

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



please ask for Helen Bell
direct line 0300 300 4040
date 13 July 2009

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 22 July 2009 2.00 p.m.*

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Jaki Salisbury
Interim Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Clrs P F Vickers (Chairman), A Shadbolt (Vice-Chairman), P N Aldis, A R Bastable, R D Berry, A D Brown, Mrs C F Chapman MBE, D J Gale, Mrs R B Gammons, K Janes, D Jones, H J Lockey, K C Matthews, Ms C Maudlin, A Northwood, A A J Rogers, Mrs C Turner and J N Young

[Named Substitutes:

R A Baker, D Bowater, I Dalgarno, P A Duckett, M Gibson, R W Johnstone, P Snelling, B J Spurr, J Street and G Summerfield

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

****As there are no Strategic Planning or Minerals and Waste Matters to be considered the meeting will start at 2.00p.m.***

AGENDA

1. **APOLOGIES FOR ABSENCE**

Apologies for absence and notification of substitute members

2. **CHAIRMAN'S ANNOUNCEMENTS**

If any

3. **MINUTES**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 8 July 2009.

(circulated Separately)

4. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item
- (c) Membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

5. **PETITIONS**

To receive Petitions in accordance with the schem of public participation set out in Annex 2 in Part 4 of the Constitution.

6. **DISCLOSURE OF EXEMPT INFORMATION**

To consider proposals, if any, to deal with any item likely to involve disclosure of exempt information as defined in the relevant paragraph(s) of Part I of Schedule 12A of the Local Government Act 1972 prior to the exclusion of the press and public.

REPORT

Item	Subject	Page Nos.
7	Planning Enforcement Cases Where Formal Action Has Been Taken	1 - 10

To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.

Planning and Related Applications

To consider the planning applications contained in the following schedules:

Schedule A - Applications recommended for Refusal

Item	Subject	Page Nos.
8	Planning Application No. MB/08/00850/FULL	11 - 20
	Address: East Lodge School, Ampthill Road, Shefford.	
	Full: Change of use from school to residential use.	
	Applicant: Mr & Mrs Green	
9	Planning Application No. CB/09/01037/FULL	21 - 26
	Address: 14 Birch Close, Broom	
	Full: Single storey dwelling with associated access.	
	Applicant: DC Blayney Associates Ltd	
10	Planning Application No. CB/09/00837/FULL	27 - 36
	Address: 20 & 20a Horslow Street, Potton	
	Full: Change of use and conversion of former bakery with residential accommodation and garaging for two dwellings (Retrospective)	
	Applicant: Connection Builders	

Schedule B - Applications recommended for Approval

Item	Subject	Page Nos.
11	<p>Planning Application No. MB/03/01205/OUT</p> <p>Address: Land South of Potton Road, Biggleswade</p> <p>Outline: Residential development of approximately 1450 dwellings, construction of Eastern relief road, Local Centre, primary school, public open space, structural landscaping, infrastructure including surface water balancing facilities and associated works. Demolition of 128 Potton Road to facilitate vehicular access. (All matters reserved except means of access)</p> <p>Applicant: Martin Grant Homes (UK) Ltd & Taylor Woodrow Development Ltd</p>	37 - 44
12	<p>Planning Application No. MB/03/02216/OUT</p> <p>Address: Land adjacent Station Road, Maulden Bypass, Ampthill</p> <p>Outline: Residential development - all matters reserved except means of access.</p> <p>Applicant: Lisscourt Ltd</p>	45 - 82
13	<p>Planning Application No. SB/09/00189/TP</p> <p>Address: Poplars Nursery Garden Centre, Harlington Road, Toddington, Dunstable, LU5 6HE</p> <p>Demolition of buildings and erection of replacement building to be used for garden centre retail sales, workshop/store and educational classroom in association with county wildlife site. Erection of 2.4m high security fence and extension to car park (Revised application SB/TP/07/1493)</p> <p>Applicant: Mr J Little</p>	83 - 94

- 18 **Planning Application No. CB/09/01141/FULL** 175 -
180
- Address:** 58 Cambridge Road, Langford SG18 9PS
Full: Two storey side extension
- Applicant:** Mr Smith
- 19 **Planning Application No. SB/08/01217/TP** 181 -
188
- Address:** Fourne Hill Farm, Eastern Way, Heath And Reach,
Leighton Buzzard, LU7 9LF
- Change of use to land and buildings for general
industry (B2) purposes
- Applicant:** Mr R Fox
- 20 **Planning Application No. CB/09/05173/TP** 189 -
196
- Address:** Grove House, 76 High Street North, Dunstable, LU6
1NF
- Erection of new overthrow over existing gates, secured
to existing columns. Replacement of defective section
of railing
- Applicant:** Dunstable Town Council
- 21 **Planning Application No. CB/09/05174/LB** 197 -
202
- Address:** Grove House, 76 High Street North, Dunstable, LU6
1NF
- Erection of new overthrow over existing gates, secured
to existing columns. Replacement of defective section
of railing
- Applicant:** Dunstable Town Council
- 22 **Planning Application No. CB/09/00932/FULL** 203 -
208
- Address:** St Swithins Lower School, Ivel Road, Sandy SG19 1AX
- Full: Extension to staffroom at lower school, removal of
bay window and replacement with double doors of
nursery school and provision of monopitched roof
canopy
- Applicant:** St Swithins VC Lower School

23 **Planning Application No.MB/09/00369/FULL** 209 -
216

Address: St Swithins School, Ivel Road, Sandy SG19 1AX

Full: Single storey extension to provide an Autism Unit comprising of Classroom, Quiet Room, Office and Toilets.

Applicant: Central Bedfordshire Council

24 **Planning Application No. CB/09/00968/FULL** 217 -
222

Address: Shillington Lower School, Greenfields, Shillington SG5 3NX

Full: Installation of two canopies

Applicant: Shillington Lower School

25 **Planning Application No. CB/09/00903/RM** 223 -
228

Address: Lower School, Lower Shelton Road, Marston Moretaine MK43 0LS

Full: Installation of two canopies

Applicant: Shelton Lower School

26 **Site Inspection Appointment(s)**

In the event of any decision having been taken during the meeting requiring the inspection of a site or sites, the Committee is invited to appoint Members to conduct the site inspection immediately preceding the next meeting of this Committee to be held on 5 August 2009 having regard to the guidelines contained in the Code of Conduct for Planning Procedures.

In the event of there being no decision to refer any site for inspection the Committee is nevertheless requested to make a contingency appointment in the event of any Member wishing to exercise his or her right to request a site inspection under the provisions of the Members Planning Code of Good Practice.

This page is intentionally left blank

Meeting: Development Management Committee
Date: 22 July 2009
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Sustainable Communities
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken

Contact Officer: Sue Cawthra (Tel: 01462 611369)
Public/Exempt: Public
Wards Affected: All
Function of: Council

RECOMMENDATIONS:

- 1. To receive the monthly update of Planning Enforcement cases where formal action has been taken**

Background

- (a)** This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
- (b)** The list briefly describes the breach of planning control, dates of action and further action proposed.
- (c)** Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases please contact Sue Cawthra on 01462 611369.

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing enforcement action.

Financial:

None

Legal:

None

Risk Management:

None

Staffing (including Trades Unions):

None

Equalities/Human Rights:

None

Community Safety:

None

Sustainability:

None

Appendices:

Appendix A – (Planning Enforcement Formal Action Spreadsheet - North)

Appendix B – (Planning Enforcement Formal Action - South)

Appendix C – (Planning Enforcement Formal Action – Minerals & Waste)

Planning Enforcement formal action (DM Committee 22nd July 2009)

NORTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	ENC/04/0282	Land at Etonbury Farm, A507, Arlesey	Unauthorised dwelling. Enforcement Notice hello	6-Dec-06	10-Jan-07	10-Apr-07	12-Dec-06	5-Dec-07	Appeal dismissed. High Court upheld Inspectors decision	Enforcement Notice has not been complied with. Full assessment made of alternative further action. Judicial review Council decision to decline to determine further planning application
2	ENC/05/0178	Land at Maulden Garden Centre, Water End, Maulden	Enforcement Notice - change of use from nursery to garden centre, café and outdoor storage, construction of 6 buildings, siting of mobile home.	9-Apr-09	9-May-09	9-Nov-09	Appeal received 7-May-09			Await outcome of Inquiry, 12-Nov-09.
3	ENC/06/0078	Tythe Barn, Wood End, Tingrith	Change of use of land to retail sales & 2 timber showrooms	19-May-08	19-Jun-08	20-May-09	Appeal withdrawn 3/9/08, extension agreed to compliance period		Planning permission for barn extension. 1 cabin removed, 2nd cabin to be removed when extn complete.	Check September 09 that both cabins removed
4	ENC/06/0244	Land at The Green Man, Broom Road, Stanford	Enforcement Notice - Kitchen extractor fan duct, & 2 masts supporting security cameras and flood lighting.	9-Dec-08	9-Jan-09	await appeal	Appeal received 4/2/09	26-Nov-09	Appeal dismissed & uphold enforcement notice	Further discussions on compliance, check compliance after 26-Nov-09.
5	ENC/06/0313	Land at Hope Farm, Cobblers Lane, Ridgmont	Change of use to storage of vehicles and vehicle equipment & waste. Enforcement Notice	2-Jan-08	2-Feb-08	2-May-08	Appeal received. Hearing 22-Jul-08	30-Apr-09	Appeal dismissed & uphold enforcement notice	08/02063/full granted 10/2/09 for extension to storage building. Planning application 09/1116/full received for further extension to house vehicles. Vehicles to be stored only to rear where barn extension permitted, remainder to be removed from site.

Planning Enforcement formal action (DM Committee 22nd July 2009)

		LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
6	ENC/06/0336	Land at Sun Valley Works, Wood End, Marston Moretaine. Case closed	Enforcement Notice - change of use of land to a quad bike track and ancillary vehicular parking area.	11-Feb-09	11-Mar-09	10-Jun-09			Complied with Enforcement Notice by 10-Jun-09	No further action. Case closed
7	ENC/07/0085	Woodview Nurseries, Shefford Rd, Meppershall	Mobile home & conservatory	21-Jan-08	19-Feb-08	19-Aug-08	Appeal received. Hearing 14-Oct-08	29-Apr-09	Appeal dismissed & uphold enforcement notice	Planning application 09/00545 to retain mobile home, declined to determine 3-Jul-09. To remove mobile home by 6-Sep-09.
8	ENC/07/0125	Land at Chestnut Barn, Northfield Farm, Great Lane, Clophill	Enforcement Notice - Change of use of barn to use as self-contained residential dwelling.	3-Apr-09	3-May-09	3-Nov-09	Appeal received. Written reps.			Await outcome of appeal
9	ENC/07/0189	Land at Langford Road, Biggleswade	Breach of Condition Notice - Pre-commencement conditions relating to 07/01181/FULL not complied with.	6-Mar-09	6-Mar-09	5-Apr-09			All details submitted to comply with Breach of Condition Notice	Flood risk assessment refused, further discussions with Environment Agency.
10	ENC/08/0214	Land & Buildings at Lower Wood Farm, Sundon Rd, Harlington	Breach of conditions to Permissions 02/00553 & 06/00152. Enforcement Notice - outside storage & portacabins	15-Dec-08	12-Jan-09	12-Feb-09			Land now cleared of vehicles awaiting repair. Enforcement Notice complied.	Awaiting further planning application for earth bund, hard surface, unit extension, and named occupants of units
11	ENC/08/0373	Land at Silver Lake Farm, Stanford Lane, Clifton	Enforcement Notice - change of use to residential and change of use as self contained dwelling.	9-Feb-09	9-Mar-09	9-Sep-09	Appeal received 25-Feb-09			Await outcome of appeal Inquiry, enforcement and LDC 7-Jul-09
12	ENC/08/0381	Land and Buildings on the West side of Foundry Lane, Biggleswade	Enforcement Notice - change of use to hand car wash	22-Dec-08	22-Jan-09	22-Feb-09	Late appeal not accepted by PINS			New application to be submitted with noise assessment.
13	ENC/08/0404	Land at Harlington Post Office, 8 Lincoln Way, Harlington	Enforcement Notice - change of use of part of the shop premises for keeping privately owned birds and pets	4-Mar-09	4-Apr-09	4-May-09	Appeal received 1-May-09			Statement not submitted to PINS by appellant. Council costs application to PINS

Planning Enforcement formal action (DM Committee 22nd July 2009)

		LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
14	ENC/08/0404	Asda, Church St, Biggleswade	Breach of condition delivery hours. Breach of Cond. Notice	17-May-07	17-May-07	14-Jun-07			Further breaches, delivery to ATM	New trial date set for Sept 09
15	ENC/09/1001	Kiln Farm, Ampthill Road, Steppingley	Temporary Stop Notice - demolition of dwelling	3-Apr-09	3-Apr-09	3-Apr-09				No further demolition of dwelling taken place. New planning application 09/01055/full received for demolition & rebuild.

Planning Enforcement formal action (DM Committee 22nd July 2009)

SOUTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	ENF/04/0002	Land at Stanbridge Road, Billington, Leighton Buzzard	Change of Use of land for stationing of caravans and mobile homes	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 decision awaited
2	ENF/04/0003	Land at Stanbridge Road, Billington, Leighton Buzzard	Laying of Hardcore and tarmac, erection of fencing and installation of services	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 decision awaited
3	ENF/04/0004	Land at Stanbridge Road, Billington, Leighton Buzzard	Change of Use of land for stationing of caravans and mobile homes	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 decision awaited
4	ENF/04/0005	Land at Stanbridge Road, Billington, Leighton Buzzard	Laying of Hardcore and tarmac, erection of fencing and installation of services	10-Feb-04	12-Mar-04	12-Jun-04	Appeal received 30/03/2004	31-Aug-05	Appeal dismissed & enforcement notice upheld	Section C appeal dismissed, Plot 7 decision awaited
5	ENF/04/0007	Land rear of Fancott Cottages, Luton Road, Toddington	Erection of Timber Clad Building for residential purposes & laying of hardcore surface	8-Sep-04	08-Oct-04	08-Jan-05	Appeal received 01 Nov 2004	No Change	Appeal withdrawn 02 Oct 2006	SB/TP/05/1217 & Section 106 Agreement approved 11 Aug 2006 allowing 2 years for compliance
		Anacapri, Harlington Road, Toddington	Construction of a roof to building on land	9-Feb-05	11-Mar-05	11-May-05	None	No change	Not applicable	SB/TP/06/1400 approved 01 Feb 2007 requiring completion of works within 2 months. Property since repossessed
6	ENF/04/0008	Land rear of Fancott Cottages, Luton Road, Toddington	Change of Use from agricultural for stationing of mobile home & storage of machinery/building materials	8-Sep-04	08-Oct-04	08-Jan-05	Appeal received 01 Nov 2004	No Change	Appeal withdrawn 02 Oct 2006	SB/TP/05/1217 & Section 106 Agreement approved 11 Aug 2006 allowing 2 years for compliance
8	ENF/05/0005	215 Common Road, Kensworth	Erection of a double garage and storeroom	16-Mar-05	18-Apr-05	18-Jul-05	6-May-05	6-Aug-05	Appeal dismissed & enforcement notice upheld	Awaiting revised planning application - Agent chased
9	ENF/05/0007	Long Yard, Dunstable Road, Studham	Unauthorised stationing of mobile home for residential use	29-Jul-05	1-Sep-05	1-Dec-05	28-Sep-05	28-Dec-05	Appeal dismissed & enforcement notice upheld	Further court hearing 18/5/09 - Adjourned until 22/6/09 - Further adjournment to 20/7/09

Planning Enforcement formal action (DM Committee 22nd July 2009)

SOUTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
10	ENF/06/0001	Land at 34 The Rye, Eaton Bray	Construction of an area of hardstanding	4-May-06	6-Jun-06	6-Sep-06	25-Jun-06	25-Dec-06	Appeal dismissed but period of compliance extended	Site visit to check full compliance
11	ENF/07/0006	Dunedin, Harlington Road, Toddington	Change of use of buildings to bedsit accommodation	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed but period of compliance extended to 9/1/09	To discuss with Legal with a view to possible action in Magistrates Court.
12	ENF/07/0007	Dunedin, Harlington Road, Toddington	Erection of building and alteration and extension of two other buildings	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed but period of compliance extended to 9/1/09	To discuss with Legal with a view to possible action in Magistrates Court.
13	ENF/07/0008	Dunedin, Harlington Road, Toddington	Failure to comply with Condition 2 of Planning Permission SB/TP/98/0838 issued 31 December 1998	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed but period of compliance extended to 9/1/09	To discuss with Legal with a view to possible action in Magistrates Court.
		Land rear of Packhorse Place, Watling Street, Kensworth	Change of use of land for the parking of vehicles	5-Nov-07	5-Dec-07	01 Jan 2008 & 26 Feb 2008	21-Jan-08	28 Jul 2009 & 28 Sep 2009	Appeal dismissed but compliance periods extended	Check compliance after Sept 09
14	ENF/07/0009	12-14 North Street, Leighton Buzzard	Installation of Shopfront on front elevation of premises	17-Aug-07	19-Sep-07	11-Dec-07	None	No change	Not applicable	Application with Planning Officer for determination
16	ENF/07/0014	Rear of 129 High Street North, Dunstable	Change of Use of garage building to a use for residential purposes	10-Dec-07	15-Jan-08	11-Feb-08	Invalid	No change	Not applicable	Being prepared for Magistrate court proceedings.
17	ENF/08/0003	Bury Spinney, Thorn Road, Houghton Regis	Use of offices for residential purposes	3-Mar-08	4-Apr-08	20-Jun-08	7-May-08	22-Jul-09	Appeal dismissed but compliance period extended to 6 months	Check compliance after July 09
18	ENF/08/0006	Land adjacent Hillside, The Green, Whipsnade	Change of Use from amenity land to private residential & enclosure of land by fence and hedge	9-Apr-08	9-May-08	5-Jun-08	13-Nov-08	13-Feb-09	Appeal dismissed but compliance periods extended	Work continuing - site visit with Planning Officer to be arranged

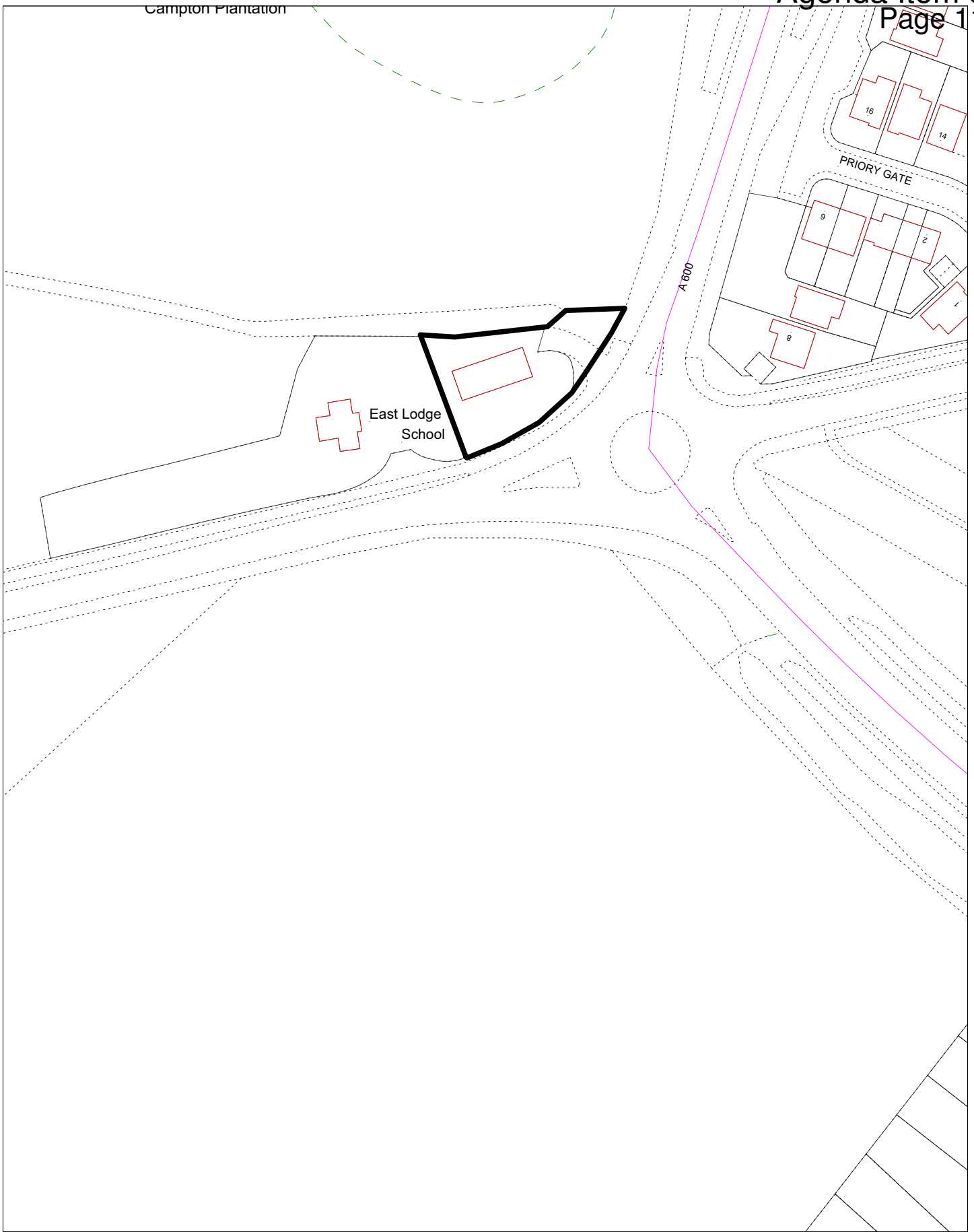
Planning Enforcement formal action (DM Committee 22nd July 2009)

SOUTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
19	ENF/08/0007	Land adjacent Hillside, The Green, Whipsnade	Enclosure of land and laying of hedge & construction of gravel topped hardsurfacing	9-Apr-08	9-May-08	5-Jun-08	13-Nov-08	13-Feb-09	Appeal dismissed but compliance periods extended	Work continuing - site visit with Planning Officer to be arranged
20	ENF/08/0008	Lavang Indian Cuisine, High Street, Eggington	Change of use from restaurant to mixed use of restaurant and hot food take-away	14-Mar-08	16-Apr-08	13-May-08				Application awaited
21	ENF/08/0009	21 Emu Close, Heath & Reach	Construction of single storey front and side extensions and loft conversion	14-Apr-08	14-May-08	14-Aug-08	20-Jun-08	4-Sep-09		Appeal dismissed - Compliance 3 months
22	ENF/08/0012	Valley View, Hemel Hempstead Road, Dagnall	Change of Use of building from use for storage purposes to use for residential purposes	25-Jul-08	25-Aug-08	5-Oct-08	12-Aug-08	18-May-09		Site visit to be arranged owner away
23	ENF/08/0013	24 Church Road, Studham	Erection of fence and brick piers	30-Jul-08	29-Aug-08	25-Sep-08	25-Aug-08	26-Jun-09	Appeal dismissed with period of compliance extended to 4 months	Site visit to check compliance with notice to be carried out w/c 3/7/09
24	ENF/08/0020	5 Albion Street, Dunstable	Change of use of ground floor unit from retail to use for a taxi business	1-Dec-08	7-Jan-09	3-Feb-09	28-Jan-09			Appeal dismissed - Premises closed down as at 5/6/09
25	ENF/09/0001	7 Fisher Close, Barton-le-Clay	Change of use of amenity land to private residential garden, enclosure of land by removal of hedge, and erection of fence	11-Feb-09	13-Mar-09	7-May-09				Awaiting outcome of appeal
26	ENF/09/002	8 Fisher Close, Barton-le-Clay	Change of use of amenity land to private residential garden, enclosure of land by removal of hedge, and erection of fence	2-Feb-09	4-Mar-09	29-Apr-09				Awaiting outcome of appeal

Planning Enforcement formal action (DM Committee 22nd July 2009)

Minerals & waste	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	07/09	Land at Kiln Farm, Steppingley	Enforcement Notice - material change of use of land involving deposit of waste.	29-Sep-08	10-Nov-08	10-Aug-09			Imported rubble and planings fully removed.	Land still needs to be ripped and grass seeded to ensure full compliance with notice. Monitoring outcome.
2	08/13	Land rear of 3 - 9 The Causeway, Clophill	Enforcement Notice - failure to remove soils & brick rubble & reinstate ground to its previous condition in breach of a condition	13-Mar-09	20-Apr-09	20-Oct-09			Imported soils and brick rubble fully removed and land returned to its former level.	Ripping and grass seedling still outstanding. Monitoring outcome.
3	07/40	Former BR Goods Yard, Chiltern Green Road, East Hyde	Enforcement Notice - timber fence at waste transfer station premises.	18-Mar-09	24-Apr-09	24-Jun-09	Appeal received			Appeal lodged (start date of 28th April 2009). To be determined by written representations procedure.

This page is intentionally left blank



Date: 07 July 2009

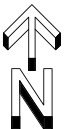
Scale: 1:1250

ITEM NO. 8

APPLICATION NO. MB/08/00850/FULL

Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

East Lodge School, Ampthill Road, Shefford



This page is intentionally left blank

Item No. 8

APPLICATION NUMBER	MB/08/00850/FULL
LOCATION	East Lodge School, Ampthill Road, Shefford, SG17 5BH
PROPOSAL	Full: Change of use from school to residential use.
PARISH	Campton/Chicksands
WARD	Shefford
WARD COUNCILLORS	Councillors L Birt & T Brown
CASE OFFICER	Mary Collins
DATE REGISTERED	15 May 2008
EXPIRY DATE	10 July 2008
APPLICANT	Mr A and Mrs V Green
REASON FOR COMMITTEE TO DETERMINE	Councillor Birt request; considers there has now been an intensive programme of advertisement for the property.
RECOMMENDED DECISION	Refuse

This application was deferred from the meeting of the Development Control Committee of Mid Bedfordshire District Council on 11 March 2006 in order that the prejudicial links between the applicant and a number of members of the Committee as a result of the then forthcoming elections would no longer apply.

