

Item No. 10

APPLICATION NUMBER	CB/18/02275/FULL
LOCATION	Land At Former Church Of St Vincent, Tithe Farm Road, Houghton Regis
PROPOSAL	Erection of 12 dwellings with associated access, parking, landscaping and amenity space
PARISH	Houghton Regis
WARD	Tithe Farm
WARD COUNCILLORS	Cllr Swain
CASE OFFICER	Sarah Tucker
DATE REGISTERED	03 July 2018
EXPIRY DATE	02 October 2018
APPLICANT	Lime Properties Limited
AGENT	McLoughlin Planning
REASON FOR COMMITTEE TO DETERMINE	Cllr Tony Swain called in the application on the following grounds: 3 storey dwellings out of keeping with the area, does not meet design guides for parking, overlook play area reducing safety and security of children
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reasons for Recommendation

The site lies within the Green Belt on a previously developed land (brownfield land). However, it still remains inappropriate development in the Green Belt. Very special circumstances have been put forward, namely: the site is brownfield land, the subsequent allocation of the Houghton Regis Strategic Allocation directly to the north of the site and the substantial reduction in built form of the proposal compared to the approved 58 bed nursing home scheme. The very special circumstances are considered to outweigh the potential harm to the openness of the Green Belt.

The proposal will not look out of place in the streetscene, and will not harm the residential amenity of the area. Subject to conditions the proposal will protect the existing TPO trees and will not harm the highway safety of the area. Affordable housing is proposed on site as 4 units, which has been agreed with the applicant and will be secured by way of a S106 agreement.

Site Location

The 0.3 hectare site is rectangular in shape and was formally occupied by St Vincent's Church and church hall, which have both been demolished.

The site is located to the north west of Tithe Farm Road which is a main estate road running through the housing estate. There is a bus stop outside the site. Surrounding land uses consist of a children's play area and recreation ground, including a multi-use games area (MUGA) to the north and east, with residential development to the south and west.

The site lies in the South Bedfordshire Green Belt adjacent to the urban area of Houghton Regis. It was also designated a new area of open space as set out in Policy R3 of the South Bedfordshire Local Plan Review which specifically seeks the provision of additional playing pitches, toilets and changing facilities at the Tithe Farm Road Recreation Grounds.

There are two TPO ash trees on the western boundary of the site.

The Application:

The application seeks full planning permission for the erection of 12 x 3bed dwellings with associated access, parking, landscaping and amenity space. 8 x 3bed dwellings are proposed as market housing, with 2 x 3bed social rented, 2 x 3bed intermediate housing. Access is proposed to a cul-de-sac from Tithe Barn Road, and will serve plots 1-7 inclusive, as well as off-set parking for plots 8 and 11. Plots 8-12 inclusive are accessed directly from Tithe Barn Road. The proposed housing is 3 storeys high, including accommodation in the roof, utilising front dormers.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (July 2018)

Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 12: Achieving well-designed places
Section 13: Protecting Green Belt land
Section 15: Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review Policies

Policy SD1: Sustainability Keynote Policy
Policy BE8: Design Considerations
Policy H4: Providing Affordable Housing
Policy T10: Controlling Parking in New Developments
Policy R3: Proposed Areas of New Urban Open Space in Houghton Regis

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 SP4: Development in the Green Belt
Policy H2: Housing Standards
Policy H4: Affordable Housing
Policy T1: Mitigation of Transport Impacts on the Network
Policy T2: Highway Safety and Design
Policy EE1: Green Infrastructure

Policy EE4: Trees, woodlands and hedgerows
Policy EE13: Outdoor sport, leisure and open space
Policy HQ1: High Quality Art

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/11/00664/FULL
Description	Erection of 2 storey building to provide a 41 Bed nursing home (C2 Use) and associated parking
Decision	Approved with conditions
Decision Date	27/09/2011

Application Number	CB/13/03357/FULL
Description	Erection of 58 Bed nursing home (C2 Use) with associated parking and manoeuvring
Decision	Approved with conditions
Decision Date	8/01/2014

Consultees:

