

Item No. 6

APPLICATION NUMBER	CB/17/03683/OUT
LOCATION	Former Magistrates Court and Police Station, Hockliffe Road, Leighton Buzzard, LU7 3FF
PROPOSAL	Outline: Demolition of former magistrates court and police station buildings. Erection of a care home of up to 68 beds including day care facilities and associated hardstanding. Access to be taken from Hockliffe Road.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Spurr & Ferguson
CASE OFFICER	Peter Vosper
DATE REGISTERED	27 July 2017
EXPIRY DATE	26 October 2017
APPLICANT	Central Bedfordshire Council - Estates Management
AGENT	Barford+Co
REASON FOR COMMITTEE TO DETERMINE	Objections to a major scheme in which the Council has an interest and which cannot be overcome by condition.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The 0.45 hectare (1.1 acres) site is irregular in shape and comprises a largely redundant former Police Station, Magistrates Court and ancillary buildings, as well as areas of hardstanding and car parking.

The site is located in a residential area, which predominantly contains two storey terrace dwellings, and fronts onto the highway in Hockliffe Road, from where access is taken. The site is located close to Leighton Buzzard town centre.

A detailed description of the history of the site, its buildings and the surroundings is provided in the Archaeology consultation response below.

The Application:

Outline planning permission, with all matters reserved, is sought for:

Redevelopment of the site as a care home with up to 68 bedrooms (use class C2) including associated day care facilities.

Whilst matters of access, layout, scale, appearance and landscaping are reserved for later determination, indicative plans (site plan, floorplans, roof plan and 3D views) have been provided. These indicate a single part two, part three storey building in the rear portion of the site, with an approximate floor area of 4500 sq m.

Areas of open space are proposed around the building, with car parking and a vehicle turning area in the front portion of the site. The sole vehicular and pedestrian access would continue to be taken from Hockliffe Road.

The proposal would require the demolition of all existing buildings on site.

Relevant Policies:

National Planning Policy Framework (NPPF), March 2012

Achieving sustainable development

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review, January 2004

Policy SD1: Sustainability Keynote Policy

Policy BE8: Design Considerations

Policy T10: Controlling Parking in New Developments

Policy H2: Making Provision for Housing via "Fall-in" Sites

Policy H3: Meeting Local Housing Needs

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the Framework. It is considered that Policies SD1, BE8, H2 and H3 are broadly consistent with the Framework and carry significant weight. Policy T10 carries less weight but is considered relevant to the proposal.

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Central Bedfordshire Sustainable Drainage Guidance, April 2014

Relevant Planning History:

CB/17/00427/PAPC - Pre-application Charging Fee Advice Released: Demolition and redevelopment of the site to provide 75 bed care home (22 March 2017)

Application Number	SB/06/00043/FULL
Location	3-4 Peel Court, Hockliffe Road, Leighton Buzzard
Description	Change of use from residential to office
Decision	Conditional planning permission

Decision Date 6 March 2006

Application Number SB/04/01050/FULL

Description Erection of single storey rear extension and insertion of new mezzanine floor and change of use from Magistrates Court to Police Station

Decision Conditional planning permission

Decision Date 24 September 2004

Consultees:

Leighton Buzzard Town Council No objection.

Meeting the *Demand*
Accommodation of Older People (MANOR) Team

The Council uses the 'More Choice, Greater Voice' forecast model to estimate demand for residential care. According to this model an area should provide 65 residential care home places and 45 nursing care home places per 1000 people over 75.

The proposed residential care home falls within the Leighton Buzzard locality. In this locality there are currently 367 care home places in 7 homes. Demand under the model is currently 252 places forecast to rise steadily over the period to 2030 to reach 376 places.

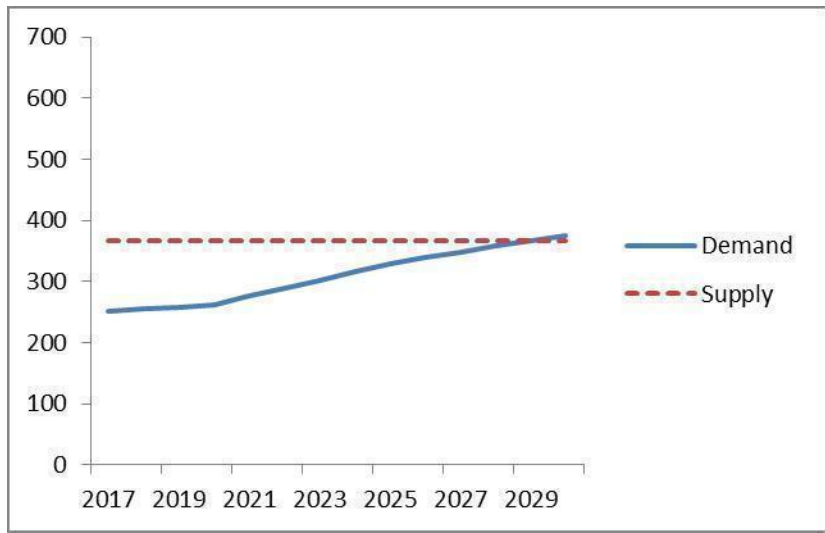
Although the model suggests a current excess of capacity in the locality of around 115 places monitoring of vacancy levels in care homes suggests that on aggregate they are operating at around 90% of their capacity with 36 vacancies.

One reason for this disparity is that there is very significant under supply of care home places in the neighbouring locality – West Mid Beds. In this locality demand under the model is for 332 places but supply is only 147 places. This demand is forecast to increase to 500 places by 2030.