Site Location:

The site comprises a detached single storey building last used as a private school but now vacant, within a woodland setting within the curtilage of East Lodge, a Grade II Listed dwelling and wall. A number of trees on the site are covered by a TPO. The site is located on the north-west side of the 4 limb roundabout where the A507 turns through 90° heading west and joins the A600 to the north and Ampthill Road leading into Shefford to the east.

The site is located outside of the Settlement Envelope for Shefford and within the open countryside. Access to the school building is obtained from the A600. Access to East Lodge is gained from either the A600 or the A507. The surrounding area comprises open countryside to the south, and dense woodland to the north and west.

The Application:

The application proposes the change of use of the premises from a school to a single family dwelling, involving segregating the plot from East Lodge, which is currently within the same ownership. Access for the proposed dwelling would utilise the existing from the A600. Access for East Lodge would be retained from the A507 utilising the existing.

This application is a resubmission of an earlier similar proposal which was refused permission on 16 November 2007 because it did not comply with Policy CS18 of the Local Plan.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS 1 – Delivering Sustainable Development
PPS3 – Housing
PPS7 – Sustainable Development in Rural Areas
PPG15 – Planning & the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Mid Bedfordshire Local Plan First Review 2005 Policies

CS18 - Reuse of Rural Buildings (Residential)
CS19 – Development in the Countryside
DPS5 – Protection of Amenity
DPS16 – Trees and Hedgerows
HO6 – Location of New Residential Development

Supplementary Planning Guidance

Design Guide for Residential Areas in Mid-Bedfordshire October 2004
Planning Obligations Strategy February 2008

Planning History

07/00663/FULL	Full: Change of use from school to residential. Refused: 19/06/07
07/01234/FULL	Full: Change of use from school to residential. Refused: 16/11/07

Representations: (Parish & Neighbours)

Shefford Town Council	Object: Buildings are unsuitable for domestic habitation
Campton & Chicksands PC	Support. Residential is an appropriate use and efforts have been made to dispose as a school or for commercial use.
Adj, Occupiers	No response received

Consultations/Publicity responses

Highways	Recommend conditions and highway notes attached if consent issued. Concerned that submitted plan details are poor.
Campton Society	No response received
Garden History Society	No response received
IDB	No comments to make
Env. Agency	Advisory comments to applicant
Total Pipelines	No objection
Application advertised 30/05/08	No response
Site Notice posted 05/06/08	No response received

Determining Issues

The main considerations of the application are;

1. The Principle
2. Impact upon the setting of the Listed Building and character of the area
3. Impact upon amenities of adjoining occupiers
4. Highway and Parking Issues
5. Other Matters
6. Unilateral Undertaking

Considerations

1. The Principle

The site is located outside the Settlement Envelope of Shefford and within the open countryside. Policy CS18 supports the re-use of buildings in the countryside for residential purposes where the following criteria are met.

- I. A commercial/industrial use is inappropriate because of access or amenity considerations;
- II. The form, bulk and general design of the building is in-keeping with its surroundings;
- III. Appropriate re-use can take place without significant extension or rebuilding;
- IV. No aspect of its re-use is intrusive to the buildings rural setting or detrimental to the character and appearance of the surrounding countryside;
- V. A safe, convenient and adequate standard of access is provided.

An education use has previously existed for these premises, i.e. a non-

residential use.

Whilst the use of the building as a residential conversion, is considered to meet criteria II to V above, it does not meet criteria I. The preference for an alternative use would be for commercial purposes within this location outside of the Settlement Envelope.

Previous applications have failed to address this criteria and 07/00663 and 07/01234 were refused for the same reason being that:

The proposal has failed to demonstrate that there are special circumstances that would outweigh the normal presumption in favour of a commercial use of these premises or that a commercial use of the buildings is inappropriate due to access or amenity considerations; as such the proposal is contrary to Policy CS18 of the Mid Beds Local Plan (2005).

The property has been on the market since July 2006, initially for sale as a school through the National Schools Transfer, a specialist marketing organisation.

Both the house and the school building are listed on the Hatched website and have been marketed together. The school building has not been marketed for commercial use separately to the house, but is referred to on the website as "Also included in the sale (of East Lodge) is a detached bungalow."

The house and school building been similarly marketed on the Right Move website (from 08/10/07 to the present day) and in January 2008 small advertisements were placed in local newspapers advising of a single storey building available for commercial use. The Right Move web site contains similar text to that on the Hatched site, again referring to the inclusion of a detached bungalow.

This marketing exercise has produced a number of enquiries and some viewings. However we understand that no offers have been received.

In February 2008 commercial agents were invited by the applicant to discuss marketing the site. The applicant advises that all the agents approached indicated that the commercial market was depressed and showed little interest in pursuing the sale/lease. However a market appraisal has not been undertaken by any commercial agent to establish the viability of a commercial use, based on the size of the unit and its location. This appraisal would have provided evidence of the viability of a commercial use in this location.

It is evident from the limited information provided with the application that in the main advertising for the site the school building has not be marketed as a separate building for commercial use but has been marketed in connection with the residential dwelling on the site. Advertisements in the local press have contained textual information only, and have not promoted the quality or specific location of the building in question, thus reducing the effectiveness of this method of advertisement.

There may also be a case to consider further reduction in the asking price, given the current state of the property market. The sale of the property

together with East Lodge for £950,000 may specifically be the reason for lack of interest.

Officers therefore remain of the view that the applicants have not provided sufficient evidence to demonstrate that a business use is not achievable as a viable proposition.

In addition, it has not been demonstrated that a commercial use in this location would be inappropriate because of access or amenity considerations. It is clearly capable of being segregated from the curtilage of East Lodge with the benefit of its own access and it is considered in this context an appropriate alternative commercial use could potentially operate from these premises without harm to any amenity considerations or highway safety.

No additional information has been submitted by the applicant in the period since the deferral of the application from the March committee meeting.

2. Impact upon the Listed Building and Visual Amenities of the Area.

The application proposes no new extensions and although it is likely that some external modifications may be required, such alterations would be likely to be minimal and acceptable and would be unlikely to impact upon the visual amenities of the area or the setting of the adjacent Listed Building and wall. The access, car parking and other requirements for residential conversion would be largely screened from the surrounding countryside.

Overall the impact upon the setting of the Listed Building and the character of the area is considered acceptable.

3. Impact on Adjoining Occupiers

Given the former use and the relatively isolated siting of the building with other properties, other than with its relationship with East Lodge, the use for residential purposes would not harm the amenities of adjoining or nearby occupiers by reason of loss of privacy, visual intrusion or general disturbance.

4. Highway and Parking Issues

The existing access arrangement would be retained and utilised for the purpose of the proposed use. The comments of CC (Highways) are noted, however given the former use of the site it is considered that it would provide for an acceptable space for vehicles entering and leaving the site, enabling them to do so in forward gear. Furthermore the level of vehicular activity associated with a single dwelling would be likely to be less than that for the existing school.

There is sufficient space to accommodate off-street parking to serve a single dwelling.

5. Other matters

The proposed plot for the dwelling would be sufficient to provide for a reasonable level of amenity for any future occupiers. The proposed floor plans

demonstrate that the building is of a sufficient size to provide for an acceptable internal living space.

The change of use would be unlikely to have any impact upon any protected trees.

6. Unilateral Undertaking

The Planning Obligations Strategy, wherein the construction or creation of one dwelling or more is required to make a financial contribution towards the costs of local infrastructure and services, was adopted by Mid Bedfordshire District Council on 20th February 2008 and has been operative since 1st May 2008. The Draft Supplementary Planning Document was subject to a six week public consultation period between 6th July and 17th August 2007.

In accordance with national planning policy contained in PPS1, Local Planning Authorities are required to ensure that new development is planned to be sustainable. Where communities continue to grow, many require additional infrastructure, in the form of services and health care, for example.

This involves all new residential proposals having to enter into either a Section 106 Legal Agreement or a Unilateral Undertaking to provide contributions towards the impact of new developments within the Mid Beds area.

As a change of use application from a school to residential use, the proposed development would fall into the category required to make these contributions.

The SPD is a material consideration in the determination of planning applications and refusal of planning permission is likely when development proposals do not comply with its requirements.

Despite a number of requests having been made to the applicants, a Unilateral Undertaking has not been received in respect of this application. The applicant has advised that he would be willing to comply with the requirement but does not wish to sign any agreements with Council staff. Without such a formal undertaking the matter would simply be unenforceable. Officers must continue, therefore, to advise that in the absence of a signed unilateral undertaking, the proposals does not meet the terms of the adopted supplementary guidance.

Conclusion

Whilst the form of the building may lend itself to residential conversion, the preference for an alternative use would be for commercial purposes within this location outside of the Settlement Envelope. The principle of the proposed development is therefore unacceptable as it has not been demonstrated that a commercial re-use of the buildings is not viable or is unacceptable on grounds of amenity or access and is therefore contrary to Policy CS18 of the Adopted Local Plan. Furthermore the applicants have failed to address the Council's Planning Obligations Strategy.

RECOMMENDATION

REFUSE Planning Permission for the following reasons:

- 1 The proposal has failed to satisfactorily demonstrate that there are special circumstances that would outweigh the normal presumption in favour of a commercial use of these premises or that a commercial use of the buildings is inappropriate due to access or amenity considerations; as such the proposal is contrary to Policy CS18 of the Mid Bedfordshire Local Plan (2005).
- 2 The applicant has failed to submit a Unilateral Undertaking, as such the application fails principles established in PPS1: Delivering Sustainable Development and Council's adopted Guidance: Planning Obligations Strategy, 2008.

DECISION

.....
.....

This page is intentionally left blank



Date: 07 July 2009

Scale: 1:1250



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

ITEM NO. 9

APPLICATION NO. CB/09/01037/FULL

14 Birch Close, Broom

This page is intentionally left blank

Item No. 9

APPLICATION NUMBER	CB/09/01037/FULL
LOCATION	14 Birch Close, Broom, Biggleswade, SG18 9NR
PROPOSAL	Full: Single storey dwelling with associated access.
PARISH	Southill
WARD	Northill & Blunham
WARD COUNCILLORS	Councillors Blaine & Aldis
CASE OFFICER	Dee Walker
DATE REGISTERED	02 June 2009
EXPIRY DATE	28 July 2009
APPLICANT	DC Blayney Associates Ltd
AGENT	DC Blayney Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Aldis requested the application go to committee for the following reasons: The proposed building is of a sympathetic design to neighbouring properties, is of a suitable size for the plot offering good amenities to future occupiers and is in-fill as it has a separate entrance on to the road
RECOMMENDED DECISION	Refuse

Site Location:

The application site is located within the grounds of 14 Birch Close in Broom and is currently used as a side garden to no. 14. No. 14 is a two storey detached residential dwelling with detached garage. The site is wholly within the settlement envelope.

The Application:

The application seeks permission for the construction of a 2 no. bedroom detached bungalow with off road parking and access from the High Street.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PPS1 Delivering Sustainable Development (2005)
- PPS 3 Housing (2006)

Regional Spatial Strategy

- East of England Plan (May 2008)
- Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

N/A

Mid Bedfordshire Local Plan First Review 2005 Policies

Policies LPS3, HO6 Mid Bedfordshire Adopted Local Plan (2005)
and DPS5

Supplementary Planning Guidance

Mid Bedfordshire District Council's Adopted Supplementary Planning Guidance:
Barn Conversions (1999)

Mid Bedfordshire District Council's Adopted Supplementary Planning Guidance:
Planning Obligations Strategy (2008)

Planning History

None

Representations: (Parish & Neighbours)

Southill Parish Council	No comments to date
Adjacent Occupiers	Three letters received with no objections One letter received with comments regarding the close proximity of the proposed porch with the shared boundary and ability to maintain this

Consultations

Highways Section	No comments to date
Tree & Landscape Officer	No objections but would require further details of the foundations and how they are going to deal with access and parking around the retained sycamore tree
Site Notice Posted	10.06.2009

Determining Issues

The main considerations of the application are;

1. The principle of development;
2. The effect on the character of the area;
3. The impact that the proposal will have on the residential amenity of neighbouring properties;
4. Any other implications of the proposal.

Considerations

1. Principle of development

The site is located within the settlement of Broom where there is no objections to the principle of infill development provided that the site is of sufficient size to support the dwelling, the design is in keeping with the character of surrounding development, no unduly adverse impact on the amenities of neighbours and acceptable parking in accordance with Policies HO6 and DPS5 of the Adopted Local Plan.

Having regard to the above, there is no objection in principle to the residential development of this site.

2. Character and Appearance of the Area

The site is currently used as part of the garden amenity space for no. 14, which occupies a larger than average plot size within the local vicinity. The properties in Birch Close back onto the High Street and a well established hedgerow and mature trees abut the highway. The proposal seeks to construct a bungalow in this side garden area that will be accessed from the High Street.

Although the proposed dwelling is of a single storey nature, it will measure 6.37 metres wide and 12.69 metres deep with an overall height of 3.7 metres to the ridgeline. The site is of a linear shape and given that the existing dwelling at no. 14 Birch Close is set towards the front of their plot, this new dwelling will not be in keeping with the character of the built form within the locality. Furthermore, the surrounding properties are constructed in red brick and therefore the proposed rendered panels and featheredge weatherboarding is not considered to be in keeping with the appearance of the area.

3. Residential Amenity of Neighbouring Properties

The principal properties that may be affected by the proposal are nos. 14 Birch Close and 10 High Street. All other properties are adequately well removed so as not to be affected.

No. 10 High Street is a detached bungalow located to the south of the application site. No. 10's garage abuts the shared boundary and concerns have been raised with regards to the close proximity of the porch on the proposed dwelling to this side elevation in respect to maintenance. The porch will be within 0.20 metres of the shared boundary, however, the elevation plans show that the new dwelling would be lower than no. 10 and by building up to the shared boundary the occupiers have already restricted the ability to maintain from their land only.

No. 14 Birch Close will be situated to the north of the site and is set forward towards Birch Close like the other properties within the close. The proposed dwelling has been located towards the High Street in order to give provision for a rear garden area. However, this results in the bungalow starting in line with the rear elevation of no. 14 and extending down the garden. With the proximity of the proposed dwelling within 1 metre of the boundary and its depth at 12.69 metres, this will result in an overbearing impact on the amenity of this neighbouring residential property.

4. Any Other Implications

There is a sycamore tree that has a Tree Preservation Order on it within the front parking area of the proposed dwelling. The Tree & Landscape Officer raises no objections but requires further information into the construction of the foundations and how the driveway will be achieved around this tree.

Conclusion

In conclusion, it is considered that the proposal is not conformity with Policies DPS5 of the Mid Bedfordshire Adopted Local Plan 2005; Planning Policy Statement 1 (2005) and Planning Policy Statement 3 (2006); and Technical Guidance: Design Guide for Residential Areas in Mid Bedfordshire (2004). The proposal is therefore **unacceptable** and that planning permission should be refused.

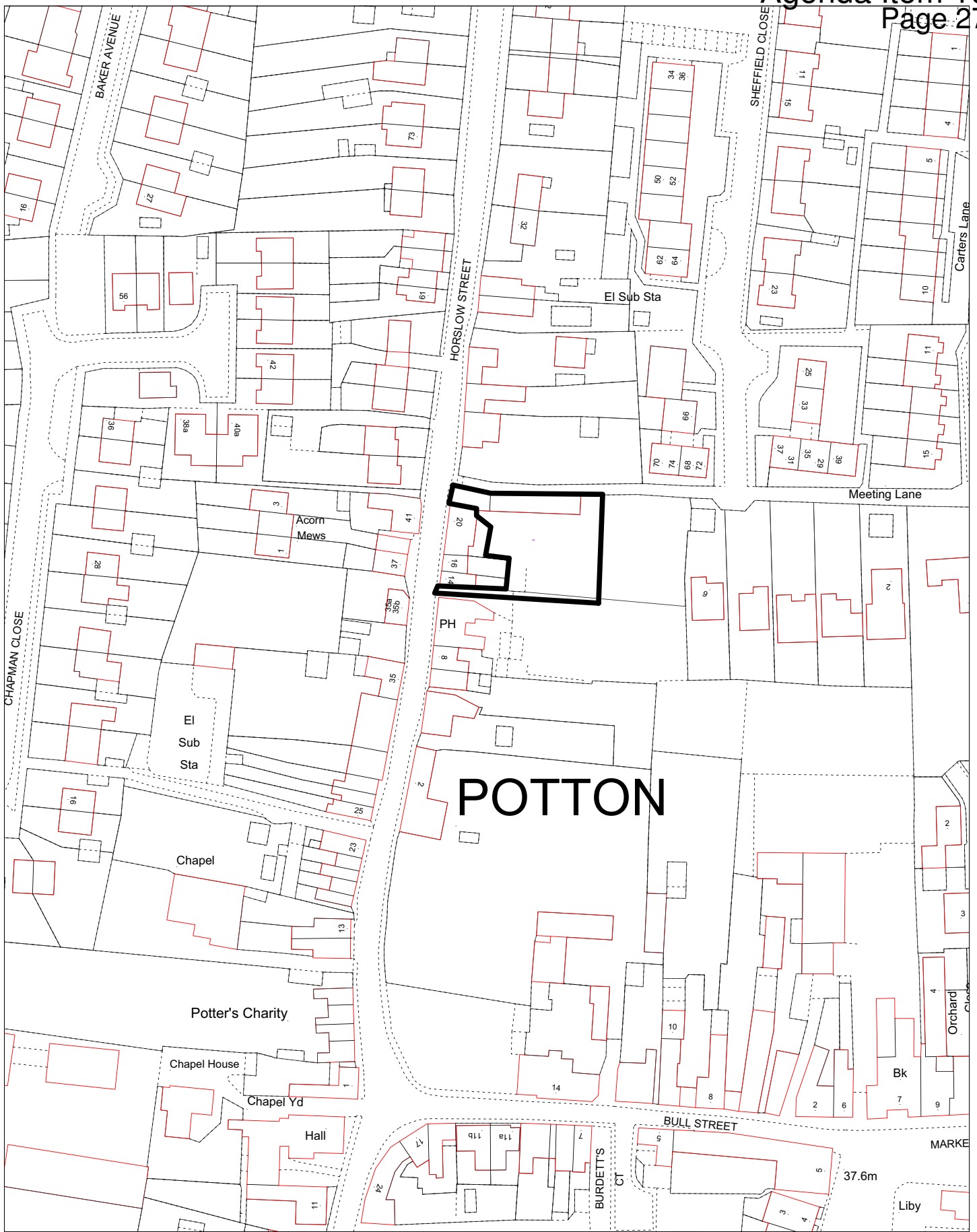
RECOMMENDATION

REFUSE Planning Permission for the application set out above subject to the following reason(s):

- 1 The proposed development, by nature of its resultant unsatisfactory plot size and cramped visual appearance, would have an adverse impact on the character and appearance of the surrounding area; as such the proposal is contrary to Policy DPS5 of the Adopted Mid Bedfordshire Local Plan First Review 2005.
- 2 The proposal would result in an undesirable and unacceptable form of development such that it would have an overbearing impact on the amenities of the occupiers of 14 Birch Close; as such the proposal is contrary to Policy DPS5 of the Adopted Mid Bedfordshire Local Plan First Review 2005.

DECISION

.....
.....



Date: 07 July 2009

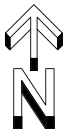
Scale: 1:1250

ITEM NO. 10

APPLICATION NO. CB/09/00837/FULL

20 & 20a Horslow Street, Potton, Sandy

10.1



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

This page is intentionally left blank

Item No. 10

APPLICATION NUMBER	CB/09/00837/FULL
LOCATION	20 AND 20A HORSLOW STREET, POTTON, SANDY, SG19 2NX
PROPOSAL	FULL: CHANGE OF USE AND CONVERSION OF FORMER BAKERY WITH RESIDENTIAL ACCOMMODATION AND GARAGING FOR TWO DWELLINGS (RETROSPECTIVE)
PARISH	Potton
WARD	Potton
WARD COUNCILLORS	Cllr D Gurney & Cllr A Lewis
CASE OFFICER	Sam Boyd
DATE REGISTERED	12 May 2009
EXPIRY DATE	07 July 2009
APPLICANT	Connection Builders
AGENT	Phillips Planning Services Ltd
REASON FOR COMMITTEE TO DETERMINE	CLLR REQUEST. CLLR LEWIS REQUEST - REASON OF CONTENTION BEING ONE OF OVERLOOKING WHICH ARE IN THE SAME OWNERSHIP AND WHICH ARE ORIGINAL.
RECOMMENDED DECISION	Refuse

Site Location:

The site is located at 20 and 20a Horslow Street Potton and was formerly a bakery with a residential annexe. The property is part of a row of red brick terraced properties that front the highway and are characteristic of this part of Horslow Street. The former bakery and annexe are located to the north of the site, at the end of the terrace.

The adjoining cottages are under the applicants ownership and have all been recently renovated

The rear of the site the gardens for each property have been screened by 2m boundary walls and fencing. Parking has been provided for each dwelling at the rear of the site accessed via a narrow gap between No. 14 and the adjacent property, The Cross Keys. Beyond the parking areas there is a large area of open space also within the applicants ownership.

The site is within the settlement envelope and the conservation area.

The Application:

Planning permission is sought for conversion of the former bakery into two separate residential units with internal and external alterations.

The application is submitted in retrospect.

Application Background:

This application follows two previous applications on the site which were both refused.

The application to convert the bakery was previously submitted as a separate application under ref No. 08/00028/Full. The former bakery forms the front section of the building and occupies the first and second floors. The proposal to convert this building was refused due to its impact upon the character and appearance of the conservation area, the amenities of the adjacent occupiers and the intensification of use of a dangerous access.

The conversion of the annexe at the rear of the former bakery was also submitted under a separate application ref No. 08/00033/Full. The proposal involved the conversion of the rear section of the bakery, known as 20a, into a three bedroom dwelling with an attached double garage. The application was refused for the same reasons as application 08/00028/Full.

The current submission now incorporates both proposals in one retrospective application.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS	1	Delivering Sustainable Development
PPS	3	Housing
PPG	15	Planning and the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)

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

Mid Bedfordshire Local Plan First Review 2005 Policies

DPS6 The Built Environment

DPS10 The Built Environment

CHE11 Conservation Areas

HO6 The Location of New Housing

Supplementary Planning Guidance

Residential Design Guide for Mid Bedfordshire

Planning Obligation Strategy

Planning History

08/00028/Full	Full: Internal and external alterations and change of use of former bakery to residential dwelling (Retrospective) - Refused 04/03/08
08/00033/Full	Full: Change of use of former bakery annexe to residential use.(Retrospective) - Refused 04/03/08

Representations: (Parish & Neighbours)

Potton Town Council	Support with reluctance because of concern at retrospective applications.
Adjacent Occupiers	Two letter received - comments summarised as follows: <ul style="list-style-type: none">• Lack of parking - one per dwelling is not sufficient• Window in front elevation of No. 20 will reduce privacy.• Access not suitable for additional use• Additional use of access with create danger to users of the highway.

Consultations/Publicity responses

Site notice displayed	1/06/09
Advertised	29/05/09

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The effect upon the character and appearance of the Conservation Area
3. The impact on neighbouring amenities
4. Highway issues
5. Planning Obligation Strategy

Considerations

1. The principle of the development

The proposal is within the settlement envelope of Potton therefore in principle the conversion of the buildings into residential accommodation is considered acceptable provided there is no conflict with any other local plan policies.

2. The effect on the character and appearance of the Potton Conservation Area.

No. 20 (the former bakery unit)

The premises formerly consisted of a bakery on the ground floor and a store on the first floor. The bakery has been converted to residential use with the existing windows and doors replaced. The first floor has been divided into three

bedrooms and two bathrooms and the ground floor into an open plan kitchen and lounge.

Overall the standard of the conversion and finish on the buildings is not considered to be of a acceptable standard in a conservation area. However, it is considered that the front and north side elevation of No. 20 fronting Horslow Street and the public footpath to the north, have the greatest impact on the conservation area as these are considered to be the most visible parts of the site within the public realm.

The brick work, in particular the brick type, cement mortar, and pointing does not appear in-keeping with existing areas of original brickwork on the building. There are many areas where this is particularly noticeable, for example, the front elevation to Horslow Street where the contrasting brickwork stands out against the adjoining building, and patches all along the boundary wall with the public footpath to the north. The windows inserted in the front elevation are also considered to be inappropriate, and do not reflect the character and appearance of fenestration in the adjoining buildings and surrounding area.

As a result, the building now stands out within the streetscene and detracts from the character and appearance of the area. By reason of the alterations to the front and north side elevation of No. 20, the proposal is not supported in conservation terms as it is considered to fail to preserve the character and appearance of the this part of the conservation area.

No. 20A (the former bakery annexe)

The annexe has been converted into residential use with the existing windows and doors replaced and an extension to the existing garage has been constructed. The accommodation provides a kitchen, lounge and dining room on the ground floor and three bedrooms and a bathroom on the first floor. The garages have been extended in depth by 3m towards the front and an entrance porch has been added to the front elevation.

Whilst it is considered that the alterations are not sympathetic and do not accord with good practice for work in a conservation area this part of the building is located at the rear of the site and therefore not part of the overall street scene therefore it would not harm the character and appearance of the conservation area. As such the alterations to No. 20a are considered acceptable.

Site history

In order to gain approval for access to the rear of the site a visibility splay is required for highway safety reasons. Therefore on the previous applications it was proposed to remove the south west corner of property No 14. This is considered to be an unacceptable way of providing visibility splays, to the detriment of the character and appearance of the conservation area. The applicant has now removed this part of the proposal from the current scheme, however the effect this has on the access arrangements will be discussed in section 4.

Overall it is considered that the alterations to the rear section of the application site, the annexe known as 20a are considered acceptable in terms of visual

impact, however the alterations to the front elevation of the former bakery are considered to be out of keeping with the character of the adjacent dwellings and do not preserve or enhance the character and appearance of the conservation area contrary to the aims of CHE11 and PPG15.

3. The impact on the amenities of the neighbouring properties.

No. 20 (the former bakery unit)

The bakery adjoins the annexe at the rear and is positioned at a right angle to the adjacent dwellings, No.s 18, 16 and 14 Horslow Street.