Houghton Regis Town Council	No response.
Highways Officer	Objection: Bus stop in conflict with parking spaces, private drive not to adoptable standard.
Affordable Housing Officer	Support: provides 4 affordable homes, reflects current affordable housing policy of 30%. Mix and clustering acceptable.
Leisure Services	No objection.
Trees and Landscape	No objection. Loss of x5 low/poor quality trees acceptable. Mature Ash specimens covered by TPO are suitably protected. If approval, condition re: treeworks protection.
Landscape Officer	Proposed layout not acceptable. Development must be arranged to ensure a positive interface with all public realm including street scene and park land. Boundary treatments must be planted utilising native hedgerow species mix, not timber close board fencing.
Public Protection	Objection: noise of the play areas including a MUGA is likely to cause noise and disturbance at noise sensitive times when background noise levels quieter. If approval need condition relating to contaminated land.
SUD's Officer	No surface water drainage strategy submitted therefore unacceptable in principle.

Ecology Officer	No ecological information submitted although TPO trees are retained. If approval condition relating to biodiversity gains.
Sustainable Growth Officer Waste Officer	No objection. Refuse collections only use adopted highways therefore access road needs to adoptable standard; bin stores required is any parts of development not accessible to the RCV. Bin stores should be easily accessible from main highway.
Anglian Water	Foul drainage: Anglian Water are obliged to accept foul flows and ensure that the necessary steps are taken to ensure sufficient treatment. Suggest condition re: surface water drainage.
Bedfordshire Fire and Rescue	Draw the developers attention to aspects of Building Regulations regarding Fire Safety.
Bedford Group of Drainage Boards	No comments.

Other Representations:

Neighbours	<p>2 objections have been received to the scheme, raising the following issues:</p> <ul style="list-style-type: none"> • development very cramped • Internal space not in accordance with the Residential Design Guide • Windows will not allow for sufficient light • No details of fencing and boundary treatments • How will security of plots be protected? • No detail on bin storage • No cycle parking • No visitors parking • Residential parking for units facing Tithe Barn Road would dominate the streetscene • Character and style of houses is inappropriate for the streetscene • Obstruct views across open land • Car parking would encroach on bus parking zone • Not brownfield land • Site should be retained by community • 3 storey houses are too high and do not fit with the surrounding properties
------------	---

Determining Issues:

The main considerations of the application are;

1. Principle of Development in the Green Belt
2. Affect on the Character and Appearance of the Area
3. The Natural Environment
4. Neighbouring Amenity
5. Highway Considerations
6. Affordable Housing

- 7 Drainage
8. Other Considerations

Considerations

1. Principle of Development in the Green Belt

- 1.1 Section 13, paragraph 145 of the NPPF states that the construction of new buildings as inappropriate development in the Green Belt, with some exceptions, including: *'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use...which would: not have a greater impact on the openness of the Green Belt than the existing development; or, not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land..'* The site is previously developed. In view of the presence of existing residential development to the south and west, and the neighbouring outline planning permission for an urban extension (CB/12/03613/OUT), it is not considered that the proposed development of 12 dwellings would have a greater impact on the purposes of Green Belt than the former church and church hall (now demolished).

Therefore, if it can be demonstrated that the proposed dwellings would not have a greater impact on the openness of the Green Belt than the former buildings, it is likely that the proposal would not be inappropriate development in the Green Belt and therefore acceptable in principle. However, there are no plans or elevations available of the former church and church hall, and as such, this assessment cannot be made, and the proposal therefore remains inappropriate development.

Given that the site would have a greater impact on Green Belt openness than the former buildings, very special circumstances to clearly outweigh harm would need to be demonstrated. The applicants have put forward the following very special circumstances:

- The site is brownfield land
- Subsequent allocation of the Houghton Regis North Strategic Allocation outline permission close to the application site
- The proposal would result in a significant reduction of built form compared to the previously approved nursing home schemes

Given that the strategic allocation, which was approved in 2014, will result in dwellings and significant commercial development within the vicinity of the site, and the fact that the previous approval would have resulted in a 3 storey nursing home, of a mass and bulk much greater than the 12 dwellings proposed currently, as such, the very special circumstances are considered to outweigh the potential harm to the Green Belt by reason for inappropriateness and any other harm.

The proposal is therefore acceptable in principle and is in accordance with Section 13 of the NPPF.

