

# Development Management

## Central Bedfordshire Council

Priory House, Monks Walk  
Chicksands, Shefford  
Bedfordshire SG17 5TQ  
www.centralbedfordshire.gov.uk



Mr A Irwin  
Northhill Developments  
158 Manor Road  
Barton-le-Clay  
MK45 4NU

**Contact** David Gauntlett  
**Direct Dial** 0300 300 4266  
**Email** planning@centralbedfordshire.gov.uk  
**Your Ref**  
**Date** 18 August 2022

### 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/21/04761/FULL  
**Application Site:** Hillside, Myers Road, Potton, Sandy, SG19 2RG  
**Proposed Development:** Demolition of existing buildings and erection of 3 detached houses

### 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 permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers IRWIN LP1 rev B, IRWIN SP1 rev C (Site Plan), IRWIN SP1 rev C (Vision Splays Drawing), IRWIN SP1 rev C (Ecology Location Plan), IRWIN 1 rev B (Plot 1), IRWIN 1 rev C (Plot 2), IRWIN 1 rev B (Plot 3)

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

- 3 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](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)

- 4 The development hereby permitted shall be undertaken in full accordance with the Council's adopted 'Environmental Code of Practice' [https://www.centralbedfordshire.gov.uk/info/44/planning/674/codes\\_of\\_practice\\_for\\_planning/3](https://www.centralbedfordshire.gov.uk/info/44/planning/674/codes_of_practice_for_planning/3)

Reason: In order to minimise the impact of development on existing trees, landscape features and biodiversity (Section 15, NPPF)

- 5 No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwelling(s) the fire hydrant(s) serving that development shall be installed as approved. Thereafter the fire hydrant(s) shall be retained as approved in perpetuity.

Reason: In the interests of fire safety and providing safe and accessible developments. (Section 7, NPPF)

- 6 No building shall be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

- 7 Visibility splays shall be provided at the junction of the access points along the public highway (Myers Road) prior to any occupation of the dwellings. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

- 8 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety

- 9 No dwelling shall be occupied the vehicle parking spaces have been provided in accordance with the approved drawing. The car parking spaces shall thereafter be

kept available for parking at all times.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

- 10 Before development begins, a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before any dwelling is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport

- 11 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises

- 12 No works are in any circumstances to commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England authorizing the specified activity/development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the development causes no harm to protected species in accordance with policy EE2 of the Central Bedfordshire Local Plan.

- 13 All ecological measures and/or works shall be carried out in accordance with the details contained in the Design and Access Statement and the Preliminary Ecological Appraisal (ELMAW Consulting, 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with Policy EE2 of the Central Bedfordshire Local Plan and the National Planning Policy Framework

- 14 No development shall commence until a detailed site-specific Arboricultural Impact Assessment and Tree Protection Plan has been submitted to and approved in writing by the local planning authority. The proposed development shall be carried out in strict accordance with the details thereby approved.

Reason: To ensure the appropriate safeguarding, management and mitigation of existing trees and hedgerows on the site. (Sections 12 & 15, NPPF)

- 15 No development shall commence until a detailed surface water drainage scheme, to manage surface water runoff from the development for up to and including the 1 in 100 year event (+40%CC), and a maintenance and management plan for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards. The final detailed design shall be based on an agreed drainage strategy (Ref: to be submitted) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with CBC Local policy CC3 to CC5 and NPPF Paras 159 to 169 Inclusive of footnotes 54 to 56 and its supporting technical guidance.

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

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161, 18th December 2014.

- 17 No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination This report shall adhere to BS10175:2011.
- A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study )
- A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health, groundwater and the wider environment.

Reason: To protect human health and the environment

- 18 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 the environment

- 19 All dwellings hereby approved must comply with the water efficiency standard of 110 litres per person per day as detailed by Regulation 36(2)(b) of Part G of Schedule 1 and Regulation 36 to the Building Regulations 2010 (as amended).

Reason: To ensure the efficient use of water in accordance with Policy CC1 of the CBLP (2021) and the objectives of sustainability set out in the NPPF (2021).

- 20 Prior to the occupation of any dwelling hereby approved, a scheme for the charging of electric and ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with Policy T5 of CBLP and shall include the following:
- Details of active charging posts or passive provision such as cabling and electricity supply for each parking space
  - Timescales / triggers for implementation of the scheme.

The development shall be completed in accordance with these approved details including the agreed timescales / triggers.

Reason: To assist with the transition to low-emission vehicles in line with Policy T5 of the CBLP and paragraph 110 of the National Planning

- 21 Prior to the commencement of development, details of the existing and final ground levels and slab levels for buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: Details are required prior to the commencement of development to ensure that an acceptable relationship results between the new development and adjacent buildings, private amenity spaces and public areas, in accordance with Policy HQ1 of the Central Bedfordshire Local Plan (2021) and the NPPF

## 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](https://www.centralbedfordshire.gov.uk/directory_record/43223/application_for_approval_of_details_reserved_by_condition)**

### 1 Highways Notes:

- The applicant is advised that in order to comply with Condition 6 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory

House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)

- The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration
- 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 Highways Help Desk tel: 0300 300 8049

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010"

## 2 Drainage Notes:

1. Culverting of existing watercourses will not be permitted.
2. We will require calculations, informed by BRE365 soakage testing, providing evidence of all surface water retained on site for the 1 in 100 (+40%CC). This is then used to size soakaways.
3. Any watercourses within or adjacent to the site should be included in the maintenance and management plan, even if there is no discharge to them. This would be a riparian ownership issue but leaving it as such is no longer acceptable.
4. We will require full drainage drawings showing all connections, control features, storage, inverts etc. and how it communicates with the development wide scheme.
5. Under Central Bedfordshire Council and IDB bylaws, any watercourse within or adjoining the site boundary will maintain a 9m development free easement (on the development side), unless otherwise agreed with the relevant drainage authority. This applies to all watercourses, where water is present for all or some of the year, including those not clearly stated on mapping, topography or planning documents.
6. We expect the use of the SuDS management train, single point SuDS will be challenged. 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.
7. Connection to the highway gully system is not acceptable.
8. The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).
9. 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).
10. 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. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

*Andrew Davie*

**Andrew Davie**  
**Assistant Director - Development Infrastructure**

Date of Issue: 18 August 2022

## 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](mailto: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: Hillside, Myers Road, Potton, Sandy, SG19 2RG
Description of development: Demolition of existing buildings and erection of 3 detached houses
Planning application number: CB/21/04761/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](mailto: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.