

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



Chief Executive
Jaki Salisbury

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

02 April 2009

Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - Wednesday 8 April 2009

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following supplementary report(s).

Agenda Item	Description
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	Urgent Item of Business
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	In accordance with Section 100B (4)(b) of the Local Government Act 1972, the Chairman has authorised that the minutes of the Development Control and Planning Committees of the predecessor authorities be received and signed.
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	Minutes
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	To receive and sign the Minutes of the meetings of Development Control and planning Committees of the predecessor authorities as follows:
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| | (i) Bedfordshire County Council – 5 March 2009 |
| | (ii) South Bedfordshire District Council – 11 March 2009 |
| | (iii) Mid Bedfordshire District Council – 11 March 2009 |

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01462 611040

Yours sincerely

Helen Bell
Democratic Services Officer
Email: helen.bell@centralbedfordshire.gov.uk



Minutes

Name of Meeting:	Development Control Committee
Date of Meeting:	5 March 2009
Present:	Councillors: R Johnstone (Chairman), V Lee (Vice-Chairman), Richard Baker, R Oliver, B Piggott, T Rogers, I Shingler and P Swaisland
Other Members In Attendance:	Councillors: R Bootiman, J Scott and T Wootton
Others in attendance	

08-09dc128 APOLOGIES

Apologies for absence were received from Councillors Roger Baker, Carter and Paul.

08-09dc129 MINUTES

The minutes of the meeting of the Committee held on 28 January 2009 were confirmed.

08-09dc130 DISCLOSURE OF INTERESTS

No interests were disclosed.

08-09dc131 COMMUNICATIONS

The Chairman reminded Members that this would be the very last meeting of the Development Control Committee.

He praised the work of the Officers who have supported the Committee and expressed his thanks to the other Members of the Committee for their support during his time as Chairman. He paid particular tribute to Councillor Richard Baker who had served continuously on the Committee and its predecessors for the last twenty-six years.

Development Control Committee
Date Thursday, 5 March 2009

08-09dc132 PETITIONS FROM THE PUBLIC

No petitions were submitted by members of the public.

08-09dc133 SPEED LIMIT REVIEW - STUDHAM

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to a petition that had been submitted to the County Council from residents of Studham requesting the introduction of a 20 mph speed limit between The Bell Public House and the Village Hall in Studham.

Members noted the background to and details of the proposal and then heard the views of Councillor Piggott, the local County Councillor for the area. Councillor Piggott urged the Committee to implement a 20 mph speed limit as requested by local residents against the advice of the officers.

RESOLVED:

That the Cabinet member for Highways and Waste be requested to agree that a 20 mph speed limit on part of Dunstable Road, Studham should be implemented as advertised.

08-09dc134 40MPH SPEED LIMIT - BILLINGTON

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to proposals to change existing speed limits for Billington Road, Slapton Road and Leighton Road, Billington to improve road safety.

Members noted the background to and details of the proposals together with the results of local consultations and publicity undertaken.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to agree that the proposed changes to speed limits for Billington should be implemented as advertised.

08-09dc135 30MPH SPEED LIMIT - CLOPHILL

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to proposals to change the speed limits for Kiln Lane, Old Silsoe Road and Goodwood Close, Clophill.

Members noted the background to and details of the proposals together with the results of local consultations and publicity undertaken.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to agree that the proposed changes to speed limits in Kiln Lane, Old Silsoe Road and Goodwood Close, Clophill should be implemented as advertised.

08-09dc136 PETITION - REDUCTION OF SPEED LIMITS MOGGERHANGER AND WILLINGTON AND THE A603

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to a petition that had been submitted to the County Council from residents concerned about the speed of traffic in Willington and Moggerhanger and between those villages and requesting that the current 40 mph speed limits be reduced to 30 mph and that the current 50 mph speed limit on the A603 between the villages should be reduced to 40 mph.

Members noted the background and the views of officers on the situation. They also heard the views of Councillor Scott, the local County Councillor for the area, who had serious concerns that there was no proposal to reduce the speed limit on the A603 on the dangerous bends immediately west of Moggerhanger.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to note the situation with regard to the petition received for a reduction in speed limits in Moggerhanger and Willington and on the A603 between those villages but that the matter is currently being addressed through the speed limit review of the A603 and agree that any draft orders and speed reducing features arising from the consultation be advertised and the results taken to the appropriate committees of the new unitary authorities.

08-09dc137 NORTH EAST BEDFORDSHIRE WEIGHT RESTRICTION

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to a proposal to introduce 7.5 tonnes heavy goods vehicle weight restrictions in north east Bedfordshire on various roads in Great Barford, Chawston, Colmworth, Honeydon, Moggerhanger, Ravensden, Renhold, Roxton, Wilden, Willington and Wyboston.

Members noted that following statutory publication of the proposals 24 formal objections had been received and 268 letters of support had been received. They were informed Bedford Borough Council had requested that the matter should be deferred so that the new unitary Council for the area could determine the outcome. The Committee also heard the view of Councillor Mrs Bootiman, one of the local County Councillors for the area, who strongly opposed the proposal and its likely impact on Wentworth Drive. She did not think that heavy goods vehicles would be driven within the proposed 20 mph speed limit along the length of Wentworth Drive and was also concerned for the safety of school children who attended Mark Rutherford Upper School in the area. Councillor Mrs Bootiman did not believe that Wentworth Drive was appropriate for diverted heavy goods vehicles.

Councillor Scott, whose electoral division would be affected by the proposal, believed that this proposed wider area restriction had lots to commend it and urged the Committee to agree that this contentious but necessary proposal should be implemented.

Members were informed that, if approved, an annual review of the effects of the implementation would be undertaken with Cambridgeshire County Council and locally elected Members.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to agree to the implementation of a weight restriction to prevent the movement of heavy goods vehicles over 7.5 tonnes on various roads in Great Barford, Chawston, Colmworth, Honeydon, Moggerhanger, Ravensden, Renhold, Roxton, Wilden, Willington and Wyboston and to an annual review of the effects of the implementation being undertaken with Cambridgeshire County Council and local Members.

08-09dc138 PETITION - REQUEST FOR A VEHICLE ACTIVATED SIGN IN BARFORD ROAD, WILLINGTON

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to a petition that had been submitted to the County Council from residents of Barford Road, Willington requesting the installation of a vehicle activated sign to reduce the speed of traffic there.

Members noted the background to and the details of the proposal and were reminded that proposals were being prepared for amendments to the speed limits on the A603 through both Moggerhanger and Willington which could result in measures being implemented on the side roads in either or both villages and therefore it was felt that any action on Barford Road would be premature ahead of any possible changes to the main road speed issues.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to agree that no action should be taken in relation to the request from residents of Willington for a vehicle activated sign in Barford Road but that the matter be kept under review pending the outcome of the speed limit review on the A603.

08-09dc139 BROMHAM - OAKLEY POST BEDFORD WESTERN BYPASS TRAFFIC MANAGEMENT PROPOSAL

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to traffic management proposals for Bromham and Oakley to mitigate the traffic impact of phase 1 of the Bedford Western Bypass which was due to open in 2010.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to agree that the three preferred traffic management schemes in Bromham and Oakley designed to mitigate the forecast traffic impact of Phase 1 of the Bedford Western Bypass be included in the 2009/2010 programme for final design and statutory consultation with implementation being dependent on the support of the new unitary authority for Bedford.

08-09dc140 WEIGHT LIMIT PETITION, NORTHILL AND ICKWELL

The Committee considered a report of the Assistant Director of Highways and Transportation in relation to a petition that had been submitted to the County

Council last year requesting vehicle weight limits through the villages of Northill and Ickwell.

Members were reminded that an area wide weight limit in north east Bedfordshire was being recommended to the Cabinet Member for his approval and that the A603 would form the southern boundary of that area. They also noted that in addition to the propose area wide weight limit, advisory lorry route signs would be erected on the A1 and A421 to encourage heavy vehicles to avoid the A603 through Moggerhanger and Willington. Officers explained that it was not anticipated that this area wide weight limit and advisory lorry route signing would have any significant effect on lorry route movements through Northill and Ickwell although it would leave those villages isolated between other weight limit areas. It was, therefore, felt appropriate to propose a weight limit for the two villages.

The Committee heard the views of Councillor Scott, the local County Councillor for the area who fully supported the proposal for a weight limit there.

RESOLVED:

That the Cabinet Member for Highways and Waste be requested to agree that the new unitary authority for Central Bedfordshire should be asked to support the need for a weight limit in Northil and Ickwell and that a scheme to design and implement this be included within the draft forward work programme for 2009/2010.

08-09dc141 THE DETERMINATION OF AN APPLICATION MADE UNDER SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 TO MODIFY THE DEFINITIVE MAP BY THE ADDITION OF A CLAIMED FOOTPATH IN THE PARISH OF CLOPHILL

The Committee considered a detailed report of the Assistant Director Cultural and Community Services in relation to the determination of an application to add a number of claimed footpaths in the parish of Clophill.

Members noted the results of consultations undertaken with Clophill Parish Council, Mid Bedfordshire District Council and other interested parties together with detailed legal and policy considerations, historical documentary evidence, user evidence and other relevant information associated with the application.

RESOLVED:

That, consequent upon an event under section 53 (3) (c) (i) of the Wildlife and Countryside Act 1981, namely the discovery by the authority of evidence which when considered with all other relevant evidence available to them shows that a right of way which is not shown in the Definitive Map and Statement of Public Rights of Way subsists or is reasonably alleged to subsist, an order be made to add sections of public footpath to the Map and Statement between points A-B and points J-Z as shown on the plan at Appendix 1. (Note: Between points A and B, the path to have an approximate width of 2.5 metres and between points J and Z the path to have a width equal to the physical width of the track between banks and buildings varying between approximately 3.3 and 7 metres).

08-09dc142 PUBLIC FOOTPATH NO 28 MAULDEN

The Committee considered a report of the Assistant Director of Corporate Governance in relation the very detailed history associated with Public Footpath No. 28 Maulden.

For the benefit of the majority of Members of the Committee who were not County Councillors when the matter was first considered, the Managing Solicitor explained, in depth, all the issues associated with it.

RESOLVED:

That for the reasons set out in the detailed report, now submitted, no further action be taken on the application of Mr A Bowers dated 11 September 2004 to extinguish or stop up Public Footpath No. 28 Maulden.

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held at Dunstable Community Fire Station, Brewers Hill Road, Dunstable, on Wednesday, 11 March 2009

Present:

Councillors:

Berry (Vice Chairman)
Mrs Coleman
Forde
M Freeman
Mrs Gammons
Mrs Hills
Janes

Councillors:

Kane
Mrs Morgan
Nicols
Northwood
Shadbolt (Chairman)
Mrs Wyles
Young

Others in attendance: Councillor Mrs Mustoe
Councillor Bowater (Leighton-Linslade Town Council)
Councillor Mrs Fairbairn (Dunstable Town Council)

Officers attending: Mr Barnett, Mr Bunu, Ms Claxton, Mr Emerton, Mr Hale and Mr Manning

161. CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced the Committee's procedures and provided fire safety information for the benefit of those members of the public in attendance. As this was the last scheduled meeting of the Committee before Central Bedfordshire's vesting day on 1 April he also took the opportunity to thank members for their efforts, contribution and support in the Committee's work. The Chairman also thanked the officers for their support and praised their high standards of professionalism.

162. MINUTES

RESOLVED to approve the minutes of the meeting held on 18 February 2009 as a correct record and to authorise the Chairman to sign them.

163. SPECIFIC DECLARATIONS OF INTEREST

None.

(Note: a) All members of the Committee received information relating to Application SB/TP/09/0077 (Conway, Oldhill Wood, Studham, Dunstable, LU6 2NE)).