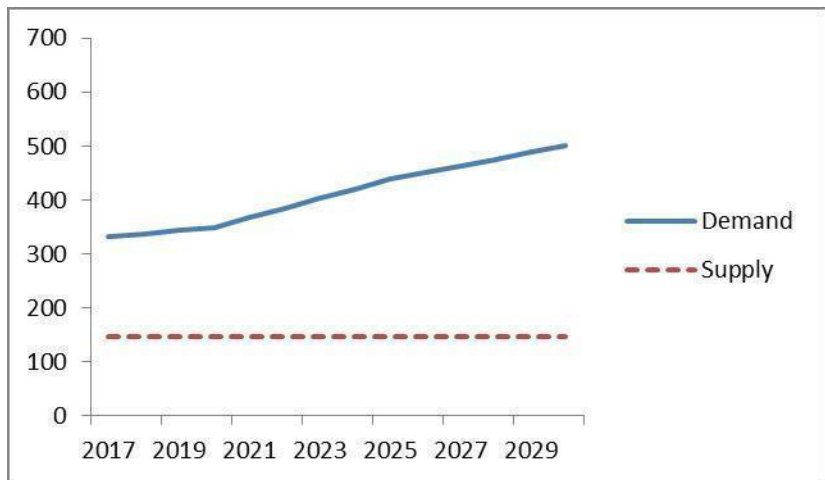
If one adds the supply and demand figures for both localities then the cumulative position is a current shortfall of 70 places rising to a 362 by 2030.

The supply and demand information is shown graphically on the following page.

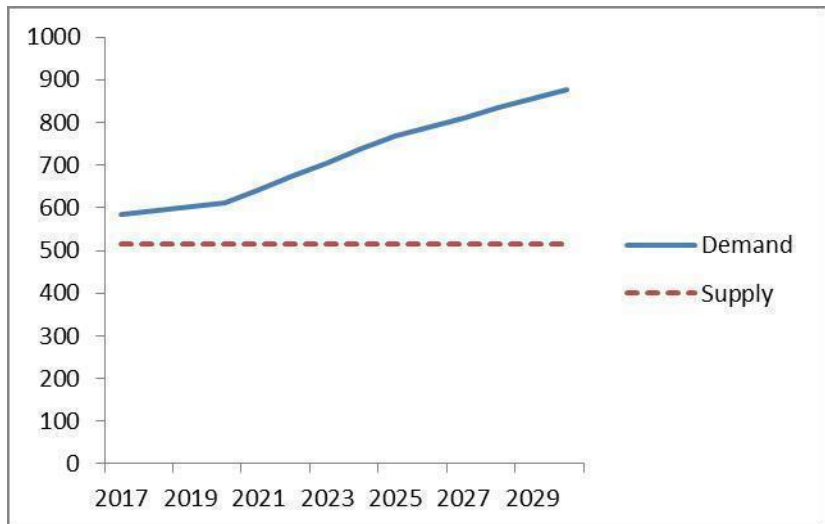
*Care Home Places Supply and Demand – 2017 to 2030:
Leighton Buzzard Locality*



*Care Home Places Supply and Demand – 2017 to 2030:
West Mid Beds Locality*



*Care Home Places Supply and Demand – 2017 to 2030:
Leighton Buzzard and West Mid Beds Localities*



Whilst it is not the case that all 'excess capacity' in Leighton Buzzard would be taken up by demand from West Mid Beds it is reasonable to assume that a large percentage of it would.

It should be noted in relation to this application that the Council intends to replace capacity in a 30-place home in Leighton Buzzard with the proposed development so

although the application is for a 75-place home the resultant increase in places would be 45.

Currently in Leighton Buzzard there are no approved planning applications for care homes. Feedback from developer and operators is that this reflects a lack of suitable sites being available rather than a lack of demand.

There is only one extant care home planning permission in West Mid Beds (at 101 Amptill Road, Flitwick) and there is no date for when development might start on this scheme. The Council proposes a care home at Steppingley Road but has not yet submitted an application for planning permission. This proposal would also be for a replacement home.

Whilst seeking to balance supply and demand for care home places in the area the Council also has a desire to improve the overall quality of the accommodation and facilities provided by care homes. A significant aspect of improved accommodation quality is the provision of en suite bathing and toilet facilities in each room which is now seen as a norm in new-build care homes but which are rare in homes constructed prior to 1990. The proposal would see the replacement of 31 places in the existing home without en suite facilities with 75 en suite places.

Finally, the Council, under the Care Act 2014 now has a duty to the overall care market in terms of shaping supply and working to avoid market failure. An aspect of this is the size of care homes expressed in terms of number of places. In this respect larger care homes (ones with 60 or more places) with modern facilities are perceived as being more viable than smaller homes and those with less modern facilities. From this perspective the proposal is therefore supported.

Therefore we consider that such a scheme would be beneficial to overall care home provision.

Location

The preferred location for residential care homes for older people is one within an existing settlement that allows for access to community facilities and also for the community to interact with the home. Location can be equally significant in relation to both staff and visitors being able to access the home easily. Therefore the location of a home close to transportation links is to be encouraged.

We are also aware that home operators generally have a preference for homes with a main road frontage in order to create a visible 'presence' for the home and developments which lack this may prove difficult to market.

The proposed care home is close to the town centre of Leighton Buzzard and on one of the main arterial roads to and from the centre. Whilst the road frontage is limited there is nonetheless the opportunity to create the visible presence that the market seeks on this site.

Design and Layout

In the development of care homes there are also design and layout options which are considered to be good practice and which should be encouraged. These include:

- Sufficient usable outdoor space to include areas which can be accessed by people with impaired mobility and used safely by people with cognitive impairments such as dementia.
- Room layouts within the building which lend themselves to people living and being cared for in small groups.
- Communal spaces within the building where private individual and small group activities can take place.
- Corridors are of varying widths and which end with meaningful spaces
- Room doors which are not opposite to each other.
- Maximising the availability of natural light throughout the building
- Low window sills which allow residents who are sitting or lying in bed to see outside.