Due to the layout of the dwelling the kitchen and first floor bedroom windows of the bakery conversion will face directly onto the private amenity space and rear windows of No. 18. Given that all of the adjacent properties have small garden areas the windows will also reduce the privacy of the occupiers of the dwelling at No. 20a. In order to reduce the overlooking the applicant has installed obscure glazing to the bedroom windows, however the windows would need to be fixed shut in order to mitigate the overlooking concerns. This would result in an unacceptable level of amenities for the future occupants of the property and would not comply with Building Regulations.

The close proximity of the windows to the adjacent properties is considered unacceptable and would result in an adverse impact on the neighbouring amenities.

No. 20A (the former bakery annexe)

The annexe adjoins the rear of the former bakery and is positioned at a right angle to this property and the adjacent dwellings in the terrace.

Due to the layout of the dwelling the windows of the annexe will face directly onto the private amenity space of No.s 18 and 20. The existing plans show two bedrooms however there is no relevant planning history therefore the former use of the premises is unclear. The proposal is for three bedrooms and includes the insertion of two new windows at first floor level therefore this intensification results in an unacceptable relationship with the adjacent dwellings resulting in adverse overlooking.

Again obscure glazing has been used as a means of reducing the overlooking impact however this is not considered to be an adequate solution to the problem for the reasons outlined above..

It is considered that the proposal would have an adverse impact upon the amenities of the future occupants of the adjacent dwellings by way of loss of privacy.

4. Highway Issues

To the rear of the site one parking space has been provided for the bakery conversion. A double garage is attached to no. 20a therefore providing two spaces for this property. It is noted on the plans that there are a further four parking spaces for the adjacent properties. This could potentially lead to at least seven cars using this access.

The proposal is almost identical to those previously submitted under reference 08/00028/full and 08/00033/Full. The main difference is the withdrawal of the visibility splay provisions. The site is located on a street subject to a 30mph speed limit therefore in accordance with the Manual for Streets visibility of 2.4m x 43.0m is needed. The actual speed of traffic along Horslow Street is considered to be 15mph therefore the visibility splay can be reduced by some distance.

However even with this allowance the achievable visibility is very substandard therefore no additional use of the access generated by the conversion can be supported on highway safety grounds. Therefore refusal is recommended on these grounds.

5. Planning Obligation Strategy

The formation of two three bedroom residential units in Potton requires contributions towards local infrastructure under the Planning Obligation Strategy and required a Unilateral Undertaking to be submitted with the application. No Unilateral Undertaking has been submitted with the application therefore the proposal is contrary to Supplementary Planning Document: Planning Obligation Strategy (2008)

Conclusion

The proposal would have an adverse impact on the amenities of the adjacent occupiers by way of overlooking and a detrimental effect upon the character and appearance of the Potton Conservation Area. In addition the intensification of the use of a substandard access would lead to vehicular conflicts to the detriment of highway safety. Therefore the proposal is contrary to Policy DPS6 and CHE11 of the Mid Beds Local Plan First Review (2005). Furthermore there no provision has been made for contributions under the Planning Obligation Strategy. As such the application is recommended for refusal.

- 1 The proposed development if permitted would lead to an increase in use of an access that is substandard in its visibility provision leading to vehicular conflicts to the detriment of highway safety; as such the proposal is contrary to Policy HO6 and DPS6 of the Mid Bedfordshire Local Plan (First Review) 2005.
- 2 The application site lies within the Potton Conservation Area and the external alterations proposed would detract from the character and appearance of this part of the Area; as such the proposal is contrary to

PPG15 and Policy CHE11 of the Mid Bedfordshire Local Plan (2005).

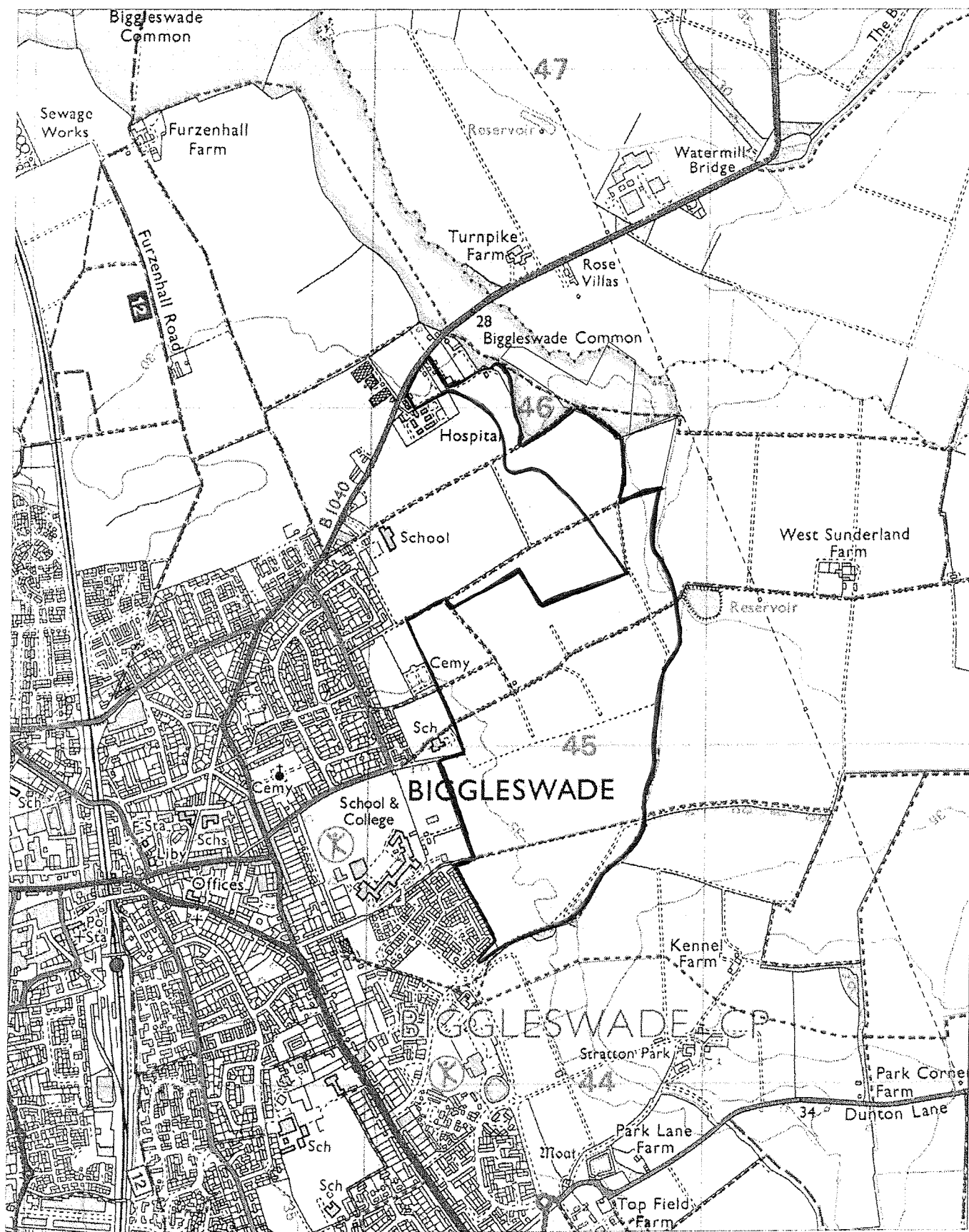
- 3 The proposal, by way of loss of privacy and amenity to occupiers of adjacent dwellings, would result in an unacceptable form of development; as such the proposal is contrary to Policies DPS6 and HO6 of the Mid Bedfordshire Local Plan First Review 2005.

- 4 The application contains insufficient information in the form of a legal agreement requiring contributions to local infrastructure; as such the proposal is contrary to Mid Bedfordshire District Council's Adopted Supplementary Planning Document: Planning Obligations Strategy (2008).

DECISION

.....
.....
.

This page is intentionally left blank



Date: 09 July 2009

Scale: 1:15000

ITEM NO. 11

APPLICATION NO. MB/03/01205/OUT

Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029, 2009.

Land South Of, Potton Road, Biggleswade

11.1



This page is intentionally left blank

Item No.11

APPLICATION NUMBER	MB/03/01205/OUT
LOCATION	LAND SOUTH OF, POTTON ROAD, BIGGLESWADE
PROPOSAL	OUTLINE: RESIDENTIAL DEVELOPMENT OF APPROXIMATELY 1450 DWELLINGS, CONSTRUCTION OF EASTERN RELIEF ROAD, LOCAL CENTRE, PRIMARY SCHOOL, PUBLIC OPEN SPACE, STRUCTURAL LANDSCAPING, INFRASTRUCTURE INCLUDING SURFACE WATER BALANCING FACILITIES AND ASSOCIATED WORKS. DEMOLITION OF 128 POTTON ROAD TO FACILITATE VEHICULAR ACCESS. (ALL MATTERS RESERVED EXCEPT MEANS OF ACCESS)
PARISH	Biggleswade
WARD	Biggleswade
WARD COUNCILLORS	Cllr M Jones, Cllr D Lawrence, Cllr J Lawrence & Cllr P Vickers
CASE OFFICER	Hannah Pattinson
APPLICANT	Martin Grant Homes (UK) Ltd and Taylor Woodrow Developments Ltd
AGENT	King's Reach Project Management
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	PUBLIC INTEREST APPROVE THE DEED OF VARIATION

Location

Site 1, Land East of Biggleswade, is part of the overall strategic housing site known as Land East of Biggleswade. The site is located to East of Biggleswade with access being taken off Stratton Way.

Background

The developers approached the Council to request the execution of a Deed of Variation to vary certain provisions and triggers within the legal agreement to enable them to commence works on the strategic residential site known as Site 1, Land East of Biggleswade.

The reasoning behind the Deed of Variation is because of the current global and national economic climate. The large amount of sub-prime / bad debt lending has led to a lack of confidence in the Global and UK financial sector. This has led to both the major banks, mortgage lenders and the major house builders being among the first sectors of the economy to be hit by this situation.

The overall affect of what has become known as the “credit crunch” has resulted in an increase in the number of repossessions, a number of large national house

builders stopping work or cutting down to skeleton staff on many of their major development sites and a large number of redundancies.

Outline planning permission was granted on 13th November 2006 (planning application ref no. 03/01205/OUT) for residential development of approximately 1450 dwellings, construction of the Eastern Relief Road, Local Centre, primary school, public open space, structural landscaping, infrastructure including surface water balancing facilities and associated works. Demolition of 128 Potton Road to facilitate vehicular access. (All matters reserved except means of access).

The legal agreement attached to the outline planning permission provides the obligations and provisions on behalf of both the developers and the Council. The legal agreement was prepared in a rising market and no provisions had been included to take into consideration the market place may change as has happened through the current economic crisis.

As such the developers approached the Council to vary the legal agreement by way of moving various triggers to ease their cash flow and enable the implementation of the outline planning permission. The purpose of this Deed of Variation is solely to enable development and not to allow the developers to reduce the level of the contributions. As such only triggers up to the 350th occupation have been considered.

Discussions have been held with relevant Officers within the Council to obtain their agreement for the proposed trigger alterations. To confirm none of these alterations would result in a variation in monies or provision receivable.

The Proposal

The following variations through a Deed of Variation are proposed to ensure that the existing legal agreement reflects the current economic situation. These are discussed individually under topic headings below.

Staff Agreement

As part of the legal agreement the developers and the Council entered into a staffing agreement to ensure the provision of a high quality service. Within the legal agreement it states that the staffing agreement payments commenced in quarter 1 of 2007.

To date the planning permission has not yet been implemented. As such it is recommended that the staffing agreement payments are suspended until implementation of the planning permission.

Affordable Housing

The existing affordable housing cascade was only designed to reflect a rising market. The economic crisis has resulted in the existing cascade not being able to react or reflect the current market conditions. Therefore discussions have been held to provide a cascade system which would react to the changing market place.

The proposed Deed of Variation would provide a cascade which would allow the developer to make an informed choice on the percentage of different mixes whilst retaining the overall provision of affordable housing across the development. The

cascade would be linked to the existing tenure definitions contained within the legal agreement.

Education

Discussions have been held with Education Officers to alter the education contributions. The purpose of these alterations is to bring them in line with the current need for the site and the likely timescales involved in bring forward the new Lower School.

As such the following has been agreed in principle:

The Lower School Contribution would be moved back from implementation of the planning permission to the occupation of 75 residential units.

An additional clause would be added requiring the payment mechanism and timing of payments to be agreed between the Council and the Developers prior to the occupation of the 25th residential unit to ensure that monies are solely collected as required by the Council in relation to this contribution.

Finally, as there are existing spaces available in Biggleswade at both the Middle and Upper Schools it is considered appropriate to move the Middle School and Upper School Contributions back to the occupation of the 250th residential units.

Transport / Highways

The Highways Officer, has had discussions with the developers and the following trigger alterations have been agreed in principle.

In some instances works have been brought forward to ensure a sensible chronological order or works to be undertaken.

Location	Works	Existing Trigger	Proposed Trigger
London Road/ Pegasus Drive Roundabout	Minor widening on approaches	150 residential units	300 residential units
London Road/ Saxon Drive Roundabout	Minor widening on approaches	150 residential units	300 residential units
Pedestrian splitter island on London Road immediately to the north of the Drove Road junction	Uncontrolled crossing to be provided close to Eagle Farm Road	0 residential units	1 residential unit

From south east corner of Hitchmead Special School along Bridleway 28 westwards to Stratton Way	New shared surface for pedestrians/cycles/equestrian users. New signage. New lighting.	50 residential units	1 residential unit
FP27 from site boundary to Eagle Farm Road	New surfacing. New signage. New lighting.	50 residential units	1 residential unit
Eagle Farm Road / Drove Road, London Road junction	New tactile paving and signage	50 residential units	1 residential unit
Drove Road from Potton Road to South Walk	New signage and tactile paving	100 residential units	300 residential units
Lawrence Road to Crab Lane	New signage and low level lighting at eastern end	100 residential units	300 residential units
Crab Lane to the Baulk	New signage	100 residential units	300 residential units
Pedestrian link to Lawnside	New signage	100 residential units	300 residential units
Stratton Way from FP33 to South Walk	New signage	100 residential units	300 residential units
FP35 westwards from site to Stratton Way	New lighting and signage	100 residential units	300 residential units
South Walk from Stratton Way to Drove Road	New low level lighting and signage	100 residential units	300 residential units
Stratton Way south from South Walk to Hitchmead Road	New signage	100 residential units	300 residential units
Hitchmead Road to Drove Road	New signage	100 residential units	300 residential units
Drove Road to Lawnside	Minor highway improvements (Build outs). New signage	100 residential units	300 residential units

London Road and The Baulk	Cyclists to use carriageway. New signage	100 residential units	300 residential units
Link from the site via Fennel Drive and Sorrell Way to Eagle Farm Road	New signage	100 residential units	300 residential units
Sustrans route 12 – St John’s street crossing to Crab Lane	Upgrading of signage. New additional signage	100 residential units	300 residential units
London Road / Back Street	New signage	150 residential units	300 residential units
Toucan crossing on London Road immediately to the north of the Drove Road junction	Resurfacing of footway to provide a shared pedestrian / cycle facility. Controlled crossing to be provided close to Eagle Farm Road.	200 residential units	300 residential units
Eagle Farm Road / Access to Stratton Upper School	New crossing from Chervill Close. New tactile paving and signage. New guard railing.	250 residential units	300 residential units
Orchard Close	Extend eastern footway on Orchard Close north to Hitchmead Road – only if land made available	250 residential units	300 residential units

In addition it is proposed to alter the wording of the legal agreement to enable the Council to recoup any monies from the developer if any of the smaller works are undertaken by the Council prior to the trigger point within the legal agreement.

An update in relation to Public Highways Contributions will be provided on the late sheet due to Officer sickness.

Public Art

The legal agreement states that public art should be provided as part of each Reserved Matters Application. Discussions have been held with the relevant Officer and it is considered best practice to involve the local community / new residents when resolving the public art project across the development.

As such it is recommended that the trigger is moved to the occupation of the 350th residential unit to enable public consultation when determining the overall theme of the public art provision.

In addition it is considered that an individual trigger should also be added into the agreement to ensure that the installation of the public art in each sub area is

completed prior to the completion of the last open market residential unit in that sub area.

Conclusion and Recommendation

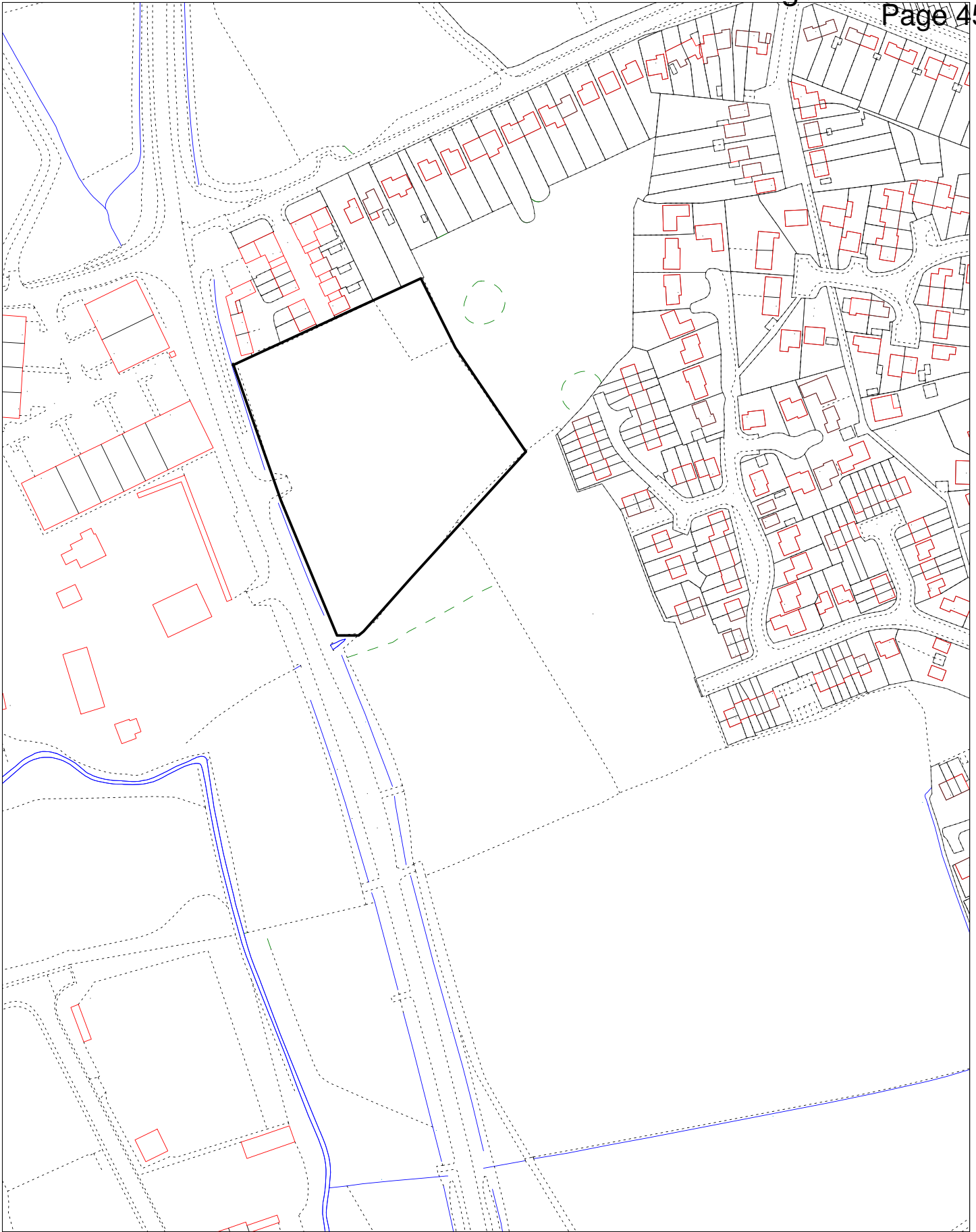
Taking into consideration the current economic climate and the difficulty in obtaining affordable mortgages it is recommended that the above variations are accepted. The proposed variations have been designed to enable the commencement of Site 1, Land East of Biggleswade.

The Deed of Variation would not reduce the overall provision of contributions secured within the legal agreement. The purpose of the Deed of Variation would be to reduce the number of early cash contributions to enable the commencement of development on Site 1, Land East of Biggleswade.

It is considered that the proposed variations are considered acceptable and as such it recommended that the principle of the proposed Deed of Variation is approved.

DECISION

.....
.....



Date: 08 July 2009

Scale: 1:2500

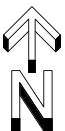
ITEM NO. 12

APPLICATION NO. MB/03/02216/OUT

Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

Land adjacent Station Road, Maulden Bypass, Ampthill

12.1



This page is intentionally left blank

Item No. 12

SCHEDULE B

APPLICATION NUMBER	MB/03/02216/OUT
LOCATION	Land Adjacent To Station Road, Maulden Bypass, Ampthill
PROPOSAL	Outline: Residential development - all matters reserved except means of access.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Councillors P Duckett & G Summerfield
CASE OFFICER	Nicola Stevens
DATE REGISTERED	21 January 2004
EXPIRY DATE	21 April 2004
APPLICANT	Lisscourt Limited
AGENT	C W & ER C Shrimplin
REASON FOR COMMITTEE TO DETERMINE	Major Development – To appraise members of progress on S106 and to seek variation to agreed conditions
RECOMMENDED DECISION	S106 Pending

Purpose of this report

At the meeting of the Development Control Committee of Mid Bedfordshire District Council on the 15 August 2007, Members resolved to approve this application for Outline consent subject to the signing of a Section 106 Legal Obligation.

This report has been prepared in order to advise Members on the current situation regarding the application.

Following that meeting, negotiations have been undertaken with the applicant to agree the terms of the Section 106. All details have now been agreed.

However, given the length of time that has expired since the resolution to approve the application it is considered best practice to bring this application back to Committee to ratify its earlier resolution to Approve and to agree to the following changes.

Following negotiations with the applicant it has been agreed that the financial contributions towards educational provision should be amended to reflect a scheme based on 40 dwellings. This would accord with the number of dwellings set out within the Adopted Development Brief (210 dwellings have already been approved on the adjoining site resulting in 250 dwellings in total). A new condition would need to be attached to ensure the outline scheme is restricted to 40 dwellings. This would become condition 35 and be worded as follows:

The permission shall authorise the erection of no more than 40 dwellings.

Reason: In order to ensure the development meets the guidance contained within the West Ampthill Planning and Development Brief 2006 and to ensure compatibility with elements of the associated Section 106 agreement.

The applicant has requested that the public art element be dealt by condition instead of within the Section 106 Planning Obligation. This would accord with guidance set out within Circular 11/95 'The Use of Conditions in Planning Permissions' and as such it is recommended the following condition (36) be attached.

Prior to commencement of development a scheme for the provision and future maintenance of public art shall be submitted to and approved in writing by the Local Planning Authority. The public art shall be sited as approved prior to the occupation of the 20th dwelling. The development shall be implemented solely in accordance with the approved details.

Reason: In order to achieve a satisfactory form of development in accordance with the West Ampthill Development Brief and Policy DPS27 of the Mid Bedfordshire Local Plan First Review Adopted 2005.

The applicant has also requested that in view of the current economic climate the time allowed for the implementation of the permission should be adjusted to five years (rather than three). It is considered that this is a reasonable request given the time that has elapsed since the resolution for this application was first made back in August 2007 and to reflect the current economic climate and as such it is recommended that conditions 2 and 3 be amended as follows:

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five 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.

The development hereby permitted shall be begun either before the expiration of five 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.

Conclusion and Recommendation

The Authority of Members is sought to ratify its earlier resolution to Approve outline consent subject to the signing of a Section 106 Planning Obligation incorporating the above changes to conditions.

THE REMAINDER OF THIS REPORT CONTAINS EARLIER SUBMISSIONS TO THE DEVELOPMENT CONTROL COMMITTEE

Appendix

Report Development Control Committee 15 August 2007

Site Location:

The site lies to the west of the town of Ampthill. The site is bounded by woodland and housing to the east and north, to the west lies the A507 and beyond this lies the Ampthill Industrial Estate and Business Park. To the south lies the Town Council's allotments and the 'Hallam' land. The latter has residential development of 210 dwellings approved subject to the signing of a Section 106. The site area totals some 1.35 hectares and is a vacant and underused site which has previously been used for open storage of vehicles.

The site lies wholly within the Settlement Envelope of Ampthill. A Development Brief was adopted by this Council's Executive in October 2006 to guide the future development of the area, including this site, and the Council's consideration of planning applications.

The application is presented to the Development Control Committee at the request of the Ward Councillor.

For members awareness it is not considered the development triggers need for an Environmental Impact Assessment.

PPS/PPG:

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPS9 – Biodiversity & Geological Conservation
- PPG13 – Transport
- PPG16 – Archaeology & Planning
- PPG17 – Planning for Open Space, Sport & Recreation
- PPS22 – Renewable Energy
- PPS23 – Planning & Pollution Control
- PPG24 – Planning & Noise
- PPS25 – Planning & Flood Risk

**Main Policy + SPG:
(Structure Plan + Mid Beds Local Plan)**

- | | |
|---|---|
| Bedfordshire County
Structure Plan Adopted
1997 | 1, 3, 4, 5, 8, 9, 10, 11, 19, 25, 33, 34, 38, 39, 40, 55, 65,
66, 67, 70, and W5 |
| Mid Bedfordshire Local
Plan First Review
Adopted December
2005 | LPS1, LPS3A, LPS4, CS1, NC2, NC3, NC8, A2, A3,
DPS1, DPS5, DPS7, DPS9, DPS10, DPS11, DPS12,
DPS14, DPS16, DPS17, DPS19, DPS20, DPS20A,
DPS23, DPS24, DPS27, PHS5, PHS6, SR2, SR5, SR6, |

Technical Planning
Guidance

Planning and Development Brief West Ampthill, October 2006;
A Design Guide for Residential Areas in Mid Bedfordshire 2004;
Affordable Housing (2004);
Wildlife in Development (2003).
Recreational Open Space Strategy (2005)
Bedfordshire Community Safety Design Guide (Draft 2005)
Cycle & Walking Strategy for Mid Beds (2000)
Mid Beds Cycle Route Mapping Project (2001)

Planning History

03/697/OUT

Outline: residential development, all matters reserved except means of access. Refused 26.6.03

The applicant failed to: firstly, demonstrate that this site is suitable for residential use, secondly, to demonstrate that the proposed residential development will be a sustainable form of development as it did not provide any potential to properly integrate with the existing urban area of Ampthill and did not offer the use of modes of transport other than the car and, thirdly, to permit the proposal would lead to further conflicting braking and turning traffic movements on a stretch of strategic highway network subject to the national speed limit and thereby lead to conditions detrimental to highway safety and convenience.

