

Central  
Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



**TO EACH MEMBER OF THE  
DEVELOPMENT MANAGEMENT COMMITTEE**

13 September 2011

Dear Councillor

**DEVELOPMENT MANAGEMENT COMMITTEE - Wednesday 14 September 2011**

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Late Sheet which contains consultations and submissions received since the agenda was published:-

**Late Sheet**

**3 - 32**

Should you have any queries regarding the above please contact Democratic Services on  
Tel: 0300 300 4032.

Yours sincerely

Martha Clampitt,  
Committee Services Officer  
email: [martha.clampitt@centralbedfordshire.gov.uk](mailto:martha.clampitt@centralbedfordshire.gov.uk)

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**LATE SHEET**

**DEVELOPMENT MANAGEMENT COMMITTEE**  
**14 SEPTEMBER 2011**

**SCHEDULE B**

***Item 7 (Page 11-20) – CB/11/01546/FULL – Market Garden Nurseries,  
64 High Road, Beeston, Sandy.***

**Additional Consultation/Publicity Responses**

Following the completion of the Officer's report, 23 written objections and a petition with 37 signatures have been received commenting and objecting to the application on the following grounds:

- Increase in the volume of traffic on Orchard Road, Footpath 40 and The Green and the detrimental impact this would have on local amenity and highway safety
- Orchard Road and Footpath 40 are not suitable for large vehicles due to their narrow widths, parked cars, lack of formal footpaths and poor condition
- Restricted access to and use of Footpath 40, and the potential danger to all users as a result of the proposed traffic movements along it
- Increased traffic using the junction of Orchard Road and the A1 resulting in an increased accident risk
- Potential damage to the existing roads from increased traffic and heavy vehicles
- Inadequate existing sewage system capacity would be further under pressure
- Increase in noise pollution and dust
- The proposed use is not in keeping with the character of the area
- Set a precedent for industrial development in the village
- Potential for tall vehicles to damage power cables transgressing the site
- Detrimental impact on local wildlife
- Loss of good agricultural land
- The proposed hours of use would cause noise and traffic disturbance
- The access into the site from the A1 is dangerous and requires upgrading
- An alternative entrance and exit from the site should be via the A1
- The previous use of the site only had occasional HGV traffic

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

**Additional Informatives**

None.

**Item 8 (Page 21-46) – CB/11/02500/FULL – The Mary Bassett Lower School, Bassett Road, Leighton Buzzard.**

**Additional Consultation/Publicity Responses**

A further email containing amended and new objections to both planning applications at Mary Bassett Lower School has been received. The objector has provided a summary of the issues which is reproduced below. The objection runs to 23 pages, plus additional supporting documents, and is available on the case file if Members wish to read it.

SUMMARY

I am asking the Committee to refuse both applications or at least defer them in the light of the concerns that I raise concerning omissions from the reports in respect of important substantive issues and multiple examples of misinformation. In support of both these concerns, I attach my evidence base.

My evidence base demonstrates that the Mary Bassett School is expanding and I show the link between this and the applications and also the other two developments - the insertion of a floor into the old school building and the erection of a Log Cabin that I show is unauthorised development and also has been used for childcare and education without a Building Control certificate.

This in itself should require planning oversight of the vehicle and pedestrian access to the school as well as on-site parking provision, both within the context of significant traffic generation implications. I raise concerns that the relevant Council services ought to have been formally consulted on the planning applications in reference to the Statement of Community Involvement and also to Appendix C of the Local Transport Plan 3 (Safer Modes of Travel to Schools).

I show that the traffic generation is not only related to the expanded numbers of children (which are not from the local catchment area) but also from the linked expanding staff numbers and the expansion of non-education activities for childcare, social services and other professionals, services for other schools and services for parents/carers and the general public. In sum, a sustainable planning decision cannot be made without oversight of traffic generation in reference to the major traffic generating expansion plans of the school.

I also show the link between the expansion plans and the detriment to amenity in reference to the two different application. Both of these developments are only necessary as part of the expansion of the school which started in 2010 and so they will both contribute to major nuisance in the access lane to the school which I share with the school which has increased significantly as the school has expanded over the past year.

For 02050, I show that the Toilet Block extension is part of plans to alter the inserted floor of the old school building to create an additional classroom and that the School's Service actually requires toilet provision for this floor. I also show that the School's Service shares my concerns about access for children and adults with disabilities and I consider that this should also be a material planning consideration.

For 02500, I raise concerns about the lack of consideration in the report for the need for conditions to mitigate the obvious detriment to my amenity and also for my privacy and security even in reference to the planned uses as stated by the school. I raise concerns about noise of activities with the bungalow and most particularly in the garden. However, I show that the uses outlined for the bungalow do not match the planned uses reported to the Schools Service and that there are also plans to develop the back garden area i.e to pave it and install outside play equipment.

I also raise concerns that the on-site parking plans and plans to replace the boundary wall with fence were also included in the report even though they were included in the planning application form. I show the actual plans of the school, as reported to the School's Service and as shown in the school minutes, for extra parking spaces (5 in front of the bungalow and long-term plans to use the garden of the bungalow for additional parking as well). I also show the plan to demolish the old boundary wall that English Heritage has identified as a heritage asset worthy of preservation in reference to PPS 5.

Within the context of this additional information, I challenge the change of use from residential in reference to saved Policy H7 also noting the concerns raised by the School's Service. I show that the proposed uses do not all match with the specific requirements of the funder for the refurbishment of the bungalow which, anyway was a responsibility of the school under its maintenance agreement with the Council. I also challenge the decision criteria in the report and point out that the bungalow is in a sustainable location and suitable as a residence for people with disabilities.

