

Item No. 12

APPLICATION NUMBER	CB/18/04368/VOC
LOCATION	Maple House, Nicholls Close, Barton-le-Clay, Bedford, MK45 4LL
PROPOSAL	Variation of Condition 10 of planning permission CB/16/04198/FULL dated 08/11/16 (New two storey 4 bedroom dwelling with double garage to be built in garden of 67 Bedford Road. Access to be via Nicholls Close. Exterior finishes to be similar to neighbouring house in Nicholls Close.) - Garage to be removed and parking layout to be changed.
PARISH	Barton-Le-Clay
WARD	Barton-le-Clay
WARD COUNCILLORS	Cllr Shingler
CASE OFFICER	James Peck
DATE REGISTERED	03 December 2018
EXPIRY DATE	28 January 2019
APPLICANT	Gill-Hudson Homes Ltd
AGENT	Mr Butler MRICS
REASON FOR COMMITTEE TO DETERMINE	This submission has been called into the CBC Development Management Committee by ward councillor Mr Shingler on the basis that: <ul style="list-style-type: none">• the proposed details would be contrary to other planning conditions under the planning reference CB/16/04198/FULL, as well as that:• it would establish the principle of development to the rear of Maple House, Nicholls Close and to the rear of 67 & 69 Bedford Road by providing a means of vehicular access to such development.
RECOMMENDED DECISION	Variation of Condition - Recommended for Approval

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 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.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following 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 building shall be occupied until the junction of the proposed vehicular access 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 (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 3 Before the new access is first brought into use visibility splays shall be provided on each side of the new access at its junction with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The vision splays so described shall thereafter be kept free of all obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 4 The parking scheme indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 5 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made 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.

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 satisfactory parking of vehicles outside highway limits (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPFF).

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LB-0005/ Sheet No. 1 of 2 (dated 03/12/2018) and LB-0005/ Sheet No. 2 of 2 (dated 03/01/2019).

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

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.

The application form for approval of details reserved by a condition, guidance notes

and fees can be found on our website www.centralbedfordshire.gov.uk or alternatively call Customer Services on 0300 300 8307 for hard copy forms.

- 1 In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
- 2 This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
- 3 The 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 follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8301 quoting the Planning Application number. 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. To fully discharge condition 1 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before the development is brought into use.

- 4 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 3008301.
- 5 The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority. If necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.