

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 14 September 2016

PRESENT

Cllr K C Matthews (Chairman)
Cllr R D Berry (Vice-Chairman)

Cllrs M C Blair
Mrs S Clark
K M Collins
F Firth
E Ghent

Cllrs C C Gomm
K Janes
T Nicols
T Swain
J N Young

Apologies for Absence: Cllr S Dixon

Substitutes: Cllr I Dalgarno (In place of S Dixon)

Members in Attendance: Cllrs P A Duckett
R Morris
B J Spurr
R C Stay
B Wells
A Zerny,

Officers in Attendance:	Mrs M Clampitt	Committee Services Officer
	Mr J Ellis	Planning Manager West
	Mrs C Jagusz	Committee Services Administrator
	Mrs L Newlands	Principal Planning Officer
	Mr R Pitt	Solicitor, LGSS Law Limited
	Ms A Rowland	Team Leader Sustainable Transport Team
	Mr N Smith	Planning Project Manager
	Mrs D Walker	Senior Planning Officer

DM/16/47. **Chairman's Announcements**

The Chairman reminded Councillors and members of the public to silence their mobile phones for the duration of the meeting.

The Chairman advised the Councillors and members of the public that the agenda would be considered in order with no variation.

Subject to declarable interests all Members of the Committee have the right to vote on all matters of business considered by the Committee.

Rule No. 13.5.5. of the Constitution states that Members do not vote or take part in the meeting's discussions on a proposal unless they have been present to hear the entire debate, including the officer's introduction to the matter.

The Chairman, under Part E3 paragraph 9.2 has a second or casting vote should there be equal numbers of votes for and against an item. This provision makes it quite clear that the Chairman is entitled to vote on any item of business. There is no restriction or limitation on how the second or casting vote should be exercised nor is there a requirement that the right be exercised at all.

DM/16/48. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 17 August 2016 be confirmed and signed by the Chairman as a correct record.

DM/16/49. **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr M Blair	9	Knows major objectors as spoke with them on other applications	Present

(b) **Personal and Prejudicial Interests:-**

There were none made.

(c) **Prior Local Council Consideration of Applications**

Member	Item	Parish/Town Council	Vote Cast
Cllr M Blair	9	Maulden Parish Council	Did not vote

DM/16/50. **Planning Enforcement Cases Where Formal Action Has Been Taken**

RESOLVED

that the monthly update of planning enforcement cases where action has been taken, as identified in the report of the Director of Regeneration and Business, be received.

DM/16/51. **Planning Application No. CB/16/02590/OUT**

RESOLVED

that Planning Application No. CB/16/02590/OUT relating to Land to the South of Sandy Road, Potton be approved with additional conditions and planning obligations as set out in the Schedule appended to these minutes.

DM/16/52. **Planning Application No. CB/16/02132/OUT**

RESOLVED

that Planning Application No. CB/16/02132/OUT relating to Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow be approved with additional conditions as set out in the Schedule appended to these minutes.

DM/16/53. **Planning Application No. CB/16/01266/FULL**

RESOLVED

that Planning Application No. CB/16/01266/FULL relating to Land adjacent to The Green Man, High Street, Lidlington, Bedford MK43 0RN be approved as set out in the Schedule appended to these minutes.

DM/16/54. **Planning Application No. CB/16/02501/FULL**

RESOLVED

that Planning Application No. CB/16/02501/FULL relating to Duck End Farm, 43 Flitwick Road, Maulden, Bedford MK45 2BJ be delegated to the Development Infrastructure Group Manager to refuse for the reasons as set out in the Schedule appended to these Minutes.

DM/16/55. **Planning Application No. CB/16/02903/FULL**

RESOLVED

that Planning Application No. CB/16/02903/FULL relating to Land adjoining 12 Silverbirches Lane, Aspley Heath, Milton Keynes MK17 8TL be approved as set out in the Schedule appended to these Minutes.

DM/16/56. **Planning Application No. CB/16/03178/ADV**

RESOLVED

that Planning Application No. CB/16/03178/ADV relating to Holiday Inn Express Dunstable, London Road, Dunstable LU6 3DX be approved as set out in the Schedule appended to these Minutes.

DM/16/57. **Site Inspection Appointment(s)**

RESOLVED

that all members of the Committee be invited to conduct site inspections on Monday 10 October 2016.

DM/16/58. **Late Sheet**

In advance of consideration of the above planning applications the Committee received a Late Sheet advising it of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached to these Minutes.

During consideration of some of the applications the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.30 p.m.)