(Note: b) Councillor Nicols informed the meeting that, in connection with Application SB/TP/09/0022 (4 Grange Gardens, Toddington, Dunstable, LU5 6DH) he had responded to a letter received from an objector to the application. Councillor Nicols added that he had subsequently consulted the Principal Solicitor who had advised him that his actions did not prevent him from taking a full part in the meeting).

164. PLANNING APPLICATIONS - REFUSALS

RESOLVED to refuse the planning applications listed in Appendix A for the reasons given.

(Note: With regard to Application SB/TP/09/0072 (219 High Street South, Dunstable, LU6 3HY) the Chairman left the meeting room immediately before the application was considered. He took no part in the subsequent discussion or decision. In the Chairman's absence the Vice Chairman took the Chair for this item only).

165. PLANNING APPLICATIONS - PERMISSIONS

RESOLVED to grant the planning permissions listed in Appendix B, permission, approval or consent being subject to the conditions or other requirements or matters indicated, and to authorise the Head of Development Control to issue a grant of permission in respect of those applications noted as being delegated to him.

(Note: In respect of Application SB/TP/08/1163 (60 Milton Way, Houghton Regis, Dunstable, LU5 5UE) Councillor Nicols requested that his abstention be recorded).

166. 143 VANDYKE ROAD, LEIGHTON BUZZARD, LU7 3HQ AND LAND REAR OF 145 VANDYKE ROAD, LEIGHTON BUZZARD, LU7 3HQ

Members received a report which sought authority to issue the grant of planning permission in relation to Application SB/TP/06/0450 without the completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990, as amended. The meeting noted that the Legal Agreement had been required under the Planning Committee's resolution passed on 5 July 2006.

RESOLVED that the Head of Development Control be authorised to issue the grant of Planning Permission in respect of Application SB/TP/06/0450 (Relaxation of Condition 7 of outline planning permission SB/OUT/04/0299 and reserved matters approval SB/ARM/06/0588 to allow all windows to be side hung, clear glazed in the south west elevation facing St George's Court (except stairwells) and at first and second floor in the north east elevation facing 145 Vandyke Road (except stairwells and secondary windows serving Bedroom No's 36 and 61) in connection with the erection of a 60 bedroom care home) without a Legal Agreement under Section 106 of the Town & Country Planning Act 1990 linking the application to the implementation of planning permission SB/TP/06/0446 (Change of use of part of private garden to amenity area for adjoining residential care home at land rear of 145 Vandyke Road, LU7 3HQ).

167. PLANNING ENFORCEMENT TEAM

Members received a report which advised of the cases and workload within the Planning Enforcement Team over the past year.

NOTED the report.

168. SITE VISIT AND CONSULTATIVE GROUP – SITE VISITS

NOTED that there had been no site visits by the Site Visit and Consultative Group since the last meeting of the Planning Committee on 18 February 2009.

169. SITE VISIT AND CONSULTATIVE GROUP – DELEGATED DECISIONS

NOTED the report on delegated decisions made by the Site Visit and Consultative Group at its meeting on 9 March 2009.

170. TREE PRESERVATION ORDERS

NOTED that, since the last meeting of the Planning Committee on 18 February 2009, Tree Preservation Orders had been placed on trees at:

- Land at Leighton Buzzard Railway Station, Station Approach, Station Road, Leighton Buzzard – TPO Number 1/2009
- Land along the western boundary of Linslade Recreation Ground, Waterloo Road, Leighton Buzzard – TPO Number 2/2009
- Land between No. 80 and No. 100 Common Road, Kensworth – TPO Number 3/2009.

171. PLANNING SUB COMMITTEE RESPONSIBLE FOR TREE PRESERVATION ORDERS

NOTED that there had been no meetings of the Planning Sub Committee Responsible for Tree Preservation Orders since the last meeting of the Planning Committee on 18 February 2009.

172. MEMBERSHIP OF GROUP AND SUB-COMMITTEE

NOTED that no changes were necessary to the membership of the Site Visit and Consultative Group or the Planning Sub Committee Responsible for Tree Preservation Orders.

CHAIRMAN

NOTE the abbreviations, which are used in the attached reports:

In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (R.S.S), Bedfordshire Structure Plan 2011 (B.S.P) and the South Bedfordshire Local Plan Review (S.B.L.P.R).

Schedule Type: **A** Item Number: **01**

Application No: **SB/TP/09/0077** Start Date: **09/02/2009** Expiry Date: **06/04/2009**

Applicant: **Mr Brewer**

Agent: **Briffa Phillips Architects**

Location **Conway, Oldhill Wood, Studham, Dunstable, LU6 2NE**

Proposal **Erection of replacement dwelling (Revised application SB/TP/08/0901).**

Ward: **Kensworth/Totternhoe/Studham/Whipsnade**

Ward Councillors: **Cllr Mrs M Mustoe & Cllr Ms C Wyles**

Parish: **Whipsnade**

Application Type: **Planning Application** Case Officer: **Simon Barnett**

RESOLVED that Planning Permission be REFUSED for the following:

REASONS

1. R17 The proposed replacement dwelling would by virtue of its size, bulk and massing be both materially larger than, and more intrusive in the landscape than the existing dwelling to the detriment of the openness of the Green Belt. The proposed scheme is therefore considered to be inappropriate development within the Green Belt and no very special circumstances have been justified in support of the proposal. The proposed scheme is therefore contrary to the advice contained within Planning Policy Guidance Note 2: 'Green Belts' and contrary to the provision of Policy H14 of the South Bedfordshire Local Plan Review.
2. R38 The proposed development would result in an overly intrusive and urbanising feature within the semi-rural street scene and which makes a significant contribution towards the designated Oldhill Wood Area of Special Character. It would result in a more urbanised form of built development within the street scene, harmful to its character and that of the locality. The proposal is therefore contrary to Policies BE8 and BE6 of the South Bedfordshire Local Plan Review.

Schedule Type: **B** Item Number: **05**

Application No: **SB/TP/09/0072** Start Date: **04/02/2009** Expiry Date: **01/04/2009**

Planning Committee – 11 March 2009

Applicant: **Mr W Reddan**

Agent: **PCA Design**

Location **219 High Street South, Dunstable, LU6 3HY**

Proposal **Conversion of dwelling to create seven studio flats.**

Ward: **Dunstable - Manshead**

Ward Councillors: **Cllr A Fairbairn & Cllr P Freeman**

Parish: **Dunstable**

Application Type: **Planning Application**

Case Officer: **Abel Bunu**

RESOLVED that Planning Permission be REFUSED for the following:

REASONS

Having regard to the lack of information submitted with the application, including off-site parking and travel survey details, it is considered that the proposal makes inadequate provision for off-street parking spaces and is likely to lead to an increase in on-street parking in a locality where it has not been demonstrated that there is sufficient, reasonably available capacity, so resulting in inconvenience and additional hazards to highway users of the nearby roads. The proposal is therefore contrary to Government advice contained in Planning Policy Guidance 13, 'Transport' and Policy T10 of the South Bedfordshire Local Plan Review.

Schedule Type: **B** Item Number: **01**

Application No: **SB/TP/09/0004** Start Date: **16/01/2009** Expiry Date: **17/04/2009**

Applicant: **Tesco Stores Ltd c/o DPP LLP**

Agent: **DPP LLP**

Location **Tesco Stores Ltd, Skimpot Road, Dunstable, LU5 4JU**

Proposal **Extension to existing foodstore, addition of store lobby, relocation of ATM, installation of cycle parking facilities, revised bulk store/service yard layout, revised elevations, alterations to car park/bus layby and other associated works.(Revised application SB/TP/07/0060)**

Ward: **Dunstable - Icknield**

Ward Councillors: **Councillors D McVicar, J Kane & N Warren**

Parish: **Dunstable**

Application Type: **Planning Application**

Case Officer: **Gill Claxton**

RESOLVED that Planning Permission be GRANTED subject to the submission of no adverse consultation response from Beds County Council Highways and subject to prior Agreement under Section 106 Town & Country Planning Act 1990 in relation to the restriction on the net retail sales area of the store (up to 5,869sq.m); the durable, comparison goods sold and the amount of floorspace devoted to these items (not more than 30% of net retail area to be devoted to the defined range of comparison goods); removal of the partial mezzanine floor; ensuring that the replacement Peter Newton Sports pavilion is provided either prior to the removal of the existing building or prior to the first use of the store extension cross referencing to the extant permission for the pavilion granted under reference SB/TP/08/0291; the securing a temporary facility or other interim arrangements and maintenance of parking provision for the Newton Recreation Ground pending construction; completion of the new pavilion; provisions for car parking sharing between the store and replacement pavilion; and financial contributions to bus information facilities/bus shelter on Dunstable Road and off-site highway works as appropriate; a Deed of Variation to the Section 52 Agreement for the store enabling the use of a specified area for non-public open space use; and subject to the following:

CONDITIONS

1. A3A The development 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. B1 Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the District 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 for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

REASON: To ensure a satisfactory standard of landscaping.

(Policy BE8, S.B.L.P.R).

3. U Prior to the commencement of the development hereby permitted full details of the landscaping to be retained shall be submitted to agreed in writing by the District Planning Authority. In this condition “retained landscaping” means an existing tree, shrub or grassed area which is to be retained in accordance with approved plan and particulars; and paragraphs (a) (b) and (c) below shall have effect until the expiration of 5 years from the last date of the occupation of the buildings for their permitted uses.

(a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the District Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);

(b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and the tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the District Planning Authority;

(c) if any retained shrub is removed, uprooted or destroyed or dies, another shrub shall be planted at the same place and the shrub shall be of such size and species, and shall be planted at such time as may be specified in writing by the District Planning Authority;

(d) the erection of fencing for the protection of any retained tree or shrub shall be undertaken in accordance with the recommendations set out in BS 5837 (1991) and the approved plans and particulars before demolition or any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the District Planning Authority.

REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard the existing trees and landscaping on the site.

(Policy BE8, S.B.L.P.R).

4. Notwithstanding any details submitted with the application, the extended footpath on the eastern side of the Tesco building, adjacent

to Skimpot Road, shall be constructed using a 'no-dig' pathway based on a three-dimensional cellular confinement system. All existing planting in the vicinity of the new pathway shall be protected from construction access, plant and material storage with barriers in accordance with details to be submitted to and approved in writing by the District Planning Authority. These barriers, as approved, shall be erected at the edge of the new path between the construction work and new planting before construction of the pathway begins and shall remain in situ throughout the pathway construction process.

REASON: In order to safeguard significant landscape features.

5. Before development commences, details of ground protection measures to protect the soil structure and planting of the adjacent shrub bed, in the vicinity of the new retaining wall for the recycling facility shall be submitted to and agreed in writing with the District Planning Authority. The ground protection measures as may be approved shall be in place before work on the construction of the retaining wall commences and shall remain for the duration of the construction of the retaining wall and recycling facility.

REASON: In order to safeguard significant landscape features.

6. E8 Before development begins, samples of the materials to be used for the external walls, roofs and external finishes of all new buildings shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To control the appearance of the buildings in the interests of visual amenity.

(Policy BE8, S.B.L.P.R).

7. E1 Before development begins, details of any proposed boundary treatments shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained, unless otherwise agreed in writing with the District Planning Authority.

REASON: To safeguard the amenity of the area.

(Policy BE8, S.B.L.P.R).

8. H4 No external lighting shall be installed without the prior written approval of the District Planning Authority.

REASON: To protect the amenity of neighbouring properties and/or highway safety.

(Policy BE8, S.B.L.P.R).