It should be noted that research into good design for older people, especially those with dementia is ongoing and we encourage developers to keep abreast of the latest developments and incorporate these into their designs if at all possible. Many such design matters are very low cost, especially if incorporated into the building at the design or construction stage. We understand that some aspects of internal layout may be outside the control of the Planning Authority but nonetheless would urge applicants for care homes to take into account best practice when designing buildings. Central Bedfordshire Council has produced a summary document to assist with this and copies can be provided on request.

Summary

We consider that the scheme would be beneficial to overall care home provision within Central Bedfordshire. We support the application and would ask that the applicant is informed of our detailed comments in the 'Design and Layout' section.

Highways
(Development
Management)

The proposal is for a 68 bedroom care home and while the access has been in use by the police service to serve the station I believe that the junction and intervisibility is slightly substandard. However, I am sure that this can be overcome by the introduction of a build-out along

But even eliminating these two parking spaces the proposal would appear to provide adequate parking and t

In a highway context I recommend that the following conditions be included if planning approval is to be issued:

Development shall not begin until details of the improvements to the junction of the proposed vehicular

access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the 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 the premises.

Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason

To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be #m measured along the centre line of the proposed access from its junction with the channel of the public highway and #m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason

To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason

In the interests of the safety of persons using the access and users of the highway.

Any gates provided shall open away from the highway and be set back a distance of at least 5.0m (domestic)/8.0 metres (agricultural) from the nearside edge of the carriageway of the adjoining highway. (HC 16)

Reason

To enable vehicles to draw off the highway before the gates are opened.

Furthermore, I should be grateful if you would arrange for the

following Notes to the applicant to be appended to any Consent issued :-

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, P.O.Box 1395, Bedford, MK42 5AN 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.

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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN

The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

Archaeology

The proposed development site lies on the edge of the historic core of the town of Leighton Buzzard (HER 16871) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest. In addition, the application site also includes the former Magistrates Court (HER 16463) and Police Station and these are also heritage assets with architectural interest.

Leighton Buzzard has its origins in the Saxon period; the early settlement is likely to have developed around the bridging point over the River Ouzel in or around the 7th century AD. While there is no direct earlier Saxon evidence from inside the core of the town, two Saxon cemeteries have been recorded to the immediate north of the town (HER 1 and 3) and contemporary material has been found at Grove Priory (HER 1870) to the south. In addition, Saxo-Norman

activity (10th-11th century AD) has been recently found on North Street (PCA 2014). The Thiodweg (HER 10843) a Saxon trade route also runs through Leighton and it is mentioned in a charter dating to 926 AD, adding further weight to a Saxon origin for the town.

Leighton ('Buzzard' was added towards the end of the 13th century) is well recorded in later Saxon and medieval documents and they indicate that it was a Royal Manor which had the right to hold a weekly market by the time of the Domesday survey in 1086 AD. There was also an ecclesiastical presence in Leighton at this time with the Bishop of Lincoln holding 4 hides including the church. This estate was centred on the Prebendal Manor (HER 11056), the site of which is located to south of the Church of All Saints. It is likely that one of the early focal points of the town was the Bishop's property and the church, and while the present Church of All Saints (HER NHLE 1321404: Grade I) dates from the 13th century, it almost certainly overlies an earlier building.

At some point in the early medieval period (probably during the 12th century) the market was expanded, therefore improving the economic prospects of the town. It was this success which led to the creation of a new "planned" town. The new town was Y-shaped in form; encompassing Bridge Street, High Street, Lake Street, North Street and Hockliffe Street. These were carefully laid out in accordance with the natural topography; with the High Street, Hockliffe Street and Lake Street all meeting at the highest point in the town, creating the triangular market place. The intention was to draw all the traffic heading for the bridge over the River Ouzel together well before it reached the crossing point by deliberately funnelling it through the Market Square and the High Street, the town's main trading area (BCC 1996).

To date, there have only been a limited number of archaeological investigations in Leighton Buzzard. However, in addition to the works on North Street in 2014, archaeological remains dating to the medieval period, including a large pit were recorded in 2000 on Lake Street (HAT 2000). While later medieval and early post medieval remains were found in 1996 on the land to the rear of 4 Market Square (BCAS 1996).

The application site is currently occupied by the former Magistrates Court and Police Station and associated buildings. Historic documentation indicates that the first Police Station (HER 14036) was built on the site in 1855. By 1879, the building had three cells and an office behind the main frontage and an exercise ground to the rear. The original Police Station was demolished in the late 1930's to enable the building of the Magistrates Court (also known as Leighton Court House) which opened on the site in June 1940 (HER 16463). A new Police Station was erected to the rear of the Magistrates Court. The Magistrates Court was in

use until 2000 and it was converted into a Police Station in 2004/2005.

This outline application proposes the demolition of all of the buildings on the site and the erection of a new 68 bed care home with day facilities, associated hardstanding and access off Hockliffe Road. The application is accompanied by a *Heritage Assessment* (Albion Archaeology 2017) which details much of the known history of the site and includes descriptions of each of the buildings. The *Heritage Assessment* also includes copies of some of the original plans for the buildings and a series of interior and exterior photographs of some of the buildings (the more recent residential buildings on the north-east part of the site have not been included except for in the exterior context shots). The *Heritage Assessment* concludes that the value of the buildings is low because the interior of the Magistrates Court has been modified; the buildings are relatively recent, unlisted and of modest quality. This conclusion is not necessarily shared by the Archaeology Team.