2. Affect on the Character and Appearance of the Area

- 2.1 Section 12 of the NPPF 'Achieving well-designed places' states in para 127 that decisions should ensure that developments will function well and add to the overall quality of the area.

The proposal consists of 8 dwellings fronting the road, and 4 dwellings situated along a private road that runs north-south within the site, with the two TPO trees

retained to the west. Plots 1 to 4 and Plot 12 have gardens that back onto the recreation ground surrounding the site.

The proposed units are 3 storeys, including a storey within the roofspace, with a small dormer on both the front and rear elevations. The materials proposed are red multi and grey buff brick with red concrete roof tiles. The brick to the elevations is proposed to differ from ground to first floor level, to create a some liveliness in the streetscape.

The area to the south and east is a dense, urban area of traditional housing types of the late 20th century, in a range of materials. In this context the proposal will not look out of place. The use of the roofspace for living space is not considered contentious, as the overall mass and scale of the buildings still read visually as two storey and will not overly dominate the streetscene here.

The Landscape Officer raises concerns regarding the public interface with the private gardens and the public realm of the recreational park land. However, the previously approved nursing home for 58 beds, which was extant until very recently, had a much bigger footprint, mass and scale than the proposed dwellings of the current scheme, and as such this is a material consideration of considerable weight that must be taken into account in the determination of this application. The approved nursing home scheme was 3 storey in size and extended closer to the boundaries with the parkland than the currently proposed scheme. The proposed timber close-boarded fence is not considered appropriate adjacent to the parkland and will be amended by condition. Given this material consideration, the effect on the parkland of the proposed dwellings is considered appropriate, subject to conditions relating to suitable boundary treatments.

The Tree Officer considers that the treatment of the TPO trees is appropriate, subject to the recommendation of appropriate conditions.

The proposals are therefore considered acceptable in terms of the affect on the character and appearance of the area and compliant with Section 12 of the NPPF.

3. The Natural Environment

- 3.1 Section 15 of the NPPF states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.

The application has not included any ecological considerations although the TPO trees are retained the Ecological Officer has requested a condition to ensure biodiversity gains can be delivered as part of the development, to include new wildlife features such as bat/bird and insect boxes as well as planting. This condition is recommended.

Subject to the addition of this condition, the proposal is in accordance with Section 15 of the NPPF.

4 Neighbouring Amenity

- 4.1 The Design Guide states in paragraph 5.01.05 that one of the main principles of placemaking is the space pertaining to individual homes and the private space around it, to ensure high quality developments are delivered. Furthermore, the Design Guide sets out internal and external space standards.

The proposed dwellings are over 30m from the existing properties to the west of the site, and over 50m from the existing properties across the road. Given these distances, there is therefore no detriment to the residential amenity of the existing residents of the area.

The proposed dwellings have sufficient distance between properties to avoid overlooking, with at least 10m between the rear of plots 7-12 that front the site to the side gable and garden of plot 4. No windows are proposed in the side elevation of plot no. 4.

Concerns have been raised by local residents regarding internal layouts of the properties and whether they are in accordance with the space standards set out in the Design Guide. The gross internal area standard for dwellings is 102m sq, whereas the proposed dwellings are 99 sq m. This difference is considered to be small, and the overall size of dwellings is considered acceptable. For this size of dwelling a double bedspace should be 12m sq m. The plans show that the proposed dwellings would have 2 2p bedrooms at 11.7m sq, and 1 2p bedroom at 10m sq. Whilst two of the 2p bedrooms almost accord to the space standards (if rounded up), one is 2m sq below it. However, the internal space could be redesigned, or the bedroom redesignated for 1 person instead of 2 without the need for further planning permission, and as such, it is considered that a refusal reason on this basis alone could not be substantiated.

The cooking, eating and living areas are 32.5m sq, 0.5m sq below the space standard of 33sq m, but given this is such a small discrepancy, it is considered acceptable. This space is provided in two separate areas, as stated by the Design Guide standards.

The internal space provided is, on balance, considered acceptable. The discrepancies with the Design Guide space standards is small, apart from one of the bedrooms, which could be altered internally without the need for further planning permission.