05/525/OUT

Outline: residential development, all matters reserved. Yet to be determined

Adjacent Land

05/273/OUT

Outline: Residential development up to 190 dwellings - all matters reserved except means of access. Scheme 1. Not yet determined

05/274/OUT

Outline: Residential development up to 190 dwellings - all matters reserved except means of access. Scheme 1 (Duplicate application) Appeal for non determination lodged in abeyance.

05/275/OUT

Outline: Residential development up to 210 dwellings - all matters reserved. Scheme 2. Minded to be approved at 13.6.07 DC Committee subject to signing of Section 106

05/276/OUT

Outline: Residential development up to 210 dwellings - all matters reserved. Scheme 2 (Duplicate application). Minded to be approved at 13.6.07 DC Committee subject to signing of Section 106

**Representations:
(Parish & Neighbours)**

Ampthill TC No objection, subject to vehicular access into the site from the A507, footpath/cycleways for new residents to gain direct access into the existing settlement of Ampthill, for noise abatement support a bank planted with trees to enhance the natural environment.

The Town Council would not support any access from the Lisscourt land into the former Morgana Works site off Station Road nor would they support any vehicular access onto the already congested junction of Tavistock Avenue with Flitwick Road.

The Town Council would only support access to the proposed development by means of a three armed roundabout off the A507 at the entrance into the site as shown on approved drawing no. 203068/20Rev D.

Adj Occupiers

Original consultation response in 2003

3 letters concerned about density, vehicular access and impact onto Station Road, lack of consultation, loss of a commercial site, and harmful impact to future residents sited close to the existing industrial area. However, issues since been considered and addressed where necessary in the Development Brief.

No letters received following re-consultation in 2007

Consultations

This application has been the subject of a considerable number of consultations and the following responses are based on the letters received following adoption of the Development Brief and the re-consultation period:

CC (Highways)	No objection subject to conditions and Section 106
CC (Planning)	Request financial contributions towards purchase of additional library books, the provision of additional older people's services and children's services, a recycling site (need to consider location), Coopers Hill SSSI, education provision.
CC (ROW)	No comments received
CC (Archaeology)	No objection subject to a suitably worded condition
CC (Minerals)	No objection provided a suitably worded condition
Env Agency	No comments received
Int Drainage Board	No objection provided a suitably worded condition
Anglian Water	No comments received
Heartlands PCT	No objection
CPRE	No comments received
Wildlife Trust	No comments received. However it should be noted that a financial contribution has since been agreed for the adjoining Hallam site.

Natural England	No objection - details of financial contribution towards Coopers Hill should be the same as the adjoining Hallam site.
Ramblers Assoc	No comments received
EHO Pollution	No objection subject to Section 106 and conditions relating to an acoustic barrier along the A507, mitigation measures for dwellings falling within noise band NEC B and submission of a Phase 2 site Investigation Report.
MBDC Waste Management	No comments received
MBDC Footpaths Officer	No comments to make as no public rights of way are affected
MBDC Housing Officer	No comments received
MBDC Arb Off	No comments received
MBDC Design Team	The design statement is poor and inadequate, no mention of Design Codes.
MBDC Open Space Officer	No objection subject to conditions and Section 106 agreement
MBDC Community Safety	No comments received
MBDC Senior Engineer	No comments with regard to disabled access
Local Amenity Society	No comments received following re-consultation. Originally objected to vehicular access onto Station Road however following adoption of Development Brief access is now proposed off the A507

Determining Issues

The main considerations of the application are:

- 1.Principle of development
- 2.Using land efficiently
- 3.New community facilities
- 4.Safe & Secure Environment
- 5.Encouraging sustainable travel
- 6.Landscape, Biodiversity & Archaeology
- 7.Using Resources efficiently
- 8.Protecting amenity
- 9.Design concept
- 10.Other Issues
- 11.Section 106 Legal Agreement

Considerations

1. Principle of Development

Background

This application (ref: 03/2216/OUT) by 'Lisscourt' seeks outline consent for residential development with all matters reserved except means of access. Following the Development Brief process vehicular access has been amended and is now proposed through the adjoining 'Hallam' site onto the

A507.

Application ref: 05/525/OUT seeks outline consent for residential development with all matters reserved.

The overall area of land including the Lisscourt and Hallam sites available is approximately 11 ha. Because it was desirable that these parcels of land are planned in a comprehensive and co-ordinated way the submitted outline applications for the whole area have been held by the Council to allow a Development Brief to be produced. It was subsequently adopted at the Executive Committee in October 2006.

The Local Plan allocation suggests that 150 dwellings be accessed via Tavistock Avenue. However, with the additional land parcels being brought forward which fall within the settlement envelope, this whole development area could accommodate a minimum of 250 dwellings. A number of options for vehicular access to the area were considered as part of the Development Brief process. It was concluded that "Station Road is constrained by existing and predicted traffic demand. Its junction with Flitwick Road is unlikely to function adequately in 2016 and is unlikely to support anything other than a relatively small scale development. On balance it would be preferable that no further development is provided on Station Road. Although Tavistock Avenue has greater scope there are highway, environmental and residential design issues to consider which would make excessive development difficult to justify. A limit on dwelling numbers via Tavistock Avenue is considered necessary". On balance the alternative for outward facing access via the A507 is the preferred choice. The proposed solution within the Development Brief is to provide two new roundabouts on the A507.

Now that the Brief has been adopted it is recommended that the two applications relating to the Lisscourt land should now be processed and ultimately determined by the Council.

The Application

This is an application for outline planning permission, with all matters reserved except means of access. The proposal seeks consent for residential development.

The application is accompanied by specialist documents comprising a Design Statement, Acoustic Assessment, Flood Risk Assessment, Geo-Environmental Desk Study Report, Transport Assessment, Travel Plan and a detailed plan showing proposed off site highway works (Dwg 203068/20 Rev D).

Ampthill is identified as a large settlement within the Adopted Local Plan which is characterised by significant areas of residential estate and employment development and benefits generally from the highest overall levels of community, service and transport provision relative to other settlements in Mid Beds.

The application site lies within the settlement envelope of Ampthill wherein policy stance normally allows the principle of further residential development.

The land lies unallocated in terms of the Local Plan proposals map. It is considered that the proposal for residential development would make use of under-utilised land.

2. Using land efficiently and providing a mix of housing

Density

With the two Lisscourt and Hallam land parcels, the Development Brief covers an area of approx 11 Hectares which can provide at least 250 dwellings (210 dwellings on the Hallam site) based on guidance in PPS3. This will achieve an average net density of at least 30 dwellings per hectare across the site.

Within this overall density the design concept envisages areas of higher, mid, and lower density and as such a condition should be attached to ensure compliance with the principles of layout and densities set out within the Development Brief. The range of densities will assist with the delivery of a mix of house types.

Affordable Housing

28% of the total number of dwellings on the site should be provided as affordable housing. Development of a range of types, sizes, location and tenures of accommodation will need to be achieved through the Section 106 agreement. It will also be required to ensure the provision of free and serviced land for affordable housing.

The Development Brief states that a proportion of affordable housing will be constructed to the 'lifetime homes' standard of construction and a proportion will be fully wheelchair accessible. This can be secured by condition.

Housing Mix

In accordance with Policy H09 in the Local Plan the Development Brief requires schemes to contribute towards mobility/wheelchair standards. This will be achieved through an appropriately worded condition.

Conditions should also be attached to ensure a proportion of new housing be provided with self contained annexed accommodation for extended family living and that a proportion are built to live and work standards in accordance with the Development Brief.

Also in accordance with the Development Brief a proportion of self build plots should be provided via condition.

3. New community facilities

Education

The site is within easy walking distance of a number of schools; the Firs Lower School, Russell Lower School, Alameda Middle School and Redbourne Upper School and Community College.

The Development Brief acknowledges that the development will have an impact on the local schools. The Local Education Authority, Bedfordshire

County Council has confirmed that contributions will be required for additional educational facilities in the catchment area schools and this will need to be secured through the Section 106 Legal Agreement.

New community building/health facilities

Investigations were undertaken as part of the Development Brief process to explore the need for any new community buildings and/or the need for improvements to existing buildings associated with the development. The outcome being that there is no justification for such a facility or related improvements directly as a result of this scale of development.

Initial consultation with the Bedfordshire Primary Health Care Trust (PCT) during the Development Brief process indicated that there would be a requirement for a financial contribution towards health provision as a direct result of this development.

However, the PCT have now stated that having carefully considered the likely impact on the current health facilities the development is unlikely to have a negative impact on service levels. The PCT therefore had no objection and as such no financial contribution was required.

Play and open space

For children's play the Development Brief recommends a variety of equipped and non-equipped play areas. A condition will need to be attached to ensure the on site play areas are provided and designed to an agreed specification. The Section 106 will ensure their future management and maintenance is secured.

A balancing pond/attenuation area is proposed on the site. At this stage it is not known whether the pond will be for attenuation purposes only or have public access. Regardless of who adopts this area in the future, conditions should be attached to ensure that appropriate safety measures for the construction and design of the pond is undertaken in accordance with the Royal Society for the Prevention of Accidents (RoSPA) or equivalent body. The Section 106 Agreement will need to ensure the production of a Management Plan and address issues of maintenance.

A condition should also be attached to secure the boundary with the A507 to prevent children playing in the buffer planting from accessing the road.

The scale of the development generates its own requirement for sporting open space. However, the Development Brief identifies that large scale sporting facilities would be inappropriate within a residential development. Consequently a financial contribution should be sought toward the provision of off site sporting facilities.

Amenity open space should be provided on the site. Although no details of its provision have been provided, it is considered that this can be dealt with at the reserved matters stage. It is noted that there is a small area of protected woodland in the north east corner of the site, however it is not known whether it is intended to be used for amenity open space, nor whether it would be suitable for such a use. In any event the scheme will have to comply with

Policy SR5.

Maintenance and management

The section 106 should ensure responsibility for the maintenance and management of all play and open space. This will need to be to an agreed specification to either be undertaken by the applicants themselves or by relevant authorities transferred to them for adoption.

Retailing

The Development Brief states that the option of including a local convenience store within the new development has been considered but there are doubts about whether this would be viable. This being due to the size of residential development for the area not being large enough to generate such a need and not wanting to create additional traffic onto the A507 as a result of such a use.

4. Safe & Secure Environment

The Development Brief aims to create a development that reduces opportunities for crime and anti-social behaviour. Reserved matters applications will need to demonstrate that they have been designed to maximise security and a sense of ownership of the overall environment. All buildings and public spaces will need to incorporate measures to reduce crime opportunities and take account of secured by design principles in line with Policy DPS23. Careful choice of landscape species will be required in terms of long term management and maintenance issues. Design of car parking and garaging will need to be carefully addressed at the reserved matters stage.

Separate design statements accompanying each reserved matters planning application will need to demonstrate compliance with the outline Design Statement, the Design Guide and the Development Brief subject to condition.

In accordance with the draft Community Safety Design Guide and the Development Brief the provision of CCTV cameras have been considered for the overall area. The Community Safety Officer confirmed for the adjoining Hallam site that given that this is purely a residential scheme, with no community facilities that may have needed coverage, there is no requirement in this instance for CCTV within the development.

5. Encouraging sustainable travel

Policy H08(6A) states that the allocation site should be accessed off Tavistock Avenue. However, as already stated above, because it was desirable that all the relevant parcels of land within the settlement envelope are planned in a comprehensive and co-ordinated manner the Development Brief process considered other options for obtaining vehicular access to this area. The adopted Development Brief agrees that there will be only one point of all purpose vehicular access to the site and that should be from the A507.

It should be noted that although unlikely, the granting of this application could

result in the provision of the two roundabouts on the A507 and an access road on land to the south without the Hallam site being developed. However, this is unlikely to be viable for the developer and this scheme should be seen as an extension of the Hallam site.

Public Transport

The Development Brief seeks to ensure that the development will maximise the accessibility to public transport. Access to bus stops on Dunstable Street and Flitwick Road serving the wider bus network will be via footpaths through the existing adjoining residential area. The Highway Authority have confirmed that a financial contribution to be agreed through Section 106 negotiations will be required towards a Demand Responsive Travel service linking to Ampthill Town Centre and Flitwick Town Centre/Railway Station. The service shall also be part of the Flitwick and Harlington PlusBus scheme.

Walking and cycling

A condition should be attached to ensure that at reserved matters stage the layout will incorporate routes for walking and cycling to facilitate movement to, through and around the development. Provision should be made for safe and secure cycle parking within the development.

Financial contributions will need to be provided towards off site cycle links to the wider area as part of the Section 106 Agreement. Contributions should also be provided towards cycleway provision at Flitwick railway station. Financial contributions towards off site pedestrian improvements are not being sought from this application as there are no direct links from this site, however, they are being sought on the adjoining Hallam site.

It will be important to ensure a pedestrian/cycle link is provided for within the layout from the application site to the Hallam land to the south via condition. A pedestrian/cycleway link is shown on the illustrative master plan from the Lisscourt land along the A507 up to Station Road and on Drg 203068/20 Rev D and should be covered by condition provided it is wholly within Highway ownership, confirmation of which is currently being sought. In order to ensure connectivity with the adjacent Ampthill Industrial Estate the Highway Authority has confirmed that a pedestrian and cycling refuge will need to be constructed to allow appropriate and safe means of foot and cycle crossing of the A507.

Vehicular access

This application originally sought vehicular access through the adjacent former Morgana site to Station Road. However, following the adoption of the Development Brief the means of access has been amended so that access will now be taken off the A507 via a new roundabout.

A Transport Assessment has been submitted in support of the application which has been assessed by the Highway Authority, Bedfordshire County Council, who have confirmed that the principal of this outline development and form of means of access is acceptable in highway terms.

The one point of vehicular access to the whole area (including the application site and the Hallam development to the south) will be taken directly off A507.

This will involve creating a new three arm roundabout providing site access off the A507 north of the existing DooLittle Mill roundabout and Business Park (as shown on submitted drg no 203068/20 Rev D).

The roundabout will need to be designed in accordance with submitted details. However, unlike the applications for the adjoining Hallam site (dealt with by a Grampian Style condition) its implementation will need to be dealt with via the Section 106. This is because the roundabout is not wholly on highway land, it will be partly constructed on land within Hallam's ownership.

In order to maintain highway safety for users on the strategic highway network and to ensure that the site access roundabout is safe the Development Brief identifies the need for a further three arm roundabout at the junction of Station Road and the A507, providing improved access to the Amphill Industrial Estate (as shown on submitted drg no 203068/20 Rev D).

Although considered unlikely that this site would be developed on its own, based on the small scale of the development taken in isolation, officers are of the view that it does not justify the need for the second roundabout. It should be noted that the implementation of the second roundabout has been secured via the consent of the much larger Hallam site. Views have been sought on this aspect from the Highway Authority and will be reported verbally at the meeting.

It will be important to ensure that the sole means of vehicular access to the site is via the new entrance roundabout and access road through the Hallam land. No direct access will be permitted from the site onto Station road via the residential development on the former Morgana factory site. A suitably worded condition should be attached.

A primary street will be created through the site linking the application site to the Hallam site to the south. This will be dealt with as part of the master plan submission and reserved matters applications.

Additional off site highway works

The Highway Authority has confirmed that the requirements for off site highway works under the Safer routes to school initiative will be the provision of a crossing on Flitwick Road near Redborne Upper School to be secured via the Section 106 Agreement.

Travel Plans

The applicant has submitted a Travel Plan in support of the application the contents of which are noted. However, further refinement of its content is required and as such a condition will need to be attached. It should also ensure that a Residential Information Pack is produced and distributed to the occupiers of the properties.

6. Landscape, Biodiversity & Archeology

Landscape

The Development Brief makes it clear that the development should seek to mitigate against any adverse impact to current local wildlife, it should

contribute towards, a 'net gain' of wildlife, and existing important landscape features should be retained where possible. The site itself has few features of landscape value having previously been used for open storage. However, it does have a small area in the northern corner which is covered by a Tree Preservation Order. As these trees are worthy of retention an appropriate strategy for the site will need to be agreed.

No Landscape Assessment and Landscape Strategy have been submitted for the site. However, it is considered that this could be dealt with by condition to ensure details are submitted prior to submission of reserved matters. Details of planting and timing of implementation, future maintenance and retention should be addressed via the use of conditions and the Section 106 Agreement.

Biodiversity

An ecological appraisal of the site was carried out as part of the Development Brief process. This shows that the site does not provide habitats for any protected species. Existing hedgerows should be retained and enhanced and an appropriate strategy for the site must be agreed via condition. Proposals for habitat improvement should be included at the reserved matters stage.

To the north of the application site and Station Road lies Coopers Hill, a Site of Special Scientific Interest (SSSI) and a County Council Wildlife Site (CWS). The site is owned by the Town Council and managed by a group made up of various bodies. The Development Brief acknowledges that due to its urban location and pressure from users it already suffers damage. The addition of houses to the south of Station Road will mean more pressure will be put on this fragile site. As such a financial contribution is considered necessary to help mitigate against any additional pressures put onto the Coopers Hill site as a direct result of this development. This will need to be secured via the Section 106 Agreement.

Archaeology

The Archaeological Officer has confirmed that a programme of archaeological investigation in advance of development should provide adequate mitigation for the impact of the proposed development on archaeology.

7. Using resources efficiently

In accordance with the advice within PPS22 and PPS23, the adopted Development Brief, and the requirements of RSS14, the applicants are required to produce an Energy and Waste Minimisation Strategy to help guide the development of this site. It will be expected to take into account the aims of objective 6 within the Development Brief which seeks 'to take all reasonable opportunities to maximise energy efficiency, to make use of renewable energy, to minimise water use, resource use and waste and provide facilities for recycling. This includes the use of recycled building materials, a proportion of electricity being generated from renewable energy sources, use of low pollution lighting, and features to deliver energy and water efficiency, measures for waste minimisation and recycling. Although

the Development Brief makes reference to the construction of all dwellings being expected to comply with a 'very good' EcoHomes rating for dwellings this was superseded by the Code for Sustainable Homes in April 2007 and as such an appropriate level will need to be agreed as part of the strategy taking account of best practice.

The Minerals and Waste Authority initially objected to this proposal because no Waste Audit has been submitted. However, this application was submitted well in advance of the requirements for Waste Audits (April 2006). As such the Minerals and Waste Authority has removed its objection subject to a suitably worded condition which would ensure a two stage approach to providing the necessary information, firstly setting out the broad principles of waste management followed by the submission of a detailed waste audit.

An Energy Strategy has also not been submitted at this outline stage. However, it is considered this can be adequately conditioned. Provision will also need to be made to ensure a statement detailing compliance with the strategy is also undertaken.

In conclusion, subject to the matters outlined above being incorporated into and implemented through an Energy and Waste Minimisation Strategy then it is considered that the requirements of PPS22 and PPS23, the Development Brief and RSS14 will have been complied with.

8. Protecting amenity

Protection of residential amenity

Subsequent reserved matters applications will address attention to detail within the scheme, and ensure that solutions and measures will be adopted to ensure consideration of privacy, relationships between dwellings, garden spaces, and relationships with access roads, footpaths and public spaces. Careful consideration will also need to be given to guidance set out within the Council's adopted document "A Design Guide for Residential Areas in Mid Bedfordshire 2004".

A condition should be attached to ensure a statement of measures for protecting the amenity of residents during the construction of development is submitted.

Contamination

The Environmental Health Officer has confirmed that the findings of the Geo-Environmental Desk Study Report are reasonable. Further information is required which can be adequately dealt with by condition.

Noise assessment

An Acoustic Assessment (Nov 06) has been submitted in support of the application to look at what attenuation is required to reduce the impact of noise from road traffic flows from the A507. The two options used are an earth bund or an acoustic wall (the latter has a slightly lower performance) which would be up to three metres in height in places. Using either of the above results in the majority of the site falling within NEC A which is considered acceptable for new residential development to take place. For

the first row of housing closest to the A507 located to the north of the site the noise levels are just into NEC B where noise does need to be taken into account to ensure an adequate level of protection. The report suggests mitigation such as glazing and acoustically attenuated passive ventilation will be required for those dwellings.

The Environmental Health Officer has confirmed an acoustic barrier will be needed to protect the new properties on the site from noise, to be secured through the Section 106 and condition. A further condition will also be required to ensure appropriate mitigation measures are carried out to any dwellings which fall within the NEC B area.

It was determined at the Development Brief stage that noise from the industrial area would not have a detrimental impact on residential development in this location.

9. Design Concept

Design Concept

One of the aims of the Development Brief is to set a design concept for the future of the site. An illustrative masterplan for the site has been produced. This was used to form the basis of the 'Design Statement' but it is considered to be poor and inadequate in support of this application. However, given that the application was submitted before the change in regulations requiring Design and Access Statements (August 2006) and that broad principles of design are incorporated within the adopted Development Brief it is considered that the following can be adequately secured through conditions. The precise details of access, siting, design, landscaping and appearance of the development would need to be determined at the reserved matters stage.

The importance of the design of the development is emphasised by objective 8 – The Design Concept “To create a high quality environment, which in its design and form achieves the identity of a natural extension to Ampthill, responding to local distinctiveness, the locality and the constraints and opportunities of the site and its surroundings”. It is envisaged that the above objective will need to be met through considerations relating to movement, landscape and open space, density, built form, key buildings and groupings, affordable housing and sustainability. The Design Statement needs to be revised for clarification to accord with the Development Brief in relation to heights of development.

Unlike the larger Hallam site, given the small scale of the development it is not considered that a design guide and codes are required for this development. Subject to adherence to the Development Brief and adopted Technical Guidance it is concluded that a form of development will be created which comprises a natural extension to Ampthill and does not adversely harm the character and appearance of the area.

Public Art

In accordance with Policy DPS27 in the Local Plan the Development Brief requires schemes to contribute towards public art. This will be achieved through the Section 106 Agreement.

10. Other issues

Drainage

As part of the Development Brief process a Flood Risk Assessment was undertaken. It confirmed that the development area lies beyond any land considered to be a flood risk during the 1 in 100 or 1 in 1,000 year fluvial event.

The development of the application site will need to incorporate both an internal site drainage system and a balancing pond, to ensure that surface water is discharged evenly to the drainage system beyond the site boundaries. Surface water discharge from the development will use the existing watercourse on the western boundary. In addition a balancing pond will be provided on the site primarily designed to ensure proper water retention but also to enhance the bio-diversity and appearance of the site overall (its siting and design can be dealt with by condition). The IDB have no objection to the drainage details submitted and suggests relevant conditions/legal agreements be attached to any approval to ensure its future maintenance and management. A condition will need to be attached to ensure a Stage 2 FRA is undertaken. In relation to the culvert beneath the A507 into which the balancing pond will outfall, a condition will also be required to ensure no peak storm water discharge from the site.

In terms of foul water drainage Anglian Water confirmed as part of the Development Brief process that sufficient capacity exists at the existing pumping station adjacent to Tavistock Avenue to accommodate the likely flows from the development. In order to pump foul water up to the existing network, a new pumping station will be required.

Section 106 Legal Agreement

Many of the issues considered above indicate the need for a Section 106 Legal Agreement to be entered into with the developers to ensure that the impacts of this development are properly mitigated, and to achieve appropriate off site works in connection with the development. The following Heads of Terms are recommended:

- the provision of 28% affordable housing
- contributions towards educational provision
- the provision of open space and play facilities within and outside the application site
- contributions towards sporting open space provision
- management/maintenance agreements
- contributions towards public transport
- off-site highway improvements
- contributions towards the provision and promotion of the local cycleway network and cycleway provision at Flitwick railway station
- off site footpath and cycle links
- an appropriate stand off from the A507 to include bunding and landscaping;
- contributions towards Coopers Hill SSSI
- provision of public art

Conclusion

In conclusion subject to the formulation of a Legal Agreement incorporating the details outlined in the Heads of Terms section and the conditions detailed below it is considered that the proposal will comply with the adopted West of Ampthill Planning and Development Brief.

Reasons for Granting

The proposal is in conformity with PPS1, PPS3, PPS7, PPS9, PPG13, PPG16, PPG17, PPS22, PPS23, PPG24, and PPS25.

Bedfordshire County Structure Plan Adopted 1997 1, 2, 3, 4, 5, 8, 9, 10, 11, 19, 25, 33, 34, 38, 39, 40, 55, 65, 66, 67, 70, and W5

Mid Bedfordshire Local Plan First Review Adopted December 2005 LPS1, LPS3A, LPS4, CS1, CS19, NC2, NC3, NC8, GBT1, A2, A3, DPS1, DPS5, DPS7, DPS9, DPS10, DPS11, DPS12, DPS16, DPS17, DPS19, DPS20, DPS20A, DPS23, DPS24, DPS27, PHS5, PHS6, SR2, SR5, SR6, HO2, HO4, HO5, HO6, H08(6A), HO9, TP1A, TP1, TP5, and TP8

Technical Planning Guidance Planning and Development Brief West Ampthill, October 2006;
A Design Guide for Residential Areas in Mid Bedfordshire 2004;
Affordable Housing (2004);
Wildlife in Development (2003).
Recreational Open Space Strategy (2005)
Bedfordshire Community Safety Design Guide (Draft 2005)
Cycle & Walking Strategy for Mid Beds (2000)
Mid Beds Cycle Route Mapping Project (2001)

RECOMMENDATION:

It is recommended that subject to the completion of a Section 106 Legal Agreement requiring contributions towards those matters set out in the report than **APPROVE** Planning Permission subject to the conditions detailed below. However, if there are any minor changes or adjustments to the conditions considered necessary by the Director of Environmental and Planning Services then it is requested that these changes be delegated to the Director of Environmental and Planning Services.