Historic England guidance recognises that all building types associated with law and government have a claim to historic interest as narratives of the development of national and local government and an emerging civic identity. Law courts in particular have an importance attached to them and even those which date to the early 20th century were designed to instil a certain level of awe and reverence which can be reflected in their architecture. Police Stations are also endowed with dignity and were designed to make a strong townscape contribution (Historic England 2015). While this does not necessarily mean that the buildings at the application site should not be demolished it does mean one should be careful about dismissing their significance both in terms of examples of law and government buildings and as part of the history of the town. At least the *Heritage Assessment* suggests the buildings are worthy of recording, this is a sensible conclusion.

The *Heritage Assessment* focusses solely on the built heritage at the site, however, section 6.19 of the *Planning, Design & Access Statement* (Barford and Co, July 2017) also mentions archaeology. It states " Also supporting the application is Archaeological Field Evaluation And Heritage Statement undertaken and produced by Albion Archaeology. The report concludes that of the small number of archaeological features found, none appear to be of anything other than local significance and have only very limited potential to contribute to regional research objectives". The reference to the field evaluation is interesting as there does not appear to be a report accompanying this application and the Archaeology Team have no knowledge of such an evaluation taking place.

The proposed development site is located on the edge of the historic core of the town of Leighton Buzzard (HER 16871) and is located on Hockliffe Street/Hockliffe Road which is one of the original medieval thoroughfares into the town. The historic core of the town is a heritage asset with archaeological interest (as defined by the NPPF). The proposed development site is therefore considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the town and apparently some archaeological deposits have already been recorded on the site (Barford and Co, July 2017). Research into the origins and development of small towns, their inter-relationships with their hinterlands and early town planning from the Saxon through to the early Post medieval periods are local and regional archaeological research objectives (Ayers 2000, 27-32, Oake et al 2007, 14 and Medlycott 2011, 58, 70 & 79).

It is recognised that all building types associated with law and government have a claim to historic interest as narratives of the development of national and local government and an emerging civic identity (Historic England 2015). The revised regional research framework for the East of England also acknowledges that built environment would not only benefit from a regional resource assessment similar to that which has been completed for archaeology, but that thematic surveys of significant economic or socially important classes of buildings needs to be extended for the whole of the region (Medlycott 2011). If planning consent is granted for the re-development of the site, then buildings which are a recognised part of the history of the town of Leighton Buzzard and therefore heritage assets, are certainly worthy of record.

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

The proposed development will have a negative and irreversible impact upon the standing buildings and any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological and architectural interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of all of the heritage assets on the site. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and by making full record (in line with the requirements set out by Historic England in *Understanding Historic Buildings: A Guide to Good Recording Practice 2016*) of the buildings on site. The post-excavation analysis of any archive material generated and

the publication of a report on the works must all be undertaken as part of this scheme of works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

“No demolition or development shall take place until a written scheme of heritage asset resource management; that includes archaeological investigation and historic building recording; provision for post excavation analysis and full publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological and historic building recording scheme.”

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation and historic building recording in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).

This request is in line with the requirements of Chapter 12 of the NPPF.

Trees and Landscape I have examined the plans and documents associated with this outline application, and can advise you that I have no objection to the principle of such a development on this site.

Ecology The site lies in the Greensand Ridge Nature Improvement Area and on reading the Design & Access Statement I welcome the acknowledgement of the need for a high quality landscape scheme detailing measures to improve biodiversity. 5.8 states 'Measures can also be incorporated into the design of the building, e.g. bird boxes, green roofs, etc.' and indeed the proposed roof and elevation plans illustrate the green roofs which will be a real benefit for pollinator's in the area, supporting Leighton Buzzard's aspirations to be a 'Bee Friendly' town.

To ensure the enhancements are delivered I propose the following condition;

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) Review of the site potential and constraints
- b) Purpose and conservation objectives for the proposed works
- c) Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB guidelines on appropriate

scale maps and plans

d) Type and source of materials to be used where appropriate, e.g. native species of local provenance.

e) Timetable for implementation demonstrating that works are aligned with proposed phasing of development.

f) 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.

Public Protection

Topics considered:

- Air quality
- Contaminated land
- Noise

Reason for Support:

The proposal is an outline application to redevelop the site from its current use as a Police station & Magistrate's Court, to a residential care home. As advised by my colleague Simon Joynes in response to the pre-application enquiry CB/17/00427/PAPC, the proposed use could be acceptable subject to the following considerations:

Land Contamination

- A Phase 1 Contaminated Land Study - any adverse findings and future work will then be secured through Condition.
- The Phase 1 report has been submitted with the outline application and has recommended further investigation works are undertaken to determine if any land contamination risk exists that will need to be addressed and remediated. A condition to require this is set out below.

Noise

- An acoustic survey of any neighbouring land uses (plant machinery and equipment etc) and appropriate mitigation where required.
- No noise survey or assessment has been undertaken or submitted with the application. Whilst ideally it would have been better to see this assessment submitted with the outline application, I have set out a condition below to cover this.

Air Quality/Odour

- An application would also be expected to include details of kitchen extract systems (odour and noise) and noise from plant and equipment associated with the use proposed.
- No details of the kitchen extract system have been provided and no information on noise from plant

associated with the proposed use have been provided. Again, whilst ideally it would have been better to see this information submitted with the outline application, I have again set out a conditions below to cover this.

External Lighting

It will be important to ensure that any external lighting scheme is appropriately designed to avoid any obtrusive light, glare or overspill adversely impacting on neighbouring residents once the end use development is operational. A condition is advised to ensure this.

Any works required to deliver a suitable development:

I confirm that I do not object to the outline development of the site in principle. However, I would recommend that the conditions set out below are added to any planning consent granted to ensure that the matters outlined above are covered as reserved matters.

Conditions Required:

Should you be mindful to grant permission for this application I ask that the following conditions are inserted on any permission granted.