Chairman

Dated

Item No. 6

APPLICATION NUMBER	CB/16/02590/OUT
LOCATION	Land to the South of Sandy Road, Potton
PROPOSAL	Outline Application: demolition of existing buildings and development of up to 90 dwellings (Use Class C3), parking, and associated works including means of access, with all other matters (relating to appearance, landscaping, scale and layout) reserved.
PARISH	Potton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Nikolas Smith
DATE REGISTERED	04 July 2016
EXPIRY DATE	03 October 2016
APPLICANT	Catesby Estates (Developments II) Limited and Mr and Mrs Saville / Desborough
AGENT	Turley
REASON FOR COMMITTEE TO DETERMINE	Cllr Zerny has called this application before the Committee. This is a major application and the Town Council has objected. Its approval would represent a departure from the Development Plan.
RECOMMENDED DECISION	Outline Application - Approval

Recommendation:

That Planning Permission is approved subject to the successful completion of a legal agreement reflecting the terms set out in the report and contributions towards health facilities at Gamlingay Surgery and the RSPB if found to be in accordance with the CIL Regulations (2010) and in agreement with the Chairman of Development Management Committee and the conditions set out in the report and in the Late Sheet (including an amended condition 13 as set out below) after the Secretary of State has been notified of the decision of the Development Management Committee and providing that the Secretary of State determines not to call the application in for his own decision.

RECOMMENDED CONDITIONS / REASONS

- 1 No development shall commence at the site before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.
- 2 An 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 **No development shall take place until a Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place until details of Local Equipped Areas of Play and Local Areas of Play together with a timetable for their implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that the appearance of the development and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 7 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (FRA: 15-0735, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme will include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed.**

No building/dwelling shall be occupied until a management and maintenance plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be correctly and fully installed as per the approved details. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF and 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.

- 8 Any application for Reserved Matters shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 9 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 10 **No development shall commence at the site before the Submission of a Reserved Matters application for a scheme for protecting the proposed dwellings from road noise and noise created by neighbouring land uses shall be submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the approved a scheme has been completed in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

Reason: To protect human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 11 **No development shall take place at the site before a Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 12 No dwelling shall be occupied at the site before the following has been submitted to and approved in writing by the Local Planning Authority:

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 13 **No development shall commence at the site before a scheme of traffic calming on Sandy Road including at least a 'village gate' feature, a pedestrian crossing and amendments to the existing speed restrictions within the vicinity of the site and a timetable for its implementation have been submitted and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details and the approved timetable.**

Reason: To ensure that the highways impacts of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Strategy (2009).

- 14 **No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. No dwellings shall be occupied before the strategy has been completed.**

Reason: To prevent environmental and amenity problems arising from flooding.

15 The scheme submitted for the approval of the reserved matters shall include:

- A pedestrian/cycle link from Sandy Road to the disused railway track to the south of the site
- A strategic planting belt along the western edge of the site based on that submitted for indicative purposes reference 5111/001

Reason: To ensure that future cycle connectivity links are safeguarded and that the landscape impact of the development in views from the east would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009)

16 No more than 90 dwellings shall be erected at the site.

Reason: To ensure that the development would be of an appropriate density for its context.

17 No development shall commence at the site before a scheme for biodiversity enhancement at the site including a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a net gain in biodiversity at the site in accordance with the requirements of the National Planning Policy Framework (2012).

18 Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced 5111.001A, 5111_005B, 5111_008, Design and Access Statement dated May 2016, Planning Statement dated June 2016, Agricultural Land Considerations dated June 2016, Archaeology and Heritage Statement dated June 2016, Transport Assessment dated June 2016 including Framework Residential Travel Plan, Noise Assessment dated May 2016, Lighting Impact Assessment dated June 2016, Air Quality Assessment dated May 2016, Minerals Resource Assessment dated June 2016, Gas Addendum letter dated July 2016, Tree Survey and Constraints dated April 2016, Phase II Site Appraisal dated June 2016, Ecological Appraisal dated June 2016, SK1 rev C, S1671/01, Landscape and Visual Impact Assessment dated May 2016, Sustainability Statement dated June 2016, Statement of Community Engagement dated June 2016 and Flood Risk Assessment dated June 2016

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with 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. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.

2. In advance of consideration of the application the Committee were advised of the following information which was contained in the Late Sheet:
 - a. The RSPB provided mitigation proposals to be adopted within the planning conditions.
 - b. The Secretary of State received a third party request to call the application in for determination. Should the Secretary of State decide not to call the application in the Development Management Committee will determine the application.
 - c. The Recommendation has been amended above to take into account the possible call-in.
 - d. The NHS had responded to the availability of surgeries for new patients.
 - e. A new condition 17 has been added and the old condition 17 renumbered to 18.]