9. I9 No external loudspeaker systems shall be installed without the prior written approval of the District Planning Authority.

REASON: To protect the amenities of nearby residential properties.

(Policy BE8, S.B.L.P.R).

10. P3 Before development commences, details of any plant, machinery and equipment (including refrigeration and air conditioning systems) to be used by reason of this permission shall be submitted to and approved in writing by the District Planning Authority. The plant, machinery and equipment shall be installed in accordance with the approved details prior to the first use or occupation of the development and shall thereafter be maintained and operated in a way so as to prevent the transmission of noise to any neighbouring premises.

REASON: To prevent nuisance from noise and vibration and to safeguard the amenities of the area.

- (Policy BE8, S.B.L.P.R).
11. P6 Before development begins, details of a scheme for the neutralisation of all effluvia from the processes of cooking etc. shall be submitted to and approved in writing by the District Planning Authority. The scheme as approved shall be installed before the use commences and shall subsequently be retained in full operational condition.
REASON: To prevent nuisance arising from the development and to safeguard the amenities of the area.
(Policy BE8, S.B.L.P.R).
12. E18 Before development begins, details of the levels of the extension to the store shall be submitted to and approved in writing by the District Planning Authority, and development shall thereafter be implemented accordingly.
REASON: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.
(Policy BE8, S.B.L.P.R).
13. E19 Before development begins, the position of the extension to the store shall be pegged out on site and its position approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON: To enable consideration to be given to the precise layout of the development.
(Policy BE8, S.B.L.P.R).
14. U Development shall not begin until details of the junction between the proposed access road and the highway have been approved by the District Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.
15. U Development shall not begin until details of the junction improvement of the Skimpot Road/Luton Road have been approved by the District Planning Authority and the said development shall not be occupied until that junction has been constructed in accordance with the approved details.
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.
16. U The Club House shall not be occupied until a 2.0m wide footway has been constructed from Skimpot Road to the entrance of the new Club House in accordance with details to be submitted to and approved in writing by the District Planning Authority, prior to the commencement of the development.
REASON: In the interests of promoting sustainable modes of transport.
17. C4 Before the development is first occupied or brought into use, the parking spaces, servicing and unloading areas shown on Drawing No. 6403-PL201 Revision B shall be completed and thereafter retained for this purpose.
REASON: To ensure provision for car parking and servicing clear of the highway.
(Policy T10, S.B.L.P.R).
18. U The development hereby permitted shall not be occupied or brought into use until covered cycle storage facilities have been provided in

accordance with details as shown on Drawing Nos. 6403-PL201 Revision B and 6403/PL26.

REASON: To ensure that provision is made for non-car related modes of transport.

(Policy T10, S.B.L.P.R).

19. U Notwithstanding the details shown on Drawing No. 6403-PL201 Revision B full details of the recycling facility to be provided in the car parking area shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of development. The approved scheme shall be provided prior to the first occupation of the extended store and shall thereafter be retained unless otherwise agreed in writing with the District Planning Authority.

REASON: In the interests of good planning and the sustainability principles of the Development Plan.

(Policy SD1, S.B.L.P.R).

20. P10 Unless otherwise agreed by the District Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the District Planning Authority in writing until condition (d) has been complied within relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the District Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the District Planning Authority. The report of the findings must include:

- i. A survey of the extent, scale and nature of the contamination;
- ii. An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - Adjoining land
 - Ground waters and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
- iii. An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the management of Land Contamination, CLR 11'*.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health,

buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the District Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the District Planning Authority. The District Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the District Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the District Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the District Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the District Planning Authority in accordance with condition (c).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the District Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the District Planning Authority before the first use or occupation of the development.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to improve water quality, and prevent pollution of the water environment.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the District Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the District Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
REASON: To protect the water environment. The site is in a sensitive area (Source Protection Zone 2 and on the Chalk- Major Aquifer) with respect to groundwater and some of the current uses have the potential to cause contamination.
23. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the District Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
REASON: To protect the water environment. The flood risk assessment proposes the use of soakaways. The site is located in a sensitive area (Source Protection Zone 2) with respect to groundwater receptors, and therefore restrictions to the use of infiltration methods for drainage may apply. The use of infiltration drainage would only be acceptable if a site investigation shows the presence of no significant contamination.
24. H1 No goods, waste, materials or equipment shall be deposited or stored on the site in the open other than on any area(s) defined for those purposes and previously shown on a plan submitted to and approved in writing by the District Planning Authority.
REASON: To protect the amenities of the area and to ensure that vehicle parking, servicing and unloading areas are available for those purposes at all times.
(Policy BE8, S.B.L.P.R).
25. H2 Before development begins, details of the arrangements to be made for the collection, storage and disposal of solid trade waste emanating from the both the store premises and the replacement sports pavilion shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON: To ensure control over the development in the interests of amenity and public safety.
(Policy BE8, S.B.L.P.R).
26. J1 This permission relates only to the details shown on Drawings Nos. 6403/PL200; 6403/PL205; 6403/PL206; 6403/101; 6403/102; 6403/PL26; 6403/PL210; M/1; 490603/12Rev B received 05/01/09 and 6403/PL201B received 16/01/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton

Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - ACHIEVING SUSTAINABLE DEVELOPMENT

ENV7 - QUALITY IN THE BUILT ENVIRONMENT

C1 - Cultural Development

T4 - Urban Transport

T6 - Strategic & Regional Road Networks

T13 - Public Transport Accessibility

T14 - Parking

Wat4 - Flood Risk Management

**MILTON KEYNES AND SOUTH MIDLANDS SUB-REGIONAL STRATEGY
(MARCH 2005)**

BEDFORDSHIRE STRUCTURE PLAN 2011

Policy 25 - Infrastructure

South Bedfordshire Local Plan Review

BE8 - Design Considerations

T10 - Parking

R2 - Proposed Areas of New Urban Open Space in Dunstable

R12 - Protection of Recreational Open Space

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.
4. The applicant's attention is drawn to the attached letter from the Manshead Archaeological Society of Dunstable in which it is requested that reasonable access be afforded at all times to the Chairman of the Society or to a person nominated by him to observe excavations and record finds of archaeological interest. The developer should contact the Hon. Secretary, The Manshead Archaeological Society of Dunstable, Les Matthews Archaeology Centre, 5 Winfield Street, Dunstable, LU6 1LS, prior to the commencement of the development hereby permitted.
5. In connection with Condition 4 above, the barriers referred to shall be strong, well-braced and rigid enough to resist impact and casual movement. Details of suitable barrier specification shall be similar and made with reference to that set out in paragraph 9.2.2 and illustrated Figure 2 of BS 5837:2005 – "Trees in Relation to Construction."

6. In connection with Condition 5 above, the ground protection measures should act as a load suspension layer and prevent soil compaction. In areas where working access will be required, protection could be “in the form of a single thickness of scaffold boards on top of a compressible layer onto a geotextile and supported by scaffold.” This is the recommended method described in paragraph 9.3.2 and illustrated in Figure 3 of BS 5837:2005 – “Trees in Relation to Construction.”

7. In connection with Condition 20 above:
 - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.

 - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.

 - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.

 - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the District Planning Authority.

 - The applicant shall advise the District Planning Authority of commencement of the works.

 - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".

 - South Bedfordshire District Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land within the district has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.

8. The applicant is advised that in order to comply with Condition 15 of this permission it will be necessary for the developer of the site to enter into an agreement with Bedfordshire County 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 Planning and Control Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.

Planning Committee – 11 March 2009

Schedule Type: **B** Item Number: **02**

Application No: **SB/VOC/09/0013** Start Date: **07/01/2009** Expiry Date: **04/03/2009**

Applicant: **Asda Stores Ltd**

Agent: **Savills (L & P) Ltd**

Location **ASDA Stores Ltd, Court Drive, Dunstable, LU5 4JD**

Proposal **Variation of condition 1 of Planning permission SB/TP/06/1330 to extend opening hours.**

Ward: **Dunstable - Central**

Ward Councillors: **Cllr Mrs J Freeman & Cllr Mrs C Hegley**

Parish: **Dunstable**

Application Type: **Variation of Condition** Case Officer: **Gill Claxton**

RESOLVED that Planning Permission be GRANTED subject to the following:

CONDITION

1. U The building shall not be open to the public outside the hours of 7.00am to 11.00pm on Mondays to Fridays, 7.00am to 10.00pm on Saturdays and 10.00am to 5.00pm on Sundays.
REASON: To protect the amenities of the area.

INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - ACHIEVING SUSTAINABLE DEVELOPMENT

SS3 - Key Centres for Development and Change

SS6 - City and Town Centres

ENV7 - QUALITY IN THE BUILT ENVIRONMENT

T14 - Parking

MILTON KEYNES AND SOUTH MIDLANDS SUB-REGIONAL STRATEGY (MARCH 2005).

South Bedfordshire Local Plan Review

BE8 - Design Considerations

TCS1 - Sustaining and Enhancing the District's Town Centres

T1 - Controlling the Location and Traffic Impact of Development

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

Schedule Type: **B**

Item Number: **03**

Application No: **SB/VOC/09/0042** Start Date: **22/01/2009** Expiry Date: **19/03/2009**

Applicant: **Mr A Smith**

Agent:

Location **The Evergreens Land Adj, Kingswood Nursery, Dunstable Road, Tilsworth, LU7 9PU**

Proposal **Variation of conditions 1 and 2 of planning consent SB/TP/06/0741**

Ward: **Stanbridge/Chalgrave/Eggington/Tilsworth**

Ward Councillors: **Cllr N B Costin**

Parish: **Tilsworth**

Application Type: **Variation of Condition**

Case Officer: **Steve Anderson**

RESOLVED that the application to vary Condition 1 attached to planning consent SB/TP/06/0741 be APPROVED subject to the following:

CONDITIONS

1. U The occupation of this site hereby permitted shall be carried on only by (names to be advised) and their resident dependants.
REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the 'very special circumstances' case accepted.
2. The occupation of this site hereby permitted shall be carried on only by Alby Smith & Joyce Smith, Albert Smith & Claire Smith and Mark Hughs & Emma Hughs, together with such other persons as may be agreed in writing by the District Planning Authority subject to such persons falling within the definition of Gypsies contained in ODPM Circular 1/2006 or any Ministerial Circular or Order superseding that Circular, and their resident dependants.

REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the 'very special circumstances' case accepted.

INFORMATIVE NOTES

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the Planning Committee having regard to the very special circumstances use for this Green Belt development, including the site characteristics, planning history, personal circumstances and need for accommodation, determined that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008), H3 (Provision for gypsies and Travellers), ENV7 (Quality in the Built Environment)

East of England Regional Assembly, Draft Policy – RSS Single Issue Review; Planning for Gypsy and Traveller Accommodation in the East of England (February 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005).

South Bedfordshire Local Plan Review

Policies SD1 (Sustainable Keynote Policy), BE8 (Design and Environmental Considerations), H5 (Providing Affordable Housing in Rural Areas) and H15 (Siting of Mobile Homes in the Green Belt).

3. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
4. 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.