Finally I join up thinking on heritage assets in reference to PPS5 in respect of all four developments and also make links between various equalities and diversity issues, including lack of provision in respect of recent Highways works in the access lane. I underline that I consider that I should be given special consideration in terms of my amenity and well-being because I am a 65 year old retired person at home for much of the day and so my experience of detriment is different to my neighbours. I point out that it is planning policy to encourage mixed developments.

I conclude by raising concerns about the implications of the decision processes in respect of the expansion of the Mary Bassett School for the wider development challenges faced by my town and I end with stating a concern about the lack of integrity in these decision processes.

N.B I have not repeated all the information supplied in previous objections to both applications in respect of the detail of my experience of detriment to my amenity and well-being to date and my concerns about the further negative impact that will arise from the two planned developments and, generally, the expansion plans of the school.

#### **Additional Comments**

None.

#### **Additional/Amended Conditions**

None.

**Item 9 (Page 47-70) – CB/11/02050/FULL – The Mary Bassett Lower School, Bassett Road, Leighton Buzzard.**

**Additional Consultation/Publicity Responses**

A further email containing amended and new objections to both planning applications at Mary Bassett Lower School has been received. The objector has provided a summary of the issues which is reproduced below. The objection runs to 23 pages, plus additional supporting documents, and is available on the case file if Members wish to read it.

SUMMARY

I am asking the Committee to refuse both applications or at least defer them in the light of the concerns that I raise concerning omissions from the reports in respect of important substantive issues and multiple examples of misinformation. In support of both these concerns, I attach my evidence base.

My evidence base demonstrates that the Mary Bassett School is expanding and I show the link between this and the applications and also the other two developments - the insertion of a floor into the old school building and the erection of a Log Cabin that I show is unauthorised development and also has been used for childcare and education without a Building Control certificate.

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I also show the link between the expansion plans and the detriment to amenity in reference to the two different application. Both of these developments are only necessary as part of the expansion of the school which started in 2010 and so they will both contribute to major nuisance in the access lane to the school which I share with the school which has increased significantly as the school has expanded over the past year.

For 02050, I show that the Toilet Block extension is part of plans to alter the inserted floor of the old school building to create an additional classroom and that the School's Service actually requires toilet provision for this floor. I also show that the School's Service shares my concerns about access for children and adults with disabilities and I consider that this should also be a material planning consideration.

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I conclude by raising concerns about the implications of the decision processes in respect of the expansion of the Mary Bassett School for the wider development challenges faced by my town and I end with stating a concern about the lack of integrity in these decision processes.

N.B I have not repeated all the information supplied in previous objections to both applications in respect of the detail of my experience of detriment to my amenity and well-being to date and my concerns about the further negative impact that will arise from the two planned developments and, generally, the expansion plans of the school.

#### **Additional Comments**

None.

#### **Additional/Amended Conditions**

None.

***Item 10 (Page 71-84) – CB/11/02184/FULL – 34 Mill Road, Cranfield, Bedford.***

This application has been WITHDRAWN by the Agent.

***Item 11 (Page 85-94) – CB/11/01842/VOC – Whistlebrook Stud, Sewell Lane, Sewell, Dunstable.***

**Additional Consultation/Publicity Responses**

Further objections and comments were received from both the objectors and the applicant's agent.

- A letter dated the 15<sup>th</sup> August 2011 was received from the occupiers of Meadowbank, Sewell (Appendix 1).
- The occupiers of Heartsease, Sewell have re-affirmed their objections to the application and submitted a 'complaints diary' compiled between the 17<sup>th</sup> January and the 8<sup>th</sup> August 2011 (Appendix 2).
- In a letter dated the 9<sup>th</sup> August 2011, the applicant responded to most of the objections received (Appendix 3).
- The dog trainers sent an e-mail dated the 12<sup>th</sup> September 2011 requesting their further comments to be brought to the attention of the Members. (Appendix 4).

**Additional Comments**

The agent has circulated a lobby letter to the Members regarding matters that have already been examined by the officers.

**Amended Condition**

Condition 5. Delete reference to the 'Agility Flyers –Rules'. This document, which is appended to this report, contains general rules for customers which fall outside the remit of land use planning. It would therefore be impractical for the Local Planning Authority to enforce such rules. Should the dog training classes result in nuisance to the neighbours, appropriate action would be taken under the Statutory Nuisance Regulations (Appendix 5).

**SCHEDULE C**

***Item 12 (Page 95-102) – CB/11/01693/FULL – Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin.***

**Additional Consultation/Publicity Responses**

None.



**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 13 (Page 103-110) – Wrest Park Estate, Wrest Park, Silsoe.***

**Additional Consultation/Publicity Responses**

Information received from G. P. Warwick, Silsoe Parish Councillor, Chairman of Silsoe Parish Plan Committee:

**Re: Article 4 Direction Wrest Park Limited Industrial Estate, Silsoe**

Further to your notice on the above subject I make representations in support on behalf of the Silsoe Parish Council as follows:

In the first instance it was Silsoe Parish Council that requested that Article 4 be applied to the Wrest Park Industrial Estate which contains some 20 buildings totalling 200,000 sq. ft.

**Storage and Distribution (B8) concerns**

The concern of the Parish Council and English Heritage regarding this site, from the outset, has been the detrimental environmental impact Storage and Distribution operations (B8 use) has on the Wrest Park Heritage site and Silsoe Village. This is because this type of activity by its very nature generates high movements of HGV's and fleets of 'White Vans'. It is accepted that usually a conversion from B1 to B8 has to go through a consultative Planning Permission process. We consider we can deal with that, and one such retrospective planning application has already been rejected, but not before the village experienced the traffic impact of a B8 operation.

**Closing the Planning loophole**

What alarmed the Parish Council was when we learned the Developer had a permitted change of use from Use Class B1 to Use Class B8 where the floor space is under 235 square metres. In these circumstances the conversion from B1 to B8 be would be out of our control and indeed CBC's as well. Considering the number of buildings involved the cumulative impact of conversions from B1 to B8 would be enormous in terms of traffic generated.