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Item No. 7

APPLICATION NUMBER	CB/16/02132/OUT
LOCATION	Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow
PROPOSAL	Outline Application: Residential development together with associated landscaping and access
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	26 May 2016
EXPIRY DATE	25 August 2016
APPLICANT	Bovis Homes
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Parish Council has objected. Its approval would constitute a departure from the Development Plan.
	Outline Application - Approval

Recommendation:

That Planning Application is approved subject to the successful completion of a legal agreement reflecting the terms set out in the report and the Late Sheet and the conditions set out in the report (including an additional condition 12 as set out below with condition numbering adjusted as a result) after the Chairman, in consultation with the Executive Member and Ward Members has confirmed his agreement to a potential contribution towards health facilities that would be secured by a S106 agreement if one is found to be required and in conformity with the CIL Regulations or that no such contribution is required or can be secured.

RECOMMENDED CONDITIONS / REASONS

- 1 An 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.

- 2 No development shall commence at the site before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

- 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 **No development shall take place until a Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place until details of Local Equipped Areas of Play and Local Areas of Play together with a timetable for their implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that the appearance of the development and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 7 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (FRA: 15-0735, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme will include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed.**

No building/dwelling shall be occupied until a management and maintenance plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be correctly and fully installed as per the approved details. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF and 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.

- 8 The details required by Condition 1 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 9 **No development shall take place at the site before a scheme for biodiversity enhancement at the site including a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that biodiversity is properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

- 10 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the NPPF (2012) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 11 No more than 80 dwellings shall be constructed at the site.

Reason: To ensure that the development would be of an appropriate density in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014).

- 12 **No development shall commence at the site before a scheme for traffic calming between the junction of Stondon Park and Station Road and the entrance to the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be completed in advance of the first occupation of any dwelling at the site.**

Reason: To ensure that the site is safe, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the NPPF (2012).

- 13 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 14 Other than where specifically required by a condition attached to this decision the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and reports referenced LST1-02-100, LST1-02-110, JKK9131-RPS-Figure 01.01, LST1-02-120, LST1-02-120, LST1-02-130, S3180/03, Environmental Noise Survey and Assessment dated July 2016, Design and Access Statement dated May 2016, Planning Statement dated May 2016, Archaeological Desk Based Assessment dated May 2016, Preliminary Ecological Assessment dated March 2016, Geophysical Survey Report dated May 2016, Arboricultural Impact Assessment, JKK9131 - RPS-figure 02.01, Agricultural Land Classification report (undated), Landscape and Visual Impact Assessment dated May 2016, Transport Assessment dated May 2016, Level 1 Flood Risk Assessment and Surface Water Drainage Strategy dated May 2016, Framework Travel Plan dated May 2016, Geo-environmental Investigation Report dated April 2016 and Foul Sewerage and Utilities Assessment dated May 2016

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with 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. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of the following information which was contained in the Late Sheet:
 - a. Objections from residents of Phase 1 regarding access
 - b. The S106 agreement had been updated
 - c. The recommendation has been amended as above
 - d. Highways confirmed a second access would be desirable but not essential.]

Item No. 8

APPLICATION NUMBER	CB/16/01266/FULL
LOCATION	Land adjacent to The Green Man, High Street, Lidlington, Bedford, MK43 0RN
PROPOSAL	Erection of 3 no. 3 bed dwellings and 3 car garage.
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Lisa Newlands
DATE REGISTERED	31 March 2016
EXPIRY DATE	26 May 2016
APPLICANT	Gilmartins
AGENT	Mr Newitt
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr R Morris on the grounds of overdevelopment out of character with the village

RECOMMENDED DECISION	Full Application - Approval
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Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 No development shall take place on the construction of the dwellings and garage block hereby approved until samples of the materials to be used for the external surfaces of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policy 43, DSCB)
- 3 **No development shall commence on the dwellings and garage block hereby approved until the parking area for the Public House has been provided and laid out in accordance with the details submitted for condition number 3 of planning permission CB/15/00777/FULL shown on drawing number 14.2062.103 P3. The parking area shall remain as set out in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.**

Reason & justification: To ensure that a suitable parking area is in place for the Public House during the construction period and minimise any impact on the public highway.

- 4 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

Justification: This condition is required to be pre-commencement in order to record any heritage assets prior to development commencing and disturbing the ground.