Schedule Type: **B** Item Number: **04**

Application No: **SB/TP/09/0078** Start Date: **06/02/2009** Expiry Date: **03/04/2009**

Applicant: **Mr O Price**

Agent:

Location **Eversholt Beeches, Watling Street, Caddington, Dunstable, LU6 3QP**

Proposal **Retention of Gypsy site to provide a maximum of five pitches.**

Ward: **Caddington, Hyde and Slip End**

Ward Councillors: **Cllrs Mrs Gammons, Mrs Hills & P Penman**

Parish: **Caddington**

Application Type: **Planning Application**

Case Officer: **Steve Anderson**

RESOLVED that Planning Permission be GRANTED subject to the following:

CONDITIONS

1. U The site, excluding the existing dwellinghouse, shall not be occupied by any persons other than Gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006.
REASON: To ensure that use of the site is restricted to Gypsies and travellers in accordance with ODPM Circular 1/2006 (Planning for Gypsy and Traveller Caravan Sites) and PPG2 (Green Belts).
2. U The occupation of the site, excluding the existing dwellinghouse, shall be carried on only by the following and their resident dependants: Oram Price & Lucy Price, Jim Price & Emma Lee Price, Dixie Price & Naomi Price, Adam Price & Mel Price and Rocky Lee & Tina Price.
REASON: In recognition of the location of the site in the Green Belt and the “very special circumstances” case accepted in accordance with PPG2 (Green Belts).
3. U When the land ceases to be occupied by those named in Condition 2 above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use hereby approved, shall be removed. Within 6 months of that time the land shall be restored to its condition before the use commenced.
REASON: To enable the District Planning Authority to review the use, together with any buildings and structures, when the occupation of the site by the individuals named in Condition 2 ceases, in recognition of the location of the site in the Green Belt and the “very special circumstances” case accepted in accordance with PPG2 (Green Belts).
4. U There shall be no more than five caravans on the site hereby approved of which only one caravan shall be a residential mobile home.
REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt, the “very special circumstances” case accepted in accordance with PPG2 (Green Belts) and the location of the site in an Area of Outstanding Natural Beauty and an Area of Great Landscape Value.
(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).
5. U No business or commercial activity shall take place at the site and no more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and they

shall not exceed 3.5 tonnes in weight.

REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the provisions of PPG2 (Green Belts) and the location of the site in an Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

6. U Notwithstanding the details submitted, the use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (a) to (d) below:

- (a) within 3 months of the date of this decision a scheme for the means of foul and surface water drainage of the site; the details of the proposed washing and toilet facilities; the external lighting of the site; the internal layout of the site including the demarcation and any proposed enclosure of the individual pitches; any sheds or other buildings proposed to be erected or to be retained; an area within the eastern part of the site where no caravans, vehicles or domestic paraphernalia shall be sited and for the provision of screen planting, particularly along the northern boundary of the site, including details of the proposed species, plant sizes, numbers and densities (hereafter referred to as the site development scheme) shall have been submitted for the written approval of the District Planning Authority and the said scheme shall include a timetable for its implementation;
- (b) within 11 months of the date of this decision the site development scheme shall have been approved by the District Planning Authority or, if the District Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
- (c) if an appeal is made in pursuance of (b) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State; and
- (d) the approved scheme shall have been carried out and completed in accordance with the approved timetable.

REASON: To ensure an appropriate standard of development including the provision for parking and turning of vehicles within the site, adequate foul and surface water drainage, landscaping and amenity.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

7. U Any plants required to be planted in accordance with the provisions of Condition 6 that die, are removed, or become seriously damaged or diseased within a period of five years following their planting shall be replaced with others of a similar size and species and at the same location unless otherwise agreed in writing by the District Planning Authority.

REASON: In recognition of the location of the site in the Green Belt and an Area of Outstanding Natural Beauty and an Area of Great Landscape Value and in order to ensure an appropriate standard of development.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

8. U No caravans, vehicles or domestic paraphernalia shall be sited within the eastern portion of the site as identified in the approved site development scheme.

REASON: To ensure the retention of planning control by the District Planning Authority in recognition of the location of the site in the Green Belt and the provisions of PPG2 (Green Belts) and the location of the site in an Area of Outstanding Natural Beauty and an Area of Great Landscape Value.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

9. U Notwithstanding the provisions of Part 1 and Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any Order or enactment amending or re-enacting that Order no extensions to the existing dwelling on the site nor sheds or other outbuildings, walls, hedges or other means of enclosure shall be erected on the site other than in accordance with the provisions of the site development scheme approved in accordance with Condition 6 or such amendment as may be agreed thereto in writing by the District Planning Authority or in accordance with a specific grant of planning consent in that regard.

REASON: In order to ensure that an appropriate standard of development is provided and maintained.

(Policies NE3 & BE8, S.B.L.P.R).

10. At the same time as the site development scheme required by condition 6 above is submitted to the District Planning Authority there shall be submitted a schedule of maintenance for a period of five years of the proposed planting commencing at the completion of the final phase of implementation as required by that condition; the schedule to make provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies or, in the opinion of the District Planning Authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted. The maintenance shall be carried out in accordance with the approved schedule.

REASON: To ensure an appropriate standard of development having particular regard to landscaping and amenity.

(Policies 7, B.S.P.; BE8 & NE3, S.B.L.P.R).

INFORMATIVE NOTES

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the Planning Committee having regard to the very special circumstances use for this Green Belt development, including the site characteristics, planning history, personal circumstances and need for accommodation, determined that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the

Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

Policies H3 (Provision for gypsies and Travellers) and ENV7 (Quality in the Built Environment).

Bedfordshire Structure Plan 2011

Policy 7 (Areas of Great Landscape Value).

South Bedfordshire Local Plan Review

Policies SD1 (Sustainable Keynote Policy), GB1 (Control of Development in the Green Belt), BE8 (Design and Environmental Considerations), H5 (Providing Affordable Housing in Rural Areas) and H15 (Siting of Mobile Homes in the Green Belt).

3. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
4. 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.
5. (a) Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Customer Enquiries on 08708 506506 for further details.

(b) All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent. Where approval is given for a cesspool it should be constructed in accordance with BS6297 and be of sufficient capacity. It should be emptied regularly to prevent overflow.

Schedule Type: **B** Item Number: **06**

Application No: **SB/TP/08/1163** Start Date: **18/12/2008** Expiry Date: **12/02/2009**

Applicant: **Mr & Mrs Curzon**

Agent: **Paul Lambert Associates Limited**

Location **123 Common Road, Kensworth, Dunstable, LU6 2PH**

Proposal **Erection of detached bungalow**

Ward: **Kensworth/Totternhoe/Studham/Whipsnade**

Ward Councillors: **Cllr Mrs M Mustoe & Cllr Ms C Wyles**

Parish: **Kensworth**

Application Type: **Planning Application**

Case Officer: **Simon Barnett**

RESOLVED that Planning Permission be GRANTED subject to the following:

CONDITIONS

1. A3A The development 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. P10 Unless otherwise agreed by the District Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the District Planning Authority in writing until condition (d) has been complied within relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the District Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the District Planning Authority. The report of the findings must include:

- i. A survey of the extent, scale and nature of the contamination;
- ii. An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - Adjoining land
 - Ground waters and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
- iii. An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the

Environment Agency's *'Model Procedures for the management of Land Contamination, CLR 11'*.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the District Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the District Planning Authority. The District Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the District Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the District Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the District Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the District Planning Authority in accordance with condition (c).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

3. E9

Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building shall be submitted to and approved in writing by the District Planning Authority. The development shall thereafter be carried out in accordance with the

- approved details.
REASON: To control the appearance of the buildings.
(Policy BE8, S.B.L.P.R).
4. I10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification), no extensions to the dwelling hereby permitted shall be carried out without the grant of further specific permission from the District Planning Authority.
REASON: To control the external appearance of the dwelling in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).
5. I12 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order amending, 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 permission from the District Planning Authority.
REASON: To control the development in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).
6. L3 Before development begins, details of the proposed method of foul and surface water drainage for the site shall be submitted to and approved in writing by the District Planning Authority. The drainage works as approved shall be constructed in accordance with the approved details before the development is first occupied or brought into use.
REASON: To ensure satisfactory drainage of the site.
7. B1 Before development begins, a landscaping scheme to include the retention of the existing hedgerow to the Dovehouse Lane frontage and any hard surfaces and earth mounding shall be submitted to and approved in writing by the District 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 for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.
REASON: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).
8. E1 Before development begins, a scheme for screen fencing and/or screen walling shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.
REASON: To safeguard the amenity of the area.
(Policy BE8, S.B.L.P.R).
9. HC02 Development shall not begin until details of the widening of the junction of the proposed vehicular access with the highway have been approved by the District Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.

- REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
10. HC06 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.
REASON: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.
11. HC13 No dwelling shall be occupied until a 1.2m wide footway has been constructed on the eastern side of Dovehouse Lane between the existing footway and the site boundary in accordance with details of the approved drawing/or scheme to be submitted to and approved by the District Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.
REASON: In the interests of road safety and pedestrian movement.
12. HC14 The proposed vehicular access shall be surfaced in bituminous or other similar durable material as may be approved in writing by the District Planning Authority for a distance of 6.5m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
REASON: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.
13. HC15 Any gates provided shall open away from the highway and not encroach upon the public highway.
REASON: To enable vehicles to draw off the highway before the gates are opened.
14. J1 This permission relates only to the details shown on Drawing No. 2310-01 Rev.A received 25/02/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawing and to avoid doubt.

INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy
East of England Plan (May 2008)
ENV7 - Quality in the Built Environment

Bedfordshire Structure Plan 2011

Policy 7 - Areas of Great Landscape Value

South Bedfordshire Local Plan Review

GB3 - Green Belt Villages

H12 - Infilling in Villages

BE8 - Design Considerations

NE3 - Control of Development in AGLV

T10 - Parking - New Developments

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.
4.
 - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
 - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.
 - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
 - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the District Planning Authority.
 - The applicant shall advise the District Planning Authority of commencement of the works.
 - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
 - South Bedfordshire District Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land within the district has yet been

formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.

5. 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 Bedfordshire County Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Bedfordshire County Council's Customer Contact Centre, 6th Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.
6. In order to comply with Condition 11 of this permission it will be necessary for the developer of the site to enter into an agreement with Bedfordshire County 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 Planning and Control Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.
7. 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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Bedford. MK42 9AP.
8. 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.

Schedule Type: **B** Item Number: **07**

Application No: **SB/TP/08/1156** Start Date: **29/01/2009** Expiry Date: **26/03/2009**

Applicant: **Mr & Mrs T & L Gittins**

Agent:

Location **60 Milton Way, Houghton Regis, Dunstable, LU5 5UE**

Proposal **Erection of single storey rear extension and first floor front/side extensions and detached front garage (Revised application SB/TP/08/0509)**

Ward: **Houghton Regis - Houghton Hall**

Ward Councillors: **Cllr Mrs Bird, Mrs Morgan & Mr Swain**

Parish: **Houghton Regis**

Application Type: **Planning Application**

Case Officer: **Nicola McPhee**

RESOLVED that Planning Permission be GRANTED subject to the following:

CONDITIONS

1. A3A The development 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. E14 New external facing materials shall match those of the existing building as closely as possible.
REASON: To ensure that the development is in keeping with the existing building.
(Policies BE8 & H8, S.B.L.P.R).
3. HC21 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the District Planning Authority on an application made for that purpose.
REASON: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.
4. U An electrically operated garage door, which does not project beyond the face of the garage, shall be used and shall be of the type that is remotely controlled from the vehicle using the garage. The type of door and remote control shall thereafter be permanently retained on site unless otherwise agreed in writing by the District Planning Authority.
REASON: To avoid the need to park across the footway whilst the garage door is being opened thereby avoiding obstruction to the public footway to the inconvenience of users of that footway.
5. J1 This permission relates only to the details shown on the Site Location Plan and Drawings Numbered 1 to 8 received 8/12/08 and Drawing No. 9 received 12/01/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved plans and to avoid doubt.

INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material

considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review

H8 - Extensions to Dwellings

BE8 - Design Considerations

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

Schedule Type: **B** Item Number: **08**

Application No: **SB/TP/09/0022** Start Date: **13/01/2009** Expiry Date: **10/03/2009**

Applicant: **Mrs L S Grant**

Agent: **Mr L Butler MRICS**

Location **4 Grange Gardens, Toddington, Dunstable, LU5 6DH**

Proposal **Erection of single storey and two storey side and single storey rear extension.**

Ward: **Toddington inc Chalton**

Ward Councillors: **Cllr J Machin & Cllr T Nicols**

Parish: **Toddington**

Application Type: **Planning Application** Case Officer: **Abel Bunu**

RESOLVED that Planning Permission be GRANTED subject to the following:

CONDITIONS

1. A3A The development 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. E13 New external brickwork and roofing materials shall match those of the existing building as closely as possible.

- REASON: To ensure that the development is in keeping with the existing building.
(Policies BE8 & H8, S.B.L.P.R).
3. U Notwithstanding the details submitted with the application, development shall not begin until details of the car parking arrangement within the curtilage of the site has been submitted to and approved by the District Planning Authority. Within six months of the start of the works, the said car parking arrangement shall be constructed in accordance with the approved details.
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
4. HC02 Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the District Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
5. HC19 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the District Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
REASON: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
6. J1 This permission relates only to the details shown on Drawings No's. 301208 & 301208/A received 13/01/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review

BE8 - Design Considerations

H8 - Control of Extensions to Dwellings

T10 - Controlling Parking In New Developments

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any

condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).

3. 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.
4. 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 Bedfordshire County Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Bedfordshire County Council's Customer Contact Centre, 6th Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.

Schedule Type: **B** Item Number: **09**

Application No: **SB/TP/09/0030** Start Date: **16/01/2009** Expiry Date: **13/03/2009**

Applicant: **Mr V Trebisacce**

Agent:

Location **6 Liddell Way, Leighton Buzzard, LU7 4FN**

Proposal **Erection of part two storey and part single storey side extension**

Ward: **Leighton-Linslade - Grovebury**

Ward Councillors: **Councillors A Fahn, P Record & G Rolfe**

Parish: **Leighton Buzzard**

Application Type: **Planning Application** Case Officer: **Nicola McPhee**

RESOLVED that Planning Permission be GRANTED subject to the following:

CONDITIONS

1. A3A The development 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. E14 New external facing materials shall match those of the existing

building as closely as possible.

REASON: To ensure that the development is in keeping with the existing building.

(Policies BE8 & H8, S.B.L.P.R).

3. J1 This permission relates only to the details shown on Drawing titled "Sheet 1 Plans and Elevations" Revision A received 16/01/09 or to any subsequent appropriately endorsed revised plan.

REASON: To identify the approved drawing and to avoid doubt.

INFORMATIVE NOTES

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review

BE8 - Design Considerations

H8 - Control of Extensions to Dwellings

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

MID BEDFORDSHIRE DISTRICT COUNCIL

At a meeting of the **DEVELOPMENT CONTROL COMMITTEE** held in the Council Chamber, Priory House, Chicksands, Shefford on Wednesday, 11 March 2009.

PRESENT

Cllr P F Vickers (Chairman)
Cllr H J Lockey (Vice-Chairman)

Cllrs A R Bastable
J A E Clarke
Mrs J R Davison
G Ellis
D J Gale
M J Gibson

Cllrs B J Golby
H T W Harper
M Hawkins
D Smith
J Street
Mrs C Turner

Apologies for Absence: Cllrs J H Lewis
S A Mitchell
G Summerfield

Substitutes: Cllrs A R Baines (In place of S A Mitchell)
K C Matthews (In place of J H Lewis)
L Thompson (In place of G Summerfield)

South Bedfordshire District Council Representative Cllr A Shadbolt

Members in Attendance: Cllrs L Birt
Mrs J G Lawrence
A A J Rogers
A D Brown
Mrs C F Chapman MBE

Officers in Attendance: Miss H Bell – Committee Administrator
Mrs S Cawthra – Enforcement & Appeals Team Leader
Mr D Lamb – Area Team Leader (East)
Mrs A Sammé – Area Team Leader (West)
Mr M Woolsey – Solicitor

DC/08/153 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcement:-

The Chairman noted that this would be the last meeting of the Development Control Committee for Mid Bedfordshire District Council and thanked the Committee for their work and support on Development Control Committee throughout his time as Chairman.

DC/08/154 **MINUTES**

RESOLVED

that the Minutes of the meeting of the Development Control Committee held on the 11 February 2009 be confirmed and signed by the Chairman as a correct record.

DC/08/155 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr A R Bastable	13	Member of the LDF Task Force which has previously considered the application site.	Present
Cllr K C Matthews	13	Member of the LDF Task Force which has previously considered the application site.	Present
Cllr D J Gale	13	Member of the LDF Task Force which has previously considered the application site.	Present

Cllr P N Aldis	13	Member of the LDF Task Force which has previously considered the application site.	Present
Cllr B J Golby	13	Member of the LDF Task Force which has previously considered the application site.	Present

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

Member	Item	Nature Interest	of	Present or Absent during discussion
Cllr Mrs C F Chapman MBE	14	Applicant election agent.	is	Absent
Cllr A D Brown	14	Applicant is election agent.		Absent
Cllr A R Bastable	14	Applicant is election agent.		Absent
Cllr D J Gale	14	Applicant is election agent.		Absent
Cllr H J Lockey	14	Applicant is election agent.		Absent
Cllr K C Matthews	14	Applicant is election agent.		Absent
Cllr M Hawkins	14	Applicant is election agent.		Absent
Cllr M J Gibson	14	Applicant is election agent.		Absent

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

Member	Item	Parish/Town Council	Vote Cast
Cllr P F Vickers	11	Biggleswade Town Council	Did not speak or vote.
Cllr D Smith	11	Biggleswade Town Council	Did not speak or vote.
Cllr Mrs J Lawrence	11	Biggleswade Town Council	Did not speak or vote.
Cllr M A Smith	9	Amphill Town Council	Was not present when discussed.
Cllr D Lawrence	11	Biggleswade Town Council.	Did not vote.

DC/08/156 **VARIATION OF ORDER OF BUSINESS**

The Chairman advised the Committee that under Provisions of Committee Rule No. CM16 the order of business would be varied as follows:-

Item No. 17 – Enforcement Action Relating to Unauthorised Roadside Advertisements for Business would be considered following consideration of Item No. 7, Planning Enforcement cases where formal action has been taken.

DC/08/157 **PLANNING ENFORCEMENT CASES WHERE FORMAL ACTION HAS BEEN TAKEN**

AGREED

that the monthly update of Planning Enforcement Cases as identified in the report where formal action has been taken were received.

The Committee congratulated Mrs S Cawthra on the progress made with regard to the control of enforcement action.

DC/08/158 **ENFORCEMENT ACTION RELATING TO UNAUTHORISED ROADSIDE ADVERTISEMENTS FOR BUSINESS**

The Committee received and considered a report of the Director of Environmental and Planning Services which sought a decision whether it was expedient to take formal enforcement action to remove unauthorised business advertisements, Case No. ENC/09/0012 which related to the entrance of Ampthill Business Park at the junction of Station Road and the A507.

AGREED

that formal enforcement action regarding the unauthorised roadside advertisements for local businesses at the site relating to the entrance of Ampthill Business Park at the junction of Station Road and the A507 be authorised.

DC/08/159 **DEVELOPMENT CONTROL MATTERS**

The Committee received and considered the report of the Director of Environmental and Planning Services which sought the determination of planning applications, details of which are set out in the schedule appended to these minutes.

No inspections of any sites had been conducted in accordance with Paragraph 1a of the Code of Practice for the Conduct of Site Inspections.

DC/08/160 **PLANNING APPLICATION NO. 08/01890/FULL**

RESOLVED

that Planning Application No. 08/01890/FULL which related to land on the north side of Church Street, Ampthill, be delegated to the Director of Environmental and Planning Services to approve the application as indicated in the Schedule appended to these minutes.

DC/08/161 **PLANNING APPLICATION NO. 06/01418/SE73**

RESOLVED

that Planning Application No. 06/01418/SE73 which related to land at Old Bridge Way, Shefford be approved as set out in the Schedule appended to these minutes.

DC/08/162 PLANNING APPLICATION NO. 09/00131/FULL

RESOLVED

that Planning Application No. 09/00131/FULL which related to land adjacent to Toy Box Day Nursery, the Saxons Centre, Kingsfield Road, Biggleswade be approved as set out in the Schedule appended to these minutes.

DC/08/163 PLANNING APPLICATION NO. 08/02368/FULL

RESOLVED

that Planning Application No. 08/02368/FULL which related to 200A Shefford Road, Clifton be delegated to the Director of Environmental and Planning Services to approve the application subject to no new issues being received prior to the expiry of the consultation period.

DC/08/164 PLANNING APPLICATION NO. 07/00290/FULL

RESOLVED

that Planning Application No. 07/00290/FULL which related to Old Acre Paddock, land to the rear of The Plough Inn, Barton Road, Pulloxhill be approved with a temporary permission for three years as indicated in the Schedule appended to these minutes.

DC/08/165 PLANNING APPLICATION NO. 08/00850/FULL

RESOLVED

that Planning Application No. 08/00850/FULL which related to East Lodge School, Ampthill Road, Shefford be deferred until a minimum of 35 days after the election, and to be reconsidered by the Development Management Committee on 22 July 2009 as indicated in the Schedule appended to these minutes.

DC/08/166 PLANNING APPLICATION NO. 08/02409/FULL

RESOLVED

that Planning Application No. 08/02409/FULL which related to 19a High Street, Pulloxhill be deferred to enable a site inspection as indicated in the Schedule appended to these minutes.

DC/08/167 **PLANNING APPLICATION NO. 09/00007/FULL**

RESOLVED

that Planning Application No. 09/00007/FULL which related to Barns at Doltons Farm, Newport Road, Woburn be approved as indicated in the Schedule appended to these minutes.

DC/08/168 **SITE INSPECTION APPOINTMENT(S)**

RESOLVED

that in light of the introduction of Central Bedfordshire Council with effect from 1 April 2009, the Assistant Director of Legal and Democratic Services, after consultation with the Chairman and Vice-Chairman of Central Bedfordshire Development Management Committee, be authorised to appoint Members to conduct any site inspections required. Any site inspection would be conducted before the meeting of the Development Management Committee to be held on 8 April 2009.

(Note: The meeting commenced at 2.00 p.m. and concluded at 5.18 p.m.)

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Item No.9

DESCRIPTION: FULL: PROVISION OF A NEW LONG-STAY TOWN CENTRE CAR PARK COMPRISING 100 SPACES AND 38 NEW RESIDENTIAL UNITS (30 HOUSES AND 8 APARTMENTS).

LOCATION: LAND ON THE NORTH SIDE OF, CHURCH STREET, AMPHILL

GRID REFERENCE: TL038383
APPLICATION NUMBER: 08/01890/FULL
PARISH: Ampthill
APPLICANT: Waveley Developments Ltd
CASE OFFICER: Sarah Fortune
DATE REGISTERED: 14 October 2008
EXPIRY DATE: 13 January 2009

RECOMMENDED DECISION REFUSE

REASON FOR COMMITTEE TO DETERMINE CLLR SUMMERFIELD REQUEST IN LIGHT OF TOWN COUNCIL CONCERNS OF SITE BEING OUTSIDE SETTLEMENT ENVELOPE.

Delegated Application – See Minute No. DC/08/160

The Council as District Planning Authority hereby gives notice of decision to APPROVE Planning Permission for the application set out above subject to the following condition(s):-

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- material to be use for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;

- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 3 The scheme provided in Condition 2 above shall be carried out in respect of the housing development by a date which shall not be later than the end of the full planting season immediately following the completion of the development hereby approved, and, in respect of the car park, prior to the first use of the car park as a public car park, unless an alternative date has been agreed in writing by the Local Planning Authority.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. This scheme shall include details of the retention and repair of the boundary wall along the west boundary of the site.

