standards-nationally described space standard* document.

- 2.7 Affordable housing units would be provided within block D, and the quantum proposed accords with the requirements of the S106 agreement. The applicant is also committed to provided the required split of shared ownership and affordable rent. Each unit would have 2 bedrooms and accords with the national internal space standards previously referred to. It is noted that the Affordable Housing Officer sought dispersal of the units across the site. However, given that only 5 units are required for affordable housing provision, and having regard to the need for an affordable housing provider to manage their stock, this is not always a feasible option. As block D is consistent in design terms to the other blocks it is considered that this would assist in ensuring tenure blindness.

- 2.8 External amenity space is provided in the form of balconies on the upper floors that range in size from 5 to 6sq.m, which accords with the requirements of Supplement 5 of the Design Guide. Each ground floor flat is provided with a private patio area that also accords with the minimum size requirements for private amenity space. It is deemed appropriate for a condition to be imposed seeking details of the means of enclosing the private amenity areas.

Appropriately sized bin and cycle stores, that are readily accessible, have been provided in the blocks, with the exception of block B and F, which would utilise the bin and cycle stores in block C and E, respectively. Block A would have external bin and cycle stores and details of the material would need to be clarified via a condition.

2.9

The original concerns raised by the Highway Officer have been addressed and no objection to the development is raised. The vehicular and pedestrian provision is appropriate. The Highways Officer recommends inclusion of planning conditions seeking details of construction vehicles during the construction phase - a plan is submitted with the application which shows this

2.10

detail (plan no. 18/3465/22) so this condition would be unnecessary. A condition is also sought regarding details of the junction improvements but this was considered at outline stage and such a condition is therefore unnecessary. Further to this, a condition is sought for details of the surfacing to parking areas and surface water drainage, in terms of the former a plan is submitted with the application that shows this detail (dwg no. 18-3465-20 and 18-3465-21) and in terms of the surface water there is already a condition imposed at outline stage.

### **3. Scale**

3.1 An indicative cross section was provided at outline stage and showed that the buildings would be 2.5 storeys in height, which equalled approximately 10m. No planning conditions were attached with the outline planning permission that restricted the height of the development. The plans submitted show that each block would be 3 storeys, which measure 10.5m. It is acknowledged that the established character is 2 storeys and whilst this is more significant in its proportions, the 0.5 storey increase in height is not considered detrimental to the character. Increasing the height of the buildings has enabled a reduction in the extent of built form, and has provided an opportunity to open up the site at the entrance. Given the setback from the conservation area it is not considered that any adverse impact would result. Section 11 of the NPPF advocates the effective use of land in meeting the need for homes and it is considered that the proposal adheres to the aims and objectives of the NPPF.

3.2 In terms of the footprint of the buildings, they are generally consistent with the footprint of the blocks shown on the indicative layout plan, at which stage it was deemed acceptable. No issues are therefore raised regarding the scale of the footprint.

3.3 Plans showing the levels of the proposed dwellings and sections with adjoining development are submitted, which show an appropriate height and relationship of development. This is partly due to the extent of tree coverage along the eastern boundary.

### **4. Appearance**

4.1 A traditional design approach has been adopted for the blocks with a tiled hip roof form. Block A and B serve as focal points in the development, having a different form and appearance, whereas block C, D, E and F are consistent in form. Nonetheless each building would be finished in facing bricks, blocks A, C, E and F would be finished in a buff brick and blocks B and D would be finished in a red

brick. Elements of render would also be utilised, along with heads, cills and banding to be in reconstituted stone. The provision of stacked balconies, which would be steel and glass, add interest to the appearance of each block. Generally the entrance points are provided in a central position of the front elevation of each block thereby providing a focal point. It is considered that the overall form, design, appearance and materials of construction would be high quality. However, there is a lack of detailed information regarding the specific materials of construction and a planning condition is recommended requiring further detail of this element.

## **5. Landscaping**

5.1 A comprehensive landscaping scheme has been submitted with the application and includes detailed proposals for the site, offering areas of shared amenity space and areas of buffer landscaping.