Appendix

Development Control (West) Committee 21 December 2004

The Purpose of this Report

At the meeting on the 28 September 2004, Members resolved to defer this application in order that a development brief could be progressed of which the

application site the subject of this proposal will form a part. The deferral was to the end of 2004.

A copy of the original report to Committee is attached for information.

This report has been prepared in order to advise Members on the current situation regarding the application.

Following that meeting, a series of meetings have taken place with officers of the District and County Council, Town Council, and relevant landowners to progress the development brief.

This Council has also hired Stuart Turner Associates of Milton Keynes to prepare a Design and Development Brief to guide the development to take an independent view. The original intention was that this work would produce a series of options that could be presented to the public on 27th November. This would then have led to development of a preferred option and a final Design and Development Brief for everyone to sign up to before Christmas 2004.

However, on 3rd October this Council advertised the 'Disposal of Open Space' regarding the area of land required to link the development with Tavistock Avenue. Since the advert a petition and around 60 letters of objection have been received, the bulk of the concerns focusing on the loss of open space, but mainly traffic impact on safety and congestion. A decision was made by the Head of Planning Services to hire independent transport consultants to assess the transport options and safety issues, using up to date traffic survey material. The company URS of Horne Lane, Bedford have now been hired and they will finish their work by Christmas 2004. Residents have been informed of this decision.

It is hoped that it will then be possible to marry the transport work with the Design and Development Brief and go to consultation on the options by January 2005 at the latest with a six week period for response prior to reassessing the content of the Draft Brief.

RECOMMENDATION

The Authority of Members is sought to continue to progress the development brief prior to the making of any decision on the application. In light of the observations made thus far, a deferral to the Development Control West Committee on the 10 May 2005 is requested. This application will not be brought back until the Development Brief has been approved by this Council.

Development Control (West) Committee 28 September 2004

The Purpose of this Report

At the meeting on 25 May 2004 Members resolved to defer this application in order that a Development Brief could be prepared for the wider area of land to the east of the bypass, and that further investigation could be undertaken on the access to the site. The deferral was for three cycles.

A copy of the original report to Committee is attached for information.

This report has been prepared in order to advise Members on the current situation regarding the application.

Meetings have been held between the relevant land owners and Planning Officers. There is a positive agreement to the preparation of a Development Brief as an appropriate way to take the development potential of this land forward. There is, however, currently a staffing issue as resources in the Planning Policy Teams are already heavily committed with on-going projects. As a result the two primary land owners, Lisscourt Ltd and Hallam Land Limited are being asked to help to fund the preparation of a Brief by external consultants. Their final agreement to this is currently awaited. Given this agreement, it is anticipated that an urban design consultant will undertake the preparation of a brief, with a draft prepared for November and a final submission for adoption as supplementary planning guidance potentially being available at the end of 2004.

Members are therefore asked to agree to a further deferral of this item, pending the completion of this on-going work.

CONCLUSION AND RECOMMENDATION

The Authority of Members is sought to continue to prepare a Development Brief for the area. In light of the observations made thus far, a deferral until the end of 2004 is requested.

Development Control Committee 25 May 2004

Site Location:

The site is approximately 1.35 Ha in size and lies to the west of the town of Ampthill with an existing access directly onto the A507. It is a vacant and unused site previously used for open storage of vehicles. The site is surrounded by residential to the north east and south east, woodland directly to the east, allotments to the south and a commercial building to the north. The A507 bypass lies directly to the west, with the Station Road Industrial Estate located on the other side of the road which has a mix of existing B1, B2 and B8 uses.

This application is seeking outline consent for residential development with only means of access to be considered. All other matters are reserved. Access is proposed to be taken through the adjoining Morgana works site onto Station Road.

For Members awareness, outline application ref: 03/697 seeking residential development on this site with proposed means of access to be taken directly off the A507 was refused in June 2003 for three reasons. The applicant failed to: firstly, demonstrate that this site is suitable for residential use, secondly, to demonstrate that the proposed residential development will be a sustainable form of development as it did not provide any potential to properly integrate with the existing urban area of Ampthill and did not offer the use of modes of transport other than the car and, thirdly, t

PPG:

PPG1 - General Policy & Principles
PPG3 - Housing
PPG13 - Transport
PPG24 - Planning & Noise

**Policy + SPG:
(Structure Plan + Mid Beds Local Plan)**

Beds Structure Plan Adopted 1997 policies 1, 8, 20, 25 and 34

Mid Beds Local Plan Adopted 1993 policies BE1, H7

Mid Beds Local Plan First Review Deposit Draft incorporating proposed modifications November 2003 policies DPS1, DPS5, DPS10, DPS11, DPS14, DPS19, DPS20, DPS24, H02, H05, H06, SR5, PHS6 applies

Planning History

	Permissions dating back to the 1980's for maintenance workshop and vehicle storage, porta-cabin building in 1985 and a refusal for outline retail foodstore in 1995.
03/697/OUT	Outline: residential development, all matters reserved except means of access. Refused 26.6.03

**Representations:
(Parish & Neighbours)**

Amphill TC	No objection in principle, however concerned: - that any development of the site should be integrated into Amphill via suitable access and exit routes into the site, -about additional traffic movements into Station Road, this is part of the safer routes to school and exit for MBDC offices. At certain times of the day the level of on street parking results in only sufficient width for one vehicle, - suggest the traffic flow and traffic management in Station Rd & the Crescent need to be considered as part of this proposal. Should look for additional access into the site.
Adj Occupiers	3 letters concerned about the number of houses proposed, additional traffic will be generated along Station Road to the detriment of highway safety. It has limited visibility and problems of congestion at its entrance/exit onto Dunstable Street, on-street parking, two schools and problems of gridlock. Lack of consultation.

Consultations

CC (Highways)	No objection subject to conditions and a Section 106 Legal Agreement
Env Agency	No objection
Wildlife Trust	No objection. Numerous comments made with regard to the

	details of the proposal including any open space within the development should benefit people & wildlife, landscaping & planting be sensitive to needs of wildlife, where possible existing ecological features such as hedgerows, mature trees & ditches should be retained, works should not take place during the breeding bird season or harm adjoining sites one of which is Coopers Hill County Wildlife site.
Amenity Society	Extremely concerned about this development site. There will be huge traffic implications so close to a school entrance and also coming out at the inadequate mini roundabout onto Dunstable Street, with poor visibility.
Int Drainage Board	The IDB notes that the proposed method of storm water disposal is by way of soakaways. Soakaway drainage may not operate successfully in this area. Planning consent should be conditional on surface water details.
Amphill Business Initiative	Object - due to the loss of a sizeable commercial site, the site is not suitable for residential use due to its proximity with the industrial area opposite leading to resident complaints about noise etc, the continued use of the site for commercial uses would provide a buffer between the residential and industrial area, commercial use of the site would ensure local jobs.

Determining Issues

The main considerations of the application are:

1. Principle of development - Impact on Locality
2. Highways - Contamination
3. Other issues - Noise
 - Landscape

Considerations

1. Principle of development

Impact on locality

The application site lies within the settlement envelope of Amphill wherein policy stance normally allows the principle of further residential development. The land lies unallocated in terms of the local plan proposals map. It is considered that the proposal for residential development would make use of under-utilised land. The site has previous open storage consent and was used for storing vehicles up until 2001. It is vacant at present and currently advertised for let. A few temporary structures remain on site which appear to have been there for some time.

The applicant has stated that he considers that a development focussed on Station Road will mark the northern limit of this part of Amphill along the Bypass Road. Further to the north is a change from urban to rural character with woodland on the other side of Station Road. The Local Plan Inspector has recommended that land further to the south of the site be allocated for housing development. The applicant argues that in visual terms the urban form would be consolidated by the development of this site.

It is noted that the application site would not physically be joined to the land identified by the Inspector for housing, being separated by the existing allotments and a thin strip of other land. However, there is concern about the sustainability of redeveloping this site for residential development. Whilst the revised means of access now offers the use of modes of transport other than the car such as pedestrian and cycling access directly onto Station Road which is an improvement from the previously refused application ref: 03/697, in wider strategic terms there are concerns that it will lead to unco-ordinated piecemeal development in the area contrary to the policies and objectives in the local plan. The site will only be separated by one field from that area now recommended to be an allocation site within the Proposed Modifications under policy (H08(6A)) for about 150 dwellings with access to be taken directly off Tavistock Avenue. Were an application to be submitted for the remaining field between these two sites this could result in far wider issues being raised about vehicular access and its impact on the highway network and the overall form of built development on the character and appearance of the area. A development brief is required to guide development on the allocation site. It is considered that the development brief should therefore encompass a wider area to include land to the north up as far as Station Road including the site which forms this application. However, until such time as a development brief has been produced and adopted it is not considered that any detailed reserved matters can properly integrate with the existing urban area of Ampthill.

The applicant has been approached in respect of undertaking a joint development brief, but has clearly indicated that they wish the application determined as set out. The principle of development, although is supported, the integration issue is clearly unresolved. Given that this site is isolated the integration issue becomes a material consideration of some significance. It is suggested that the applicant contributes via the Section 106 Legal Agreement to that process, to enable a joint brief to come forward

Contamination

Also, the principle of development of this site for housing needs to be considered in the light of the following comments. Given the history of the site and its previous uses the concern regarding land contamination formed part of one of the reasons for refusal on the previous application due to insufficient information. However, in support of this application a Geo Environmental Desk Study report has been submitted for consideration which concludes that the risk of the site of contamination being present on the site is low. This has been assessed by the Environmental Health Officer and subject to a suitably worded condition regarding further details of how any land contamination, if any, will be mitigated against then this part of the scheme is acceptable.

Noise

There is also the issue of noise to be considered for any future residential occupiers of the site in relation to road traffic noise as the site lies directly adjacent to the A507 which is a strategic network, and in terms of noise and air quality issues as the site lies opposite the existing industrial estate. This formed part of one of the reasons for refusal in the previous application. Officers were concerned that the proposal to develop this site will mix

residential with existing B2 uses associated with the industrial area. B2 uses are not normally considered acceptable close to residential properties because of problems which can arise such as noise and disturbance, dust and odours adversely affecting residential amenity.

No noise survey has been submitted to support this second application. However it is noted in the recently approved application for residential development on the immediately adjoining site the Morgana Works (ref: 03/1468/Full) that a recent noise survey has been undertaken for that scheme. Given how up to date that report is and that it applies directly to the immediately adjacent site it is considered that its conclusions on noise issues can also be applied to this site. That report states that there have been complaints to Environmental Health Officers alleging noise nuisance from Ampthill Scrap from existing residents in the area. Complaints have also been received in the past regarding clouds of acrid smoke caused by the burning of plastics and rubber still attached to scrap metal entering the fragmentiser. Ampthill Scrap processes more than 100,000 tonnes of scrap metal each year, with the fragmentiser processing 1500 tonnes per week. The separation of metals creates intense heat inside the frag causing any remaining plastics, fabric, rubber attached to metal components to burn. The process is regulated by the Environment Agency, as the company requires a waste management license to operate. On occasion fires occur, therefore, at times it is possible that the proposed development would be affected by emissions from this process.

Noise from Ampthill Scrap takes the form of machinery noise and sporadic violent explosions caused by LPG bottles or partially filled/full petrol tanks entering the fragmentiser. The End of life Vehicle Directive is now in force and therefore all vehicles should be depolluted prior to entering the fragmentiser. As a result, the number of explosions should be greatly reduced. Their frequency is already sporadic, and on operation under the new regulations, should be reduced to occasional accidental instances only. At such a level, it is considered by officers that it would be unreasonable to resist development on this site when development has been authorised on the Morgana site, although it is acknowledged that their occurrence causes disturbance to a wide area of the town. With regard to the problems arising from Ampthill Scrap it is felt that whilst these are very legitimate concerns there are insufficient grounds to raise objection that would be upheld on appeal particularly since the problem is likely to cease in the future and in view of the very sporadic nature of the nuisance

The noise survey undertaken for the adjoining site under ref: 03/1468/Full shows that noise from the A507 is dominant and having reviewed the noise report accompanying that application the Environmental Health Officer is confident that this source can be resolved by condition.

In assessing this application, the Environmental Health Officer has stated that whilst the site is not ideally suited for residential development it would be difficult to defend a refusal on these grounds given that there is no objection to the Morgana site next door. Therefore it is suggested that conditions should be attached requiring a noise survey to be undertaken in accordance with PPG24 and a scheme for protecting the proposed dwellings should be

submitted and approved. The agent has also suggested in writing that a substantial screen bund could be constructed along the A507 frontage of the site. Whilst bunding may not be appropriate visually in this location there are other methods of dealing with noise. Again, this issue will need careful consideration at the reserve matters stage.

Landscape

The A507 frontage is very important visually as it acts as a strong buffer to the built development further to the south where there is a strong visual tree hedge screen. In relation to this site the height of the land above the A507 works against the site at present as any development would be intrusive in the wider context. Therefore, there is a need for a significant landscape buffer belt to run the length of the western boundary of the site. This may be able to take the noise mitigation measures at the same time, but it is difficult to be sure as there are no details of the development at this moment in time. The width of such a landscape buffer could be 15 to 20 metres and still require careful design work to articulate building form and height to produce a development that is not intrusive visually but also integrated with the rest of the town. If the principle was acceptable then an appropriate condition setting out the need for a sensitive buffer landscape zone along the western boundary could be produced.

2. Highways

Existing vehicular access to the site is achieved via a simple access junction directly off the A507. A03/1468/Full provision for emergency vehicles to remove the barrier in exceptional instances. A Section 278 Agreement is required because the application proposes off-site modifications to Station Road. The Section 278 will also be required to cover footway/cycle improvements including the ability to cycle to the A507 from Station Road, an activity which is presently prohibited.

With regards to this application the Highways Authority has confirmed that it has no objection to the proposal taking access off Station Road through the Morgana Site, provided that off site highway works similarly required under ref: 03/1468/Full are also conditioned to this proposal, and that the existing access onto the A507 be permanently closed. Under no circumstances will the Highways Authority support access onto the A507. In addition a residential development on this site will require a financial contribution towards Safe Routes to Schools to be included within a Section 106 Legal Agreement. Therefore, from a technical highway safety viewpoint, there is no objection from the Highways Authority for residential redevelopment of this site together with the Morgana site to warrant a reason for refusal.

Whilst the adjoining application for residential development under 03/1468 was approved with a condition attached restricting no more than 16 dwellings to be accessed onto Station Road from that site, this is a separate application and has to be determined on its own merits. Given that the highways authority has no objection to a further residential development being accessed onto Station Road by gaining access through the Morgana premises on the same line as the recently approved development on that site there are no sustainable highway reasons for refusing this application on highway grounds.

It should be noted that if the adjoining application for residential development is not implemented, it would not restrict the development of this site for housing development subject to sorting out the technicalities of demolishing part of the adjoining Morgan works building and providing adequate visibility splays.

3. Other issues

The proposal is outline with only means of access to be considered as this stage, therefore, issues such as the effect of any residential development on adjoining residential amenity cannot be fully assessed due to no information being available on siting, design, screening etc.

Mix and density of any residential development will need to be provided in accordance with PPG3. However, the number of dwellings does not form part of this application and the issue of mix and density cannot therefore be considered when determining this application.

There is a Tree Preservation Order on the application site. It is considered important that the trees around the periphery of the site should be retained and that no development within 15 metres of the base of any of these trees takes place. This would need to be addressed within any layout submitted together with a full and detailed landscaping scheme. Although details of landscaping and siting are reserved matters and these issues cannot be considered when determining this application appropriate conditions can be attached to protect the existing trees.

There would be a requirement to provide on site play provision, informal sporting space and amenity open space. No off site contributions relating to open space requirements has been identified due to the level of surplus in the area.

In accordance with Policy H02 a requirement of 28% affordable housing would need to be provided on this site divided across the mix of tenures as stated in the recently undertaken housing needs survey.

Together with an element of affordable housing, cycleway and educational financial contributions, and offside highway works are likely to be required within a Section 106 Legal Agreement with any approved scheme on this site.

Conclusion

In principle the use of this land for residential purposes is acceptable. It is therefore considered on balance to approve the application subject to a Section 106 Legal Agreement being completed first. The Section 106 will require affordable housing up to 28%, cycleway and education contributions, off-site highway works, a possible financial contribution towards the development brief process. Regardless of this decision on this application work on a development brief for the wider area needs to start as soon as possible so that some basic principles can be established to allow development to come forward with the knowledge that future applications could be supported.

1 Approval of the details of:-

- (a) the siting of the buildings;
- (b) the design of the buildings;
- (c) the external appearance of the buildings;
- (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 shall be carried out 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 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 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 Unless otherwise agreed in writing by the Local Planning Authority, no Reserved Matters Application shall be submitted until and unless the illustrative Masterplan (Figure 12 of the Development Brief) has been expanded upon to provide the following:

- i) A detailed landscape strategy for the whole site
- ii) a strategy for improving ecological opportunities on the site
- iii) a breakdown of residential densities across the whole site in accordance with the Development Brief.
- iv) a strategy for the location and provision of 28% of housing to be affordable, to include a proportion to be constructed to the 'lifetime homes' standard of construction.
- v) a strategy for the location and provision of a minimum 2% of housing to contain annexes for extended families and self build plots unless otherwise agreed in writing with the Local Planning Officer, to include reference to their spread across the application site
- vi) the location and scale of play, sport and open space facilities.

- vii) the provision of lighting to all communal car parking areas.
- viii) an Energy, Pollution and Waste Minimisation Strategy to include energy reduction measures in all buildings, to provide recycling and waste facilities and storage on a household level, to control the disposal of waste material and recycling of topsoil within the construction phase of the development and to demonstrate the provision of additional energy/sustainability features in each showhome to be constructed on the site, all to be implemented in accordance with the guidance in PPS 22 and PPS23, such strategy to demonstrate compliance with RSS14 and the Development Brief and the Managing Waste in New Developments Supplementary Planning Guidance and other such guidance at the time of submission which may be deemed necessary.
- ix) Notwithstanding the details contained in the Design Statement February 2007, parameters shall be agreed with the Local Planning Authority to define the maximum storeys, heights, widths and depths of buildings
- x) Notwithstanding the details contained in the Travell Plan October 2006, further details shall be agreed in accordance with the Highway Authority letter dated 16 July 2007

The development shall be implemented in accordance with the agreed details and with the principles established within the West Ampthill Planning and Development Brief 2006 and the Mid Bedfordshire Local Plan First Review Adopted 2005.

Reason: In order to achieve a satisfactory form of development in accordance with the Development Brief.

- 5 Each Reserved Matters Application shall be accompanied by a written Design Statement which (unless otherwise agreed with the Local Planning Authority) shall demonstrate how the application is in accord with the adopted or approved Strategies, and Development Brief required by condition 4 above.

Reason: To ensure that the development achieves the objectives set out in the Development Brief and Strategies.

- 6 All planting, seeding or turfing shall be carried out in accordance with an agreed implementation timetable. If during a period of 5 years from the completion of that part of the development, any trees or plants die, are removed, or become seriously damaged or diseased, they shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agree otherwise. For the purpose of this condition a planting season shall mean the period from November to February inclusive.

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

- 7 The Landscape Strategy required by condition 4 above shall define and provide for the retention and protection of appropriate existing landscape

features including the woodland in the north east corner of the site protected by a Tree Preservation Order.

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

- 8 Prior to the commencement of works details including location, height and materials of temporary protective fencing or hoardings and areas prohibited from use by contractors and such other measures to be taken in the interests of existing tree and hedgerow protection shall have been submitted to and approved in writing by the Local Planning Authority and implemented as approved.

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

- 9 All new dwellings shall be designed to meet the Eco Homes rating system with BREEAM or equivalent "very good" standard or its equivalent and shall be accredited on a housing standard basis by an approved BRE-licensed assessor prior to occupation.

Reason: To satisfy requirements for sustainable development contained in the Development Brief.

- 10 Each reserved matters application shall incorporate the provision of 8% of housing being to mobility standards and shall include a detailed justification for its mix of house types, tenures and sizes demonstrating how this meets the principles of Objective 1 of the Development Brief.

Reason: To ensure the development is sustainable and in accordance with the aims of the Development Brief.

- 11 Each reserved matters application shall incorporate the provision of a minimum of 2% of self build plots unless otherwise agreed in writing with the Local Planning Authority, and shall include a detailed justification for its mix of house types, tenures and sizes demonstrating how this meets the principles of Objective 1 of the Development Brief.

Reason: To ensure the development is sustainable and in accordance with the aims of the Development Brief.

- 12 Each reserved matters application shall incorporate the provision of 10% of live/work units and house types unless otherwise agreed in writing with the Local Planning Authority, and shall include a detailed justification for its mix of house types, tenures and sizes demonstrating how this meets the principles of Objective 1 of the Development Brief.

Reason: To ensure the development is sustainable and in accordance with the aims of the Development Brief.

- 13 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 works shall be undertaken for the

removal of annex accommodation in extended family units and live/work accommodation without the specific grant of planning permission by the Local Planning Authority.

Reason: In order to ensure a range of accommodation is retained across the site in the interests of sustainable community living.

- 14 Before any works commence on site details of advance or structural landscape planting in accordance with Figure 10 of the Development Brief shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be carried out prior to any houses being first occupied unless otherwise agreed in writing by the Local Planning Authority.

This shall be protected during building operations and maintained to encourage its establishment for a minimum of five years following the practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period shall be replaced as soon as is reasonably practicable to the satisfaction of the Local Planning Authority.

Reason: To ensure an appropriate standard of visual amenity in the local area.

- 15 Before any development is commenced on the site details of the layout and design of play and sport facilities, including the equipment, furniture, surfacing and boundary treatment to be installed, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details to a timescale to be agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of adequate play and children's recreation facilities.

- 16 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 in accordance with a timescale agreed in writing with the Local Planning Authority. 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.

- 17 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position and design, and appropriate safety measures for the construction of the balancing ponds/attenuation areas. The balancing ponds/attenuation areas shall be completed in accordance with a timescale agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the appearance of the completed development and security of the site.

- 18 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected within the structural landscaping along the western boundary with the A507. The boundary treatment shall be completed prior to any houses being first occupied unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the appearance of the completed development and provide a secure boundary along the A507.

- 19 Prior to the development hereby approved commencing on site details of the final ground and slab levels of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Such detail shall include sections through both the site and the adjoining properties or land, 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 a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 20 No development shall take place until a Scheme of Archaeological Resource Management has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details.

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

- 21 There shall be no destruction or removal of vegetation during the months of March to August inclusive, except as otherwise approved in writing by the Local Planning Authority.

Reason: To protect breeding birds.

- 22 Prior to the commencement of any works on site (including the removal of any vegetation) a further survey shall be undertaken to identify the presence of badgers on or using the site. The results of the survey shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, and shall include proposals for any necessary works or actions to mitigate impacts. The development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of badgers.

- 23 Development shall not begin until a scheme protecting the proposed dwellings from noise from road traffic adjacent to the development hereby approved, to include provision of an acoustic barrier along the western boundary with the A507 and mitigation measures for any dwellings falling

within NEC 'B' in accordance with Figure 2 of the Peter Brett Associates Acoustic Assessment November 2006 has been submitted to and approved in writing by the Local Planning Authority; and no dwelling shall be occupied before the works relevant to it have been completed.

Reason: To ensure that the amenities of residents are not prejudiced by excessive noise and in accordance with the aims of the Development brief.

24 Prior to the commencement of works pursuant to this permission details shall be submitted, of:

i) A phase 2 site investigation report documenting the ground conditions of the site with regard to potential contamination, and incorporating chemical and gas analysis as identified as being appropriate by the already submitted phase 1 environmental desk study report, and following its recommendations.

ii) A detailed scheme for remedial works and measures to be undertaken to mitigate any risks to human health and the wider environment posed by any contaminants and/or gases identified by the phase 2 report.

iii) Any remediation scheme shall be agreed in writing by the local planning authority prior to the commencement of works.

iv) Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.

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

vi) 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 validation report.

Reason: To protect human health and the environment.

25 Details of the method of disposal of foul and surface water drainage to include a stage 2 Flood Risk Assessment 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.

26 Prior to the commencement of development, a scheme for the provision and implementation of a sustainable urban drainage system that results in no increase in peak storm water discharges from the site shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

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

- 27 There shall be no burning of materials on site unless previously approved in writing by the Local Planning Authority.

Reason: To protect the amenity of adjoining occupiers and to protect landscape features.

- 28 No development shall commence until a Code of Construction Practice has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and sub-contractors will employ and shall include:

- i) details of traffic routes and points of access/egress to be used for construction purposes,
- ii) measures to suppress dust,
- iii) the siting and appearance of works compounds
- iv) wheel cleaning facilities for construction traffic

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

Reason: To safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and to prevent the deposit of material on the highway.

- 29 Works of construction, including the use of plant, vehicles and machinery necessary for the implementation of this consent, shall only take place (other than as specifically approved in writing by the Local Planning Authority prior to any works being undertaken) between 0800 hours and 1800 hours on Mondays to Fridays inclusive, and 0800 hours to 1300 hours on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the adjoining occupiers.

- 30 A waste audit shall be prepared and submitted for the site in accordance with the following:

a) Prior to the submission of any reserved matters application, an outline waste audit shall be submitted to and approved in writing by the Local Planning Authority to deal with the broad principles of waste management in the development;

b) Before the development hereby permitted is commenced a detailed Waste Audit addressing the construction and subsequent occupation of the development has been submitted and approved in writing by the Local Planning Authority. The Detailed Waste Audit must be in accordance with the approved Outline Waste Audit required by condition - a) above. The Detailed Waste Audit must include details of;

- i) The anticipated nature and volumes of waste that the development

- will generate.
- ii) Measures to maximise the re-use on-site of waste arising from demolition/engineering/landscaping
 - iii) Steps to be taken to ensure effective segregation of wastes at source during demolition and subsequent construction of the development including, as appropriate, the provision of waste sorting, storage and recovery and recycling facilities
 - iv) Any other steps to be taken to minimise the generation of waste throughout any required demolition and during construction of the development,
 - v) Provision within the proposed development to encourage occupiers to manage their waste effectively and sustainably. This may include provision for waste and recycling storage areas, road and development layouts which allow waste and recyclables to be collected effectively, provision of community recycling facilities.
 - vi) Provision for monitoring the implementation of steps i) – v)
 - vii) A timetable for implementing steps i) – vi)

Reason: To ensure that waste is managed sustainably during the development in accordance with objectives of Policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

- 31 This permission shall not extend to the layout and associated engineering details submitted in support of the application with the exception of the roundabout design on the entrance to the site as shown on Drg No 203068/20 Rev D.