The boundary treatment in respect of the car park shall be completed in accordance with the approved scheme – and before the use of the car park is commenced – and in respect of the residential development before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 5 The permission shall extend only to the application as amended by plans received 9/01/2009, 21/01/2009 and 28/02/2009.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 6 Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to complement existing buildings and the visual amenities of the locality.

- 7 All rooflights hereby approved shall be conservation type of details of which shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the character and appearance of the contemplated development in the interest of the visual amenities of the area.

- 8 Brick bond shall be Flemish type and, where entrance steps and thresholds are shown, these shall be in stone.

Reason: To safeguard the character and appearance of the completed development.

- 9 Details of the design and material finishes of gates and piers, any external lighting and signage, street naming plates to both the residential areas of the site and car park shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the character and appearance of the completed development.

- 10 Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.

Reason: To safeguard any material of archaeological interest which exists on the site.

- 11 Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented serving that area of the site.

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 12 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) DDO/BED 810G and in particular the following mitigation measures detailed within the (FRA):-
1. Limiting the surface water run off generated by the critical storm event including climate change allowance so that it will not exceed the run-off for the undeveloped land and not increase the risk of flooding off-site.
 2. Provision of compensatory flood storage on/or in the vicinity of the site to a 1 in 100 year climate change allowance standard. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To prevent flooding by ensuring satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

- 13 Details of Site Waste Management Plans and Waste Audit shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To ensure the satisfactory disposal of waste at the site.

- 14 Details of CCTV coverage of the public Car Park shall be submitted to and approved in writing by the Local Planning Authority. The Car Park shall not be brought into use until the approved details have been installed on the site and its operation shall be in accordance with the agreed management scheme for the Car Park (see Condition 21)

Reason: To ensure the safety of users of the Car Park.

- 15 Prior to commencement of the development hereby permitted details of the provision of 28% affordable housing at the site - all of which shall be for rent - shall be submitted to and approved in writing by the Local Planning Authority and only the approved scheme shall be implemented.

Reason: To ensure the provision of affordable housing at the site in accordance with this authority's adopted planning policies in the Mid Beds Local Plan First Review 2005 and Supplementary Planning document for the provision of affordable housing.

- 16 The car park hereby approved shall be available for use as a car park prior to the occupation of the sixth dwelling hereby approved at the site.

Reason: To ensure the provision of the car park within a reasonable period of time to serve the local community.

- 17 Prior to commencement of any part of the development hereby approved a full site investigation report shall be submitted to the local Planning Authority in respect of the presence of common lizards, grass snakes and slow worms. If these are found a detailed mitigation scheme shall be prepared and submitted to the Local Planning Authority for approval and the approved scheme shall be implemented to the satisfaction of the Local Planning Authority.

Reason: To safeguard these protected species.

- 18 Prior to the commencement of the development hereby approved a scheme for protecting the existing and proposed dwellings from noise from the permitted use of the Car Park shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed prior to the first use of the Car Park and before any permitted dwelling is occupied - unless an alternative period is approved by the Local Authority in writing.

Reason: To safeguard the amenities of occupiers of existing residential dwellings.

- 19 The car park shall not be open to the public except between the hours of 0800 hours and 2200 hours from Monday to Saturday and 0900 hours and 2200 hours on Sundays without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of the neighbouring residential properties.

- 20 Prior to commencement of the development hereby permitted the applicant shall submit in writing for the approval of the Local Planning Authority a suitable external lighting scheme and impact assessment for the car park devised to eliminate any detrimental effect caused by obtrusive light and/or glare on neighbouring land uses. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards and the approved scheme shall be fully implemented prior to the car park being brought into use unless an alternative period is approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbours and the visual amenities of the area.

21 Prior to commencement of the development hereby permitted full details of the management of the car park shall be submitted to and approved in writing by the local Planning Authority and only the approved details shall be implemented. These details shall include management and funding of the CCTV system, how the usage is to be controlled and operational details of lighting, barrier controls and methods of payment. The said details shall include information on any associated noise from such equipment. Only the approved details shall be implemented on site.

Reason: To safeguard the amenities of local residents.

22 Prior to the commencement of the development hereby approved a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority and this shall detail methods that all developers, contractors and sub contractors will employ at all times during demolition, construction and other engineering operations on the site. The Code of practice shall include:-

Measures to be used to control and suppress dust

Measures to be use to reduce the impact of noise and vibration arising from noise vibration generating activities on site in accordance with best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites"

The siting and appearance of works compounds.

The implementation of the development shall only be undertaken in accordance with the approved Code.

Reason: To safeguard the amenities of occupiers of neighbouring residential properties.

23 Prior to the commencement of the development hereby approved plans shall be submitted for approval in writing by the local planning authority of the design of garage doors to residential dwellings on Plots numbers marked x on the layout plan attached. They shall be of a type that when fully open leaves a minimum driveway length of 6metres.

Reason: To ensure adequate off street parking in the interests of traffic and pedestrian safety.

24 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43 m measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

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

25 Development shall not begin until detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure the proposed roadworks are constructed to an adequate standard.

26 Prior to the commencement of the development hereby approved full details of the proposed off-site highway works to provide for an acceptable footway or controlled pedestrian crossing along Church Road to link with Amphill Town Centre together with speed reduction features within the highways and Real Time Information for bus services shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such time as the agreed works have been constructed.

Reason: In the interests of road safety, pedestrian movement and to promote more sustainable transport modes.

27 No dwelling shall be occupied until a 2 m wide footway has been constructed along the frontage of the development site between the access to the approved site and Gas House Lane in accordance with details of an approved drawing or scheme to be submitted to and approved in writing by the Local Planning Authority. Any Statutory Undertakers' equipment or street furniture shall be resited to provide an unobstructed footway. The footpath shall be constructed in accordance with the approved details.

Reason: In the interests of road safety and pedestrian movement.

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

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the premises and to avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

29 Before the premises are occupied any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interests of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

30 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless previously agreed in writing by the Local Planning Authority.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

31 The development shall not be brought into use until a turning space for vehicles has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles onto the highway.

32 No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

33 Prior to the commencement of the development hereby approved details of a covered and secure scheme for the parking of cycles on the site shall be submitted to and approved by the Local Planning Authority . The scheme shall be fully implemented before the development is first brought into use or occupied and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of the occupiers of the development hereby approved in the interests of ensuring the use of sustainable modes of transport.

34 Development shall not commence until a scheme detailing access provision to and from the site for construction traffic has been submitted to and approved in writing by the Local Planning Authority. Details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress. The scheme shall be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

35 Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off street parking during construction in the interests of road safety.

36 Prior to the development hereby approved commencing on site levels of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local planning Authority. Such details shall include sections through both the site and adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.

Reason: To ensure that the development is constructed at a level which is appropriate for the area.

37 A detailed plan shall be submitted to and approved in writing by the Local Planning Authority of all grounds surfaces and kerbing to both the housing development and the car park including any demarcation of the car parking spaces to the public car park

Reason: In the interest of the character and appearance of the completed development.

38 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 works shall be commenced for the extension of the buildings or any material alteration of their external appearance until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties and safeguard the visual amenities of the area.

39 Prior to the occupation of any development approved by this planning permission the developer shall submit to the Local Planning Authority and have approved, in electronic form where possible:

- (a) A further investigation report that progresses the contamination issues and specific recommendations identified by previously submitted reports. Particular attention shall be given to the potential pollution pathway at the boundary with historic gas works.
- (b) A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment posed by any contaminants identified in the investigation reports.
- (c) A written confirmation that any and all remedial works have been completed in accordance with agreed remediation scheme in the form of a validation report to include photographs, material transport tickets and testing of replacement material. The British Standard for Topsoil, BS 3882:2007, specifies requirements for top soils that are removed or traded and should be adhered to.

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.

Any groundwater issues shall be pursued independently through approval via the Environment Agency.

Reason: To protect human health and the environment

40 No clearance works to the site shall take place during March - August (inclusive) unless prior approval has been obtained from the Local Planning Authority following a detailed survey having been undertaken of the potential of the site for reptiles and nesting birds.

Reason: To safeguard nesting birds and any reptiles at the site.

41 Prior to commencement of the development hereby approved the applicant shall submit to the Local Planning Authority a report of evening activity surveys which have been carried out from April to September which investigate the use of the site by important and specially protected species of bats. If these are found at the site then the report shall quantify their use, assess the impact of the development on their habitat and propose appropriate mitigation measures in respect to PPS9 and Local Plan policies. The development shall be carried out in accordance with any necessary mitigation measures .

Reason: To ensure that bats at the site are protected in accordance with PPS9 and Local Plan policies.

This permission relates only to that required under the Town and 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.

The public guidance leaflet Construction and Demolition Sites - A Good Practice Guide can be found on our website.

http://www.midbeds.gov.uk/Images/construction%20demolition_tcm5-24431.pdf#False

Notes to Applicant

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

The application form for approval of details reserved by a condition, Guidance notes and fees (i.e. £25.00 for householder applications and £85.00 for all other applications, per submission) can be found on our website

http://www.midbeds.gov.uk/Planning/Planning_Applications/Planning_Application_Fees.aspx

or alternatively call Customer Services on 01462 611 222 for hard copy forms.

1. The applicant is advised to take note of the comments from the Environment Agency in the attached letter dated 30/01/2009.
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 Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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 vehicular access affects or requires the removal and/or 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 in order to comply with conditions 27 and 28 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN 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 Highway Engineer, Central Bedfordshire Council. PO Box 1395, Bedford, MK42 5AW.
4. The applicant is advised that the closure of existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).
5. 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 highways. Further details can be obtained from the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN.
6. The applicant is advised that the Council as highways authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006".
8. This planning permission is also subject to a legal undertaking under Section 106 of the Town and Country Planning Act 1990.
9. The applicant is advised to comply with the requirements and regulations of the Wildlife and Countryside Act.

[Notes: (1) In advance of the consideration of this application, the Committee were advised that four further letters of support to the scheme had been received.

(2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No. 10

DESCRIPTION: SECTION 73 DETERMINATION: VARIATION OF CONDITIONS 2 AND 3 (DURATION OF CONSENT) ATTACHED TO PLANNING PERMISSION 99/00060/OUT DATED 14.01.04: OUTLINE CONSENT FOR DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF RETAIL FOODSTORE WITH CAR PARKING AND HIGHWAY IMPROVEMENT WORKS (ALL MATTERS RESERVED EXCEPT SITING AND MEANS OF ACCESS)

LOCATION: LAND AT, OLD BRIDGE WAY, SHEFFORD
GRID REFERENCE: TL142388
APPLICATION NUMBER: 06/01418/SE73
PARISH: Shefford
APPLICANT Daniels Bros (Shefford) Ltd
CASE OFFICER: Anne Sammé
DATE REGISTERED: 06 September 2006
EXPIRY DATE 06 December 2006

RECOMMENDED DECISION S106 PENDING

REASON FOR COMMITTEE TO DETERMINE THE DIRECTOR OF ENVIRONMENTAL AND PLANNING SERVICES CONSIDERS IT PRUDENT FOR COMMITTEE TO DETERMINE THIS APPLICATION

APPROVE Planning Permission **Subject to completion of a S106 Legal Agreement** for the application set out above and subject to the following condition(s):

1 DG04 **Approval of the details of:-**

- (a) the scale of the building(s);
- (c) the appearance of the building(s);
- (d) the landscaping of the site;

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 2 DG05 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 3 DG06 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 4 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 5 U Before any plant or machinery is used on the premises, it shall be enclosed with sound insulating material and mounted in a way which will minimise transmission of structure borne sound in accordance with a scheme previously agreed in writing with the Local Planning Authority. Thereafter only the approved scheme shall be implemented.