5.2 The Landscape Officer has indicated that the tree band to the east should be retained in the public realm and not form rear garden boundaries to aid management and longevity of the landscape. By orientating the development towards the existing landscape feature it would allow for more enhanced planting and natural surveillance of footpaths and access. These concerns are noted but the layout has been developed based on the indicative layout plan provided at outline stage. Additionally, the significant concerns regarding noise and disturbance from the railway line and train station, have influenced the design. Owing to the constraints of the site this is considered the most suitable resolution.

The Tree Officer is satisfied with the details subject to conditions seeking an Arboricultural Method Statement and tree protection measures. No objection has been raised regarding the loss of an Alder tree on the site.

5.3

Plans have also been submitted showing hard landscaping finishes across the site, which is primarily tarmac for the access road with permeable block paving to the parking bays. However, the Highways Officer has requested a condition seeking details of the surfacing to ensure it meets adoptable standards. It is therefore deemed appropriate to include this condition.

5.4

A 3m high acoustic fence is proposed along the western boundary of the site.

5.5 Details of the design are required, as requested by the Landscape Officer, along with detail on all other boundary treatments and gates.

## **6. Other Considerations**

### **6.1 Noise**

In accordance with condition 13 of the outline consent, details have been submitted to address the matter of noise from the railway line and tannoy systems at the station. The Pollution Officer raised concerns regarding the level of information provided but this was addressed and it is agreed that the habitable room windows facing the railway will be fixed shut. These rooms should have mechanical ventilation for air purge purposes. This matter would need to be addressed through a condition.

## **6.2 Parish Council Objection**

The Parish Council have objected to the proposal based on a number of issues. It is considered that these matters have been overcome as set out below:

- It is not in keeping with the conservation area – the site falls outside the conservation area and follows the layout that was established at outline stage. The footprint of the buildings is generally consistent with the plans submitted at outline stage. There has been an increase in the proportions of the buildings but this is offset by the reduction in built form and movement of development away from the conservation area. Conditions would be imposed seeking details of all materials and boundary treatments.
- Insufficient parking – The proposal provides 70 parking spaces, which is 7 spaces below standard. The site is in a highly sustainable location with access to bus and rail services. The Highways Officer is satisfied with the proposal. It is recommended to include a condition seeking a Residential Travel Plan to overcome this matter
- Below the required level of social housing – this matter was negotiated at outline stage.
- Dangerous entry and exit to the location – access was dealt with at outline stage.
- Network rail has a concern regarding parking and the ability to access the area with maintenance vehicles – this can be addressed through a condition regarding a parking management strategy.

## **6.3 Conditions**

The Adult Social Care Team have requested that conditions are imposed ensuring that the development meets Part M of the Building Regulations. The supporting Design and Access Statement provides further detail and therefore this condition is deemed unnecessary.

In accordance with the comments from Waste Services, a condition should be imposed to secure the necessary bin charges. This condition was imposed at outline stage (condition 12) and is therefore unnecessary.

The Police Architectural Liaison Officer has requested a lighting conditions but this was imposed at outline stage (condition 8) and is therefore unnecessary.

## **6.4 Human Rights and Equality Act issues:**

Based on information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

In accordance with the considerations set out in this report, this application satisfies the following planning conditions:- 4 (tree survey), 10 (safeguarded links), and 13 (noise assessment). In terms of condition 7 (highway standards), it is considered that further detail is required for a scheme to widen the adjacent public footpath and no residential travel plan has been submitted so these matters will be dealt with through conditions.

## **Recommendation:**

That Planning Permission should be **granted** subject to the following:

### **RECOMMENDED CONDITIONS**

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 18-3465-10A, 18-3465-11, 18-3465-12A, 18-3465-13, 18-3465-14A, 18-3465-15A, 18-3465-16A, 18-3465-17A, 18-3465-18A, 18-3465-19, 18-3465-20, 18-3465-21, 18-3465-22, 18-3465-23, and OS Site Location Plan.

Reason: To identify the approved plan/s and to avoid doubt.

