

Development Management

Central Bedfordshire Council

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Your Ref
Date 04 May 2021

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England)
Order 2015**

NOTICE OF GRANT OF PLANNING PERMISSION

Application Number: CB/21/00546/FULL
Application Site: College Farm, Chalgrave Road, Chalgrave, Dunstable, LU5 6JN
Proposed Development: Replacement of existing barn structures with no. 2 attached barn-style residential dwellings

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

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following conditions:

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby approved shall be constructed in the materials as shown on the approved plans, unless approved in writing by the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual

amenities of the locality.
(Section 12, NPPF)

- 3 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 12, NPPF)

- 4 The first floor windows in the west facing elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. No further windows or other openings shall be formed in the west facing elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Section 12, NPPF)

- 5 All ecological measures and/or works shall be carried out in accordance with the details contained in the 2019 Bat Activity Survey *as already* submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure the endangered species are protected.

- 6 No above ground development (excluding demolition) 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: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Section 12, NPPF)

- 7 Prior to the occupation of the first dwelling, a scheme (based on current government policy/guidance at the time of submission) for the provision of electric charging points shall be submitted to and approved in writing by the local planning authority. The charging points shall be provided as approved prior to the occupation of the dwellings they serve.

Reason: To ensure the development protects and exploits opportunities for the use of sustainable transport modes for the movement of people in accordance with section 4 of the National Planning Policy Framework.

- 8 The development hereby permitted shall be undertaken in full accordance with the Council's adopted 'Construction Code of Practice for Developers and Contractors' https://www.centralbedfordshire.gov.uk/info/44/planning/674/codes_of_practice_for_planning.

Reason: In order to minimise the impact of construction work on the amenities of nearby residential properties (Section 12, NPPF)

- 9 Prior to the occupation of the dwellings hereby approved, a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

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

- 10 Notwithstanding the provisions of Part 1, Class A and B of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions including loft extensions to the buildings hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the buildings in the interests of preserving the openness of the Green Belt and the character and appearance of the area.
(Section 12 and 13, NPPF)

- 11 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of preserving the openness of the Green Belt and the character and appearance of the area.
(Section 12 and 13, NPPF)

- 12 Prior to commencement of above ground works (excluding demolition) details of improvements to the junction of the vehicular access with the highway shall be 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.

- 13 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 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215m 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.

- 14 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.

- 15 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking and turning of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason

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

- 16 Prior to commencement of above ground works (excluding demolition) details of a turning area suitable for a light goods vehicle shown on drawing number 1669-PL103 Rev B and for the use of the existing dwelling (College Farm House) shall be approved by the Local Planning Authority and no building shall be occupied until that turning area has been constructed in accordance with the approved details. Such Detail shall include a gate or fence between the parking court to the proposed dwellings and the turning area to the existing dwelling. The said turning area shall thereafter be permanently retained on site, unless otherwise agreed in writing with the Planning Authority.

Reason

To enable vehicles to draw off and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 17 Notwithstanding the provision of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015 (or any Revoking or re-enacting that Order), the turning area shown on drawing number 1669-PL103 Rev B and fronting the commercial building, shall thereafter be permanently retained on site, unless otherwise agreed in writing with the Planning Authority.

Reason

To enable vehicles to draw off and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 18 Prior to the occupation of the dwellings hereby approved details of secure cycle storage for residents and cycle parking for visitors shall be approved by the Local Planning Authority and no building shall be occupied until the said storage and parking have been constructed in accordance with the approved details.

Reason

In order to promote sustainable modes of transport.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL210A, PL103B, P250, PL211A, P201, P202, PL100, PL220A, PL212A and PL221A.

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

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the rural amenity of the area and to preserve the openness of the Green Belt.
(Section 12 and 13, NPPF)

- 21 **No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the previously submitted STM Environmental Ltd report dated November 2019 (Ref: PH1-2019-000098), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 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 to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

- 22 Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website:

https://www.centralbedfordshire.gov.uk/directory_record/43223/application_for_approval_of_details_reserved_by_condition

- 1 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.

- 2 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).

- 3 The applicant is advised that in order to comply with Condition 12 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
 - ii. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.
 - iii. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.

Andrew Davie

Andrew Davie
Assistant Director - Development Infrastructure

Date of Issue: 04 May 2021

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK

* delete where inappropriate

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 78

Notification of intention to submit an appeal

Under the provisions of Recommendation 3 of the Rosewell Review into inquiry appeals, this notification is to give the Local Planning Authority and Planning Inspectorate not less than 10 working days' notice of an intention to submit a planning appeal where the appellant will request the inquiry procedure.

Complete the following:

The appeal will be against: Central Bedfordshire Council
for: <i>(insert reason for appeal e.g. refusal, failure to decide or appealing against conditions)</i>
Appellant(s) name:
Site Address: College Farm, Chalgrave Road, Chalgrave, Dunstable, LU5 6JN
Description of development: Replacement of existing barn structures with no. 2 attached barn-style residential dwellings
Planning application number: CB/21/00546/FULL
Likely submission date of appeal:
Proposed duration of inquiry in days:

Next steps:

1. Complete the above fields
2. Save this document
3. Attach to an email and send to the Local Planning Authority and also the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk)
4. Submit your appeal via the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>) not less than 10 working days after sending this notification.