

<b>Item No. 8</b>
-------------------

<b>APPLICATION NUMBER</b>	<b>CB/18/04165/OUT</b>
<b>LOCATION</b>	<b>Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF</b>
<b>PROPOSAL</b>	<b>Outline Application: Redevelopment of site to provide 46 dwelling houses and 1 building with six self contained flats, retail unit and associated parking and roads. Resubmission of Application CB/17/01360/OUT dated 13/07/17</b>
<b>PARISH</b>	<b>Gravenhurst</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ms Graham</b>
<b>CASE OFFICER</b>	<b>Terence Garner</b>
<b>DATE REGISTERED</b>	<b>09 November 2018</b>
<b>EXPIRY DATE</b>	<b>08 February 2019</b>
<b>APPLICANT</b>	<b>2MC Homes</b>
<b>AGENT</b>	<b>ALPS Planning Services Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Departure to Development Plan. Parish Council Objection to major application, Councillor call in. Outline Application – Recommended for Approval Subject to Satisfactory Completion of a Section 106 Legal Agreement</b>

**Recommendation:**

That Planning Permission be APPROVED subject to the completion of a s106 agreement and the following:

**RECOMMENDED CONDITIONS**

1 Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall begin not later than two years from the date of the last reserved matters to be approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and 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.

5 Visibility splays shall be provided at all internal 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 25m 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.

6 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

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

7 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate independent vehicular turning head areas for an 11.5m long refuse collection vehicle.

**Reason:** To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

8 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

**Reason:** To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

9 No development shall take place, including any works of demolition, until a Construction Traffic 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:

- (A) The parking of vehicles
- (B) Loading and unloading of plant and materials used in the development
- (C) Storage of plant and materials used in the development
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- (E) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- (G) Footpath/footway/cycleway or road closures needed during the development period

- (H) Traffic management needed during the development period including tracking for those building materials and plant equipment brought in by HGV's.
- (I) 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.

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

**Reason:** In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

- 10 The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

**Reason:** To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 11 No development shall take place until a landscaping scheme to include all hard and soft landscaping has been provided, together with tree protection measures to protect existing trees/hedgerows referring to the natural canopy spread and root protection areas of the trees/hedgerows. A scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme shall be 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. (Section 12, NPPF)

- 12 No development shall commence until a detailed surface water drainage hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for Climate change) and a restriction in run-off rates to a maximum of 5l/s as outlined in the Assessment of Surface Water Capability Report (April 2017). Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included. 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.

**Reason:** 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 NPPF.

- 13 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

**Reason:** To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 14 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)

- 15 No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following:
- a) An ecological assessment of the site prior to any development taking place,
  - b) Purpose and conservation objectives for the proposed development informed by a review of the existing ecological assessment.
  - b) Review of site potential and constraints.
  - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
  - d) Extent and location/area of proposed works on appropriate scale plans.
  - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
  - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
  - g) Persons responsible for implementing the works.
  - h) Details of initial aftercare and long-term maintenance.

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

**Reason:** In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 16 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.

17 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 trees, 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)

18 No dwelling shall be occupied until a timetable for the implementation of Local Equipped Areas of Play and Local Areas of Play 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.

19 No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.

**Reason:** This condition is pre-commencement to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.(Policy DM3 of the Core Strategy and Section 12, NPPF)

20 No development shall commence above slab level, until a scheme demonstrating how and which 10% of units on the development will meet Category 2 standards.

**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)

21 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.

22 Notwithstanding the description of the development the number of properties to be constructed on the site, shall not exceed 52 dwellings.

**Reason:** In the interests of highway safety, the character and amenity of the area and to allow for bio-diversity issues to be fully addressed.

#### **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. 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. 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](mailto: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.

5. The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.
6. 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".

**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 preapplication 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.