The Pollution Officer has raised concerns regarding the location of the site to the adjacent MUGA, play and skate parks and the noise from these affecting the future residents of the site. To this end, a noise mitigation condition is recommended. However, the previously approved 58 bed nursing home did not have any noise conditions attached to it, despite the MUGA and play/skate parks being in-situ before permission was granted. Whilst accepting there is a level of noise to be expected from play areas such as these, it is difficult to envisage what noise mitigation measures could be undertaken to these proposed dwellings to eliminate the noise. The use of non-opening windows and sun pipes for air circulation is considered excessive since the play areas are not flood lit and are unlikely to be used during hours of darkness, or during school hours. The use of acoustic fencing would be visually inappropriate and would not reduce noise levels to the upper floors of the proposed dwellings. Given this, it is not considered that the noise levels from the play park adjacent are so unacceptable, and so great over and above the existing pre-existing noise levels, as to render the proposed scheme unacceptable or requiring onerous conditions.

No bin storage has been proposed as part of the scheme, however, given the scheme is for houses only, this could be required by an appropriate condition, which is recommended.

Overall, it is considered that the impact on the existing and future residential amenity is acceptable.

5 Highway Considerations

- 5.1 The proposed off-street parking space for plot no. 8 conflicts with the existing bus stop. There is room within the site to relocate this space, and as such, a condition will be recommended requiring this detail to be implemented.

A pathway runs adjacent to the west of the site, Short Path, that will be impacted by the proposed scheme by increased pedestrian movements, and improvements to the path are required to mitigate these impacts. As such, a condition requiring Short Path to be widened to a width of 3m, taking into account the no dig requirement of the TPO trees root protection zone, is recommended.

Subject to these two issues which are resolvable by recommended conditions, there are no further highway impacts of the scheme.

6 Affordable Housing

- 6.1 Section 5, paras 64 and 65 of the NPPF should expect 10% of dwellings to be available for affordable home ownership, but that local authorities should establish a housing requirement figure for their area based on housing need. Saved Policy H4 of the South Bedfordshire Local Plan requires 30% of affordable housing and this equates to 4 affordable homes, with 3 units for affordable rent and 1 unit as intermediate tenure. This has been agreed with the applicant and will form the basis of a suitably worded S106 agreement prior to grant of permission.

7 Drainage

- 7.1 No detailed surface water drainage strategy has been provided that demonstrates that the proposed method of surface water discharge and the arrangements for its maintenance and management. As such, a condition is recommended requiring this detail prior to the commencement of any development on site.

8 Other considerations

- 8.1 Concerns have been raised regarding the amount of light the windows will provide within the scheme. The proposed windows accord with designs set out in the Design Guide. The layout of the proposed scheme will not preclude light to the rear elevations of the proposed dwellings.

Concerns have been raised with regard to security of individual plots. Boundary treatments are recommended by condition, and security will be taken into account in the discharge of these conditions. There is natural surveillance of plots 1 to 4 by the rear elevations of plots 9-12, and of the rear gardens of plots 5-7 by plots 3 and 4. The relationships between these plots are not considered overbearing given the distances between them (see analysis in paragraph 4.1 above), but represent normal urban relationships between properties, where external amenity space can be viewed by the adjacent properties, providing a level of surveillance.

Concerns have been raised regarding the safety and security of the children using the play area. However, the proposal will increase natural surveillance of the MUGA and no objection was received regarding the scheme by Leisure Services.

Concerns have been raised regarding the obstruction of views across open land. However, the right to a view is not a planning consideration and cannot be taken into account in the determination of this application.

Concerns have been raised regarding the fact that the site is not brownfield land. However, the NPPF definition of brownfield land, as previously developed land is: 'Land which is or was occupied by a permanent structure including the curtilage of the development land and any associated fixed surface infrastructure'. Since the previous use of the site was as a church and church hall, the site is considered previously developed land.

Concerns have been raised that any scheme on the site should be retained by the community. Whilst the site was allocated in the South Bedfordshire Local Plan under Policy R3 for recreational use, this has never come to fruition, and there have been previous permissions on site for a large nursing home. The approved nursing home was a private one, and therefore cannot be considered as a community. Given this, it is not considered that Policy R3 has any weight in the decision making process, and the use of site as residential is considered acceptable (see section 1 above for further analysis).