Therefore the Parish Council's rationale is with an Article 4 Direction in place all proposals for Storage and Distribution operations (B8) on this site will be under planning control and hence traffic impact on the environment can be properly assessed and consulted on.

### **Environmental Impact**

It is important to explain why the Parish Council considers it necessary to restrict Storage and Distribution operations and associated heavy traffic from this industrial site.

Firstly, the 25 acre site and 20 miscellaneous buildings are in a completely inappropriate location immediately adjacent to Wrest Park Heritage site with its Grade 1 listed mansion and gardens, now an English Heritage national visitor attraction. The industrial site is also within the Wrest Park Conservation Area and Registered Parkland. This situation is a legacy of Central Government when the Agricultural Research Estate was broken up and disposed of.

Secondly, even worse from an environmental aspect is the only traffic route in and out of the industrial site is via the tree lined Park Avenue entrance to Wrest Park and through the narrow Silsoe Village High Street. This route crosses the north front of Wrest Park House and through the Wrest Park and Silsoe Conservation Areas. The removal of industrial and commercial traffic associated with Storage and Distribution operations will provide some containment and relief from the noise and vibrations of HGV'S.

Thirdly, Silsoe is having to deal with major increases of traffic associated with Wrest Park Heritage Site visitors and new development in an expanding village. There is a limit to what the current narrow roads and infrastructure can sustain and it is the opinion of the Parish Council that even more heavy commercial traffic generated from Storage and Distribution operations, beyond the sphere of consultation, is unacceptable. Hence the need for the Article 4 Direction.

### ***Item 14 (Page 111-176) – Henlow Village Green Application.***

Please see attachments.

Meadowbank  
Sewell  
Nr. Dunstable  
Beds LU6 1RP

15<sup>th</sup> August 2011

Mr. A. Bunu  
Chief Planning Officer  
Development Management  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands  
Shefford SG17 5TQ

Dear Mr. Bunu,

**Application Reference CB/11/01842/VOC – Whistlebrook Stud, Sewell, Dunstable LU6 1RP**

We are writing again following the copy of the submission you sent to us by Mr. Mark Hales of Environmental Health. As we are vehemently opposed against this proposal and its affect it has upon us, we are taking all the opportunities we can to put our case forward.

In Mr. Eden's correspondence to you dated 17.3.11, he clearly stated that dogs set each other off regardless of numbers and that it would not be possible to draft a noise condition that would ensure that noise from barking dogs is not detrimental to the neighboring properties. Mr. Hales, on the other hand, has no objection and although he categorically confirms that noise is generated from barking dogs and people shouting, he feels once a week would not be unreasonable. We find this totally unacceptable. What justification is there to inflict numerous dogs barking and people shouting for two hours on the neighbours for one day a week? The disturbance during those sessions does not just affect us whilst the dog training is being carried out. To us, there is a build up of knowing that the dogs are soon arriving and that barking and people shouting will follow for the next two hours. We try to evade that misery by going anywhere in our home where we do not have to hear it. When the session ends, we are relieved, but know that in 7 days time it will be back upon us again. One session a week leaves a lasting affect for the next 7 days as a nuisance that becomes regular, even one day a week, is a nuisance that carries on into other days mentally.

If this proposal is granted who will monitor it to ensure that it is in keeping with any conditions set? Will it be us? Past history shows that this site has constantly breached planning permissions. Who will check that any conditions are being complied with and not broken every week? Who will count that the number of dogs is not being exceeded every week?

As advised to you recently, Mrs. Attrill of Heartsease took a tally count of the number of barks during a Monday session and this was recorded at over 400, on top of people shouting. Other sessions may be similar but are just as likely to generate more. This is an unpredictable noise nuisance with no control or containment due to it being on an open-air arena and the position of that arena.

- 2 -

The Planning Committee of Houghton Regis Town Council unanimously turned the proposal down and if our local council find it unacceptable then that decision is the right one for they are there to protect their local community from inappropriate developments. Furthermore, Miss Cook brought along to that meeting a supporter who stated he lived in Sewell and ran a farm in Sewell. Both were untrue. He does not live or has ever lived in Sewell, nor ever ran a farm in Sewell. Miss. Cook was well aware that these statements were untrue and if she can put forward a supporter who misleads Councilors then who is to say her proposals will be honest and complied with. Out of the 11 dogs who live in Sewell, not one causes a nuisance to any of the neighbours at any time, therefore, there is no justification in allowing numerous dogs from elsewhere to turn up in this peaceful, tiny hamlet and cause that disturbance on our doorstep.

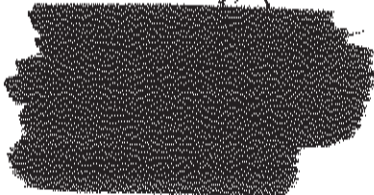
Family life is more important than dogs and we should not have to tolerate the consequences of people turning up and training their dogs next to our home. We doubt if anyone who attends the courses would cherish that prospect next to them. Perhaps this question should be asked to your planning colleagues and planning committee members. We feel it would be highly unlikely that anyone would relish such a proposal.

We already have to listen to shouted instruction on the arena when horse riding lessons are taking place. We also have to listen to Gymkhana events when loads of children arrive to take part and inevitably shout and scream during such sessions. Therefore, granting one day is not one day's tolerance for us; it is in addition to the activities that we encounter already.

Could we please ask that this letter is attached to our objection papers.

Thank you for your attention.

Yours sincerely,

A large, dark, irregularly shaped redacted area covering the signature of the sender.