Land Contamination

No development approved by this permission shall take place until a Phase 2 investigation and report, as recommended by the previously submitted EPS Phase 1 Geo-Environmental Desk Study report dated 20th March 2017 (Ref: UK17.2600), has submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 investigation and report, a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To protect human health and the environment.

Noise

No development shall take place until an acoustic assessment of neighbouring land uses has been undertaken and a scheme for protecting the proposed residential care home from noise from any significant neighbouring noise sources has been submitted to and approved in writing by the

local planning authority. The residential care home shall not be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: to ensure a suitable noise environment is provided for the proposed use, and to protect the amenity of future occupiers of the residential care home.

Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.

Reason: In the interests of highway safety and the control of environmental impacts on neighbouring occupiers during development of the site.

Noise resulting from the use of plant, machinery or equipment associated with the residential care home shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014.

Reason: To protect the amenity of neighbouring residential occupiers

Odour

Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted

commencing.

Reason: In order to prevent the adverse impact of noise and odours arising from cooking activities on the amenity of nearby residents.

Housing Development This application provides for 0 affordable homes which is not in accordance with our current affordable housing policy requirement. I would expect to see 30% affordable housing or 20 affordable units. Further to this, the Strategic Housing Market Assessment (SHMA) has a tenure split requirement from sites meeting the affordable housing threshold as being 73% affordable rent and 27% intermediate tenure. This would make a requirement of 15 units of affordable rent and 5 units of intermediate tenure (shared ownership) from the proposed development.

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I 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. If these comments are taken on board, I would support this application.

Public Art

Given the proposed scale of development public art is required to be included in development proposals to enhance interfaces with public realm, within the building and landscaped grounds to reinforce quality in design and highlight sense of place.

Central Bedfordshire Council actively encourages the inclusion of public art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Central Bedfordshire Council.

Public Art enhances sense of place and quality in environments, public art projects can also be a valuable tool in community engagement; bringing together existing and new communities to engender sense of ownership and reinforce community cohesion.

Key requirements are:

- Public art be integrated in the design process for the whole development and not be an 'add-on'.
- Where possible artists should be appointed as part of the design team.
- Public art should be site specific; responding to place and people including environment and materials.
- Public art should be unique, of high quality and relevant to

local communities.

Public Art can include:

Bespoke design stand-alone features, sequences of interventions, architectural elements, street furniture, lighting, walls-capes / floors-capes and landscaping.

Public Artists can include:

Artists and artisans, artist architects, landscape artists - with experience in working in collaboration with developers, design teams and local communities is key.

If the application were to be approved I request a Condition be applied with suggested wording but await your advice on this:

A Public Art Plan is required and submitted to for approval by the Local Planning Authority prior to commencement of any works on site. Installation of Public Art shall commence on site prior to occupation of 50% of dwellings. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

The Public Art Plan should detail:

- Management - who will administer, time and contact details, time scales / programme
- Brief for involvement of artists, site context, background to development , suitable themes and opportunities for public art
- Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists
- Community engagement - programme and events
- Funding - budgets and administration.
- Future care and maintenance.

The Central Bedfordshire Design Guide, Section 4 Public Realm is available on the BCC website and offers comprehensive advice on the integration of Public Art within development. The CBC Public Art Officer is also available to provide further advice and support if required.

SuDS
Team

Management We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

1. Detailed site investigation results (including any site specific soakage tests and ground water monitoring shown in accordance with BRE 365) will need to be provided with the detailed design.

2. Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
3. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
4. To ensure future and subsequent facility managers will be aware of any maintenance requirements / responsibilities for surface water drainage, including ditches; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.
5. Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, and details of this provided with the full detailed design.
6. Green Roof best practice code 2014 can be found here <https://livingroofs.org/wp-content/uploads/2016/03/grocode2014.pdf>

Recommended conditions;

Condition 1: No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage strategy (July 2017) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed

management and maintenance plan.

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

1. There is no evidence in the form of a detailed ground investigation report to confirm that the ground is suitable for infiltration drainage. An infiltration test and report should be carried out to BRE Digest 365 to determine if soakaways or similar features can be used on any part of the site.

Waste Services

Thank you for sending this application for our consideration. However, as the premises are going to be used for commercial purposes, we have no comments to make. The landlord/occupier will have to make their own commercial waste collection arrangements as this is not a service Central Bedfordshire Council provides.

Environment Agency

We have no objection to this application.

Contamination

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS)

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

Bedfordshire Fire and Rescue Service
Our comments are as in A. and B. below.

A. Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw the developer's attention to the requirements of Building Regulations "Approved Document B (Fire Safety) Volume 1 - Dwellings" or "Volume 2 - Buildings other than

dwellinghouses” as appropriate, particularly ‘B5 - Access and Facilities for the Fire Service’, to ensure compliance is met and specifically as below with respect to dwelling houses:-

- Vehicle access for a pump appliance to within 45m of all points within a dwelling house;
- Turning facilities should be provided in any dead end access route that is more than 20 m long. This can be by a hammerhead or turning circle, designed on the following table.

Vehicle Access Route Specification:-

Vehicle Access Route Specification:- Table 2 : Typical Vehicle Access Route Specification
(**Based on Bedfordshire FRS vehicles)

Appliance Type	Minimum Width of Road between Kerbs (m)	Minimum Width of Gateways (m)	Minimum Turning Circle between Kerbs (m)	Minimum Turning Circle between Walls (m)	Minimum Clearance height (m)	Minimum Carrying Capacity (tonne)**
Pump	3.7	3.1	16.8	19.2	3.7	18.0
High Reach	3.7	3.1	26.0	29.0	4.0	26.0

If the criteria for fire appliance access to within 45 metres as set out above cannot be reached for residential premises, the Building Control and Fire Authority should be consulted at an early stage, as alternative arrangements may be acceptable. Typically, this is either because the new site is landlocked or because the new access is too narrow to get an appliance close enough.