- 2 No above ground building work shall take place until details of the materials to be used for the external walls, roofs, balconies, bin and cycle enclosure for Block A of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

(Section 12, NPPF)

- 3 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected, including the means of enclosing the private patio areas. The boundary treatment shall be completed in accordance with the approved scheme before the building(s) are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

(Section 12, NPPF)

- 4 Full details of the design and materials of the 3 metre high acoustic fence to be provided along the western boundary of the site shall be submitted for approval in writing by the Local Planning Authority before the buildings are occupied. The acoustic fence hereby approved shall be erected prior to occupation and shall be retained thereafter.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

(Section 12, NPPF)

- 5 The bin storage/collection areas hereby permitted shall be implemented in accordance with the approved details and shall be available for use prior to occupation. The bin storage/collection areas shall be retained thereafter.

Reason: In the interest of amenity.  
(Section 12, NPPF)

- 6 The cycle parking stores shall be fully implemented before the development is occupied and thereafter retained for this purpose.

Reason: To ensure the provision of 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 94, NPPF)

- 7 The approved landscaping scheme, as set out on dwg. no. 18-3465-20 and 18-3465-21 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.  
(Sections 12 & 15, NPPF)

- 8 Prior to development, an Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval, setting out details of the 'No Dig' car parking area construction, as being proposed as Option 3, (Section 5.15) of the Arboricultural Survey document, dated 16th April 2018, as prepared by Merewood Arboricultural Consultancy. Also to be included in the Arboricultural Method Statement is the access facilitation pruning required, as identified in Section 5.17 of the Arboricultural Survey. The approved Arboricultural Method Statement shall then be implemented in strict accordance with the required works specification and operational timings for this work.

Reason: To ensure the satisfactory protection of root systems and rooting medium, where there are construction requirements within the designated Root Protection Areas of retained trees, in order to maintain the health and stability of the trees in question, and to ensure a high standard of pruning work to facilitate development.

- 9 Prior to the commencement of development, all tree protective fencing and ground protection shall be installed in strict accordance with the Tree Protection Plan, dated April 2018 including Sections 5.19 and 5.20 Arboricultural Survey by Merewood Arboricultural Consultancy, dated 16th April 2018. The protective fencing and ground protection shall then remain securely in position throughout the entire course of development.

Reason: To ensure that a satisfactory standard of tree protection is maintained throughout the entire course of development, in order to maintain the health and stability of the trees in question.

- 10 Prior to occupation, full details of the means to upgrade Harlington Footpath No. 24, which should include construction details and where necessary boundary treatment details, shall be submitted to and approved by the Local Planning Authority. The scheme hereby approved shall be available for use prior to occupation of the development and retained thereafter.

Reason: In the interests of sustainability and to enhance access for residents (Section 9, NPPF).

- 11 Notwithstanding the details contained in Sharps Redmore Acoustic Technical Note dated 11th December 2018, all habitable rooms facing the railway line shall be fixed shut for so long as the development remains in existence. Prior to above ground works, full details of the required mechanical ventilation in these aforementioned habitable rooms shall be submitted to the Local Planning Authority and approved in writing. The mechanical ventilation scheme hereby permitted shall be installed prior to occupation and retained thereafter.

Reason: To ensure a suitable standard of living for future occupiers (Section 12, NPPF).

- 12 Prior to occupation, full details of a parking management strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy hereby requested shall include details for maintaining an unobstructed access to the Railway Yard at the southern boundary of the site, as indicated on dwg. no. 18-3465-10A. The strategy shall be implemented in accordance with the approved details.

Reason: In the interest of retaining access to the adjacent yard (Section 9, NPPF).

- 13 Prior to occupation, a Residential Travel Plan setting out measures to reduce car travel and encourage sustainable travel modes shall be submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan hereby approved shall be implemented at first occupation and retained thereafter.

Reason: In the interests of sustainability (Section 9, NPPF).

## **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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central

Bedfordshire (Design Supplement 10 – Movement, Street and Places” and the Department of the Environment/Department of Transport’s “Manual for Street”, or any amendment thereto.

- 3. The details submitted with this application have satisfied the requirements of planning conditions 4, 10 and 13 of LPA reference CB/14/02348/OUT
  
- 4. The applicant's attention is drawn to the comments provided by Network Rail in their email dated 01 June 2018, which reiterate the informatives set out in the outline decision (LPA ref. 14/02348/OUT dated 22nd November 2017).

**DECISION**

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