Cc Mr. M. Hales -- Environmental Health  
Mrs. S. Gilchrist - Houghton Regis Town Council  
Mr. D. Jones -- Central Beds Councilor  
Mrs. S. Goodchild -- Central Beds Councilor

11 AUG 2011

ABCL

Heartsease,  
Sewell,  
Dunstable  
Beds LU6 1RP  
9.7.11

Development Management  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands  
Shefford  
SG17 5TQ

Application Reference CB/11/01842/VOC  
Whistlebrook Stud  
Dunstable LU6 1RP

Dear Sirs,

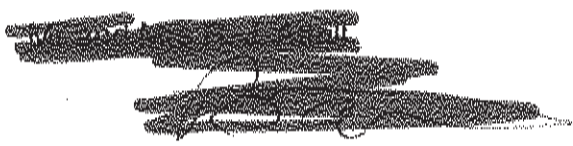
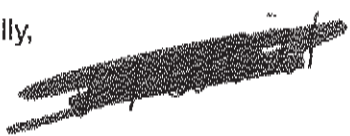
We find it totally incomprehensible that this nuisance has been allowed to go on for so long and again a decision is being allowed to be delayed by the Cooks.

The decision by our local council should be final. They decided along with Mr Eden of the Enviromental Dept. that this action was totally unacceptable next to residential property.

We already have to put up with the riding school. The dog training ie. barking cannot be justified.

Complaints diary enclosed.

Yours faithfully,



cc. Mr [redacted]  
[redacted]

# Complaints Diary

DATE	TIME	DURATION	REMARKS AND DESCRIPTION OF THE NUISANCE
17.1.11	7-9.15PM	2 1/4 hrs	CARS COMING AND GOING. DOG BARKING MEN/WOMEN SHOUTING. BARKING HEARD OVER TV. THROUGH DOUBLE GLAZING.
24.1.11	7-9.15PM	2 1/4 hrs	DOGS BARKING, WHINING, BARKING OVER TV. CARS LEAVING 8PM, 9.15PM DOGS BARKING IN CAR PARK.
31.1.11	7-9.15PM	2 1/4 hrs	CARS, CAR LIGHTS OVER OUR GARDEN, HOUSE, FLOODLIGHTS, YELLING, DOGS HEARD OVER TV AGAIN!
7.2.11	7-9.15PM	2 1/4 hrs	DOGS BARKING, CARS MOVING 8PM, 9.10PM BARKING WORSE AFTER 8PM BARKING IN CAR PARK 9.10AM.
14.2.11	7-9.10PM	2.10 hrs	LOTS OF DOGS BARKING. SHOUTING WORSE BEFORE 8PM. GOOSE 9.10PM.
21.2.11	7-9.10PM	2.10 hrs	SMALL YAPPY DOG, LARGE WOOFING ONE WOMEN SHOUTING, BARKING OVER TV.
28.2.11	7-9.15	2 1/4 hrs	HEADLIGHTS LIGHT UP OUR GARDEN. CARS COMING/GOING - DOG FIGHT! DOGS BARKING. WOMAN YELLING.
7.3.11	7-9.10PM	2.10 hrs	DOG WOMAN YELLING COME ON, COME ON OVER AND OVER AGAIN. SOME BARKING LOTS OF PEOPLE. CARS LEAVING 8PM & 9.10PM.
14.3.11	7-9.15PM	2.15 hrs	WOMAN SHOUTING DOGS YAPPING.

I confirm that the above details are true and accurate, and that, if required, I am prepared to attend court as a prosecution witness.

Signed..... V. J. Cunniff ..... Date 15/3/11 .....

# Complaints Diary

DATE	TIME	DURATION	REMARKS AND DESCRIPTION OF THE NUISANCE
21.3.11	7-9	7-9	ABOUT 5 PEOPLE ON ARENA WOMAN YELLING DOGS BARKING
			STOPPED RECORDING AS WE THOUGHT THIS WAS RESOLVED!
9.5.11	7-9	7-9	WENT TO MEADOWBANK TO MEET MARK HALE. FIRST HOUR QUIET. SECOND HR. USUAL BARKING, WOMEN/MEN YELLING REPETITIVE DIRECTIONS, DOGS BARKING, DOG FIGHT. CARS LEFT 9.30PM
16.5.11	7-9.45	7-9.45	DOGS BARKING. WOMAN SHOUTING LEAVING 9.45.
23.5.11	7-9.30	2 1/2 HRS.	DOGS BARKING WOMEN SHOUTING LEFT 9.30.
30.5.11	7-9	2 HRS	DOGS BARKING WOMEN YELLING.
6.6.11	7-9.10	2.10	DOGS BARKING. WOMEN, MEN AND CHILDREN SHOUTING. UPSETTING OUR DOGS. 9 PM Dog fight ABOUT 3 DOGS. DOGS HEARD OVER TV, CARS LEAVING AND ARRIVING BAY PARKING ACROSS OUT GATEWAY AS NOT ENOUGH ROOM TO PASS. LEFT 9.10 PM.
13.6.11.	7-9.10	2.10	DOGS BARKING WOMEN YELLING.
20.6.11.	7-9.15	2.15	DOGS BARKING WOMEN YELLING
27.6.11	7-9.10	2.10	" "
4.7.11	7-9.15	2.15	" "

I confirm that the above details are true and accurate, and that, if required, I am prepared to attend court as a prosecution witness.

Signed..... V.F. Atkull ..... Date..... 7/6/11 .....

# Complaints Diary

DATE	TIME	DURATION	REMARKS AND DESCRIPTION OF THE NUISANCE
11.7.11	7-9.15AM	2 1/4 hrs	Sub with tallie dogs barked 439 times 'quiet times' Filled with women yelling repetitive instructions: over, over, over, through, through, through
18.7.11	7-9.10	2hr 10min	Barking, yelling
<del>13</del> 8.11	7-9.15	2hr 15min	Barking as much as '439 words' women with deep voice yelling.
8.8.11	7-9.10	9.10	Stayed out late to avoid yelling/barking. Bob have Tom-barking. Arrived home as car leaving blocking our access.