Reason: To ensure that the amenities of neighbouring occupiers are not prejudiced by excessive noise.

- 6 U **Before development commences, the procedures for the management and use of the service yard to ensure that amenities of neighbouring residents are protected shall be submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details.**
- Reason: To protect the amenities of occupiers of neighbouring properties.**
- 7 U **Details of a scheme for protecting residents of New Street, High Street, Midland Close and Old Bridge Way from noise and general disturbance from the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be implemented before the premises are first brought into use. Approved management operations shall be used at all times.**
- Reason: To protect the amenities of occupiers of neighbouring properties.**
- 8 U **Before development commences, details of lighting of the car park and service area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the premises are first brought into use.**
- Reason: To protect the amenities of occupiers of neighbouring dwellings and to provide on site security.**
- 9 U The premises shall only be open to customers between the hours of 7am and 11pm on Mondays to Saturdays and between the hours of 8am and 6pm on Sundays and Public Holidays.
- Reason: To protect neighbouring residential amenity.
- 10 U There shall be no goods deliveries outside the hours of 7am to 7pm Mondays to Saturdays and only one delivery on Sundays and Public Holidays, which shall only take place between the hours of 9.30am and 3.00pm.
- Reason: To protect the amenities of occupiers of neighbouring properties.
- 11 U **Details of CCTV cameras to be provided in the car park including their position, coverage and means of ensuring the privacy of neighbouring residents shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The cameras shall be provided and available for use before the building hereby approved is first brought into use.**

Reason: On site security and the protection of neighbouring residential amenity.

- 12 U The supermarket hereby permitted shall only be used for the sale of food, drink and other household items normally associated with a supermarket/food store other than a maximum of 250 square metres of net sales floor area which can be given over to the sale of durable items not normally associated with the above category. The unit shall not be used for any other purpose within Class A1 of the Town and Country Planning (Use Classes Order 1987) other than that specified in this condition without the prior written consent of the Local Planning Authority.

Reason: In order to safeguard the vitality and viability of the town centre.

- 13 U Prior to the building first being brought into use, a scheme for odour abatement from store facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before these facilities are first brought into use.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 14 U **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 15 U **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 16 U No building shall be erected within at least 3 metres of the centre line of the public sewer crossing the site.
- Reason: To protect existing services.
- 17 U **Prior to the commencement of any phase of development approved by this planning permission the developer shall submit to the Planning Authority, in duplicate, plus where possible an electronic copy of:**
- a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to contamination.**
- b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation Report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soil, gas and groundwater sampling.**
- c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**
- c) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report.**
- Any remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works.**
- Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.**
- All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.**
- Reason: To protect human health and the environment.**
- 18 U In this condition "retained tree" means the Copper Beech tree located on the western boundary of the site which is to be retained and paragraph (a) below shall have effect until the expiration of one year from the date of occupation of the building for its permitted use.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the Local Planning Authority.
- (b) Details of the means of constructing the foundations of the building hereby approved to ensure they do not unduly damage the Copper Beech tree shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of the amenity of the Tree Preservation Order site and the surrounding area.

- 19 U Before development commences, full details of all on site facilities for cyclists including details of secure parking facilities shall be submitted to and approved in writing by the Local Planning Authority. All these works shall be implemented in accordance with the approved details before the building is first brought into use.

Reason: In order to provide adequate facilities for cyclists.

- 20 U **Before the development commences details of the highway improvements illustrated on drawing no. FOS 11f shall be submitted to and approved in writing by the Local Planning Authority and no buildings should be occupied until the approved scheme has been implemented.**

Reason: In the interest of highway safety.

- 21 U **Before the development commences details of a pedestrian crossing on Amptill Road/High Street shall be submitted to and approved by the Local Planning Authority and no building shall be occupied until the approved scheme has been constructed in accordance with the approved details.**

Reason: In the interest of pedestrian safety.

- 22 U Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 23 U **No development shall commence until details of a cycleway/footpath for the use of staff and customers from New Street into the site has been submitted and approved by the Local Planning Authority. The cycleway/footpath shall be provided in accordance with the approved details prior to the store opening for business.**

Reason: In order to encourage cycle access to the site.

- 24 U The retail use hereby approved shall not commence until a Travel Plan has been submitted to and approved by the Local Planning Authority.

Reason: In order to reduce car traffic to the site and to encourage sustainable modes of transport.

- 25 U The retail use hereby approved shall not commence until details of a 20mph speed restriction within the site including appropriate signage, has been submitted to and approved by the Local Planning Authority. The signage and speed restriction shall be implemented as approved.

Reason: In order to provide a safe means of access for cyclists.

- 26 U **No development shall commence until full details of any external plant, condensers or chillers to be sited on or adjacent to the building have been submitted to and approved by the Local Planning Authority. The details shall include size, location and noise levels of any plant to be installed. The development shall be implemented in accordance with the approved details.**

Reason: In order to protect the amenities of nearby residents and the character of the area.

Notes to Applicant

- 1 The applicant is advised that in order to comply with conditions 20 and 21 of this permission it will be necessary for the developer of the site to enter into an agreement with Bedfordshire County 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 Planning and Control Group, Environmental Services Bedfordshire County Council, County Hall, Bedford, MK42 9AP
- 2 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 safety 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 planning and Control Group, Bedfordshire County Council. Further details can be obtained from the Network Maintenance Group, Contracts and Facilities Management, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.
- 3 The applicant is advised that the closure of existing access(es) shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to agreed in writing with the Department of Environment and Economic Development (DEED), Bedfordshire County Council, County Hall, Bedford, MK42 9AP. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).

- 4 The applicant is advised that all chiller units and condensers on the building should be sited as far away as possible from the adjacent residential properties. The applicant is encouraged to discuss potential noise issues with the Environmental Health Section of the Council.
- 5 All construction works near or around the adjacent protected Beech tree shall be hand dug to avoid damage to its roots. The applicant is encouraged to discuss this issue with the Council's Tree and Landscape Manager prior to construction works commencing.
- 6 Any developer of this site is reminded that the site falls partly within the Shefford Conservation Area and therefore conservation area consent is likely to be required before any demolition works are undertaken.
- 7 This permission is the subject of a legal obligation under Section 106 of the Town and Country Planning Act 1990 as amended.

[Notes: (1) In advance of the consideration of the application, the Committee were advised that the signed Section 106 Agreement had been received and confirmed acceptable by our Legal Team.

(2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No. 11

DESCRIPTION: FULL: ERECTION OF TWO STOREY BLOCK OF FLATS COMPRISING OF 4 NO. ONE BEDROOM MAISONETTES AND 4 NO. TWO BEDROOM MAISONETTES

LOCATION: LAND ADJACENT TO TOYBOX DAY NURSERY, THE SAXON CENTRE, KINGSFIELD ROAD, BIGGLESWADE, SG18 8AT

GRID REFERENCE: TL203442
APPLICATION NUMBER: 09/00131/FULL
PARISH: Biggleswade
APPLICANT Elliot Charles Biggleswade Partnership Phase 2
CASE OFFICER: Mark Spragg
DATE REGISTERED: 26 January 2009
EXPIRY DATE 23 March 2009
RECOMMENDED DECISION S106 Pending

REASON FOR COMMITTEE TO DETERMINE MBDC has a legal interest in the land.

APPROVE Planning Permission **Subject to completion of a S106 Legal Agreement** for the application set out above and subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 EM01 The building shall be finished externally, in accordance with the approved plan SK13P1, with brickwork and black stained boards to match the adjacent development at Saffron House, unless otherwise agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the above.

Reason: To protect the visual amenities of the building and of the area generally.

- 3 TL28 The boundary treatment shall be completed in accordance with the approved drawings unless otherwise agreed in writing by the Local planning Authority prior to occupation of any units.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 4 TL02 **Prior to commencement of development full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **materials to be used for any hard surfacing;**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 5 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 6 HS32 Details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details prior to the first occupation of the buildings hereby approved.

Reason: In the interests of the amenity of cyclists using the development.

- 7 EM10 The first floor windows in the north elevation of the development hereby permitted shall be of fixed type and fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No further windows or other openings shall be formed in the elevation.

Reason: To safeguard the amenities of occupiers of adjoining properties

- 8 AN03 **Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To safeguard any material of archaeological interest which exists on the site.

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

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Item No. 12

DESCRIPTION: FULL: DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 2NO. DETACHED DWELLINGS WITH DOUBLE GARAGES.

LOCATION: 200A SHEFFORD ROAD, CLIFTON, SHEFFORD, SG17 5QS

GRID REFERENCE: TL 154390
APPLICATION NUMBER: 08/02368/FULL
PARISH: Clifton
APPLICANT: Mr Owen
CASE OFFICER: Godwin Eweka
DATE REGISTERED: 17 December 2008
EXPIRY DATE: 11 February 2009

RECOMMENDED DECISION: FULL CONDITIONAL APPROVAL

REASON FOR COMMITTEE TO DETERMINE: Cllr Rogers- Overbearing impact and over-development

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 CD03 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 3 DG17 The permission shall extend only to the application as amended by 08021 (D) 095 Rev A and 080219D) 096 Rev A received 24th February 2009 and 08021(D) 094 Rev I; 08021(D) 093 Rev J and 08021(D)091 Rev K received on 25th February 2009.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 4 EM01 A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the visual amenities of the building and of the area generally.

- 5 EM11 **Prior to the first occupation of the building the first floor windows in the east elevation of the development on plot 2, shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and restriction on its opening, details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 6 EM16 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 7 U The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway. (HC 15)

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

- 8 U Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. (HC 20)

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

- 9 U The turning space for vehicles illustrated on the approved Drawing No 08021 (D) 090 Revision G shall be constructed before the development is first brought into use. (HC 27)

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

- 10 U **Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. (HC 35)**

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

- 11 U Details of bin collection point located at the site frontage outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: To ensure the public highway is not obstructed.

- 12 U **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period. (HC 38)**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 13 RR07 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), there shall be no further extension(s) on any of the buildings.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 14 RR08 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 further window or other opening shall be formed on the any elevation of the building(s).

Reason: To protect the amenities of occupiers of neighbouring properties.

- 15 TL02 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 16 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 17 TL28 **A scheme shall be submitted for written approval 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 in accordance with a timescale agreed in writing with the Local Planning Authority.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

Notes to Applicant

- 1 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 Bedfordshire County Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Bedfordshire County Council's Customer Contact Centre, 6th Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.
- 2 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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Bedford, MK42 9AP. (HN x)
- 3 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 The 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. (HN xi)
- 4 The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's 'Cycle Parking Guidance - August 2006'.

[Notes: (1) In advance of the consideration of the application, the Committee were advised that as the consultation period for the amended drawings did not expire until 24 March 2009, delegated powers were requested for the Director of Environmental and Planning Services to approve the application subject to no new issues being raised before the expiry of the consultation period.

“Two additional letters of objection had been received raising the following issues:-

- The revised proposal would have an overbearing impact giving rise to an unreasonable loss of light to the writers and other adjacent dwellings and would result in a cramped and overdeveloped site.
- The development would result in overlooking and loss of privacy to their property.
- Visitors to the new dwellings would probably park out in the street as there is no parking to the front of plot 1.
- The upper and lower schools in the area are already oversubscribed and struggling to provide places for young families that are already in the area.
- The density proposed is not appropriate for the area.
- The visibility from the access is poor and the drives are dangerous not only to the car driver but also the pedestrian.
- Plot 2 extends further forward and further back than the adjacent property 200B Shefford Road and is far from similar to this neighbouring dwelling.