Reason. For the avoidance of doubt.

- 32 The sole means of vehicular access to the site shall be via the entrance roundabout as shown on Drg No 203068/20 Rev D and through the Hallam land to the south. No other means of vehicular access shall be taken at any other point without separate planning consent.

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

- 33 Before the access is first brought into use, the existing private access from the A507 to the development land 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.

- 34 Prior to the first occupation of any residential property details shall have been submitted to and agreed with the Local Planning Authority in writing of a welcome Travel Pack for all residents. Such Pack shall include the provision of information on sustainable travel modes, public transport facilities (including timetables and season tickets), and walking and cycling routes for school work healthcare employment services and leisure, and shall be issued to each household on first occupation. The Pack shall be updated as necessary through the course of development, and such additional information shall be distributed to those households already

occupied within the site.

Reason: To encourage the use of modes of transport other than the private motor car.

- 35 No development shall commence until details of a pedestrian and cycleway access from the application site to Station Road as shown on Drg No 203068/20 Rev D have been submitted to and approved by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: To facilitate development of the whole area in accordance with the approved development brief

- 36 No development shall commence until details of a pedestrian and vehicular access from the application site to the Hallam land to the south have been submitted to and approved by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: To facilitate development of the whole area in accordance with the approved Development Brief.

- 37 Prior to the commencement of development details of cycle parking provision across the site together with details of the design and signage of the cycle and pedestrian routes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

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

Notes to Applicant

1. The applicant is advised that in order to comply with Conditions (above) 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.
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 surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development., Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. The Development Planning and Control Group, Bedfordshire County Council must approve any improvements. Further details can be obtained from the Engineering Policy

and Planning Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.

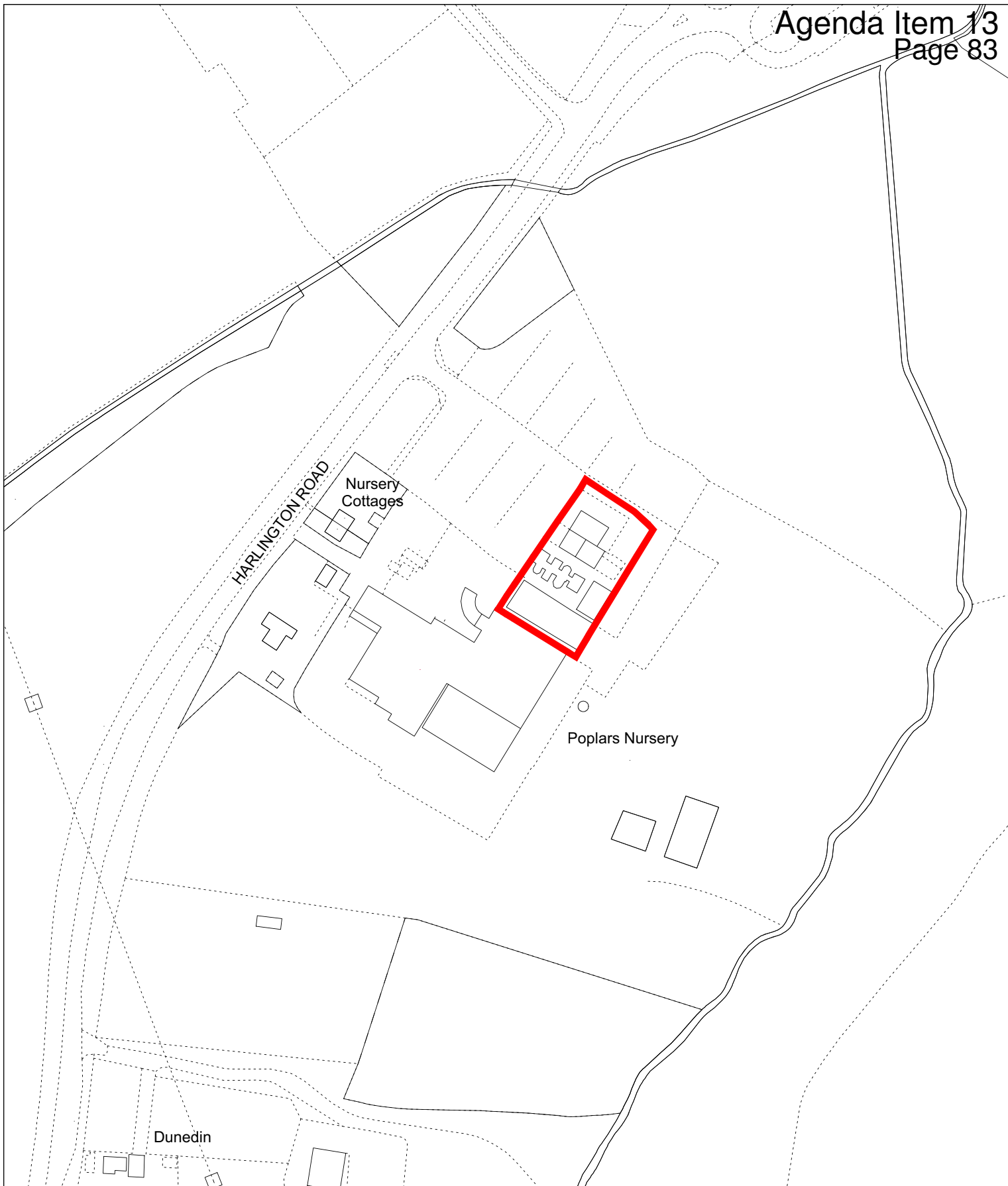
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Bedford, MK42 9AP.
4. 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 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.
5. 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 be agreed in writing with Bedfordshire Highways, Bedfordshire County Council's, Customer Contact Centre, 6th Floor, 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).
6. All roads to be constructed within the site shall be designed in accordance with Bedfordshire County Council's publication "Highway Development Control Design Guide - January 1995" and the Department of the Environment/Department of Transport's "Design Bulletin 32", or any amendment thereto.
7. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Engineering Policy and Planning Group, Bedfordshire County Council, County Hall, Bedford MK42 9AP, for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
8. The developer's attention is drawn to the attached copy of Waste Management Notes.
9. The developer is reminded that works involving the habitat of badgers, bats,

breeding birds, etc may require a protected species disturbance licence. Further information can be obtained from Natural England, Beds and Cambs Team, Ham Lane House, Ham Lane, Nene Park, Orton Waterville, Peterborough, PE2 5UR Tel 01733 405 850.

10. The applicant/developer is advised that under the terms of the adopted Development Brief there is no provision made for direct vehicular access to be taken to Station Road via the adjacent site currently the subject of a residential development but formerly known as Morgana Works, and that any application which proposed such a connection would not be looked upon favourably by the Local Planning Authority.

DECISION

.....
.....



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Item No. 13 Application No. SB/09/00189/TP
	Date: 10:July:2009	
	Map Sheet No	
Scale: 1:2500	Poplars Nursery Garden Centre, Harlington Road, Toddington 13.1	

This page is intentionally left blank

Item No. 13

APPLICATION NUMBER	SB/09/00189/TP
LOCATION	Poplars Nursery Garden Centre, Harlington Road, Toddington, Dunstable, LU5 6HE
PROPOSAL	Demolition of buildings and erection of replacement building to be used for garden centre retail sales, workshop/store and educational classroom in association with county wildlife site. Erection of 2.4m high security fence and extension to car park (Revised application SB/TP/07/1493).
PARISH	Toddington
WARD	Toddington
WARD COUNCILLORS	Cllr N Costin and Cllr T Nicols
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	27 March 2009
EXPIRY DATE	26 June 2009
APPLICANT	Mr J Little
AGENT	HHP Design & Management Ltd
REASON FOR COMMITTEE TO DETERMINE	Proposal is major development and is departure from development plan
RECOMMENDED DECISION	Grant Planning Permission

Site Location:

Poplars Garden Centre is on the south-eastern side of Harlington Road (A5120) some 500m from Junction 12 of the M1 motorway. To the south west, south and south east is Poplars Nursery County Wildlife Site (CWS), now also referred to as Wadelows Nature Reserve, beyond which to the south is a small Council-owned woodland known as Toddington Borehole. To the north east is open countryside, whilst to the north west is Harlington Road, beyond which is open countryside. The application site lies immediately to the north east of that part of the garden centre that was redeveloped in 2005 and comprises a glasshouse that was formerly used for aquatic displays, but which is now used for storage, the vacant site of a former conservatory business, a vacant building formerly occupied by a pets business and the existing swimming pools business.

The Application:

The buildings associated with the former conservatory business have already been removed and it is proposed to remove the site's remaining buildings that had combined floor area of 1260sqm. Permission is sought to erect a replacement building that would have floor area of 1500sqm and would comprise 1175sqm of retail sales area plus a 255sqm educational facility and a 70sqm workshop/store. It would be rectangular, having a width of 40.352m and a depth of 36.88m. The floor level of the new entrance area and the internal ramp for customer access between

the existing and proposed sales areas would match that of the 2005 building with the roofline being extended locally over this area to a maximum height of 6.9m. Taking advantage of ground that slopes down towards the north east, the floor level of the greater part of the new building would be 2m below the existing sales floor such that the building here would have a maximum height of 5.9m. The style of the new extension would match that of the 2005 building and would incorporate shallow curved roofs and timber and glazed walls facing public areas. The timber would be a 'Thermowood' cladding system. The principal elevation facing the car park would be predominantly glazed to give a light feel to the building and to achieve the benefit of a 'north light' function. The south east elevation facing the service yard and part of the north east elevation would be of plastisol coated profiled steel cladding and match the 2005 building in colour and profile. Again, the curved roof would be of composite metal decking and match the 2005 building in colour and profile.

On the north-eastern side of the new building, the external sales area would be enclosed by 2.4m high security fencing.

Building operations would result in the loss of 15 car parking spaces in the main car park. These would be replaced by 13 spaces to be accommodated when the existing swimming pool shop and outside display are demolished and by adjusting the existing layout a further 8 spaces would be created.

For those members of staff or customers using the local bus service, a footpath would be provided connecting the bus stop adjacent the site frontage to the garden centre entrance/exit. In addition, a covered cycle store for 10 bicycles would be provided near to the shop entrance/exit for both staff and customers.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development.

PPG2 - Green Belts.

PPS7 - Sustainable Development in Rural Areas.

PPS9 - Biodiversity and Geological Conservation.

PPG13 - Transport.

Regional Spatial Strategy

East of England Plan (May 2008)

Policy SS1 - Achieving Sustainable Development.

Policy SS4 - Towns other than Key Centres and Rural Areas.

Policy SS7 - Green Belt.

Policy E1 - Job Growth.

Policy T7 - Transport in Rural Areas

Policy T9 - Walking, Cycling and other Non-Motorised Transport.

Policy T14 - Parking.

Policy ENV3 - Biodiversity and Earth Heritage.

Policy ENV7 - Quality in Built Environment.

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

Strategic Policy 3 - Sustainable Communities.

Mid Bedfordshire Local Plan First Review 2005 Policies

Not Applicable

South Bedfordshire Local Plan Review Policies

Policies BE8 (Design and Environmental Considerations) and T10 (Controlling Parking in New Developments).

Planning History

SB/TP/88/1543	Permission for replacement glasshouse and extension to glasshouse.
SB/TP/89/0483	Permission for two storey building comprising toilets and offices.
SB/TP/89/0750	Permission for aquatic display centre.
SB/TP/89/1173	Permission for sales and workshop building.
SB/TP/92/0452	Permission for single storey side extension.
SB/TP/92/0725	Permission for retention of swimming pool sales area and sales building.
SB/TP/92/0727	Permission for use of building as pet shop.
SB/TP/94/0667	Permission for single storey front and side extensions.
SB/TP/95/0894	Permission for single storey extension to pet shop.
SB/TP/98/0514	Permission for single and two storey extensions to toilet/office block.
SB/TP/00/0090	Permission for re-location of swimming pool area and replacement sales building.
SB/TP/03/0427	Permission for demolition of buildings and structures, erection of new glasshouse and open-sided polytunnels, use of hardcore area as overflow car park, construction of amenity pond and associated landscaping.
SB/TP/05/0418	Permission for demolition of buildings and structures, erection of new glasshouse and open-sided polytunnels, use of hardcore area as overflow car park, construction of amenity pond and associated landscaping. (Amendment to planning permission SB/TP/03/0427 in respect of glasshouse elevations and open-sided canopy layout only).
SB/TP/07/1493	Permission for demolition of buildings, erection of new buildings to be used for garden centre retail sales and ancillary activities (storage and educational classroom for county wildlife site), erection of 2.4m high fence and extension to car park.

**Representations:
(Parish & Neighbours)**

Toddington Parish Council	No objection.
22 Byfield Close	No objection. There is no mention of external lighting. Request that permission includes condition that all external lighting should be 'full cut-off' design. This will assist environmental area, as bats, etc. are well known to avoid lit areas. Transport assessment comments on numbers of staff and visitors arriving on foot and cycle. Figures quoted appear

high, but this is to be welcomed and encouraged. There is no footway or cycleway adjacent A5120 between Junction 12 and A5120/Toddington Road roundabout. Through this application CBC Highways team should consider installation of foot/cycleway along site frontage. This could then link with changes to Junction 12 when junction is re-engineered as part of revised Highways Agency widening scheme.

Consultations/Publicity responses

Natural England	No objection in respect of statutorily designated sites and legally protected species. Support inclusion of classroom within new buildings to provide opportunities for environmental education at site. Recommend provision of additional features - bat bricks, bird nesting ledges - to external structure of building thus encouraging wildlife onto doorstep of classroom; this would also contribute towards targets within Bedfordshire and Luton BAP and is consistent with PPS9.
Highways Agency	Application will not adversely affect M1 motorway at this location; no further comment.
Bedfordshire & River Ivel IDB	In order for Board to consider proposed drainage scheme further information is required, including size of impermeable area generated by proposed development and storage capacity in storage pond. In event that insufficient capacity exists, any direct discharge to nearby watercourse will require Board's consent. Recommend condition requiring applicant's storm water design and construction proposals to be adequate before any development commences.
Highways Officer	No objection.

Determining Issues

The main considerations of the application are:

1. Impact on Green Belt
2. Support for sustainable transport

Considerations

1. Impact on Green Belt

The control of development within the Green Belt hinges on a two part test: (1) whether the development proposed is appropriate development; and (2) if inappropriate, whether there are 'very special circumstances' present which clearly outweigh both the harm by virtue of inappropriateness, and any other harm. Paragraph 3.4 of PPG2 advises that the construction of new buildings

inside a Green Belt is inappropriate unless it is for certain specified purposes (for example, agriculture/forestry or essential facilities for outdoor sport and recreation). Extension to a garden centre is not one of the categories of new buildings considered to be appropriate in the Green Belt. It follows that the proposal is inappropriate development in the Green Belt. It is therefore necessary to assess whether any 'very special circumstances' exist that could justify such inappropriate development.

Fall-back position

In April 2008, permission was granted for a similar development involving an extension to the sales area and the provision of an educational facility (reference SB/TP/07/1493). This earlier proposal had an overall width of 44m. Building 1 had a depth of 32.11m, whilst Buildings 2 and 3 had a depth of 19.485m. The scheme had a total area of 1465sqm, including a 307sqm basement where the educational facility was to be located.

Following the grant of permission, a ground investigation was commissioned. The results of the engineer's investigation indicated high ground water levels with areas of very soft to soft ground. Water table monitoring continued over a period of time. The applicants advise that given the high water table and associated ground conditions, construction of the basement area as approved would have attracted significant additional expense requiring tanking and specific design detail. Such additional expense could not have been sustained by the approved extension to the retail area. It therefore became necessary to consider the area behind the approved Buildings 2 and 3 as a location for the educational facility (to be constructed at existing ground level) and this amended siting is reflected in the current revised proposal.

In the approved scheme, the maximum height of the buildings would have been 6.74m and the floor area would have been 1465sqm. In the current proposal, the maximum height of new extension would be 6.9m and floor area would be 1500sqm. Again, in the approved scheme, the buildings would have had a combined width of 44m, whilst in the current proposal, the new building would be 40.352m wide. In terms of its impact on the openness of the Green Belt, the current proposal's relatively minor increase in height and floor area is considered not to be significant and is acceptable.

Educational facility

The redevelopment undertaken in 2005 was subject to an obligation in the S106 Agreement covering Wadelows Nature Reserve which forms part of the garden centre. The applicants are members of a group of trustees that manage the nature reserve. As might be expected, the trustees' objectives are to enhance the nature reserve's fauna and flora and the applicants advise that work carried out to date has been very successful both in terms of such enhancement and in terms of the nature reserve's educational value. Following a recent visit, the Greensand Trust expressed enthusiasm for the development of an educational facility at the garden centre. The proposal to provide this facility in association with visits to the nature reserve by local schools and societies is also supported by Natural England. Such provision would enhance the experience of those visiting the nature reserve and represents a significant planning gain. Furthermore, controlled access by the local community to the nature reserve and the adjoining woodland would fulfil one of the principal objectives of including land in Green Belts (PPG2 paragraph 1.6).

Design and appearance

Whilst the spread of the existing development and the extent of built form within the development site is some 65m, the spread of the proposed development when viewed from the main road would be 40m. As mentioned above, the buildings associated with the former conservatory business have been demolished. The vacant site is fenced off and is now becoming an eyesore. The remaining buildings are a 'hotchpotch' of various styles and heights. The design of the new extension responds positively to the immediate context of the 2005 building. As in the earlier scheme, the incorporation of two building heights would enable the mass of the new structure to be broken up. The current proposal, however, involves additional enhancements. Whereas in the approved scheme, the curved roofs of Buildings 2 and 3 would have been at right angles to the curved roof of Building 1 and the 2005 building, in the current proposal, the curved roof of the extension would be parallel to those of the 2005 building. With regard to roof design, the proposed extension would be in better harmony with the 2005 building than the approved buildings. Furthermore, the span facing the car park would be a half span enabling the front elevation to be glazed up to the ridge, thereby screening the profiled steel roof from view. In terms of design and layout, the new proposal represents a significant improvement on the existing arrangement of buildings and spaces on site and represents an enhancement to earlier approved scheme.

Conclusion

By virtue of the inclusion of the educational facility within the scheme, the proposal would involve an increase in floor area and volume of built development. Whilst such enlargement constitutes inappropriate development in the Green Belt, the existence of a fall-back position when taken together with the provision of an educational facility that would be associated with increased access to the adjacent County Wildlife Site and the proposed improvements to the appearance of this part of the garden centre amount to the very special circumstances required to justify inappropriate development in the Green Belt. Accordingly, it is considered that the proposal is acceptable as a minor departure from the Development Plan.

2. Support for sustainable transport

There is a request bus service, No. X42, that passes the garden centre approximately every 60 minutes. To encourage more staff and customers to use the local bus service, a footpath would be provided connecting the bus stop to the garden centre entrance/exit. In addition, a covered cycle rack for 10 bicycles would be provided near to the shop entrance/exit for both staff and customers. Clearly, such measures to support travel to/from the garden centre by modes other than the private car are acceptable.

Reasons for Granting

The proposed development complies with relevant National Guidance and Development Plan policies in respect of its impact on the openness of Green Belt and in respect of its siting, design and overall appearance.

Recommendation

That Planning Permission be **GRANTED** subject to the following conditions:

- 1 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 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained 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 Before the development is first occupied or brought into use, the parking spaces, servicing and unloading areas shown on Drawing No. 5189-012A received 27/03/09 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.).
- 4 **Before development begins, samples of the materials to be used for the external walls and roof of the new building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**
REASON: To control the appearance of the building.
(Policy BE8, S.B.L.P.R.).
- 5 Notwithstanding the details submitted with the application, further particulars of the external lighting to be installed in association with the development hereby permitted and further particulars of the design and external finish of the proposed security fencing shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure proper control over the development in the interests of the visual amenity of the Green Belt.
(Policy BE8, S.B.L.P.R.).
- 6 The use of the proposed extension to the internal sales area, indicated on Drawing No. 5189-010B received 27/03/09, shall extend only to the sale of plants, garden tools and sundries and for other purposes ancillary to the garden centre use of the premises. For the avoidance of doubt the proposed extension to the internal sales area shall not be used for the storage, sale or display of the goods listed in the Annex to the Planning Agreement made in association with Planning Permission SB/TP/05/0418. The educational facility, the 'education zone' indicated on Drawing No. 5189-010B received 27/03/09, shall only be used for the provision of education and for no other

purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

REASON: To define the extent of the permission and to enable the Local Planning Authority to exercise proper control over the development in order to prevent the establishment of a general Class A1 retail use of the premises in this Green Belt location.

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

- 7 The use of the external sales area on the north-eastern side of the proposed extension to the garden centre, indicated on Drawing No. 5189-010B received 27/03/09, shall extend only to the display and sale of the goods referred to in Condition 6 above. No permanent buildings, structures or plant shall be erected or positioned within the external sales area and any temporary buildings, structures or plant erected or positioned within the external sales area shall not exceed a maximum height of 3m.

REASON: To define the extent of the permission and to enable the Local Planning Authority to exercise proper control over the development in the interests of maintaining the openness and visual amenity of the Green Belt.

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

- 8 **Notwithstanding the details submitted with the application and prior to the implementation of the planning permission, further particulars of a scheme for the establishment and management of the educational facility that will form part of the proposed extension to the garden centre, to include details of the precise layout of the educational facility, shall be submitted to and approved in writing by the Local Planning Authority.**

The proposed extension to the garden centre sales area shall not be brought into use until the works to establish the educational facility have been completed in accordance with the approved details/particulars.

For a period of 24 months from the date on which the proposed extension to the garden centre sales area is brought into use a written log shall be maintained indicating details of the schools and other organisations that use the educational facility and the dates on which their visits take place. At six monthly intervals, in order to assist the Local Planning Authority's monitoring of the use of the educational facility, a copy of the written log shall be submitted to the Local Planning Authority.

REASON: To ensure that the educational facility is brought into use as part of a scheme to enhance access to the adjoining County Wildlife Site/Wadelows Nature Reserve, to ensure that the educational facility is brought into use in association with the proposed extension to the garden centre sales area and to ensure that inappropriate development in the Green Belt is not permitted without very special circumstances having been established.

- 9 **Before development begins, details of a scheme for the disposal of surface water generated by the proposed development shall be submitted to and approved in writing by the Local 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.

- 10 This permission relates only to the details shown on Drawing Nos. 5189-006B, 5189-010B, 5189-011A, 5189-012A, 5189-013A, 5189-014A and 5189-015A received 27/03/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

Notes to Applicant

- 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

SS4 - Towns other than Key Centres and Rural Areas

SS7 - Green Belt

E1 - Job Growth

T7 - Transport in Rural Areas

T9 - Walking, Cycling and other Non-Motorised Transport

T14 - Parking

ENV3 - Biodiversity and Earth Heritage

ENV7 - Quality in Built Environment

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

Strategic Policy 3 - Sustainable Communities

South Bedfordshire Local Plan Review

BE8 - Design and Environmental Considerations

T10 - Controlling Parking in New Developments

- 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).
- 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

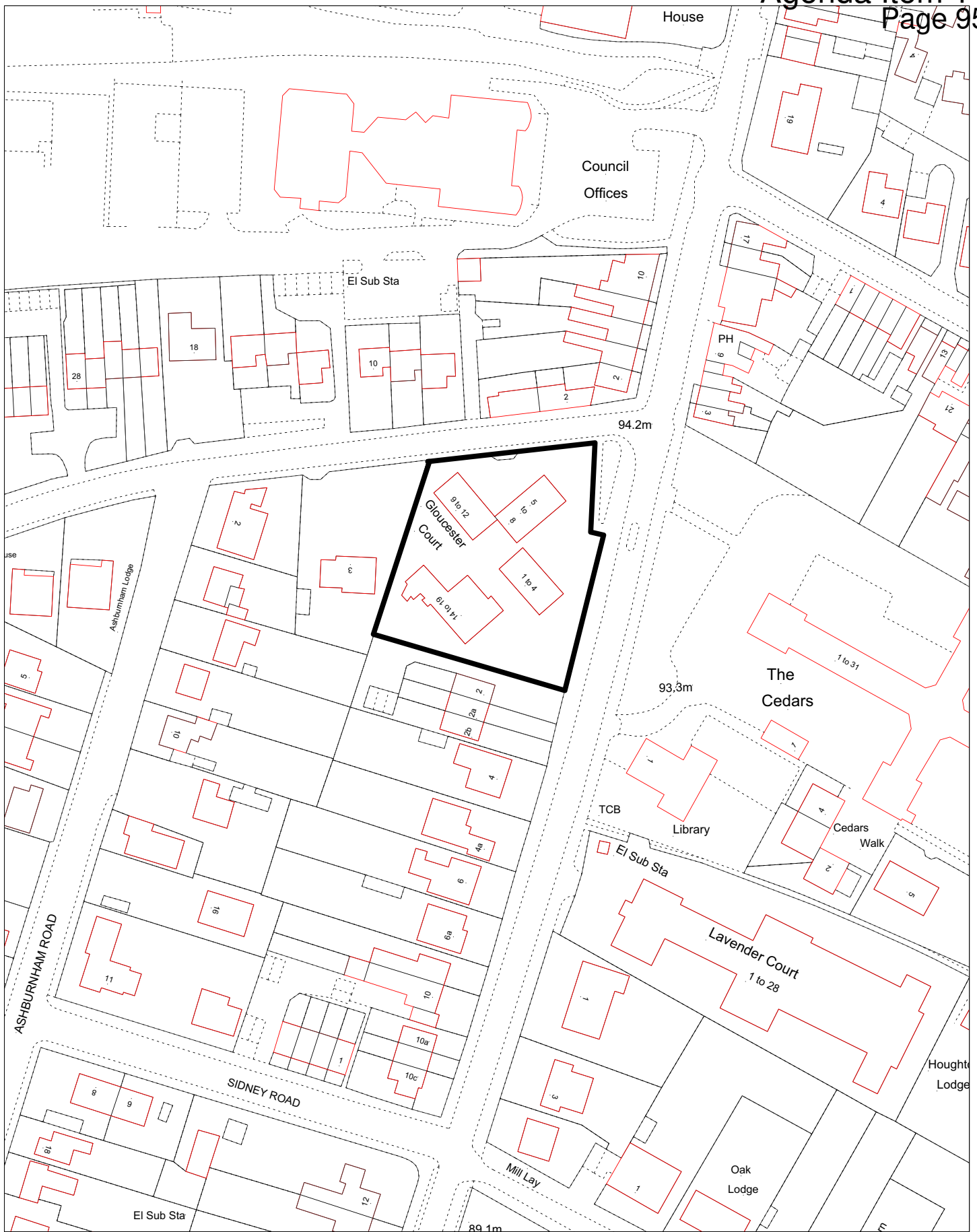
which is necessary must be obtained from the appropriate authority.