I confirm that the above details are true and accurate, and that, if required, I am prepared to attend court as a prosecution witness.

Signed..... V.F. Atwell ..... Date..... 9/7/11 .....



APPENDIX 3

11 AUG 2011

AGE2

Fax to 0845 8496162

Castle Hill Farm,  
Llanstoffan,  
Carmarthen.  
SA33 5JX9th August 2011  
Land line 01267 241931  
Mob. 07961335461Ref. CB/11/01842 - Change of use within the use class D2 (c)

Dear Mr. Bunu,

I am writing to address the specific objections to this application.

The objections have wrongly alleged that 14 dogs bark, squeal and howl for 2 hours non-stop. This is utter fabrication. If true, then environmental would be pursuing a noise nuisance prosecution. There are no more than two dogs at a time in the arena and no more than six dogs in each class. The objectors have just taken the maximum number of dogs in two adjacent classes, added the neighbours 2 dogs and alleged that they all make a noise together and this simply is not true. The dog classes have been witnessed by myself several times and have not been a problem. Objectors cannot even get the number of properties in Sewell correct. There are 17 properties, not 13 as they claim and their other claims are also incorrect. For example, it is claimed that "polite conversations with the owners are not possible due to their previous attitude and behaviour". This wrongly infers a problem with the owners, when in actual fact it is the other way round. Solicitors and the police have been contacted on several occasions due to harassment and abuse of clients, ourselves and even children on occasions, so I can see how they now find it difficult to talk politely. The dog agility clients have been harassed several times and have also had to contact the police so the problem is certainly not with the owners, who actually live in West Wales.

Environmental have no objections and will not be taking action regarding noise allegations, as they have not found any basis. A recording of the dog training activity was not made by them, as I have been advised. The supposed recording is the subject of a current Data Access Request to both Houghton Regis and Central Bedfordshire councils but this has not so far been provided to us. This recording was not done with either the knowledge or permission of either Dunstable Riding School or Dog Agility Flyers and, as it has not been seen or heard, comments cannot be provided to you. Until the applicant can see and comment on the recording, it must be disregarded as evidence and removed from the planning file.

Houghton Regis Town Council have objected, but this was only based on a majority of one vote, belonging to the chairman. The main objector has enlisted the help of the Deputy Mayor, and they have both apparently witnessed the recording. Although invitations were sent, no-one from the town council has attended, to witness either horse or dog training, and no-one else has witnessed a recording, so the town council's objection should be discounted because it was borderline and based on untrue allegations.

Traffic has been mentioned as a problem but this is no more than traffic generated by any horse users, which it has replaced for the few hours that the premises are hired. Highways and the Rights of Way departments have not objected and therefore it is clear that no traffic problems exist.

Many people in Sewell do not object and some even support the riding school and the dog agility but are too afraid of repercussions to speak out. As stated previously, it has been necessary to contact the police because of abusive and harassing behaviour and I can therefore understand why residents do not want to get involved. It can be very unpleasant to be targeted in such an abusive way; especially when children are harassed by adults.

Objectors state that dog training commenced in Oct 2010 and do not seem to have noticed that it had been going on ('de minimus') since May 2010. Thus it cannot be intrusive because they failed to notice it for five months right through the spring and summer of 2010, when they were out in their garden right next to the site. They are claiming that this application is a result of an enforcement notice - this is again incorrect - no enforcement action or notice has been warranted due to the fact that all reasonable means have been followed in consultation with the planning advice received. Incorrect advice was originally provided by planners (regarding 'Sui generis' and needing a 'mixed use' variation) and this unfortunately delayed the application initially.


Objectors say this is 'development' but I must make it clear that this cannot be, because it is not a material change. We believe 'de minimus' and 'lawful activity' still apply to the dog activities on Monday evenings for the reasons given in prior communications and because it is in the same use class.

The dog agility club cannot go elsewhere for a second evening because of the amount of equipment needed on site and, anyway, have not been successful finding alternative premises. One evening is considered 'de minimus' and the second evening is required so that additional demand for classes can be met. We are against conditions because they limit business growth and we already have limits on the arena use anyway. However, 2 evenings per week may be acceptable, i.e. 6-8 hours weekly. If a condition is necessary, it would probably be best to cancel the 1996 condition entirely and add a new one, listing all the uses allowed, to avoid misunderstandings.

In summary, please disregard these objections, as they are based on gross inaccuracies - whether accidental or deliberate, I am unable to determine. As all objection letters copy or state similar incorrect facts, then please disregard those too.

I look forward to seeing your recommendations regarding this application.

Yours sincerely,

  
Owner/Agent

**Abel Bunu**

---

**From:** [REDACTED]  
**Sent:** 12 September 2011 09:50  
**To:** Abel Bunu  
**Cc:** stuart.oliver@houstonregis.org.uk  
**Subject:** Statement 4 committee

Dear sirs

The trainers of Agility Flyers would very much have welcomed the opportunity to address the committee directly but this has not been possible due to one being on a pre-booked holiday & the other having work commitments that could not be altered at such short notice, so they have asked that the following statement is read out on their behalf.

**Statement:**

From May 2010, Agility Flyers has offered dog agility classes to the local public, providing a controlled, safe, learning environment for a healthy outdoor sport that also promotes dog obedience, the welfare of animals & responsible dog ownership. We now have an enthusiastic, committed & loyal group of local people of all ages & have more than 10 people on our current waiting list highlighting that there is the need but not the capacity elsewhere in the area.