- 5 The vehicular access serving the proposed dwellings shall be constructed and surfaced in a bituminous or other similar durable material 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 any of the new dwellings 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, gravel or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 6 Before the development hereby permitted is first occupied or brought into use, the scheme for the parking, garaging and manoeuvring shown on Drawing No GM2-LT-001 P3 shall be laid out, drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 7 The development hereby permitted shall not be occupied until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

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

(Section 4, NPPF)

- 8 Details of a refuse storage and collection point located outside of the public highway 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 the parking provision being implemented 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.

- 9 Prior to occupation of the dwellings hereby permitted, the applicant shall submit in writing for the approval of the local planning authority a scheme of noise attenuation measures which will ensure that internal noise levels from external road traffic noise sources and from noise associated with the operation of the adjacent Public House shall not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 – 07:00 and 45 dB LAmax 23:00-07:00 inside any bedroom, and that external noise levels from these same noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To protect the amenity of future residential occupiers of the development.

- 10 The dwellings hereby approved shall not be occupied until a landscaping scheme to include all hard and soft landscaping, boundary treatment and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme 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.
(Policies 43 and 58, DSCB)

- 11 **Development shall not commence on the dwellings and garage block hereby approved until a revised Arboricultural Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. The tree protection measures identified shall be carried out in accordance with the approved assessment.**

Reason & Justification: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policies 43 and 59, DSCB)

- 12 The external lighting scheme for the reconfigured car park approved under condition 13 of planning permission CB/15/00777/FULL shall be implemented in accordance with the approved details prior to the occupation of the dwellings hereby approved.

Reason: To protect the amenity of and prevent light nuisance to future residents of the proposed development.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers GMT-LT-001 P3; M1116.A.5.01.PA; M1116.5.02.PA; M1116.A.5.03.PA; M1116.A.5.04 PA; Heritage Statement (June 2016) 14.2062.107 P1; AIA

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

INFORMATIVE NOTES TO APPLICANT

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. 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 contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. 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.
3. The applicant is advised that, under the provisions of the Highways Act 1980, no structure, including lighting, signage, planting, boundary treatments and outdoor furniture shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

4. 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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. 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.
6. 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 Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Note: In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.]

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Item No. 9

APPLICATION NUMBER	CB/16/02501/FULL
LOCATION	Duck End Farm, 43 Flitwick Road, Maulden, Bedford, MK45 2BJ
PROPOSAL	Demolition of existing agricultural buildings and erection of a one and a half storey and two storey development of 8 number 1 bedroom flats. External works of hard landscaping, access drive, soft landscaping, fences and walls. Widening of existing crossover for parking.
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lisa Newlands
DATE REGISTERED	13 June 2016
EXPIRY DATE	08 August 2016
APPLICANT	Wrest Developments Ltd
AGENT	Michael Hardiman & Associates LLP
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr P Duckett on the following grounds: <ul style="list-style-type: none">• overdevelopment• loss of privacy• inappropriate access• unachievable parking
RECOMMENDED DECISION	Full Application - Approval

Delegated Decision – See Minute No. DC/16/54

That this application be delegated to the Development Infrastructure Group Manager to refuse for the following reason:

The proposal by reason of the excessive scale of built development and site coverage by car parking, would result in a cramped form of development, amounting to overdevelopment of the site. The development would be harmful to the character of the surrounding area; as such the proposal is contrary to Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009.

[Note:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of the following information contained within the Late Sheet:
 - a. Greensand Trust objected
 - b. Duckend Farmhouse – Further comments received 8 September 2016

- c. Agent – further comments 8 September 2016
- d. Officers provided clarification to the comments received in a, b and c above.]

Item No. 10

APPLICATION NUMBER	CB/16/02903/FULL
LOCATION	Land adjoining 12 Silverbirches Lane, Aspley Heath, Milton Keynes, MK17 8TL
PROPOSAL	Removal of timber single garage, construction of new house and garage in place of approved proposal reference CB/15/00915/FULL
PARISH	Aspley Heath
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Dee Walker
DATE REGISTERED	06 July 2016
EXPIRY DATE	31 August 2016
APPLICANT	Mr & Mrs McQuillan
AGENT	Derek Walker Associates
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor call in on grounds of loss of amenity to no. 5 Silverbirches Lane
RECOMMENDED DECISION	Full Application - Granted

Recommendation:

That Planning Permission be APPROVED subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 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 **No development shall take place until the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**
 - **Samples of materials to be used in the external finishes of the development hereby approved.**
 - **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

Reason: These details are required prior to commencement to ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area.

(Policies DM3, DM13 CSDMP)

- 3 **No development shall take place until full construction details of the reinforced concrete ring beam and mini pile foundation, as being proposed to construct the garage under "Arboricultural Implications" of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3), have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To demonstrate that prior to construction the foundations being constructed within the Root Protection Area of Sycamore tree T1 will avoid root damage and root asphyxiation, so as to ensure that the integrity, function and health of its root system is prevented from damage.

