
Appeal Decision

Site visit made on 23 November 2021

by Stephen Wilkinson BA BPI DIP LA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th January 2022

Appeal Ref: APP/K0235/W/20/3259135

Former Lidl, Manor Drive, Kempson, MK42 7AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Hodgkinson against the decision of Bedford Borough Council.
 - The application Ref 20/00021, dated 7 January 2020, was refused by notice dated 6 April 2020.
 - The development proposed is specialist C2 use accommodation for the elderly consisting of apartments with care, communal facilities, parking and associated private amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for specialist C2 use accommodation for the elderly consisting of apartments with care, communal facilities, parking and associated private amenity space at the site of the former Lidl store, Manor Drive, Kempson, MK42 7AH, in accordance with the terms of the application, Ref 20/00021, dated 7 January 2020, and the plans submitted with it, subject to the schedule of conditions included with this letter.

Procedural Matter

2. The appeal form states the appellant as Mr Andrew Green of Gladman Retirement Living Ltd. However, in subsequent correspondence with the Planning Inspectorate it was confirmed that the appellant, for the purposes of this decision, would be Mr Hodgkinson as he was the original applicant. This is reflected in the banner heading.
3. The Council has now indicated that the Unilateral Undertaking, dated 5 January 2021 which accompanied the appeal overcomes its third reason for refusal regarding the levels of care. For this reason, it no longer intends to defend this reason. I address this matter later in this decision.

Main Issues

4. The effect of the proposal on:
 - The character and appearance of the streetscene
 - The effect of the proposal on designated heritage assets

- Whether the appeal scheme includes sufficient level of care as required by the Council's adopted policy for C2 Use Class¹ for care accommodation, and
- Whether the appeal scheme includes adequate provision for waste storage and collection.

Reasons

Character and appearance

5. The appeal site is vacant, being the site of a former Lidl store since demolished and includes the site of a detached dwelling on its eastern side. The site lies on a roundabout at the junction of Manor Drive with Bedford Road within the Kempson local centre. Physically the site sits slightly lower than residential properties to the west.
6. The area does not have a distinctive character, is primarily residential and includes a variety of building types which comprise blocks of flats, semi detached and terraced properties. A small war memorial, a non designated heritage asset, is located immediately west of the site near a 4 storey block of flats, Camford Court. Around 40m east of the site is a row of Grade II listed almshouses, St John's Homes.
7. The proposed scheme is T shaped in plan form and comprises in part 4 storeys. The proposed design of the top floor differs from an extant scheme² as this would extend towards the Bedford Road frontage although this floor would be set back by several metres from the western edge of the proposed block. This proposed change, when compared to the extant scheme includes 3 additional units of care accommodation.
8. The building is in a contemporary style involving a bold and simple palette of materials which serves to emphasise the simplicity of its modular design.
9. The inclusion of the extension to the top storey on this part of the frontage would not diminish the impact of the feature landmark included at the scheme's north eastern corner. This landmark feature, common to both the extant permission and the current appeal scheme, would be broad in extent and would not be compromised. This is due to the combination of both its extended parapet which would sit slightly above the remainder of the top floor on this frontage and the use of contrasting coloured cladding and brickwork. In my opinion it would still remain as a distinct feature.
10. The Council identifies 2 other sites within the immediate area where there are high rise buildings. Of these, Camford Court, lying on the opposite side of Manor Drive from the appeal site is most relevant comprising 4 storey blocks. I acknowledge that this scheme was permitted well before the adopted local plan and that due to its location it is less prominent than the appeal scheme but its presence is an acknowledgment that four storey blocks are part of the site's immediate context.
11. Horseshoe Court, at 3 storeys lying opposite the appeal site, whilst lower in height, is set closer to the road frontage than the appeal scheme. For this

¹ Town and Country Planning (Use Classes) Order 1987 (as amended) C2 covers residential institutions residential care homes and nursing homes

² 19/00216/MAF

reason, its net effect on the character and appearance of the streetscene would only be marginally less than that of the appeal scheme.