The following options are available if access is within:-
 45 - <60 metres - Domestic/residential sprinklers required;
 60 - 90 metres - Domestic/residential sprinklers and a fire hydrant installed immediately by the access driveway;
 Over 90 metres - Not acceptable

B. We would ask that fire hydrants are installed in number and location at the developer’s cost as follows:-

5. Education, health and community facilities

5.3 Secondary schools, colleges, large health and community facilities:- Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

In addition to the formal guidance or requirements, I would add that where possible consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries (e.g. in an area designated for parking or loading as part of the development).

ASSETS

Section 1 - Assets Affected

1.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Leighton Linlade Water Recycling Centre that will have available capacity for these flows.

Section 3 - Foul Sewerage Network

3.1 Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Section 4 - Surface Water Disposal

4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We will request that the agreed strategy is reflected in the planning approval.

Section 5 - Trade Effluent

5.1 Not applicable

Section 6 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Foul Sewerage Network (Section 3)

CONDITION

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Surface Water Disposal (Section 4)

CONDITION

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Other Representations:

Neighbours

A representation supporting the proposal was received from:

No. 2 George Street

- Support as long as stays a 68 person care home.
- Boundary to George Street should be a wall, not a fence.
- Additional trees needed between Care Home and George Street for screening and privacy.

A representation commenting on the proposal was received from:

No. 22 Vandyke Road

- Not against but need more information regarding building heights, proximity to my property, limited parking, contractors parking, and affect on views.

Representations objecting to the proposal were received from:

No. 23 Hockliffe Road

- Lack of pre-application consultation contrary to 'Statement of Community Engagement'.
- Loss of privacy.
- Considerable noise and discomfort during demolition and construction.
- Traffic, access and parking implications.

No. 40 Vandyke Road

- Loss of another historic town building.
- Scale overbearing and incompatible with surroundings.
- Loss of privacy.
- Noise and disturbance.
- Light pollution.
- Adverse effect on traffic generation and parking impact.

Buzzcycles

Whilst the Green Travel Plan para 3.3 acknowledges guidance to give priority to cycle use & 5.7/8 recognises the ability to substitute for short car trips, para 7.12 offers solely the provision of a Users Group and advertising of the local Cycle network. There is no commitment to provision of secure parking for staff or visitors and, although para 6.17 of the Design & Access Statement suggests areas for cycle parking are available, there is no indication of such on layout drawings. Given Leighton-Linslades status as a Cycle Town & CBC Policies, it is considered that proper provision of secure cycle provision for staff & visitors is a mandatory requirement prior to approval of the application.

Determining Issues:

The main considerations of the application are:

1. Principle of Development
2. Design and Layout, and Impact on Character and Appearance
3. Impact on Amenity of Neighbouring and Future Occupants
4. Archaeological Impact
5. Highway Considerations
6. Affordable Housing and Section 106 Requirements
7. Ecological Impact
8. Other Considerations

Considerations:

1. Principle of Development

Policy SD1 (Sustainability Keynote Policy) of the South Bedfordshire Local Plan Review (SBLPR) provides guidance on the suitability of sites for the location of new development. The first priority for new development is 'previously developed sites and vacant land within urban areas'. This stance is reflected at paragraph 17 in the National Planning Policy Framework (NPPF); one of the 12 core planning principles is to *'encourage the effective use of land by reusing land that has been previously developed (brownfield*

land), provided that it is not of high environmental value'.

The need for care home places in Leighton Buzzard is outlined in the consultation response from MANOP above. This is due to a rising demand for places in Leighton Buzzard, a very significant under supply of places in the neighbouring locality - West Mid Beds, and a lack of suitable sites being available in Leighton Buzzard.

It is also noted in relation to this application that Central Bedfordshire Council intends to replace capacity in a 30-place home in Leighton Buzzard with the proposed development so although the application is for a 68-place home the resultant increase in places would be 38.

MANOP concludes that the scheme proposed would be beneficial to overall care home provision in Central Bedfordshire.

The preferred location for residential care homes for older people is one within an existing settlement that allows for access to community facilities and also for the community to interact with the home. The location of the site in a built up area of the town and close to the town centre - and the amenities it provides - and public transport connections meets these requirements.

The use of the site on previously developed land in a residential area near to the town centre for a care home is appropriate. The proposal therefore complies with relevant policies in the SBLPR and the NPPF and consequently is considered acceptable in principle.

2. Design and Layout, and Impact on Character and Appearance

The proposal needs to accord with Sections 5 (Residential Development) and 6 (Accommodating Specific Housing Needs) of the Central Bedfordshire Design Guide, and Section 7 (Requiring good design) of the NPPF. It also needs to comply with SBLPR policies BE8 and H2 which require development to take full account of opportunities to enhance or reinforce the character and local distinctiveness of the area, and to ensure that the size, scale, materials and appearance of development complements with the local surroundings.

As stated above, the proposal is in outline with all matters reserved. However, plans (site plan, floorplans, roof plan and 3D views) have been provided. Whilst comment can be made on these plans - as the matters of access, layout, scale, appearance and landscaping are reserved for later determination - they can only be treated as indicative.