Unfortunately, Mr Bunu's proposal of 4 hours on 1 day per week only, would not allow us to accommodate further participants as, having surveyed our current & future attendees, most have either work or family commitments preventing many from arriving earlier than our current 7pm start time & as you know we are unable to train later than 9pm due to the curfew on the menage, which we strictly adhere to.

We therefore request that we be allowed to train for 2 hours on 2 evenings per week so that we may accommodate those wishing to join our classes. Current planning permissions are already in place for horse tuition to this effect.

We implore the committee to agree to this proposal as we have put alot of effort into this venture & it is vital to our future existance that we are able to provide the additional classes so that those wishing to participate in this activity are able to do so.

Thank you. [REDACTED]

Sent from Yahoo! Mail on Android

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## AGILITY FLYERS - RULES

Please take the time to read and familiarise yourself with the following points. Please note that where the initials AF are used, this refers to Agility Flyers.

### Premises

AF and Dunstable Riding School accept no responsibility for loss or damage to vehicles or personal items whilst on the premises.

Please park sensibly and do not obstruct the entrance/exit or other users of the car park.

Please be aware that there are horses and possibly other livestock on the premises. It is your responsibility to ensure that your dog is under control at all times.

Handlers are required to have the means to pick up any fouling should it occur and place it in the bin provided or take it home if one is not available. Please note that the ménage is rented and failure to comply may result in losing the venue.

### Members

All members will be notified in writing of any rule changes.

AF trains only using praise and reward methods and no harsh treatment will be accepted by any members at any time. AF reserve the right to dismiss any handler that in the opinion of the trainers are acting in a manner detrimental to the welfare of any dog or distracting other participants.

Minors under the age of 12 are to be accompanied by a parent or guardian at all times at training or other AF events unless with the express permission of the trainers. Minors under the age of 16 remain the responsibility of their parents or guardian at all times.

In the event of a member ceasing to attend training for a period of one calendar month without notification to the trainers, AF reserves the right to offer their place to another handler should there be a waiting list.

### Dogs

Except when attending a pre-agility class, all dogs must be a minimum of 12 months of age in order to participate. Larger breeds may be required to be older than this if the trainers feel that their physical development could be affected.

No bitches in season are permitted at any training evening or AF event at any time.

Dogs suspected of having Kennel Cough or handlers/dogs which have been exposed to another dog exhibiting symptoms should seek veterinary advice and discuss this with the trainers before attending a class. Please note that this condition can be passed by handlers from dog to dog via clothing.

Please note your dog must have a basic level of obedience, i.e. return when called, a reasonable wait / stay command. If this is found not to be the case, at the instructors discretion, you may be required to undertake further obedience classes before continuing with the agility course/classes.

All dogs are required to have a standard of fitness due to the physical nature of the activity. If in any doubt, please seek your vet's advice.

Vaccination certificates must be produced if requested.

Dogs are accepted for training at the trainer's discretion.

Dogs left in cars must have good ventilation at all times with a source of drinking water provided. Under no circumstances must dogs be left in cars on very hot days.

#### Equipment

Whilst every care is taken to ensure you and your dogs' safety, handlers train at their own risk and must only use the equipment whilst under instruction.

For safety reasons all dogs must be wearing a collar during training. This must be a flat or rolled collar which doesn't contain any chain or links which could get caught on the equipment. Please ask if you are in any doubt.

All dogs must be on lead at all times unless under instruction.

Do not allow your dogs to foul the equipment.

#### Fees

Course fees are payable on booking in order to secure your place and are non-refundable except under exceptional circumstances as agreed by AF. Attendance fees are payable on a per dog basis on the first training session of each month for the month ahead. This fee is payable even on non-attendance unless prior notice is given for reasons such as annual vacations, a bitch in season, etc, as the rent is still required to secure the venue.

#### Data Protection

A list of all members names and addresses will be maintained by AF and may become available for inspection by members of the kennel club should we become KC registered at any point in the future. All information will be treated as confidential.

**BEGINNERS AGILITY COURSE (8-WEEKS)  
BOOKING FORM**

Applicant's Details

Dog's Details

Name.....

Name.....

Address.....

Breed.....

.....

Age.....

.....

Daytime Tel:.....

Email:.....

Emergency Tel:.....

What experience of agility or other formal dog training do you have (if any)?

.....

.....

What do you hope to achieve from the course (fun, competition, fitness, etc)?

.....

.....

Does your dog have any behavioural problems that may need to be accommodated?  
(i.e. aggressive towards other dogs, nervous, poor recall, etc.) Please state.....

.....

.....

Do you have any physical / learning disabilities or medical conditions that we should  
be aware of?

.....

.....

Where did you here about Agility Flyers?.....

.....

By signing this form, you agree that you have read and will abide by the rules of  
Agility Flyers and understand that, whilst every effort is made to ensure the safety of  
both you and your dog, you partake at your own risk (see attached).

Signed..... Date.....

To secure your place on the next course, please return this form, together with your  
payment of £60.00 (cheques payable to J T Dimmer) to

J T Dimmer  
26 Chesterfield Crescent,  
Wing,  
Bucks.  
LU7 0TW.



*We look forward to seeing you!*

01462 814009

Mr C Heard  
Orders and Commons Registration Officer  
Central Bedfordshire Council  
Technology House  
239 Ampthill Road  
Bedford  
MK42 9BD

1<sup>st</sup> September 2011

Dear Mr Heard,

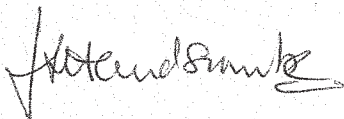
**Commons Act 2006: Section 15 (3)**  
**Application for the registration of land at Town Farm Court, Henlow**  
**as a Village Green: CBC4/2011**

Thank you for your email with the latest letter from the Applicant and his wife dated 23<sup>rd</sup> August.