12. The montages provided by the appellant indicate a static image but I do not consider that this undermines their value as the Council suggests. The receptor, travelling along Bedford Road towards the roundabout would have an acute awareness of the proposed extension as the montages suggest, but this would diminish as they continue eastwards. Travellers heading westwards would have views dominated by the landmark feature at the corner of the scheme which diminishes the visual impact of the proposed extension to the top floor.
13. The proposed building would be set back from the Bedford Road frontage and away from the shared boundary with the neighbouring 2 storey residential property, No 387 Bedford Road. These separation distances together with the proposed height of the scheme at only 3 storeys at its eastern end would, in my view, not differ from that already approved in maintaining the transition to the residential properties.
14. The Council's Local Plan has a range of policies which stress the importance of good design and place making. Although they preceded the adoption of the most recent National Planning Policy Framework (the Framework) they are in accordance with it.
15. Given the context of the site's surrounding architecture and spaces, the scheme would provide a welcome contrast, be distinctive and contribute to a defined sense of place. Both its scale and massing could be accommodated on the site without detriment to the character and appearance of the streetscene. For these reasons, I conclude that the appeal scheme would not be in conflict with Policy 28Si and ii, Policy 29 i, ii and vi and Policy 30 of the Bedford Local Plan 2020. Furthermore, the scheme would not conflict with the Framework's policies which seek the creation of high quality buildings and places.

Designated heritage assets

16. The appeal site lies around 40m east of a terrace of Grade II listed almshouses, St John's Homes, which date from the late nineteenth century. The almshouses are set back from the road by a small area of grass, are built of red brick, roofed in red tile with a varied facade comprising gables, bays, a range of window opening and a row of tall chimneys.
17. Directly across from the appeal site is a war memorial set on an extended area of footway by Camford Court. This is a non designated heritage asset.
18. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. This is supported by the Council's Policies 29 and 41S.
19. The Framework defines 'setting' as the surroundings in which a heritage asset is experienced. It is the relationship of the almshouses to Bedford Road which is the essential component of their setting. The scale and set back of existing 2 storey semi-detached properties along Bedford Road respect this setting.

20. Set within this context, the scale of the whole scheme would be clearly seen when viewed along Bedford Road. However, due to the set back of the proposed floor extension from the eastern edge of the appeal scheme, the extent of impact on the setting of the listed building would be limited. The importance of the third floor as a 'transitional feature' would not be compromised by the new scheme. The views of the Council's heritage officer in considering that there would be minor harms resulting from the proposed scheme on the setting of the alms houses, being no different to that of the permitted scheme, is instructive in this regard.
21. In accordance with Paragraph 202 of the Framework, the extent of harm has to be weighed against the public benefits potentially arising from the proposed scheme. In my view when compared to the extant scheme, the contribution to housing land supply of 3 additional units of care accommodation in a Borough where there is acknowledged demand for this form of accommodation is sufficient to weigh in favour of the scheme on this main issue.
22. In respect of the war memorial, the set back of the scheme, whilst not as generous as that afforded by Camford Court would still be preserved and is not different from that of the extant scheme.
23. Policies 29, 30 and 41S of the Local Plan seek to protect designated and non designated heritage assets and to protect townscape. For the reason stated above, I conclude that the appeal scheme would not be in conflict with these policies.

Care Provision

24. The appellant submitted a Unilateral Undertaking with the appeal which commits to the provision of 2 hours of care each day for each resident. The amount of care provision is in accordance with Policy 60 of the Local Plan. This has been confirmed by the Council through the submission of a CIL³ compliance statement.
25. Overall, the obligation included in the Undertaking is related to the requirements of development plan policies and is necessary, directly related and fairly and reasonably related in scale and kind to the proposed scheme.
26. I am satisfied that the provisions of the Undertaking are compliant with Regulation 122 of the CIL Regulations and paragraph 57 of the Framework.

Waste storage and collection

27. The proposed scheme would include the provision of an area within the site for 9No. 1100 litre paladin containers. This level of storage capacity was accepted in the extant scheme. It is unclear why the Council now suggests that on the basis of 3 additional units of C2 care accommodation, a further 14 paladins are required for household, clinical and commercial waste.
28. I acknowledge that between the dates of the 2 Council decisions the new Local Plan was adopted. Policies require new development to have sufficient waste storage capacity which is suitably located with regard to access arrangements. The detailed evidence on which the Council relies is included in Government

³ Community Infrastructure Levy

advice dating from 2018⁴; this has not changed since its first decision. The Council has confirmed that the SPD⁵'s for Managing Waste in New Developments and Climate Change and Pollution identified in the reason for refusal no longer form part of its development plan.

29. The appellant has indicated that management of the proposed waste store could address in part the Council's objections on this main issue. The suggested condition 10, included by the Council in its representations, would still allow for an opportunity for this matter to be satisfactorily resolved.
30. For the above reasons, I conclude that the proposed development would not be in conflict with Policies 29viii, 31iv, 32v and 49 of the Local Plan.