The plans indicate a single, irregular shaped building in the rear portion of the site. It would be mainly three storey, with a two storey element facing the rear of neighbouring properties in George Street. This two storey part would reflect existing surrounding development. However, whilst some of the more modern development along Hockliffe Road achieves three storeys, it could be suggested that the proposal for a development which would be predominantly three storey would not be characteristic of the surroundings. In considering the acceptability of this, it should be noted that the proposal has changed from that submitted at pre-application stage (reference CB/17/00427/PAPC) in that the minimum separation between the proposed three storey wings of the building and the shared boundary with properties in Vandyke Road has increased from 2.0m to 6.5m. The equivalent distance between the proposed rear wing and the shared boundary with properties in George Street has increased from 7.0m to 10.0m. This would result in the building being

positioned centrally in the site, and combined with the use of areas of flat roof, the impact of the proposal would be lessened and unlikely to cause harm to the character of the area.

A high quality design and use of good quality materials - issues to be addressed at reserved matters stage - will be essential to ensuring the building assimilates into the area.

The indicative site plan (LBCH8000/2.1/100) shows several outdoor amenity and circulation spaces around the edge of the site and between the wings of the building. These include garden, seating and planting areas. These spaces would also provide a green buffer between the proposed building and the gardens of existing neighbouring properties. The aforementioned increase in separation, from the pre-application scheme, between the building and the boundaries with properties in Vandyke Road and George Street assists in this regard.

The pre-application submission also showed the front portion of the site, i.e. the area between the building and Hockliffe Road, to be dominated by hardstanding. The indicative site plan now submitted shows areas of native tree planting, nectar rich planting, and grasscrete parking to soften and provide visual relief to this area.

There are no trees on or surrounding the site which would be impacted by development due to the separation of the building from the boundaries.

Overall, the indicative plans provided outline a scheme which could be acceptable in layout, scale, appearance and landscaping terms, and therefore compliant with the Design Guide, SBLPR policies BE8 and H2, and Section 7 of the NPPF. However, full judgement can only be made at reserved matters stage.

3. Impact on Amenity of Neighbouring and Future Occupants

The proposal needs to accord with Sections 5 (Residential Development) and 6 (Accommodating Specific Housing Needs) of the Central Bedfordshire Design Guide. It also needs to comply with SBLPR policies BE8 which requires development to not have an unacceptable adverse effect upon general or residential amenity and H2 which requires the provision of good quality living conditions for residents.

As above, the submitted plans can only be treated as indicative and a full judgement can only be made at reserved matters stage when the layout, scale, height and window positions, for example, are certain.

The indicative site plan (LBCH8000/2.1/100) shows a layout with the building being positioned further from the shared boundaries with properties in Vandyke Road and George Street than the pre-application submission. Overall, the building would be positioned a sufficient distance from existing dwellings and gardens to ensure there is no unacceptable loss of light, or overbearing or dominating impact. This takes into account a proposal recently granted planning permission on land to the rear of Nos. 34 to 42 Vandyke Road for five mews houses (reference CB/17/01605/FULL). This would be positioned along the boundary with the application site. However, the 6.5m separation between the mews houses and the proposed care home would be sufficient to ensure there is no harm to the amenity of future occupants of either. Also, the lack of any facing windows in the mews houses

and the lack of any facing windows to habitable rooms in the care home would ensure there is no potential overlooking or loss of privacy issue.

Generally the proposed first and second floor windows would face into the application site, or would be sufficiently separated from the windows and gardens of existing neighbouring dwellings to not cause harmful overlooking and a loss of privacy. However, at pre-application stage a specific concern was raised in respect of the proposed first floor windows on the rear block being positioned a minimum of 7.0m from the shared boundary and rear gardens of the dwellings at Nos. 6 to 12 (evens) George Street. The submitted site plan indicates that this distance has increased to 10.0m. This would result in the distance to the first floor rear windows on the main rear elevations of the houses in George Street being in excess of 35m. Whilst this would be significantly more than the 21m stated as a 'rule of thumb' in the Design Guide, the vast majority of this (approximately 25m) would be accounted for by the long rear gardens of the George Street dwellings. Even so, given that the shortfall of half of 21m (10.5m) within the application site is only 0.5m and the intention to provide native trees to provide natural screening, it is not considered that there would be any harmful loss of privacy or overlooking impact to existing or potential neighbouring occupants.

The proposed second floor in the rear block would in the main be setback 16.5m from the boundary with the George Street properties. The facing windows would serve a corridor and can therefore be obscure glazed and non-opening below 1.7m. A central projecting element, to contain a lounge, would be setback 13.5m from the boundary. However, this would have no facing windows; just side windows. To ensure privacy is protected for existing and potential occupants, a condition should be attached to any planning permission granted to ensure obscure glazing of the first floor windows and for no further windows at first or second floor level.

The proposed floorplans indicate that all habitable rooms would have windows. Future residents would also have access to the several outdoor amenity spaces around the building.

Overall, the indicative plans provided outline a scheme which would not have an adverse impact on the amenity of existing and potential neighbouring occupants, and is therefore compliant with the Design Guide, and SBLPR policies BE8 and H2. However, full judgement can only be made at reserved matters stage.

4. Archaeological Impact

The application site lies on the edge of the historic core of the town of Leighton Buzzard (HER 16871) and under the terms of the National Planning Policy Framework (NPPF) this is a heritage asset with archaeological interest. In addition, the application site includes the former Magistrates Court (HER 16463) and Police Station and these are also heritage assets with architectural interest.

The history of the site, its buildings and the surroundings is provided in the Archaeology consultation response above. Also, a Heritage Assessment (Albion Archaeology, 30 June 2017), detailing much of the known history of the site and including a description of the Magistrates Court, Police Station and associated buildings accompanies the application.

The proposal would require the loss of all existing buildings on site. It would

therefore have a negative and irreversible impact upon these buildings and any surviving archaeological deposits present on the site, and as such upon the significance of the heritage assets with archaeological and architectural interest. This does not present an overriding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of all of the heritage assets on the site. Such investigation and recording, and a report on the works, should be required by a condition attached to any planning permission granted.