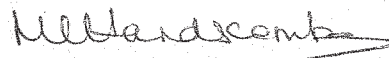
In your letter to us dated 10<sup>th</sup> August, you said that CBC considered the period for further Objections to be complete and yet you appear to still be accepting material from the Applicants and placing it on the CBC website for the members of the Management Development Committee and others to take into consideration. This material follows the Applicants familiar practice of seeking to mislead and confuse.

As it is so late in the process, we have simply marked it up with our brief comments and return copies herewith, but we must protest again about the special treatment being afforded to the Applicants.

Yours sincerely,



John Handscombe



Margaret Handscombe

The Keeping, Town Farm

Henlow

Bedfordshire SG16 6AZ

Telephone: 01462 811020

Mobile: 07870 648307

[thekeeping@homecall.co.uk](mailto:thekeeping@homecall.co.uk)

23<sup>rd</sup> August 2011

Chris Heard,  
Central Beds Open Countryside Officer  
Technology House, Ampthill Rd  
Bedford

Dear Mr Heard

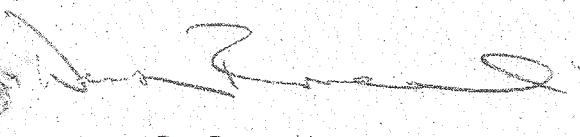
Village Green Application CB4/2011

We write to complete our replies to the request for additional information from those making representation to the above application. The final responses arrived by email, the last receipt being that from Ian Bland. See attached table.

As we proceed to determination of this case we wish to reiterate

- The Commons Office/CBC legal dept are the arbiters, not the Applicants.*
1. that we have redacted all comments which we have found to be personally derogative and which have caused the applicants offence. The redacted comments are irrelevant to consideration of an application under section 15.3 B of the Countryside Act of 2006 and should remain redacted despite the wish of those making derogatory comments to be able to repeat them in public forum.
  2. that application CB4/2011 is significantly different from an earlier application CB2/2010 in terms of (a) the area mapped and (b) the limited and defined neighbourhood within the community of \* Henlow. Only evidence relevant to consideration CB4/2011 should therefore be considered as CB2/2010 may be subject to appeal to the Planning Inspectorate.
  3. that Form 44 listed Central Beds as a possible objector to our application *as the Council were parties to a 106 agreement to build socially affordable housing on a contiguous site and that the council had an involvement with the destruction of a Biodiversity site in the Spring of 2009.* We requested that special consideration be given to the provision of an open and fair determination being provided by the Registration Authority.

Yours sincerely,

  
Wendy and Ray Rapacchi

\* Neighbourhood is identical to 2/2010.

Attendance 1/9/11



Synopsis Applicants' Comment on Representations to CB4/2011

21<sup>st</sup> August 2011

Representation made by	Reply	Note
Bland Ian	* **	9 <sup>th</sup> August (rec)
Bevan Anthony	* **	4 <sup>th</sup> August
Bevan Dr P	** ***	NO REPLY
Buckland Colin	** ***	5 <sup>th</sup> August
Cleghorn John	** ***	<del>NO REPLY</del> 4 <sup>th</sup> August
Curson Angela and David	** ***	<del>NO REPLY</del> 8 <sup>th</sup> August
Downe Graeme	** ***	NO REPLY
Engineers Arms, K Machin	** ***	5 <sup>th</sup> August
Everton Kay and Adrian	* ** ** (RoW)	4 <sup>th</sup> August
Kelly David and Beverley	** ***	<del>NO REPLY</del> 7 <sup>th</sup> August
Handsome Sam	** ***	<del>NO REPLY</del> 5 <sup>th</sup> August
Handsome Zoe	** ***	<del>NO REPLY</del> 9 <sup>th</sup> August
MacDonald Bob	*	5 <sup>th</sup> August. We had hoped that Mr. MacDonald would have had information to contribute on RoW. He denies that he acts for the Landowner. We attach docs. RMA 1 & 2 which indicate that Mr. MacDonald did act, at one time for the Landowner. We accept his answers to our additional questions as a Non response.
Oldroyd David	**	<del>NO REPLY</del> 6 <sup>th</sup> August
Sawyers Carol	* **	5 <sup>th</sup> August
Wicksteed John and Vilma	* **	NO REPLY
Winch Chris	** ***	NO REPLY

NOTE \* No additional representation has been made regarding the use of the pedestrian access Town Farm Court/Town Farm Orchard, the use made of the Orchard by the Residents and garage owners of Town Farm Court.

NOTE \*\* Derogatory and/or irrelevant Comment deleted by the applicant

NOTE \*\*\* No reply made to request for additional information made on 27<sup>th</sup> July 2011

The Landowners have referred to our application as being unrepresentative of the long term residents of Town Farm Court. There are three houses in the Court and the council accepted documents GP1 and AS1 as representations in planning applications made in the weeks leading up to the curtailment of Rights of Way in March 2009. They identify the strength of feeling and unanimity of this small neighbourhood within the Community of Henlow. No representations have been made by any residents in objection to application CB4/2011.

\* The Applicants' Q3 is ambiguous. Mr Mac answered in relationship to CB/09/06026/Full. His firm acted for Mr Handscombe in respect of a barn rebuild and for Town Farm Homes Ltd in respect of a withdrawn planning application.

Handsome 1/9/11

21<sup>st</sup> August 2011

**FILE COPY**

Application for Planning Permission.  
 Town and Country Planning Act 1990 **08/02256**

**Publication of planning applications on council websites**

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.  
 It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

*CHR HENLOW BULLIONS SUPPLIES LTD*

**1. Applicant Name and Address**

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

**2. Agent Name and Address**

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

**3. Description of the Proposal**

Please describe the proposed development, including any change of use

Demolition and rebuilding of existing barn at Town Farm House, 51 High Street, Henlow, and alterations and extension to rear of Town Farm House.