Interested parties

31. Several matters have been raised by interested parties which I address below.
32. The scheme includes 30 standard and 4 disabled parking spaces which meet the adopted standards. These standards account for the fact that a proportion of the elderly residents would own their own vehicle. The scheme includes revisions to the existing vehicular access which would improve visibility splays to improve highway safety.
33. Since the Council's decision to refuse the application the appeal is accompanied by the Unilateral Undertaking which is a legal commitment to provide sufficient levels of care for the residents. The fallback position of the extant scheme should be noted in this respect given that this scheme is for just 3 additional units. The levels of care required by the planning obligation should reduce the pressures on local surgeries.
34. The appeal scheme has been amended from the extant scheme (19/00216/MAF). Whilst interested parties are concerned with its design and appearance the extant permission represents a fall back position. I have addressed the issues of impact of the proposed design on the streetscene in the preceding sections of this decision.

Planning Balance

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purposes of any determination to be made under the planning acts. The determination must be made in accordance with the development plan unless material circumstances indicate otherwise.
36. There is a statutory duty included in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring local planning authority's to have special regard to the desirability of preserving listed buildings and their settings. This is supported by Paragraphs 202 and 203 of the Framework which require that any harm requires clear justification but where the harm is less than substantial the harm should be weighed against public benefits of the scheme. For non designated heritage assets, a balanced judgement is required.

⁴ Our Waste, Our Resources: A Strategy for England 2018

⁵ Supplementary Planning Guidance

37. In this case the appeal site is within the setting of St John's Homes, a listed building. The harms which result from both its size and location, forward of the building line when taken from the front of the alms houses are less than substantial.
38. The Council states that the balance inherent in its decision to refuse permission is tipped away from the scheme due to the more positive housing land supply situation than when its original decision was made. However, at the time of the Council's decision, the application was not accompanied by a planning obligation designed to secure the level of care required by Policy 60⁶. This has now been addressed through the Undertaking and so the provision of the additional units of accommodation are a benefit. This weighs in favour of the appeal scheme.
39. In respect of the other main issues, given the progress which has been made to discharge outstanding planning conditions the extant permission represents a 'fall back' position and is a material consideration, despite the adoption of the new plan. This is a situation acknowledged by the Council.
40. The other public benefits arising from the scheme including employment opportunities and the spending power of new residents are still a factor in outweighing the less than substantial harm arising from the appeal scheme.
41. In respect of the effects on the war memorial these would be no different from those resulting from the extant scheme.
42. In respect of the other main issues, I find that the appeal scheme would not adversely impact on the character and appearance of the streetscene and that the waste provision could be adequately addressed by the suggested planning condition.

Conditions

43. I have imposed 32 conditions as part of this decision. The justification for these is as follows.
44. I have included a condition regarding the specific plans for reasons of certainty. To protect the character and appearance of the area I have included conditions in respect of materials, boundary treatment and landscaping. For the same reason a condition is required ensuring that utility meter boxes and vents are not installed on the principal elevations without first requiring planning permission.
45. In order to protect the living conditions of surrounding occupiers, I have included a condition regarding a requirement for a construction method statement. Conditions have also been included in this decision to prevent overlooking to the neighbouring property through the requirement for obscure glazing and privacy screens. A further condition has been imposed requiring details of odour control, ventilation and noise control and a requirement for details of antennae associated with the communal television service within the scheme.

⁶ Section 2.19 officers report to Committee

46. To ensure acceptable living conditions for future occupiers, I have included conditions requiring adequate lighting, bin storage and collection. For the same reason, I have imposed other conditions in respect of land contamination and remediation.
47. To maintain the environmental sustainability of the scheme I have included conditions regarding a need for an energy audit and facilities for plug in charging points for electric vehicles
48. I have imposed a planning condition requiring measures to improve the site's contribution to biodiversity through nesting boxes for both birds and bats and swift bricks.
49. In order to maintain highway safety I have imposed planning conditions to address details of the alterations to the existing junction to the site. Amongst other things these conditions will ensure adequate sight lines to the junction. Other conditions have been included in this decision regarding the layout and demarcation of parking and turning spaces to ensure the free movement of vehicles within the site. These measures would preserve pedestrian safety.
50. Finally, I have included a condition requiring the inclusion of broadband in order to future proof the scheme in terms of global communication.