(Policies DM3, DM13 CSDMP)

- 4 The dwelling shall not be occupied until a scheme has been submitted to and approved 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.

(Policy DM3, CSDMP)

- 5 No occupation of the dwelling house shall take place until a detailed landscape planting plan shall be submitted to the Local Planning Authority for approval, which shall incorporate all planting proposals outlined in the "New Planting and Biodiversity Enhancements" of the "Arboricultural Implications", which forms part of the Tree Protection Plan prepared by Lisa Camps (Drawing No. MMX 120/3) The planting plan shall refer to planting sizes, planting species and planting density of trees, shrubs and hedges, and stipulate an appropriate maintenance schedule for a period of 5 years from the date of initial planting. The planting scheme shall be fully implemented within the 1st planting season following the occupation of the dwelling house.

Reason: To ensure a satisfactory standard of landscape planting, after care and establishment to ensure that new landscaping is successful in integrating the dwelling into the setting of the Aspley Heath Conservation Area.

(Policies DM3, DM13 CSDMP)

- 6 All tree protection measures shall be fully implemented prior to the commencement of any demolition and any building works, and carried out in strict accordance with the "Arboricultural Method Statement for Tree Protection", that forms part of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3).

Reason: To ensure a satisfactory standard of tree protection is maintained throughout all development works.
(Policy DM3, DM13 CSDMP)

- 7 Demolition practices must be carried out in strict compliance with the works specification and methodology referred to under "Arboricultural Implications" of the Tree Protection Plan prepared by Lisa Camps (Ref Drawing No. MMX 120/3).

Reason: To prevent root damage to Sycamore tree T1 that may arise from poor working practices during demolition work.
(Policy DM3, DM13 CSDMP)

- 8 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.
(Policy DM3, CSDMP)

- 9 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (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 the visual amenity of the area.
(Policy DM3, CSDMP)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PR-01, PR-02, PR-03, SP-03, SP-05, LOC-01, MMX120/1A, MMX120/3.

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

INFORMATIVE NOTES TO APPLICANT

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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has 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.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were informed of the following information which was contained in the Late Sheet:
 - a. The Reason for Committee to Determine has been added above.
 - b. The Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 – Part 5, Article 35 has been amended to include an additional first sentence.]

Item No. 11

APPLICATION NUMBER	CB/16/03178/ADV
LOCATION	Holiday Inn Express Dunstable, London Road, Dunstable, LU6 3DX
PROPOSAL	Advertisement Consent: Illuminated free-standing advertisement.
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Dee Walker
DATE REGISTERED	03 August 2016
EXPIRY DATE	28 September 2016
APPLICANT	L & G Signs Ltd
AGENT	L & G Signs Ltd
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor call in - visual impact on nearby Green Belt and AONB
RECOMMENDED DECISION	Advertisement - Grant

RECOMMENDATION

That Advertisement Consent be GRANTED subject to the following

RECOMMENDED CONDITIONS / REASONS

- 1 This consent is limited to a period of five years from the date of this decision.

Reason: To comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 3 No advertisement shall be sited or displayed so as to -
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 6 Where any advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Conditions 2-6: To comply with the provisions of Schedule 2 (Regulation 2 (1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 7 This consent relates only to the details shown on the submitted plans, numbers 11559a, 11559b, 11559c, 11559d.

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

Statement required by the Town and Country Planning (Development Management Procedure)(England) Order 2015 – Part 5, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has 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.

INFORMATIVE NOTES TO APPLICANT

1.

[Note: In advance of consideration of the application the Committee were advised of the following information which was contained in the Late Sheet that Dunstable Town Council had no objections.]

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 14.09.2016

Item 06 (Pages 15-40) – CB/16/02590/OUT – Land to the South of Sandy Road, Potton

Additional Consultation/Publicity Responses

The following additional response has been received from the RSPB:

As discussed, I should be grateful if you would be able to give due weight to the following matters previously raised in our letter of the 8 August. These are mitigation proposals which can be easily adopted within the planning conditions. For the species mentioned, these are critical for their conservation. We would be happy to work with the Council and the developer to ensure that these are delivered effectively.