*Irrelevant to VG Application*

Has the building, work or change of use already started?  Yes  No

If Yes, please state the date when building, work or use were started (DD/MM/YYYY):  (date must be pre-application submission)

Has the building, work or change of use been completed?  Yes  No

If Yes, please state the date when the building, work or change of use was completed: (DD/MM/YYYY):  (date must be pre-application submission)

*Handwritten signature and date 1/9/11*

Godwin Eweka

**From:** Bob Macdonald [B.Macdonald@rmaarchitects.co.uk]  
**Sent:** 03 March 2009 16:37  
**To:** Godwin Eweka  
**Cc:** Info; John Handscombe; Sam Handscombe  
**Subject:** Town farm

Dear Godwin,  
I have been asked by my client the applicant, to withdraw the application for Town Farm.  
Regards Bob

**Bob Macdonald**  
Partner

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*Refers to original, withdrawn planning application - John Handscombe, owner of Town Farm Court, was not the client.*

*Attended 1/9/11*

Kate Barker

**MID-BEDS**

From: DISTRICT COUNCIL AchieveForms [AchieveForms@midbeds.gov.uk]  
Sent: 27 January 2009 19:28  
To: Planning Processing  
Subject: Online Form Submitted

Importance: High

Attachments: AF16180E.html



AF16180E.html (28 KB)

A submission for Comments on Planning Application has been made on 27 Jan 2009 19:10:34.

The submission reference for the form is AF16180E

The status of this form is: New

Form Data:

Title: Mr  
Forename: ADRIAN  
Middle Name(s):  
Surname: STALHAM  
Telephone:  
Fax:  
Mobile:  
Email Address:  
House No. or Business Name:  
Address line 1: 1  
Address line 2:  
Street: Town Farm Court  
Town or City: Henlow  
County: Beds  
Postcode: SG165AZ  
: No  
Application Number: 08/02392/FULL  
House No. or Property Name: 51  
Address line 2:  
Street Name: High Street  
Town or City: Henlow  
County: Beds

*This has no relevance to Application 4/2011.*

. Land to the rear of 51 High St - Change of use of land and buildings from private garden to agricultural use and storage  
. As a neighbour of the land in question, I would fully support this proposal which outlines subsequent use of this land as a "village orchard" to be enjoyed by the village community for a variety of activities.

It would maintain a beautiful piece of land whilst also giving something back to the village. What a great idea for helping keep village communities together.

*J Salisbury 1/9/10*



Gary Price  
2 Town Farm Court  
Henlow Bedfordshire

13<sup>th</sup> December 2008

The Director of Environmental and Planning Services  
Priory House  
Chicksands, SHEFFORD  
SG17 5TQ

*Mr Price was/is  
incapable of writing this  
letter and admits that  
he was coached by the  
Applicants and the letter  
was typed by his housekeeper*

Dear Mr. Alderson

**Re: 08/02256/FULL single storey rear extension & demolltion and rebuilding of barn  
08/02257/CAC demolition of barn**

I am a neighbour of Town Farm House, 51 High Street Henlow and the proposed development will impact on my property:

**Amenity**

A large two storey barn will now overlook both my back and front garden; it will cause me a loss of daylight to my home and gardens. The development is very large and I think it more than doubles the size of 51 high street. I am very concerned that there will be a back gate to this development onto Town Farm Court.

**Design**

I think the new buildings are a mish-mash of styles to the back of a fine Georgian Town Farmhouse. I don't think they enhance in any way the Henlow conservation area.

**Highways**

I am very concerned that the new roadway will produce lots more of traffic onto the High Street and that it will make it much more difficult to drive onto the High Street from Town Farm Court. The new road is too close to my road. I am very worried that the back gate onto my road will encourage parking for the new homes and that they may store rubbish bins there, or even use it as a pedestrian access.

**Policies**

I think that the development does not comply with the Mid-Beds Structure Plan or with the Conservation Area Policy for Henlow

*Attachment 1/1/11*

History

I live in the oldest house in Henlow, a converted Tithe Barn. To the back it has a rural outlook. When we bought the property we were told that it would never change. The roadway was too narrow to ever allow development on the orchard and the courtyard was in the Conservation Area.

I have paid a small fortune to upkeep the private road and now find that another road is being built to help developers build all around my property.

We officially objected to Mid Beds Council on the Orchard's change of use as we were always afraid this development would happen.

Please keep me informed

Yours sincerely

Gary Price

## PRESS RELEASE

### Henlow Residents set to protect their Children's safety and Rights of Way

Applicants have interrupted their holiday and returned home to protect the Rights of Way and address safety issues which affect Town Farm Court in Henlow.

Central Beds Development Committee are to decide whether the residents of a small Farm Court in Henlow are to be able to continue to use, in safety, the Court Yard leading to their homes and garages as a Right of Way. The meeting takes place 14<sup>th</sup> September.



Worried residents, are fearful that when adjacent plots are developed their roadway will continue to be used to park up dangerous construction traffic, just feet from their living rooms. During the past two years their driveway has been made dangerous by construction traffic using a field to the bottom of their driveway, a pedestrian access to the field has been blocked, high fences erected and a biodiversity site destroyed.

The new landowner has threatened car clamping and an £85 fine should residents park outside their homes!

Central Bedfordshire have now taken over the duty of Beds CC to protect Rights of Way. The Application has been made under Section 15.3.b. of the Open Spaces Act Of 2006 and is being managed by the Countryside and Open Access Team of Central Bedfordshire. Town Farm Court is one a number of Farm Court Yards within the Conservation area all have been noted as a distinguishing feature of one of Bedfordshire's prettiest villages.

7<sup>th</sup> September 2011

Contact: Wendy and Ray Rapacchi, The Keeping, Town Farm Court, Henlow, SG16 6AZ