(2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No.13

DESCRIPTION: FULL: CHANGE OF USE OF LAND FROM AGRICULTURAL TO STATIONING OF 8 CARAVANS FOR RESIDENTIAL PURPOSES WITH ASSOCIATED HARDSTANDING, CESS PIT, SHEDS AND LANDSCAPING (RETROSPECTIVE).

LOCATION: OLD ACRE Paddock LAND TO THE REAR OF THE PLOUGH INN, BARTON ROAD, PULLOXHILL

GRID REFERENCE: TL080326
APPLICATION NUMBER: 07/00290/FULL
PARISH: Pulloxhill
APPLICANT: Mr P Fury
CASE OFFICER: Hannah Pattinson
DATE REGISTERED: 01 March 2007
EXPIRY DATE: 26 April 2007

RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

REASON FOR COMMITTEE TO DETERMINE CLLR OR CALL IN

Temporary Planning Permission for 3 years.

The use hereby permitted shall be carried on for a limited period of 3 years commencing from the date of this Decision notice, at the end of which period the use shall cease and the caravans shall be removed from the land.

Reason for decision: for the avoidance of doubt.

Notes to Applicant

- 1 Please note that the Internal Drainage Board will not consent direct discharge to the watercourse on the boundary of the property and advise that permanent structures must not be positioned within 7 m of the bank top without the consent of the Board.
- 2 The applicant is advised that whilst the Council has no positive evidence to suggest that the site is contaminated, it is their responsibility to ensure that the final ground conditions are fit for the end use of the site.
- 3 All mobile homes sites are required to obtain a Site Licence under the provisions of the Caravan Site and Control of Development Act 1960. Further information may be obtained from the Home Environment Team on 08452 304040.

[Note: In advance of the consideration of the application, the Committee were advised that the initial submission was made by Cllr David Thompson, on the basis of the high level of likely public interest and the opposition of Pulloxhill Parish Council to the Scheme.

The Committee noted an amendment to Condition 2 to read:

“No more than eight pitches each comprising of one touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any one time and shall be sited in the position indicated on the submitted plan MBDC, unless otherwise agreed in writing by the Local Planning Authority.”

Item No. 14

DESCRIPTION: FULL: CHANGE OF USE FROM SCHOOL TO RESIDENTIAL USE

LOCATION: EAST LODGE SCHOOL, AMPHILL ROAD, SHEFFORD, SG17 5BH

GRID REFERENCE: TL131387
APPLICATION NUMBER: 08/00850/FULL
PARISH: Shefford
APPLICANT: Mr A and Mrs V Green
CASE OFFICER: Mary Collins
DATE REGISTERED: 15 May 2008
EXPIRY DATE: 10 July 2008

RECOMMENDED DECISION REFUSE

REASON FOR COMMITTEE TO DETERMINE COUNCILLOR BIRT REQUEST; CONSIDERS THERE HAS NOW BEEN AN INTENSIVE PROGRAMME OF ADVERTISEMENT FOR THE PROPERTY.

Deferred Application: that the application be deferred until 35 days after the election to be held on 4 June 2009.

[Notes: (1) In advance of the consideration of the application, the Committee were advised of updates and consultation as follows:-

- (i) To confirm the site is within Campton and Chicksands Parish. The corporate GIS on which our records are held records the site as being Shefford – this has led to repeated expressions of concern by the applicant, but is not a matter that can be changed to record this individual planning application. Confirm that consultation went to both Campton and Chicksands Parish Council and to Shefford Town Council, the latter being the adjacent parish.
- (ii) Additional information has been received from the applicant in the last few days regarding the advertising of the premises. This has been forwarded to members of the Committee together with the earlier submitted supporting information. The applicant confirms that the poster sign at the entrance to the premises has been in situ since December 2007 offering a single storey building for alternative commercial use. They have also now submitted evidence of press advertising in the Biggleswade Chronicle on two Fridays in January 2008 (a copy has now been submitted and shows a small box advert advertising a single storey building in a rural location for commercial use). In addition an advertisement was placed in each of Bedfordshire on Sunday (through Leighton Buzzard, Dunstable, Milton Keynes, Luton and Bedford) and the Comet, for two weeks in January 2008.

- (iii) The correspondence also advises that because of the suspended floor structure, heavy machinery would not be appropriate within the building. It also confirms that potential occupiers of the building for commercial purposes have all requested additional access arrangements using the drive to the lodge – this would cause congestion and has in the past resulted in an accident to the applicant's car.
- (iv) Officers can also advise that in the last few days two small signs have also been spotted on the fence to the property advertising the premises as offices to let. It is not known how long these have been in situ as the applicant has not advised of this.
- (v) The applicant advises that they are reluctant to enter into a legal agreement in terms of the Planning Obligations Supplement but perceive their letter as an agreement to comply with the requirement. Such written undertaking would not be enforceable in planning terms, and it is not possible for this requirement of our adopted policy to be addressed in this informal way.

Officers remain concerned that in order to demonstrate that there is no demand for this premises as a continuing commercial unit we would normally expect a continuous programme of advertising of a property over a period of at least six months, even without the current downturn, with the unit advertised separately from the adjacent Lodge. Information is usually also expected on the financial aspects of either the sale or rental so that advice can be taken on the appropriateness of such an exercise. Such information has not been forthcoming in this instance, and therefore the officer recommendation remains or refusal for the reasons set out.

- (2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

Item No. 15

DESCRIPTION: FULL: CHANGE OF USE TO RESIDENTIAL AND ALTERATIONS TO CHANGE ROOF FORM

LOCATION: BARN AT 19A, HIGH STREET, PULLOXHILL

GRID REFERENCE: TL063341

APPLICATION NUMBER: 08/02409/FULL

PARISH: Pulloxhill

APPLICANT: Mr Sherry

CASE OFFICER: Duncan Jordan

DATE REGISTERED: 19 January 2009

EXPIRY DATE: 16 March 2009

RECOMMENDED DECISION: S106 PENDING

REASON FOR COMMITTEE TO DETERMINE: CLLR ELLIS REQUEST - AFFECT ON CONSERVATION AREA & AMENITY CONCERNS

Deferred Application: See Minute No.

- [Notes: (1) In advance of the consideration of the application, the Committee were advised that a revised plan had been received detailing an enclosed internal staircase. A draft legal agreement had been undertaken which would comply with the Councils Planning Obligations Strategy.
- (2) In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]

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Item No.16

DESCRIPTION: FULL: CHANGE OF USE OF BARNS TO RESIDENTIAL AND STUDIO OFFICE.

LOCATION: BARNS AT DOLTONS FARM, NEWPORT ROAD, WOBURN

GRID REFERENCE: SP940335

APPLICATION NUMBER: 09/00007/FULL

PARISH: Woburn

APPLICANT: Bedford Estates

CASE OFFICER: Sarah Fortune

DATE REGISTERED: 05 January 2009

EXPIRY DATE: 02 March 2009

RECOMMENDED DECISION: FULL CONDITIONAL APPROVAL

REASON FOR COMMITTEE TO DETERMINE: AT REQUEST OF CLLR WELLS - THE SITE IS OUTSIDE THE SETTLEMENT ENVELOPE AND IN THE GREEN BELT

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.
- 2 EM01 A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the visual amenities of the building and of the area generally.
- 3 TL02 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-
 - i. a native hedge and trees along the rear boundary of the site and a native hedge along the south boundary of the site
 - ii. materials to be used for any hard surfacing;
 - iii. planting plans, including schedule of size, species, positions, density and times of planting;

- iv. cultivation details including operations required to establish new planting;
- v. details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 TL04 The scheme approved in Condition 3 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 5 TL28 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. This shall include the erection of a post and rail fence around the sides and rear of the site. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 6 U **Prior to the commencement of any phase of development approved by this permission the developer shall submit to the Local Planning Authority, in duplicate and in electronic form where possible:**

a) A sampling report further documenting the ground conditions of the site with regard to potential contamination, incorporating testing of exposed glacial till and made ground, as recommended by the existing geotechnics, July 2008,

Phase 1 desk Study.

Should this or any other indication suggest the need for further remedial or investigative works after consultation with the Authority's Contaminated land officer, further reports will be required.

Any matters relating to controlled waters to be pursued via Environment Agency.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Reason: To protect human health and the environment.

7 TL05 The plans and particulars submitted in accordance with condition 3 above shall include:-

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraph (c) and (d) below apply:

(c) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(d) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 8 TL10 The soil levels within the root spread of the trees/hedgerows to be retained shall not be raised or lowered.
- Reason: To safeguard the existing trees on the site in the interests of visual amenity.
- 9 TL19 A scheme for landscape maintenance which shall cover a period of at least 5 years from the date of its implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted to and approved in writing prior to the first occupation/bringing the site into use. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.
- Reason: To ensure an appropriate standard of visual amenity in the local area.
- 10 TL26 The parking area shall be constructed using a “no-dig” method of construction as outlined in Arboricultural Practice Note no.1 (Driveways close to trees).
- Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.
- 11 RR07 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 works shall be commenced for the extension or material alteration of the building, or the erection of any building or structure within its curtilage until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority as part of a planning application.
- Reason: To protect the amenities of occupiers of neighbouring properties and safeguard the appearance of the completed development in the interest of the visual amenities of the area and the Green Belt.
- 12 RR10 Notwithstanding the provisions 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 fence, wall, gate or other means of enclosure shall be erected unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

- 13 U The studio office hereby approved shall be used at all times in association with the dwelling house and at no time sold off or used as a separate office.

Reason: For the avoidance of doubt, in the interest of the visual amenities of the area and to safeguard highway safety.

- 14 U **Prior to any building work commencing on the site detailed drawings of all proposed new and or replacement doors and windows together with a detailed specification of the materials, construction and finishes, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be provided which clearly show a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, depth of reveal, arch and sill detail.**

Reason: To ensure that the special architectural interest of the building and its character and appearance is properly preserved, maintained and enhance in accordance with PPG15.

- 15 U All rainwater goods - gutters, down pipes and rainwater heads and associated fixtures and fittings - are to be black or dark grey painted cast iron. In certain circumstances and with the agreement in writing of the Local Planning Authority - cast aluminium may be acceptable. Plastic or other materials are not acceptable.

Reason: To ensure that the character and appearance of the historic building is properly preserved, maintained and enhanced to accord with PPG15: Planning and the Historic Environment.

Notes to Applicant

- 1 The applicant is advised that the recommendations provided in the RPS reports must be followed. The developer must remove the barn owl nest box prior to this years breeding season to prevent nesting activity. This should be replaced with an appropriately designed and located nest box, either at a suitable distance from the development site if replaced immediately, or close to the current site once development/disturbing activity is complete.

The developer is advised to follow the consultants recommendations that: development of the site should include minimal external lighting that does not cast light on surrounding vegetation; existing vegetation should be retained as far as possible; and provision of bat roosts within the re development should be considered.

All contractors working on site should be made aware of the possible presence of protected species; should any such species be encountered during development contractors should be requested to cease work until professional advice has been sought

[Note: In advance of the consideration of the application, the Committee were advised that Woburn Sands and District Society has concerns that the site is outside the settlement envelope and in designated greenbelt. It was noted that the barn is redundant and becoming derelict. It was felt that this should not influence the planning decision. There is no need for an additional four bedroomed property but there is need for more employment either agricultural or light industrial. There is a need locally for affordable housing.

“The Committee noted that the completed unilateral agreement had been submitted in connection with this application”.

In advance of the consideration of this application, the Committee received representations made under the Public Participation Scheme.]