In order that the Council can meet with its policy obligations to protect important species (Policy DM15); to preserve and re-create ecological networks (NPPF, paragraph 117) and to incorporate biodiversity in and around developments (NPPF, paragraph 118), the RSPB have the following points to make:

a). Recreational pressure

In order to alleviate pressure on Sandy Heath from an increase in dogs off leads, there are a number of sensible and practical solutions available:

A suitably located on-site 'dogs off-lead' area

Routing of off-site footfall away from sensitive areas

Interpretation – signage, together with literature (home information packs), identifying sensitive nature sites and encouraging positive behaviours among dog-walkers

All-weather footpath surfacing which will draw and direct dog-walkers away from sensitive sites

Fencing – to restrict access to sensitive sites

b). Priority invertebrates

The RSPB would like to see all elm within the development site retained and any new species mix being planted, to include elm. This should be secured for the long term.

c). Proliferous Pink

In order to restore this plant to the site, we would urge that appropriate expert botanical advice is sought for its restoration, ongoing management and conservation in the long-term.

d). Integrated nest-bricks

We would like to see these included in to dwellings on a 1:1 ratio (but not in its literal sense). These species are loosely colonial, so will benefit from clusters of nest-bricks being installed. These should be positioned above 5 metres, away from doors and

windows and preferably on the north or east aspect. In conjunction with Mansthorpe Building Products, the RSPB has just launched a swift-brick that costs just £15.

Seven additional consultation responses have been received. These repeat issues already referenced in the report and raise the following points:

The Council's failure to implement A Community Infrastructure Levy means that it is limited in contributions that can be sought from developments.

Potton needs new houses but would prefer to see a greater amount of green space at the site.

The following response has been received from the NHS GP Practice Manager:

If this development of 90 dwellings materialises, it will create approximately 234 additional patients. It will affect the Greensands GP practice with the main surgery in Gamlingay and branch in Potton. They are a very busy practice already operating close to their capacity.

Their patient list (currently 11,800) cannot be split between the main and branch surgery because patients from either location are being seen at both sites. For example, they have minor illness nurse clinics at both surgeries on a daily basis and patients from Potton and Gamlingay will attend these.

One of the reasons for being close to capacity is the number of additional services that are being offered to the local residents: they currently accommodate a Consultant Gynaecologist, Midwives, Aortic Aneurysm Screening clinics, anticoagulant clinics, vasectomy clinics, ENT clinics, minor surgery, sexual health, minor illness/minor injury clinics etc.

They have four GPs practising at Potton on a regular basis and a Practice nurse, Minor Illness Nurse and a Health Care Assistant as clinical staff and additional clinics as listed above. The practice serves higher than average populations of both males and females aged 40 to 74 years, which means additional strain on resources. There are lower than average populations of babies and patients aged 15 to 39 years. The Practice list size per full time GP equivalent is 2,094 patients. This compares to a national average of 1,731 patients.

We are concerned that there are other residential developments either underway or in the pipeline, which will further increase the pressure on this practice. With an average occupancy of 2.6 per dwelling, this will have a major impact on the current and planned service provision for the local population.

The surgery in its current state will not be able to accommodate this increase in numbers of patients and has no room to accommodate further staff, nor an increased range of services. Their site in Potton is land locked and therefore not capable of being extended. Without alterations to the premises, existing services will suffer since there is rising demand for activity due to the shifts in service provision as detailed in the Health and Social Care Act 2013. There have already been cutbacks to services accommodated at Greensands Medical Practice in the past due to lack of room.

The practice have confirmed that upon receipt of S106 money, they would be able to carry out the following internal works at Gamlingay Surgery in order to increase their

clinical capacity and also significantly ease the pressure on their branch surgery in Potton:

- Conversion of existing staff room/kitchen area into a meeting room
- Conversion of two existing admin offices into an additional consulting room
- Upgrade existing treatment room into multifunctional multipurpose facility
- Creation of secretarial office and kitchenette

In light of the above, I would be grateful if you could negotiate appropriate s106 contribution towards increasing clinical capacity of this practice in order to mitigate the impact of the development in question.

Additional Comments

Secretary of State

The Secretary of State has received a third party request to call the application in for its own determination. Officers will inform the Secretary of State of the decision of the Development Management Committee. The Secretary of State will determine whether or not to call the application in for a decision. If no such call-in takes place, the Council will determine the planning application.

The Recommendation should now read:

That planning permission is approved subject to the successful completion of a legal agreement reflecting the terms set out in the report and the conditions set out in the report and in the Late Sheet after the Secretary of State has been notified of the decision of the Development Management Committee and providing that the Secretary of State determines not to call the application in for his own decision.

Health

A response has now been received from the NHS, which requests a contribution towards internal alterations that would increase capacity at Gamlingay Surgery.

Contributions have been secured from various planning permissions in the past for this project. Those funds have not yet been drawn down by the NHS. Pooling restrictions mean that the Council is not entitled to collect further contributions towards this project.