Stephen Wilkinson

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 00008-P2-101; 00008-P2-102; 00008-P2-103; 00008-P2-121; 00008-P2-122; 00008-P2-131; 00008-P2-132; 00008-P2-133; 00008-P2-141; U19—2502503T-RevB; P18078-002D.
- 3) No development shall take place above slab level until full details of the external materials to be used (to include walls, roof, doors, balcony windows and external gutters and pipe work) have been provided for inspection and approved in writing by the local planning authority. Should the rendered panel system be proposed, the details shall include the joints between the panels and between the panels and fenestration. The development shall thereafter be carried out in accordance with the approved details or particulars.
- 4) No hard surfacing works shall commence until the surface water drainage system has been installed in accordance with the approved drawing.
- 5) Notwithstanding the details submitted, no development shall take place above slab level until written details of all boundary treatment, screen walls and fences have been submitted to and approved in writing by the local planning authority. The detail shall include wildlife passing gaps at the base of the treatments and details of their sizes and locations. The work should be carried out in accordance with the approved details and implemented prior to the first occupation of the dwellings hereby approved.
- 6) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii) footpath, cycleway and road closures required, if any

- ix) times and routes and means of access and egress for construction traffic and delivery vehicles for both the import of materials and removal of waste;
- x) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7) Notwithstanding the details submitted, no development shall commence, until there shall have been submitted to and approved in writing by the local planning authority, a scheme of landscaping works, which shall include details of the following:
 - a planting proposal giving details of location, species, number, density and planting size. This is to include an orchard unless it can be demonstrated that its provision cannot be achieved
 - the relationship of new planting to buildings, roads, footpaths, drains and location of all underground and overground services
 - areas of grass turfing or seeding and other surface materials
 - the depth of top soil to be provided where necessary and the measures to be taken to maintain the new planting for the required period
 - details of all hard works, paving materials, street furniture, bollards/ bins
 - details of the landscaping in the context of the highway access and pedestrian visibility splays
- 8) All planting, seeding or turfing comprising the approved details of landscape works shall be carried out in the first planting and seeding seasons following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the planting, die or are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. For the purpose of this condition, the planting season shall mean the period from November to February inclusive.
- 9) No external lighting shall be installed on the site accept in accordance with an external lighting scheme submitted to and approved in writing by the local planning authority in advance of any installation. The lighting installations shall be designed to minimise light spillage beyond the boundaries of the site and onto the boundary vegetation and bat boxes/ bricks and routes thereto. The lighting scheme shall include the location of the lighting units, their mounting heights and details with respect to their size and appearance on a plan. This should also indicate the lux levels within and outside the site arising from the lighting units.
- 10) Notwithstanding the details submitted, no building shall be occupied until details of bin storage and collection points are submitted to and approved in writing by the local planning authority. Details should be included of the bin store, its location and access arrangements. Storage and

collection of bins have been provided in accordance with the approved scheme and thereafter retained.

- 11) No development shall take place, other than demolition, until an energy audit (including timetable) has been submitted to and approved in writing by the local planning authority. The audit shall demonstrate how the development will achieve a 19% improvement in the dwelling emission rate over the target emission rate as defined in the Building Regulation Approved Documents L1A, Conservation of Fuel and Power in new dwellings and shall include:
- an assessment of the predicted carbon dioxide emissions from the development once occupied
 - a review of alternative methods for reducing the predicted carbon emissions of the development once occupied and their anticipated effectiveness
 - proposals for measuring the effectiveness of the chosen methods for reducing the predicted carbon dioxide emissions of the development once occupied
 - consideration of how the layout orientation designed and materials used in the development can affect the consumption and use of energy

The development shall be carried out in accordance with the approved energy audit.

- 12) No development shall take place above slab level until full details of a scheme of ecological enhancements has been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with recommendations of the approved ecological report and include the provision of swift bricks within the elevations of the building. The scheme shall give the locations mounting heights and specifications of all bird and bat boxes as well as the location and size of log piles. the development shall be implemented in accordance with the approved details and retained thereafter.
- 13) The rear most first and second floor windows on the east facing elevation of the eastern wing which faced number 387 Bedford Rd shall contain no means of opening (unless any opening part of the window is at least 1.7metres above the floor level of the room it serves) and the glass shall be an obscured glazed type at least level 3 glass as defined in the Pilkington Textured Glass range. The window as inserted in accordance with those requirements shall be retained.
- 14) No development shall take place above slab level until full details of an opaque privacy screen to the rear most eastern, first and second floor balconies, adjacent to the shared boundary with No. 387 Bedford Road has been submitted to an approved in writing by the local planning authority. If an obscure glazed screen is proposed it shall be an obscured glazed type at least level 3 glass as defined in the Pilkington Textured Glass range. The privacy screen shall be installed prior to the occupation of those units in accordance with those requirements shall be retained thereafter.