4. With regard to Condition 9, the applicants are advised that in order for the Bedfordshire and River Ivel Internal Drainage Board to consider the proposed drainage scheme the Board will require further information, including the size of the impermeable area generated by the proposed development and the storage capacity available in the storage pond. In the event that sufficient capacity does not exist, any direct discharge to the nearby watercourse will require the Board's consent.

DECISION

.....

.....



Date: 08 July 2009

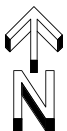
Scale: 1:1250

ITEM NO. 14

APPLICATION NO. CB/09/00691/FULL

Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

Flats 14-19 Gloucester Court, Ampthill



This page is intentionally left blank

Item No. 14

APPLICATION NUMBER	CB/09/00691/FULL
LOCATION	Flats 14 To 19, Gloucester Court, Ampthill
PROPOSAL	Full: New Single storey front porch and single storey Bike hut and formation of vehicular access onto Dunstable Street.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Councillors G Summerfield & P Duckett
CASE OFFICER	Sarah Fortune
DATE REGISTERED	21 May 2009
EXPIRY DATE	16 July 2009
APPLICANT	Grand Union Housing Association
AGENT	Kyle Smart Associates
REASON FOR COMMITTEE TO DETERMINE	Councillor Summerfield - highways issues relating to new entrance/exit
RECOMMENDED DECISION	Full Conditional Approval

Site Location:

The site is located on the west side of Dunstable Street in the built up area of Ampthill in the Conservation Area. It supports an unlisted, large former house now used as flats as well as three newer blocks of flats. There are houses to the north, south and west and a large Listed building (formerly a residential home and now converted into flats known as 'The Cedars') and the Town Library on the other side of Dunstable Street

The Application:

This application is for the erection of a single storey porch onto the north elevation of the block of flats numbered 14 to 19 - which is a large detached Victorian property. There is to be a bin store built on the south boundary of the site where it adjoins the boundary of the terrace of three houses to the immediate south. It is also proposed to construct a new vehicular access onto Dunstable Street - towards the south end of the site frontage. The existing parking area is to be regularized - with disabled spaces provided.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PPS3 Housing
- PPG15 Planning and the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

Mid Bedfordshire Local Plan First Review 2005 Policies

LPS1 Selected Settlements
CHE11 New development in Conservation Areas.
DPS16 Trees and hedgerows
DPS5 Protection of amenity
DPS6 Criteria for Extensions

Supplementary Planning Guidance

2005 Ampthill Conservation Area document

Supplementary Planning Guidance

Planning History - relevant

81/251/C Full: Conversion of existing house to 6 flats.
Granted: 15/09/1963

Representations: (Parish & Neighbours)

Ampthill Town Council Recommend refusal. Concerns over access onto Flitwick Road and additional traffic close to Station Road roundabout, intensification of a busy roundabout, safety issues as this is a 'Safer Route to School' and the loss of trees will be detrimental to the street scene.

Neighbours 3 Gloucester Court: No objection to present scheme.

App Adv

Consultations/Publicity responses

Highways Officer No objections subject to conditions and comments.

Tree Officer No objections subject to comments.

Disability Officer No comments.

Ampthill and District Preservation Society No objection to principle but wish to see any removed trees replaced and express concern that new access is close to others.

Determining Issues

The main considerations of the application are;

1. Background and Policy
2. Siting and Design in relation to visual amenities of area
3. Impact on amenities of neighbours
4. Access and Parking
5. Impact on trees and other considerations

Considerations

1. Background and Policy

The application site comprises of Gloucester Court which is a retirement home complex in the centre of Ampthill. It consists of 18 self contained flats in four separate buildings. 12 of these flats are contained in three buildings which were purpose built for the elderly in the 1970/1980's. These flats still provide satisfactory accommodation for their elderly tenants. The fourth building the subject of this planning application - is a Victorian, former large single house which been converted to 6 flats under planning permission ref; 81/251/C. No restrictive conditions were attached to the planning permission for the flats in respect of their occupancy.

The flats in the Victorian property are becoming increasingly difficult to let. Aragon Housing Association have therefore decided to refurbish them and change their internal layout and will subsequently offer them to people with learning disabilities. The ground floor flats are wheelchair accessible and one of the flats on the first floor is to be designated for staff.

As part of this refurbishment it is proposed to build a small single storey extension onto the north elevation for a new lobby. It is also proposed to build a bin store - on the south boundary of the site - as well as a cycle store for the residents of the flats. The parking area is to be laid out for 11 spaces and 8 of these are to be for the residents of the refurbished flats. A new access is to be created in the site frontage and this involves the removal of two trees on the frontage.

In view of the fact that there is no change of use involved in the proposal since the flats are to be retained as flats and there are no objections to the principle of extensions and alterations to existing buildings in the built up area of the town the main considerations are whether the size and design of the alterations is in keeping with the buildings and the area generally and whether the proposed access and parking area is acceptable in highway terms including consideration regarding the loss of trees along the road frontage.

2. Siting and Design in relation to visual amenities of area

The lobby extension is to be 2.5 metres in length, 2 metres in depth with a lean-to roof having a ridge height of 4 metres. It is to be built in materials to match the existing building. A revised plan has been submitted which shows a lowered roof porch that will avoid any clashes with first floor windows. The bin

store is to be 4 metres in length and 2.5 metres in depth and this is to be sited so that it is about 3 metres from the end of terrace house to the south. It is to be built in brick. There is also to be a small brick built cycle store on the west boundary of the site.

It is felt that these structures and the extension are in keeping with the character of the building and the visual amenities of the area generally and will not harm the Conservation Area. It is essential that the finishes of the developments are in keeping with the existing buildings and the character of the Conservation Area and conditions are to be attached requiring details of materials finishes. They accord with policies CHE11 and DPS6 of the Mid Beds Local Plan First Review 2005 and PPG15

3. Impact on amenities of neighbours

The bin store is to be about 3 metres from the end -of - terrace house to the south. Whilst there will be some loss of outlook to these neighbours it is felt that there are insufficient amenity grounds to refuse the planning application. The cycle store is to be on the shared boundary with 3 Station Road but it is at sufficient distance so as not to result in undue loss of amenity to the occupiers of this house. The extension for the lobby is well away from any neighbours.

With regard to the new access this will reduce the impact on the amenities of the terraced houses to the south - who at present share their access with this 'flatted' site.

4. Access and parking

A new access is to be created in the site frontage involving the removal of two trees. There are to be 11 parking spaces in the parking area to the front of the site covered with grey and red pavers and also a cycle stand on the west boundary. The highways officer has advised that Visibility at the new access falls within highway land and can be provided as required to meet highway standards. The area of the access that is within the public highway needs to be surfaced in bituminous macadam and not block paved. This can be conditioned on any planning permission.

With regard to parking spaces the site already has a hardsurfaced area for parking. The application proposes to regularize this area and whereas there are now 9 parking spaces there are to be 9 ordinary spaces and two larger disabled bays. The highways officer is of the view that this number is acceptable as long as the occupation of the flats is restricted to the elderly or for those with disabilities. The applicants have advised that Aragon Housing Association are to enter into a nominations agreement with Central Beds for the allocation of the properties in Block 14 - 19. The other flats are to continue to provide homes for elderly people.

In view of the fact that there are to be two more spaces for this overall site of the four blocks of flats as part of this planning application there are no grounds to object to the numbers of parking spaces being made available to this proposed rearranged parking area since the number of flats is to be unchanged - and occupancy for flats 14 to 19 is to change from the elderly to those with disabilities.

The applicant has submitted revised plans which show that the length of the car parking spaces meets highways standards. There are no objections to the cycle provision. The revised plans also rectify some minor errors made on the original submissions and now they indicate a 4 cycle store.

The highways officer is aware that this is on a 'Safer Routes to School' route but has no objections to raise.

5. Trees and other Considerations

With regard to the removal of the two trees on the frontage to the site to create the new vehicular access the tree officer had advised that he has no objections to the proposal but notes that the plans are not accurate in that all of the trees on the frontage of the site are not shown and the plans fail to show that the hedgerow continues under the line of four marked trees at the proposed entrance and would also be removed. Revised plans have been submitted by the applicant which clarify these matters and any comments from the tree officer on these will be reported to the Planning Committee. The applicant advises that they are of the view that the plans showing the trees and hedges are accurate as they have only shown those which are within their site boundary. Conditions are to be attached to any consent to protect the trees and hedges that are to be retained.

There is to be further planting within and around the site in the form of trees to the north and west boundaries and further shrub planting and grassed areas within the site will help to soften the appearance of the blocks of flats and improve the visual appearance of the site generally within the Conservation Area. This meets Local Plan policies and PPG15. (The revised plan shows that the tree on Station Road is to be retained.)

There are no drainage objections and the access officer is not raising any comments.

Conclusions

In view of the fact that the building is already in use for flats and this is to continue, the size and design of the extension and bin store and cycle parking areas are acceptable and will not detract for the character of the building itself or the Conservation Area generally, there are no objections from the highways officer to the new access and the parking provision, the tree officer is not raising any objections to the removal of some trees and hedge to create the access and no other objections have been received the application is recommended for approval as being in compliance with policies DPS5, DPS6, DPS16 and CHE11 of the Mid Beds Local Plan First Review 2005 as well as PPS3 and PPG15

- 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 The permission shall extend only to the application as amended by plans dated 24/06/2009

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 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. The area of the access which is within the public highways needs to be surfaced in bituminous macadam and not block paved. 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.

- 5 The entrance and 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.

- 6 Apart from the provision of the new vehicular access no trees, shrubs or hedges existing on the site shall be removed or cut down without the prior written consent of the Local Planning Authority.

Reason: To safeguard the existing trees, shrubs and hedges on the site in the interest of visual amenity.

- 7 A scheme for replacement tree planting including number, location, size, species and a planting and maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority before any felling takes place. Planting shall be carried out in accordance with the approved scheme.

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

- 8 Replacement planting in accordance with approved details shall take place as soon as practicable and in any event within six months of the felling being carried out. The replacement planting shall be maintained for a period of three years beginning with the date of the felling operation and during this period any trees that die or become diseased shall be replaced with trees of the same size and species.

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.

Decision

.....
.....

This page is intentionally left blank



Date: 09 July 2009

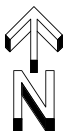
Scale: 1:1250

ITEM NO. 15

APPLICATION NO. MB/07/01869/FULL

The Limes, Dunstable Street, Amphill

15.1



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

This page is intentionally left blank

Item No. 15

SCHEDULE B

APPLICATION NUMBER	MB/07/01869/FULL & MB/07/01876/LB
LOCATION	The Limes, Dunstable Street, Ampthill
PROPOSAL	FULL and LB: Restoration and alteration of the listed former town hall, demolition of link to the 1990s extension, re-use of the former town hall as offices, refurbishment and extension of 1990s extension for residential use, construction of new residential development comprising 34 no. units, and associated parking and external works.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllr G Summerfield and Cllr P Duckett
CASE OFFICER	Julia Ward/Anne Sammé
DATE REGISTERED	26 October 2007
EXPIRY DATE	25 January 2008
APPLICANT	Storey Property Developments Ltd
REASON FOR COMMITTEE TO DETERMINE	To update members following the resolution of the Development Control Committee of Mid Bedfordshire District Council on 16 January 2008
RECOMMENDED DECISION	Full Conditional Approval subject to Section 106 Agreement and Listed Building Consent

Reason for Report:

The former Mid Bedfordshire District Council resolved on 16 January 2008 to grant planning permission and listed building consent for a scheme to enable the restoration to its original format of the historic front portion of the former Council offices in Dunstable Street, Ampthill, the residential conversion of the modern office block to the rear, and the erection of a new scheme of flats and houses on the land to the rear. The permission was to be subject to a Section 106 agreement.

Though progress was made on that agreement, it has yet to be signed, and the applicant has now sought to make further changes to the scheme in an attempt to make the project more attractive given the economic downturn. The changes are relatively minor, and officers have expressed a willingness to consider them in the context of the current planning applications. They will be considered in detail later in this report.

Given the timescale since the original decision it is also considered appropriate to seek the ratification of members to the original resolution. It is hoped that the Section 106 agreement may then be swiftly concluded so that the planning permission and listed building consents can be issued.

Copies of the previous reports are appended for information.

The Changes to the Application:

The developer has re-examined their scheme to see how the site might be subdivided in development terms. They now wish to enable its division into three distinct phases, such that the renovation of the original building at the site frontage to offices could take place independently of the conversion of the modern office block to residential, and of the new build scheme to the rear.

In order to do this the affordable housing apartments would all be located in the converted office block. These comprise 2 no 1 bed apartments and 4 no 2 bed apartments for rent, 3 no 1 bed and 4 no 2 bed apartments for shared ownership. Three no 3 bedroom and one no 4 bedroom houses would be provided in the new build scheme at the rear. Thus 13 units in the converted block would be affordable homes, which still complies with the supplementary planning guidance on Affordable Housing which seeks a concentration of no more than 15 units.

The changes have led to a reordering of accommodation in this block, and in effect four no two bed roomed and one no one bed roomed units are replaced with one no three bed roomed and four no 1 bed roomed apartments. The total number of units remains unchanged, and there is therefore considered to be no impact either externally or in terms of amenity on neighbouring properties.

Alongside this reallocation of housing, the scheme is revised in its layout so that the access off Station Road serves only the new build housing, while the access off Dunstable Street serves the offices and the residential conversion. While a pedestrian access is retained running through the site (which will also serve as a Safe Route to School with a new footbridge over the brook into the adjacent school site) the change to access arrangements enables a greensward to be created between the converted and new build residential units.

The subdivision into three phases will also require the reassessment of details of both conditions and 106 details. However, these will simply enable the breakdown of elements and would not remove any of the specific requirements or benefits of the original resolution.

A copy of the previous committee reports is attached for information. It should be noted that as a matter of good practice the listed building consent has not been issued pending the issue of the planning permission.

Members are also advised that a further listed building consent MB/08/01805/LB had a resolution to approve by the Development Control Committee for Mid Bedfordshire District Council on 11 February 2009 for the subdivision of the original building at the front of the site into three office units. The decision has not been issued pending the grant of full planning permission for MB/07/01869/FULL.

Consultation on the Amendments

Following receipt of these amended plans consultation has been undertaken with the following:

Tree and Landscape Officer – due to hardsurfacing under tree crowns condition required to control details of construction. *Condition 31 added to address this.*

Housing Officer – No objection to proposed revisions.

Highways Officer – Comments to be reported.

Amphill Town Council – Will meet to discuss on 8 July 2009, comments will be reported.

Neighbours – Any comments received will be reported. Consultation period expires 8 July.

Changes to Conditions

As a result of the intended phasing of this development, the format of conditions has been revisited in order that details may be submitted and/or implemented in phases. This has led to revised wording being necessary. Those affected conditions are listed below, the remainder being appropriate in their original format. Notes to applicants also remain as previously set out.

Changes to the Section 106

Similarly in terms of the detail of the draft Section 106 agreement, it is necessary to consider how the liabilities of the scheme may be broken down to meet the requirements of the potentially three separate phases of development. The heads of terms will remain as set out in the earlier report (see section 19) but individual triggers will be renegotiated with the applicant.

Conclusion

The changes requested by the applicant do not affect the external appearance of the buildings, and therefore officers believe the revisions can be dealt with in the context of the current planning application. However, the attendant changes to conditional details do require the approval of members, and also as a matter of good practice the Committee needs to be made aware of the delays in concluding the 106 negotiation.

It is hoped that members will ratify the actions of officers and the earlier resolution of Mid Bedfordshire District Council so that this matter might be concluded and the relevant planning permission and listed building consents issued.

Recommendation

That members confirm the earlier resolution to GRANT Planning Permission for the application set out above subject to a Section 106 agreement, and to the conditions as set out in the original report and as amended/supplemented below:

2. No development shall take place on any part of the site until full details of both hard and soft landscape works for that area have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-
 - Proposed finished levels or contours;
 - Materials to be used for any hard surfacing, to include attention to the requirements of the visually disabled and impact of the hard surfacing on the character and appearance of the listed building and conservation

- area;
- Minor structures (eg, furniture, signs, etc)
- 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 that part of the site, indicating those to be retained and the method of their protection during development works.

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. All hard and soft landscape works shall be carried out in accordance with the approved details. Any phasing of the development shall be agreed in writing with the Local Planning Authority, and the works shall be carried out prior to the first occupation of that phase of the site to which the detail relates unless an alternative timescale has been agreed in writing with the Local Planning Authority.

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. No development shall take place on any part of the site until full details of boundary treatments for that area have been submitted to and approved in writing by the Local Planning Authority. The details shall include the positions, design, materials, and type of boundary treatment to be erected, and shall include full elevational and sectional drawings of the wall and railings to be erected at the frontage to Dunstable Street. The boundary treatments shall be completed in accordance with the approved details before the building to which it is related is first occupied.

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

8. No development shall take place on any part of the site until the applicant has submitted to the Local Planning Authority for its written approval a suitable exterior lighting design scheme for that part of the site, devised to complement the setting of the listed building, to provide illumination to shared areas and to eliminate any detrimental effect caused by obtrusive light or glare on proposed or existing neighbouring residential occupiers. All exterior lighting at the development shall be constructed and installed in accordance with the approved scheme before the building or area to which it is related is first occupied.

Reason: In order to protect the amenity of proposed and neighbouring residential occupiers from the adverse impact of obtrusive light or glare arising from exterior lighting on the development and to ensure that the appearance of such works is appropriate to the historic fabric of the site.

9. Prior to the commencement of development, the developer shall submit in triplicate:
 - (a) A phase 2 site investigation report documenting the ground conditions of the site with regard to potential contamination, and incorporating

chemical and water analysis and consideration of all receptors as identified as being appropriate by the already submitted Phase 1 environmental desk study report (Tendrel Services Limited, May 2006) and following its recommendations.

- (b) A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health and the wider environment posed by any contaminants and/or gases identified by the Phase 2 report.

Any remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works on the site, and shall include information on any phasing or subdivision of the site for development purposes. Any remediation scheme, as agreed in writing, shall be fully implemented before the development hereby permitted is first occupied, or in accordance with any alternative timescale that may have been agreed in writing in an alternative programme of phasing. All variations to any remediation scheme shall be agreed in writing by the Local Planning Authority.

On completion of any and each phase 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 validation report, which shall include measures for maintenance, further monitoring and subsequent reporting to the Local Planning Authority.

Any changes to these agreed elements will require the express consent of the Local Planning Authority.

Reason: To protect human health and the environment.

- 10. No development shall take place on any part of the site until details of the method of disposal of foul and surface water drainage for that area has been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be brought into use until the approved drainage scheme for that area 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.

- 11. No development shall take place on any part of the site until a scheme for the provision of surface water drainage works for that area, including a comprehensive survey of the existing drainage on the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that discharge rates to Sweetbriar Brook (to the west of the site) are kept equal to or below the existing levels. The approved drainage works shall be completed prior to the first occupation of any of the buildings in that defined area.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 12. No development shall take place on any part of the site until a scheme for the ownership and maintenance of the surface water system for that area has been submitted to and agreed in writing by the Local Planning Authority. The approved works/scheme for that area shall be constructed and completed prior to the first occupation of the buildings in that area.

Reason: To ensure the satisfactory long-term operation of the system and prevention of the increased risk of flooding.

13. No building hereby approved shall be occupied until a revised Waste Audit for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The revised Waste Audit(s) shall include the following:-

- (a) figures used to assess the waste storage requirements of the proposal;
- (b) clarification of which bin storage areas serve which particular properties;
- (c) further information on re-use of waste arising from construction/demolition processes.

The development shall be implemented in accordance with the submitted Waste Audit and the Revised Waste Audit(s) as required above.

Reason: To ensure that waste is managed sustainably during the construction and lifetime of the development in accordance with the objectives of Policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

14. No development shall take place on any part of the site until details of the materials to be used for the external finishes of development on that part of the site have been submitted to and approved in writing by the Local Planning Authority.

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

16. No development shall take place on any part of the site until full details of the final ground and slab levels of the dwellings in that area have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and adjoining properties, the location of which shall first be agreed 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.

17. No development shall take place on any part of the site until a scheme of works to address security risks within that area of the site, and to include control of access into undercroft parking areas, cycle stores and communal areas of buildings, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of details for the placing and maintenance of CCTV cameras at key locations within the site. The scheme shall be implemented in accordance with the approved details prior to the occupation of any units within that area of the site.

Reason: In order to ensure the development adequately addresses issues of community safety.

18. No work shall be undertaken on any part of the site until a bat survey of the existing buildings and suitable trees within that area has been undertaken by an experienced person holding a relevant licence. Subsequent works shall only be

carried out in accordance with the findings of the survey and shall incorporate any necessary mitigation measures.

Reason: To protect features of recognised nature conservation importance.

20. No development shall commence in respect of the new build residential units until details of safe pedestrian crossing facilities across the junction of the proposed vehicular access with Station Road have been approved by the local planning authority and no building in that part of the site 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 pedestrians and users of the highway.

22. None of the new build residential units shall be occupied until a footway has been constructed on the eastern side of the access road from Station Road in accordance with details shown on the approved drawings or an alternative scheme to have been submitted to and approved in writing by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

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

23. No development shall commence until a phasing plan has been submitted to and agreed in writing with the Local Planning Authority. No premises shall be occupied in any phase until all on site vehicular areas associated with that part of the development have been 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.

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

25. No development shall be undertaken without a wheel cleaning facility being provided at all site exits used by construction traffic. The facility shall be 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 to that part of the site 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 of the area and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

26. No development shall be undertaken unless on-site parking is available for construction workers. Provision shall be in accordance with a scheme or schemes to be submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented throughout any construction period.

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

27. No development shall commence until a phasing plan has been submitted to

and agreed in writing with the Local Planning Authority. Development shall not be undertaken in any phase until a scheme detailing access provision to and from that part of the site for construction traffic, including details of arrangements for the restriction of vehicles to approved points of access and egress, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction works.

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

28. Visibility splay improvements shall be provided at the junction of the vehicular accesses with the public highway. The splay improvements (cutting back of hedges) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development served by that vehicular access. The vision splays so described shall be maintained free of any obstructions to visibility at all times.

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

29. Prior to the commencement of development on the new build residential units, full details of the proposed access bridge over the brook at the western end of the site, including details of long term maintenance and timed access facilities, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the bridge and pedestrian route through the site made available for use prior to the occupation of any of the new build units. There shall be no occupation of the residential converted units without provision being made for the necessary pedestrian link to the west, the extent of which shall have previously been agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory pedestrian access through the site and in the interests of the Safe Routes to Schools Scheme.

30. No development shall commence until a phasing plan has been submitted to and agreed in writing with the Local Planning Authority. Prior to the commencement of development of any phase full details of cycle storage, to include secure covered facilities, for that part of the site shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to first occupation of the phase to which the facility relates.

Reason: To encourage use of alternative means of transport other than the private car.

31. No development shall commence in any part of the site until details have been submitted to and approved in writing by the Local Planning Authority of any works to be undertaken under the crowns of existing trees within that area. The details shall include information on the method of construction and materials to be used such that appropriate protection is put in place to avoid compaction and damage to tree roots.

Reason: To ensure the protection of trees to be retained and in particular to

avoid unnecessary damage to their root systems.

DECISION

.....

.....

This page is intentionally left blank

Item No. 12

DESCRIPTION: LISTED BUILDING CONSENT: RESTORATION AND ALTERATION OF THE LISTED FORMER TOWN HALL, THE DEMOLITION OF THE LINK TO THE 1990S EXTENSION, THE REUSE OF THE LISTED FORMER TOWN HALL AS OFFICES, THE REFURBISHMENT AND EXTENSION OF THE 1990S EXTENSION FOR RESIDENTIAL USE, THE CONSTRUCTION OF A NEW RESIDENTIAL DEVELOPMENT COMPRISING 34 NO. UNITS AND ASSOCIATED PARKING AND EXTERNAL WORKS

LOCATION: THE LIMES, DUNSTABLE STREET, AMPHILL, BEDFORD, MK45 2JU

GRID REFERENCE: TL032376
 APPLICATION NUMBER: 07/01876/LB
 PARISH: Ampthill
 APPLICANT: Storey Property Developments Ltd
 CASE OFFICER: Julia Ward
 DATE REGISTERED: 26 October 2007
 EXPIRY DATE: 21 December 2007

REASON FOR COMMITTEE TO DETERMINE COUNCILLOR WARD REQUEST.

RECOMMENDED DECISION LISTED BUILDING CONSENT

Site Location:

The application site comprises 1.04ha of land, the bulk of which lies within the Ampthill Conservation Area. The existing buildings on the site comprise the former Mid Beds District Council offices and the Acorn Centre to the rear. The original Town Hall structure is Grade II listed and was designed by Sir Albert Richardson, while there are more modern structures and a car park to the rear of the site.

The site slopes down steeply to the west towards an open brook and is bounded by residential development in Station Road and Dunstable Street to the south, and by the Clevedon Nursery and Russell House (now vacant) to the north.