Additional/Amended Conditions/Reasons

The condition should be added to any permission:

No development shall commence at the site before a scheme for biodiversity enhancement at the site including a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a net gain in biodiversity at the site in accordance with the requirements of the National Planning Policy Framework (2012).

Condition 17 should be re-numbered as condition 18.

Item 07 (Pages 41-74) – CB/16/02132/OUT – Land to rear of 104 to 168 Station Road, Lower Stondon, Henlow

Additional Consultation/Publicity Responses

The following additional consultation response has been received:

Please see the below in relation to planning application CB/16/02132/OUT. Over 50 of the residents of the existing estate have stated that they are not in fact in objection to the erection of properties on the site but are very much against the use of our access roads due to the one level nature of the roads and the pinch point by the play area and pedestrian access. This will become very dangerous for the children playing in the area and for traffic. Most objections would be lifted if a new access road was found. It is noted that the number of objections to the plan is not as high as it could be. It is thought that this is because Bovis have placed a restrictive covenant in most deeds along the lines of the following:

"You must not object to, or cause anyone to object to, any planning application in relation to The Estate"

The Estate is defined on Land Registry Plan BD292882 and it does not encompass the new estate. This planning is for a new estate and is not "phase two" (there was never a phase one). At point of sale it was stated that there were no plans to develop the estate.

I've glanced through the committee report and note that the Highways officer has picked up that this would result in a development of approaching 200 units served from a single point of access. He has no technical standard that suggests that the number would be too high to serve from a single point of access and so he "reluctantly acknowledges that there is no justifiable reason to raise and sustain a highway objection". I think that's an error of omission, for the following reason. The government's Manual for Streets has this to say at paragraph 6.7.3;

<https://www.gov.uk/government/publications/manual-for-streets>

Manual for streets - Publications - GOV.UK

www.gov.uk

Guidance for practitioners involved in the design, planning and approval of new residential streets and modifications to existing ones.

"the length of culs de sac or the number of dwellings have been used by local authorities as criteria for limiting the size of a development served by a single access route. Authorities have often argued that the larger the site, the more likely it is that a single access could be blocked for whatever reason. The fire services adopt a less numbers-driven approach and consider each application based on a risk assessment for the site and response time requirements."

So; although the Manual for Streets was a move by government to liberalise regulations and so, fixed limits on the numbers of dwellings served by a single access are now not supported, the issue of safety and emergency access isn't just to be ignored; it needs to be examined on a case by case basis. I don't see that Central Beds Council has consulted the fire service on the layout proposed, so I think there would be some mileage in arguing the health and safety point and arguing that the principle of access through the existing development should not be permitted until the

emergency services have considered the risks involved in serving 178 dwellings from a single access.

I haven't had chance yet to see whether your local fire service has published any standards on this issue; it may be they have or, it may be that when asked they think that it's OK. But, for certain, the Committee does not have information on this point before them and it would be wrong of them to take a decision to approve the outline application until they have satisfied themselves on this point.

Additional Comments

The following financial contributions would be secured through a s106 agreement:

Education

Lower	£184,352.00
Middle	£185,502.72
Upper	£227,475.46

These contributions would be spent at Stondon Lower, Robert Bloomfield and Etonbury.

The Council's Education Team has confirmed that there is existing Early Years capacity in the area and so no contribution is sought towards further provision.

A contribution of £125,000 would be secured towards extensions and improvements to Stondon Village Hall.

A contribution of £15,000 would be secured towards upkeep and improvements to the nearby allotments.

Contact has recently been made with the NHS, which is determining whether or not a contribution towards local health provision would be required as a result of the development. If a contribution is required, the Council will need to determine whether such a contribution would be CIL compliant.

As such, the recommendation should now read:

That planning permission is approved subject to the successful completion of a legal agreement reflecting the terms set out in the report and the Late Sheet and the conditions set out in the report after the Chairman, in consultation with the Executive Member and Ward Members has confirmed his agreement to a potential contribution towards health facilities that would be secured by a s106 agreement if one is found to be required and in conformity with the CIL Regulations or that no such contribution is required or can be secured.

The additional consultation response received (above) sets out a concern that one point of access to the site would be provided and that this would also serve the existing adjacent development. Officers have considered whether these access arrangements would be safe and have found that they would be. A second access

point would be desirable, but that there is not one proposed would not render the highways impacts of the development unacceptable.