- 15) No development shall take place above slab level until details of a ventilation/extraction system to provide odour control and ventilation within the kitchens shall be submitted to and approved in writing by the local planning authority. Any emissions shall be discharged via the roof and not via any flues or vents on the South or West elevations of the building. Details of any flues or related equipment to the roof shall be sensitively screened on all sides to form an intrinsic part of the buildings design and screening details shall be submitted to the local planning authority for approval. The system and any approved screening shall thereafter be installed prior to occupation and operated in accordance with the manufacturers instructions and maintained thereafter.
- 16) When assessed in accordance with BS4142:2014 the noise level from the new plants associated to the development shall not exceed 38Db LAeq (15 min) at the facade of any noise sensitive premises.
- 17) No cable boxes utility metres flues or vents shall be installed on the South or West elevations of the building hereby approved without the benefit of planning permission.
- 18) The development shall not be occupied until details of the junction of the proposed vehicular access with the highway has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the junction has been constructed in accordance with the details approved.
- 19) The development shall not be occupied until any part of the existing vehicular access including junction with the highway within the frontage of the land to be developed that is not incorporated in the access hereby approved has been removed and reinstated to match the highway verge, footway and kerbing on either side of the access junction, in accordance with details due to be submitted to and approved in writing by the local planning authority.
- 20) Before the approved vehicular access is first brought into use a triangular pedestrian visibility splay of 1.8metres x 1.8metres shall be provided on each side of the vehicular access. All parts of the splays shall thereafter be kept free of all obstructions over a height of 0.6metres above ground level.
- 21) Notwithstanding the details submitted the development shall not be occupied until the scheme for car parking in accordance with Bedford Borough Councils, Parking Standards for Sustainable Communities: Design and Good Practice 2014, has been submitted and approved in writing by the local planning authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car parking areas shall not thereafter be used for any other purpose.

- 22) No building shall be occupied until the vehicle parking spaces have been properly surfaced and marked out/provided in accordance with the drawings to be approved. The spaces shall thereafter be kept available for parking at all times.
- 23) The building shall not be occupied until a scheme for cycle parking has been provided in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.
- 24) The development shall not be occupied until an area has been laid out within the site for vehicles to turn in accordance with details to be submitted to and approved in writing by the local planning authority. That area shall not be used thereafter for any other purposes.
- 25) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:
- i) a survey of the extent, scale and nature of contamination;
 - ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
- 26) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out [and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority] before the development is occupied.

- 27) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development [or relevant phase of development] is resumed or continued.
- 28) No development shall take place until a monitoring and maintenance scheme to demonstrate the effectiveness of the proposed remediation shall have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented, and the reports produced as a result, shall be submitted to the local planning authority within 60 days of the report being completed and approved in writing within 60 days of receipt. If any of these reports identifies any discrepancy with the verification report then a protocol, including timescale, for the necessary remediation shall be submitted to the local planning authority within a further 30 days and approved in writing within 60 days of receipt, thereafter, any necessary remediation and verification shall be carried out in accordance with the approved protocol.
- 29) No developments shall take place above slab level until details of a satisfactory residential unit ventilation system has been submitted and approved by the local planning authority. The scheme must take into account the impact of the noise mitigation measures on the ability of residents to open their windows for ventilation. The building shall not be occupied until the ventilation system has been installed in accordance with the approved details. The details shall include the specification and location of any equipment, vents and extracts that are required as part of the system. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approved and retained for as long as the use continues.
- 30) No development shall take place until the scheme for facilities to enable charging of plug-in and other ultra-low emission vehicles has been submitted to and approved by the local planning authority in writing in accordance with Policy 89 and the Bedford Borough local plan 2030.
- 31) No residential units shall be occupied until fibre optic broadband infrastructure has been installed to enable every residential unit to have access to reliable high speed broadband in accordance with Policy 94 of the Bedford Borough local plan 2030.
- 32) No residential unit shall be occupied until communal facilities for TV antennae and associated physical equipment have been installed in accordance with the scheme to be submitted to and approved in writing

by the local planning authority as required by Policy 95 of the Bedford Borough local plan 2030.