9. Human Rights and Equality Act Issues

9.1 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.

Recommendation:

That Planning Permission be APPROVED subject to the following to the signing of a S106 agreement:

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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 Notwithstanding the details on submitted plan 5829/P/10 Rev A, 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. The boundary treatment shall be completed in accordance with the approved scheme before the buildings 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 The dwellings hereby approved shall not be occupied until details of the bin collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin collection areas have been implemented in accordance with the approved details. The bin collections areas shall be retained thereafter.

Reason: In the interest of amenity.

(Section 12, NPPF)

- 5 **No development shall take place until details of a scheme of environmental mitigation have been 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 enable proper consideration of the impact of the development on the contribution of nature conservation.

(Section 15, NPPF)

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

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

(Section 14, NPPF)

- 7 The parking and access road shall be constructed using a cellular confinement system in accordance with the manufacturer's specification as outlined in BS5837 2012.

Reason: To ensure the protection of trees and hedgerows to be retained, and to avoid unnecessary damage to their root systems.

(Sections 12 & 15, NPPF)

- 8 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained tree(s), has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on Tree Survey Report- Pre Development March 2018, specifically Sections 6, Appendix 2 and Appendix 3. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.

(Sections 12 & 15, NPPF)

- 9 **Notwithstanding the submitted plans, no development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 12 & 15, NPPF)**

- 10 **No development other than that required to be carried out as part of an approved scheme of remediation shall take place until conditions (a) to (d) below have been complied with, unless otherwise agreed in writing by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.**

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

A survey of the extent, scale and nature of the contamination;

An assessment of the potential risks to:

Human health

Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

Adjoining land

Ground waters and surface waters

Ecological systems

Archaeological sites and ancient monuments

An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable

for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (c).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (Section 15, NPPF)

- 11 **Development shall not begin until a scheme to relocate parking space number 8 within the confines of the site has been approved by the Local Planning Authority and no building shall be occupied until that parking space has been constructed in accordance with the approved details.**

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

- 12 No dwelling shall be occupied until Short Path has been constructed to a width of 3.0m wide with a 1.8m by 1.8m intervisibility splay along the western boundary of the application site in accordance with details of the approved drawings to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

- 13 **No development shall take place until details of the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that junction has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.
(Section 94, NPPF)**

- 14 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 1.8m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 1.8m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site and shall be maintained thereafter free of any obstructions to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access(es) and to make the access(es) safe and convenient for the traffic which is likely to use it (them).
(Section 94, NPPF)

- 15 The new access shall not be brought into use until details showing the closing of any existing accesses within the highway frontage of the land to be developed, not incorporated in the access hereby approved have been submitted to and approved in writing by the Local Planning Authority and the accesses have been closed in accordance with the approved details.

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 94, NPPF)

- 16 The premises shall not be occupied until details of the construction and surfacing of the on site vehicular access have been submitted to and approved in writing by the Local Planning Authority. These details shall include arrangements for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system. The access shall be constructed and surfaced in a stable and durable manner in accordance with the approved details for a distance of ...m into the site, measured from the highway boundary before the premises are first occupied.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure acceptable parking of vehicles outside highway limits .

(Section 94, NPPF)

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: 5829P/01, 17667-Topo, 582/P/05 A, 5829/P/10 A, 5829/P/20, 5829/P/71, 5829/P/72, 5829/P/73, 5829/P/74, 5829/P/75, 5829/P/80, 5829/P/81, 5829/P/82, SP01

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

INFORMATIVE NOTES TO APPLICANT

1. 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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
2. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. 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.
3. You are advised that the grant of permission does not supersede the need to take due care in respect of tree protection and tree surgery works and that all works on or adjoining the site should be undertaken in accordance with recognised Codes of Practice, particularly the standards set out in BS3998 (1989).
4. The Council does not accept materials are their offices. Where there is a requirement for materials to be submitted to and approved in writing by the Local Planning Authority, please contact the Case Officer to arrange for them to be viewed, usually this will be on site.
5. **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.**
6. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

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

The applicant and the Council engaged in discussion and negotiation at pre-application and application stages 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

.....

.....