5. Highway Considerations

There are currently separate access and egress points serving the Police Station and Magistrates Court onto Hockliffe Road. The indicative submitted site plan (LBCH8000/2.1/100) shows that this would be reduced to a single point, at least 4.8m wide, for both access and egress. A separate pedestrian access would also be provided.

The Highways (Development Management) consultation response outlines that the current However, even if these two spaces are eliminated, the proposal would still appear to provide adequate parking and t

6. Affordable Housing and Section 106 Requirements

The Housing Development consultation response outlines that the provision of no affordable houses within the proposal is not in accordance with the Council's current affordable housing policy requirement. There is an expectation of 30% affordable housing or 20 affordable units.

Whilst this request is acknowledged, in this instance the proposal is not for dwellinghouses, including independent living schemes for older persons with self contained accommodation, within use class C3 (dwellinghouses). It is instead for a care home, within use class C2 (residential institutions), where accommodation would not be self-contained; residents would have en suite bedrooms and the use of communal facilities. Such accommodation is not subject to the Council's affordable housing policy requirement.

No requests for Section 106 contributions have been received.

7. Ecological Impact

The submitted Design and Access Statement (Barford and Co, July 2017) acknowledges the need for a high quality landscape scheme detailing measures to improve biodiversity. The indicative proposed roof and elevation plans illustrate green roofs which will be a real benefit for pollinator's in the area, supporting Leighton Buzzard's aspirations to be a 'Bee Friendly' town.

To ensure such enhancements are delivered, a condition should be attached to any planning permission granted requiring an ecological enhancement strategy (EES).

8. Other Considerations

Response to comments / objections from neighbouring occupants:

The issues raised are either considered in the discussion above, can be dealt

with by conditions, or are issues which will be considered at reserved matters stage.

Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The building needs to be designed to ensure that it adopts inclusive design and layout principles to enable all residents to access and benefit from the facilities. Design and layout options which are considered good practice, as outlined in the MANOP response, should be pursued. An informative should be attached to any Planning Permission granted drawing the attention of the applicant to their responsibilities under The Equality Act 2010.

Recommendation:

That Outline Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Details of the access, layout, scale, appearance and landscaping (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.

- 2 Application for approval of the 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.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the 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.

- 4 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.
(Section 4, NPPF)

- 5 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are

opened.
(Section 4, NPPF)

- 6 **No demolition or development shall take place until a written scheme of heritage asset resource management; that includes archaeological investigation and historic building recording; provision for post excavation analysis and full publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological and historic building recording scheme.**

**Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation and historic building recording in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).
(Section 12, NPPF)**

- 7 **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) **Review of the site potential and constraints**
- b) **Purpose and conservation objectives for the proposed works**
- c) **Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB guidelines on appropriate scale maps and plans**
- d) **Type and source of materials to be used where appropriate, e.g. native species of local provenance.**
- e) **Timetable for implementation demonstrating that works are aligned with proposed phasing of development.**
- f) **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.
(Section 11, NPPF)**

- 8 **No development approved by this permission shall take place until a Phase 2 investigation and report, as recommended by the previously submitted EPS Phase 1 Geo-Environmental Desk Study report dated 20th March 2017 (Ref: UK17.2600), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 investigation and report, a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.**

**Reason: To protect human health and the environment.
(Section 11, NPPF)**

- 9 **No development shall take place until an acoustic assessment of neighbouring land uses has been undertaken and a scheme for protecting the proposed residential care home from noise from any significant neighbouring noise sources has been submitted to and approved in writing by the Local Planning Authority. The residential care home shall not be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

**Reason: To ensure a suitable noise environment is provided for the proposed use, and to protect the amenity of future occupiers of the residential care home.
(Section 11, NPPF)**

- 10 **Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:**

- a) **The construction programme and phasing**
- b) **Hours of operation, delivery and storage of materials**
- c) **Details of any highway works necessary to enable construction to take place**
- d) **Parking and loading arrangements**
- e) **Details of hoarding**
- f) **Management of traffic to reduce congestion**
- g) **Control of dust and dirt on the public highway**
- h) **Details of consultation and complaint management with local businesses and neighbours**
- i) **Waste management proposals**

- j) **Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.**

**Reason: In the interests of highway safety and the control of environmental impacts on neighbouring occupiers during development of the site.
(Policy BE8, SBLPR, and Sections 4 and 11, NPPF)**

- 11 **Prior to the first occupation of the development, a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. Installation of Public Art shall commence on site prior to occupation of 50% of the residential units. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.**

**Reason: To assist in creating a quality environment.
(Policy BE8, SBLPR and Sections 7 and 12, NPPF)**

- 12 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage Strategy (July 2017) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by**

the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

**Reason: To ensure an acceptable surface water drainage scheme.
(Section 10, NPPF)**

- 13 **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No residential units shall be first occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.
(Section 10, NPPF)**

- 14 **No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hardstanding areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.
(Section 10, NPPF)**

- 15 **The second floor windows in the rear elevation of the development facing George Street hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the floor of the rooms in which the windows are installed. No further windows or other openings shall be formed in this rear elevation at first or second floor level.**

**Reason: To safeguard the privacy of occupiers of adjoining properties.
(Section 7, NPPF and Policy BE8, SBLPR)**

- 16 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LBCH8000/2.1/100, LBCH8000/2.1/101, Sheet 1 of 1, 4758/10 Rev A, 4758/11 Rev A, CBC/001, CBC/002, CBC/003, CBC/004 and CBC/005**

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

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 applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

4. In respect of condition 12, there is no evidence in the form of a detailed ground investigation report to confirm that the ground is suitable for infiltration drainage. An infiltration test and report should be carried out to BRE Digest 365 to determine if soakaways or similar features can be used on any part of the site.
5. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

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 stage 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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