Additional/Amended Conditions/Reasons

Item 08 (Pages 75-88) – CB/16/01266/FULL – Land adjacent to The Green Man, High Street, Lidlington, Bedford, MK43 0RN

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions/Reasons

None

Item 09 (Pages 89-102) – CB/16/02501/FULL – Duck End Farm, 43 Flitwick Road, Maulden, Bedford, MK45 2BJ

Additional Consultation/Publicity Responses

Greensand Trust - I am writing to **object** to the above application, on the grounds that it will destroy a traditional barn owl nesting site within the Greensand Ridge Nature Improvement Area. Barn owls are protected under the Wildlife and Countryside Act (1981) and the existing structure is a traditional nest site for the species. It is important to note that a site does not have to be used every year for it to be considered a 'traditional' nest site. In years when weather conditions limit prey numbers barn owls may choose not to breed that particular year, but they do so at the same site in future years. It does not mean that they have abandoned the nest site. We also know from local observations that barn owls have been nesting here for many years. Therefore we consider the classification in the ecological report as "temporary habitat" to be inaccurate.

If the authority chooses to permit the development then mitigation appropriate to the status as a traditional nest site is required. This also needs to take account of future development proposals as previously promoted by Bidwells. With CBC either owning or having owned the adjacent area identified for future development there is a clear and urgent need to ensure that (a) any mitigation for the current proposal is not negated by future development, and (b) that there is a clear vision for achieving net environmental gain as a result of future development, including the creation of new barn owl foraging habitats.

The Ecological Report describes 5 apartments, while the application states 8. Not only is this an inconsistency, but represents a significant increase with additional impacts.

We urge CBC to consider this development as part of the 'wider picture' in this location, with any development that is permitted making a contribution to habitat creation and to the protection and management of the local nature reserve on its doorstep, Duck End Nature Reserve, which is a small and fragile site that will be subject to increasing pressure.

Duckend Farmhouse – Further comments 08/09/16

Contrary to your report item 3.3, we have not received or been served with any Notices or certificates of ownership whatsoever, and a letter from solicitors does not confirm or prove ownership of the wall that forms the end of the large eastern barn and our Stable, which we keep having to explain to you is ours - A Title Deed does however, and here is a copy of the Land Registry Title Deed. This Deed is unequivocal regarding the walls ownership.

The original Land Certificate is in our possession and is available for immediate inspection should you or your legal team wish to see it.

You say that you raised the ownership question with the applicant's agents but you neglected to query it with us. If you had notified us of any ownership dispute or query or the solicitors' letter or responded to our objection letters you would have been given this proof and deed copy earlier.

A copy of Taylor Walton Solicitors letter dated 14th July and our reply dated 15th July 2016 is enclosed together with a copy of our Solicitor's letter of 5th September 2016 for your information.

This application and determination is **not valid** based on the criteria that you have given in your report.

Agent – Further comments 08/09/16

I can confirm that my client is satisfied that they own the land as per the red line plan and have served all the appropriate notices.

Additional Comments

The issue regarding ownership and notices has been raised previously and has been raised with the agent. The agent has confirmed that their clients have served all the necessary notices and confirms ownership in accordance with the red line site plan. Whilst I do not dispute the information raised by the neighbouring property, this has been raised with the agent and a response received. In terms of the planning system, we have to determine the application before us. The agent has been advised that if the declaration is found to be incorrect then any decision could be challengeable at a later date.

In terms of the comments from the Greensand Trust, we have to determine the application before us and future developments cannot be considered at this time. The Council's Ecologist has not objected to the application and is content with the information provided and the suggested condition in terms of integrated bat and bird boxes.

Concern has been raised regarding loss of privacy to 41 Flitwick Road from the bedroom and living room window at first floor level serving unit 7 at the rear of the site. Any potential overlooking would be from oblique views towards the side elevation of 41 Flitwick Road. The separation distance as shown on the plans is some 17 – 18 metres. Given the oblique views offered this is considered to be an acceptable separation distance and would not have a detrimental impact on the privacy of 41 Flitwick Road.

Additional/Amended Conditions/Reasons

None

Item 10 (Pages 103-114) – CB/16/02903/FULL – Land adjoining 12 Silverbirches Lane, Aspley Heath

Additional Consultation/Publicity Responses

None

Additional Comments

Reason for Committee Determine was omitted from report –

- **Ward Councillor call in on grounds of loss of amenity to no. 5 Silverbirches Lane**

Omitted from report –

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has 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.

Additional/Amended Conditions/Reasons

None

Item 11 (Pages 115-120) – CB/16/03178/ADV – Holiday Inn Express Dunstable, London Road, Dunstable

Additional Consultation/Publicity Responses

Dunstable Town Council – No objection

Additional Comments

Omitted from report –

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has 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.

Additional/Amended Conditions/Reasons

None

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