The main part of the site is now vacant but a limited degree of occupation remains in the Acorn Centre.

PPG/ PPS:

PPS1 - Delivering Sustainable Development
 PPG15 - The Historic Environment

**Policy + SPG:
(Structure Plan + Mid Beds Local Plan)**

Regional Spatial Strategy RSS14 (East of England Plan)
Milton Keynes and South Midlands Sub-Regional Strategy

County Structure Plan No relevant saved policies

Mid Beds Local Plan First Review (2005) CHE1 - The Council will not permit any external or internal alteration/ addition to a listed building where there would be an adverse impact on its architectural/ historic interest

CHE1A - Planning permission will not be granted for development which would adversely affect the setting of a listed building

CHE1B - The change of use of a listed building will only be permitted where it would not have a detrimental impact on the architectural/ historic interest of the building or its setting

CHE11 - Development proposals likely to have an adverse impact on the character or appearance of a conservation area will not be permitted

Planning History

There have been many and various planning and listed building consent applications over time relating to the former use of the site as Council offices. The most relevant planning history is as follows:

06/01657/FULL Internal and external alterations to office building including demolition of link to rear extension, alterations and change of use of rear extension to form 27 no. flats, erection of 39 flats in 3 blocks following demolition of the Acorn Centre, together with parking, landscaping and ancillary works - Withdrawn 03/01/07

06/01658/LB Internal and external alterations to front office building, including demolition of link to rear extension and restoration of rear elevation to its original design. Alterations and change of use of rear extension to form 27 no. flats - Withdrawn 03/01/07

07/00223/FULL Restoration and alteration of the former listed Town Hall, demolition of the link to the 1990s extension, re-use of the listed Town Hall as offices, refurbishment and extension of the 1990s extension for residential use, construction of a new residential scheme comprising 34 no. residential units and associated parking and external works - Refused 10/07/07 due to the proposal having an overbearing impact on neighbouring residential properties, increase in

overlooking, inappropriate design and harmful to character and appearance of conservation area, inadequate provision of car parking on site, and increased traffic generation on Station Road.

07/00228/LB

Restoration and alteration of the listed former Town Hall, demolition of the link to the 1990s extension, re-use of the Town Hall as offices, the refurbishment and extension of the 1990s extension for residential use (26 no. flats) - Refused 10/07/07 as due to the absence of an approved scheme for the alteration and extension of the Richardson building, the proposals constituted unnecessary alterations to the listed building

07/01869/FULL

Restoration and alteration of the listed former Town Hall, demolition of the link to the 1990s extension, the re-use of the listed former Town Hall as offices, the refurbishment and extension of the 1990s extension for residential use, the construction of a new residential development comprising 34 no. units and associated parking and external works. Application pending - elsewhere on this agenda

**Representations:
(Parish & Neighbours)**

Amphill TC

Recommend refusal of the application. Whilst the Town Council feel that the amended design is more in keeping with the Georgian market town of Amphill, there are still concerns about the increased traffic movements this high density development will create along Station Road and the roundabout at the junction of Station Road and Dunstable Street and therefore the Town Council is unable to support the application. Additionally, the block of housing units at plots 6 - 10 is still out of keeping in terms of its scale, thereby creating an overbearing and dominant appearance within the streetscene.

Adj Occupiers

6 letters of objection have been received to the planning and listed building consent applications specific to the Listed Building application the following comments are made:

1. Walled frontage to offices is unnecessary and remove an area of green space from public use and enjoyment;
2. The seat would be lost for public use;
3. The creation of a central walkway to the front of the offices is unnecessary and would reduce the amount of space available for office accommodation;
4. Height of buildings on Town Hall car park is unacceptable - two storey dwellings are more appropriate;

Consultations

Ampthill and District Preservation Society	Any comments will be reported
English Heritage	Do not wish to offer comments on this occasion. The application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice. Should the local planning authority be minded to grant listed building consent, Government Office should be notified in line with Circular 01/2001.
Society for the Protection of Ancient Buildings	Any comments will be reported
Ancient Monuments Society	Any comments will be reported
Council for British Archaeology	Any comments will be reported
Georgian Group	Any comments will be reported
Victorian Society	Any comments will be reported
Twentieth Century Society	Any comments will be reported
CPRE	Any comments will be reported

Determining Issues

The main considerations in determining the application are:

1. The application
2. The impact of the proposal on the character and appearance of the listed building

Considerations

1. The application

This application is submitted for listed building consent, and is accompanied by an application for full planning permission, which is considered separately on this agenda (ref: 07/01869/FULL).

This application is a resubmission of a previous scheme which was refused due to the lack of an appropriate scheme for the refurbishment of the Richardson Building being submitted and approved.

The proposals now submitted indicate that the listed building would be restored to its original format and refurbished in order to continue as a single Class B1 office space. The 1990s extension would be retained, extended and converted to comprise 26 no. residential units with the demolition of its link to the frontage building revealing the original rear elevation of the listed building. The western end of the site (formerly the car parks and Acorn Centre) would be re-developed to provide 34 no. residential units in a more traditional architectural style than the contemporary appearance previously proposed. A total of 60 no. residential units are therefore proposed. The reinstatement of internal and external features within the listed building are proposed, including landscaping of the surrounding grounds.

This application is in respect of the grant of listed building consent and is restricted to consideration of works to the front half of the site.

2. Impact of the proposal on the character and appearance of the listed building

The listing of the former Town Hall building includes both the original 1965 frontage building and the 1900s extension to the rear, although the formal listing description very briefly dismisses the extension as being "not of architectural interest". Notwithstanding this, the listing applies to the whole of the building as it presently exists. Thus in planning terms there is both alteration, extension and change of use involved to the listed building. Each of these elements is supported by policy providing the inherent character of the listed structure is maintained and preserved, and continued in useful activity.

The detail of the scheme provides an opportunity for unsympathetic alterations to the historic part of the listed building to be removed, including balustrading, doors and windows. The former Council Chamber, currently filled with a mezzanine floor would be restored to its original open form. The connection to the 1990s office block would be demolished to reveal the original rear elevations of the listed building. A reinstatement of the forecourt, and of front boundary walls, railings and landscaping, would restore the setting of the building.

In terms of the context of the listed building and its setting, the scheme is also considered to benefit the overall relationship of the Richardson building to the wider site. The alterations and extensions to the 1990s structure will benefit the relationship between the two, giving a separation that does not exist at present. The full planning application considers the potential impact of the new-build development proposed to the rear of the listed building.

The detail of the works to the listed building will need to be tied by condition, for example it is considered appropriate to attach conditions to any approval requiring full details of the reinstatement of the rear elevation to be submitted to, and approved in writing by, the local planning authority. However, it is considered that the overall proposal would considerably enhance the character and appearance of the listed building itself and its wider setting and is in accordance with local and national planning policies.

Conclusion

This application would positively preserve and maintain the character and appearance of the listed building and is therefore recommended for approval in conjunction with the planning application for the overall development of the site.

Reasons for Granting

The proposal is in conformity with Policies CHE1, CHE1A, CHE1B and CHE11 of the Mid Bedfordshire Local Plan First Review 2005; Planning Policy Guidance 15: Regional Spatial Strategy: RSS14 (East of England) and Milton Keynes and South Midlands Sub-Regional Strategy

RECOMMENDATION

APPROVE listed building consent, subject to comments from the amenity societies, subject to the following conditions

- 1 DG02 The works hereby consented shall be begun within three years of the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to ensure that this consent does not continue in existence indefinitely if the development to which it relates is not carried out.
- 2 LB01 All internal and external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building in accordance with Policy CHE1 of the Adopted Mid Bedfordshire Local Plan 2005.
- 3 LB08 Prior to the commencement of works a method statement indicating the sequence of demolition and reconstruction together with measures for temporary structural support during works, and a detailed specification for repairs and reinstatement, shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to during construction works.

Reason: To ensure that the structural stability of the adjacent building is maintained.
- 4 LB13 The new works shall be executed in bricks, mortar, tiles, skirting boards, arcitraves, cornices, door and windows frames and sills to match the existing building, details all of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building in accordance with Policy CHE1 of

the Adopted Mid Bedfordshire Local Plan 2005.

- 5 EM02 Before the commencement of development a sample panel of bricks shall be constructed for the consideration and approval of the Local Planning Authority.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 6 LB26 Detailed drawings at a scale of 1:2 of the glazing bars to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The works shall be carried out and completed strictly in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building in accordance with Policy CHE1 of the Adopted Mid Bedfordshire Local Plan 2005.

- 7 LB27 Notwithstanding the approved plans, all rainwater goods shall be of cast iron or aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.

Reasons: To safeguard the special architectural and historic interest of this statutorily listed building in accordance with Policy BE6 of the Mid Bedfordshire Local Plan 2005.

- 8 U No works shall be undertaken on any of the following matters without full details including elevations first having been submitted to, and approved in writing by, the local planning authority:

- i) modifications to the existing lantern to the Council Chamber to provide passive ventilation;
- ii) the provision of any means of escape;
- iii) the installation of any plant, equipment or air conditioning facilities;
- iv) the installation of the new balcony in the former Council Chamber;
- v) the proposed lift doors;
- vi) the installation of any secondary windows;
- vii) the provision of any external lighting;
- viii) the provision of fire escape facilities;
- ix) external surface treatments;
- x) boundary treatments including the walls and railings to the front of the site.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building in accordance with Policy CHE1 of the Mid Beds Local Plan First Review (2005)

Notes to Applicant

- 1 The applicant is reminded that works specified in condition 8 may require the specific grant of listed building consent.

Item No. 13

DESCRIPTION: FULL: RESTORATION AND ALTERATION OF THE LISTED FORMER TOWN HALL, THE DEMOLITION OF THE LINK TO THE 1990S EXTENSION, THE RE-USE OF THE LISTED FORMER TOWN HALL AS OFFICES, THE REFURBISHMENT AND EXTENSION OF THE 1990S EXTENSION FOR RESIDENTIAL USE, THE CONSTRUCTION OF A NEW RESIDENTIAL DEVELOPMENT COMPRISING 34 NO. UNITS AND ASSOCIATED PARKING AND EXTERNAL WORKS.

LOCATION: THE LIMES, DUNSTABLE STREET, AMPHILL, BEDFORD, MK45 2JU

GRID REFERENCE: TL032376
APPLICATION NUMBER: 07/01869/FULL
PARISH: Ampthill
APPLICANT: Storey Property Developments Ltd
CASE OFFICER: Julia Ward
DATE REGISTERED: 26 October 2007
EXPIRY DATE: 25 January 2008

REASON FOR COMMITTEE TO DETERMINE: WARD COUNCILLOR REQUEST

RECOMMENDED DECISION: S106 PENDING

Site Location:

The application site comprises 1.04ha of land, the bulk of which lies within the Ampthill Conservation Area. The existing buildings on the site comprise the former Mid Beds District Council offices and the Acorn Centre to the rear. The original town hall structure is Grade II listed and was designed by Sir Albert Richardson, while there are more modern structures and a large car park area to the rear of the site.

The site slopes down steeply to the west towards an open brook and is bounded by residential development in Station Road and Dunstable Street to the south, and by the Clevedon Nursery and Russell House (now vacant) to the north.

The main part of the site is now vacant but a limited degree of occupation remains in the Acorn Centre.

PPG/ PPS:

PPS1 - Delivering Sustainable Development

PPS3 - Housing
 PPG4 - Industrial and Commercial Development and Small Firms
 PPS9 - Biodiversity and Geological Conservation
 PPG13 - Transport
 PPG15 - Planning and the Historic Environment
 PPG17 - Recreation and Open Space
 PPS22 - Renewable Energy
 PPS23 - Pollution Control
 PPG25 - Flood Risk

**Policy + SPG:
 (Structure Plan + Mid Beds Local Plan)**

Regional Spatial Strategy	RSS14 (East of England Plan) Milton Keynes and South Midlands Sub-Regional Strategy
County Structure Plan 2011	No relevant saved policies
Mid Beds Local Plan LPS1 First Review (2005)	<p>Amphill is defined as a Selected Settlement</p> <p>NC2 Development likely to have an adverse impact on SSSIs will not be permitted</p> <p>NC3 Development likely to have an adverse impact on County Wildlife Sites or Local Nature Reserves will not be permitted</p> <p>NC7 The Council will resist development that may have an adverse impact on animal/ plant species protected by law</p> <p>CHE1 The Council will not permit any external or internal alteration/ addition to a listed building where there would be an adverse impact on its architectural/ historic interest</p> <p>CHE1A Planning permission will not be granted for development which would adversely affect the setting of a listed building</p> <p>CHE1B The change of use of a listed building will only be permitted where it would not have a detrimental impact on the architectural/ historic interest of the building or its setting</p> <p>CHE11 Development proposals likely to have an adverse impact on the character or appearance of a conservation area will not be permitted</p>

- DPS1 Development may require the provision of various kinds of infrastructure and appropriate legal agreements will be negotiated with developers
- DPS5 New development must relate sensitively to the particular character and appearance of the locality in which it is proposed
- DPS6 Planning permission for the extension of existing buildings will be permitted subject to criteria, including impact on neighbours
- DPS9 New residential development will be required to have adequate privacy, amenity areas and open space
- DPS10 Adequate highways provision must be made within residential development
- DPS11 New development must include adequate and appropriate landscaping
- DPS14 The Council will encourage the re-use or redevelopment of vacant or under-utilised land within defined settlement envelopes
- DPS16 The Council will encourage the retention and appropriate management of open spaces, hedgerows, trees and other landscape features
- DPS17 Surface water drainage must be fully taken into account in proposals
- DPS19 Developments should be readily accessible by public transport, cycle and on foot.
- DPS20 Development should maximise energy conservation
- DPS20A Sustainable waste management options are required
- DPS21 Provision should be made for access for people with disabilities to listed buildings
- DPS23 Appropriate crime prevention measures should be incorporated into the design of new schemes
- DPS27 Public art projects will be encouraged
- PHS6 The re-use and redevelopment of contaminated land will be encouraged

demolition of the link to the 1990s extension, re-use of the listed Town Hall as offices, refurbishment and extension of the 1990s extension for residential use, construction of a new residential scheme comprising 34 no. units and associated parking and external works - Refused 10/07/07 due to the proposal having an overbearing impact on neighbouring residential properties, increase in overlooking, inappropriate design and harmful to character and appearance of conservation area, inadequate provision of car parking on site, and increased traffic generation on Station Road

07/00228/LB

Restoration and alteration of the listed former Town Hall , demolition of the link to the 1990s extension, re-use of the Town Hall as offices, the refurbishment and extension of the 1990s extension for residential use (26 no. flats) - Refused 10/07/07 as due to the absence of an approved scheme for the alteration and extension of the Richardson Building, the proposals constituted unnecessary alterations to the listed building.

07/01876/LB

Restoration and alteration of the listed former Town Hall, demolition of the link to the 1990s extension, re-use of the listed former Town Hall as offices, the refurbishment and extension of the 1990s extension for residential use, the construction of a new residential development comprising 34 no. units and associated parking and external works - Application pending - elsewhere on this agenda

**Representations:
(Parish & Neighbours)**

Amphill TC

Recommend refusal of the application. Whilst the Town Council feel that the amended design is more in keeping with the Georgian market town of Amphill, there are still concerns about the increased traffic movements this high density development will create along Station Road and the roundabout at the junction of Station Road and Dunstable Street and therefore the Town Council is unable to support the application. Additionally, the block of housing units at plots 6 - 10 is still out of keeping in terms of its scale, thereby creating an overbearing and dominant appearance within the streetscene

Adj Occupiers

6 letters of objection have been received to the application on the following grounds:

1. Height of buildings on Town Hall car park is unacceptable - two storey dwellings are more appropriate;
2. Additional traffic and congestion on Station Road. The Traffic Assessment is inaccurate and Station Road is already beyond its safe capacity for peak time flows;

3. Proposed bridge over Sweet Briar brook will not discourage motorists from dropping off/picking up children at the schools;
4. Proposal would involve works to trees covered by Tree Preservation Orders;
5. Lack of car parking spaces associated with the proposal;
6. Provision of cycle racks would be a waste of space which could be used for car parking;
7. Although the appearance of the proposal has improved, the proposal would be overbearing in terms of height and density;
8. Flats in converted 1900s building will overlook houses and gardens in Station Road;
9. The roof conversion from apex to flat roof will have a detrimental impact on the surrounding area;
10. The planned development is double the size recommended by Mid Beds District Council when the site was sold (30 properties was recommended);
11. Any legal agreement should restrict use of existing building to offices only;
12. On-going maintenance of landscaping and trees should be a condition of any planning permission;
13. The front car park to the east of the site has historically been used by the general public. This car park should remain available for public use out of normal business hours.

Consultations

Ampt Hill & District Preservation Society	Any comments will be reported
Beds CC (Highways)	Any comments will be reported
Rights of Way Officer	Any comments will be reported
Trees and Landscape Manager	Any comments will be reported
MBDC Drainage Engineer	Any comments will be reported
Beds CC (Minerals and Waste)	The Waste Audit indicates a commitment to the principles of sustainable development. However, amendments are required concerning the appropriateness of the size of the bin stores and the re-use of materials retrieved from construction/ demolition works
MBDC Waste Disposal	Refuse collection vehicle access from Station Road will be difficult and there are concerns about such vehicles turning

or reversing on site. The recycling bins located adjacent to the sub-station are of particular concern

Environmental Health	No objections to application subject to conditions regarding noise, lighting and remediation of contaminated land being attached to any planning approval
Natural England	This application is not substantially different to the previous applications with regards to nature conservation aspects. There are no objections to the application subject to an appropriate financial contribution via a S106 agreement being made to provide for some aspects of the management of Cooper's Hill SSSI and a bat survey of appropriate scope and extent to trees and buildings previously identified as having potential to support bats (via the Ecology Survey, Jacobs Babbie, August 2006) with mitigation measures as appropriate. In this instance, there is no objection to the use of a planning condition to ensure a bat survey and appropriate mitigation works are carried out prior to works commencing
Wildlife Trust	Any comments will be reported
CPRE	Any comments will be reported
Beds CC (Planning)	Any comments will be reported
MBDC Housing Officer	Any comments will be reported
MBDC Disability Discrimination Officer	Comments made previously regarding disabled access are still valid. These comments were that lift access should be constructed to Lifetime Homes standards, wheelchair access should be a minimum of 5% of properties, shared surfaces within the residential area questioned because of concern over appropriateness for visually disabled, 5% parking spaces should be for disabled, and the entrance into The Limes must be from the side to avoid discrimination under the Disability Discrimination Act 1995
MBDC Play and Open Space Officer	Any comments will be reported
Police Architectural Liaison Officer	Any comments will be reported
English Heritage	Do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance, and the basis of specialist conservation advice.
Internal Drainage	The Flood Risk Assessment submitted with the application

- Board has been assessed. The reduction in impermeable area of the site is supported. However, a comprehensive survey of the drainage on site should be carried out prior to the detailed design of the proposed drainage system. Reduced discharge from the site is required to provide some relief to areas downstream following maintenance of the Station Road culvert. Sufficient above ground storage of drainage flows is required. There is no objection to the proposal subject to conditions being attached regarding these matters.
- Anglian Water No objections in principle to the proposed development. There are no surface water sewers in the area and surface water will not be permitted to discharge into the foul system. Any surface water connections which connect to the foul sewer should be removed as a mitigation measure for the increase in foul flows. Therefore, conditions related to foul and surface water drainage, surface water attenuation for the site and completion of drainage works prior to occupation of the site should be attached to any approval
- Environment Agency No objection to proposal but recommends that conditions related to surface water drainage and remediation of any contamination are attached to any approval

Determining Issues

The main considerations in determining the application are:

1. The principle of the development;
2. The application;
3. The works to the listed building;
4. Visual impact of the proposal;
5. Impact of the proposal on the residential amenities of adjoining occupiers;
6. Affordable housing;
7. Accessibility;
8. Trees and hedgerows;
9. Ecological issues;
10. Waste and refuse issues;
11. Contamination issues
12. Drainage issues;
13. Traffic issues;
14. Education contributions;
15. Cycling and pedestrian activity;
16. Play and Open Space;
17. Community Safety;
18. Public Art;
19. Section 106 matters.

Environmental Assessment

This planning application has been subject to a Screening Opinion for an Environmental Assessment. It is considered that given the previously developed nature of the site, the proposed residential and Class B1 office uses within a predominantly residential area, together with the fact that the applicant has submitted a desk top contaminated land survey, ecological survey, arboricultural survey, flood risk assessment and transport assessment, together with comprehensive plans and elevations of the proposal and a design/ access statement, the application can be properly considered through the planning application process and it is concluded that the proposals will not have an undue impact on the residential amenities of adjoining occupiers. In the light of guidance contained within Circular 2/99, it is therefore considered that an Environmental Assessment is not required in this instance.

Considerations

1. The principle of the development

The site is located within the urban core of Ampthill which is defined by policy LPS1 of the Mid Beds Local Plan First Review (2005) as a Selected Settlement. Approximately two thirds of the site is located within the Conservation Area, and therefore subject to policy CHE11. Policy CHE1 encourages the continued active use of any listed building and re-use as offices would comply with this policy. The site is currently lying vacant and has scope to be better utilised, therefore meeting the requirement of policy DPS14. The scheme proposes affordable housing in accordance with policy HO2. There is therefore no objection to the principle of development of this site for a mixture of residential and office purposes.

2. The application

The application is submitted for full planning permission and is accompanied by detailed reports considered elsewhere in this report.

The scheme involves the demolition of the Acorn Centre which currently comprises 8 no. Class B1 units. Although the main office buildings at the front of the site are currently lying vacant, the Acorn Centre remains partially occupied.

This application is a re-submission of a previous scheme which was refused by Planning Committee on 10/07/07 due to the proposal having an overbearing impact on neighbouring residential properties, increase in overlooking, inappropriate design and harmful to character and appearance of conservation area, inadequate provision of car parking on site, and increased traffic generation on Station Road. The current proposals have incorporated a further reduction in height of the buildings at the rear of the site facing properties in Station Road, a reduced height of roof extension on the existing listed building and the design of the new units at the rear of the site has been amended to reflect a more traditional design rather than the contemporary appearance previously submitted.

The proposals comprise the following elements:

1. the existing front part of the listed building re-used as office floorspace;
2. the demolition of the link extension between the listed building and its 1990s extension;
3. the conversion of the 1990s block from previous office use to apartments (26 no.):
4. new-build development at the western end of the site of 29 no. apartments and 5 no. houses.

The site is not allocated under policy EMP1 of the Local Plan as an employment site and therefore there is no objection to the principle of the change of use of the modern extension building to residential use.

3. Works to the listed building

The listing of the building includes both the original 1965 frontage building and the 1990s extension to the rear, although the formal listing description very briefly dismisses the rear extension as being "not of architectural interest". Notwithstanding this, the listed applies to the whole of the building as it currently exists. Thus in planning terms there is alteration, extension, a small element of demolition and change of use involved to the listed building. Each of these is supported by policy providing the inherent character of the listed structure is preserved and maintained, and continued in useful activity.

The detail of the scheme would provide an opportunity for unsympathetic alterations to the historic part of the building to be removed, including balustrading, doors and windows, and for the Council Chamber, currently filled with a mezzanine floor, to be restored to its original open form. The connection to the 1990s office block would be demolished to reveal the original rear elevations of the building. A reinstatement of the forecourt, and of front boundary walls and railings would restore the setting of the building.

A separate application has been submitted for listed building consent (ref: 07/01876/LB) which is also on this agenda. It is considered that the proposal would positively benefit the internal and external features of the listed building.

In terms of the context of the listed building and its setting, the scheme is also considered to benefit the overall relationship of the Richardson building to the wider site. The alterations and extensions to the 1990s structure are considered to benefit the relationship between the two, giving a separation which does not exist at present., while the new buildings proposed for the rear of the site are considered to be appropriate given the context of the buildings and the relationship of the buildings on this sloping site.

It is essential that the proposed works to the listed building are achieved in association with the adjacent residential development which will help to fund the necessary expenditure. This will need to form an element of a Section 106 agreement linked to the grant of any planning permission.

It is considered appropriate to attach a condition to any approval requiring full

details of the re-instatement of the internal and external features of the listed building, together with the exposed rear wall of the frontage building following demolition of the link element, to be submitted to and approved in writing by the local planning authority.

4. Visual impact of the proposal

Following the previous refusal of planning permission, this application comprises new build properties based on a "Georgian" style of architecture. This style is more in keeping with the appearance of the listed building and has been subject to discussions with Ampthill Town Council who are generally in support of the revised appearance. Traditional materials are now proposed (brick, stone, clay tile and slate).

The new-build element of the proposal would be orientated to the south or west to benefit from solar gain. The maximum overall height of the development would be five/ six storeys closest to the listed building. However, this height is comparable to the four storeys plus pitched roof which exists on the existing 1990s block.

The application is supported by sectional plans and elevations indicating the relationship of the proposed structures to the steeply sloping nature of the site. The scheme seeks to utilise the changing levels of the site and the overall format of the buildings demonstrates a downward flow in the ridge height. The parts of the buildings closest to existing residential properties in Station Road are a maximum of three storeys in height and mainly two storeys, off set from the boundary by a minimum of 6 metres.

In addition, the works to the 1990s block involve the removal of its present pitched roof and replacement of this element with a penthouse style, flat roofed, heavily glazed area of accommodation providing flats.

It is considered, on balance, that the appearance of the proposal is acceptable and would preserve and enhance the character and appearance of the conservation area which in this locality is presently dominated by an open car park. It is recommended that a condition is attached to any approval requiring all materials to be submitted to, and approved by the local planning authority in order to ensure that the development comprises appropriate types and colours of materials.

5. Impact of the proposal on neighbours' amenities

The application proposes the retention of the Richardson building to the front and the adaptation of the 1990s office block. In terms of their overall massing, there is effectively no change to these buildings. The Richardson building would remain in office use and therefore there is no change to the typical activity on this part of the site.

The 1990s building would be converted to residential properties. Externally, the fabric of the building and its massing are to be "renovated" by the introduction of a more contemporary roofline. The change of use to residential would result in the presence of living room windows with potential to overlook

the nearby houses and gardens in Station Road. However, these have previously been overlooked by office workers to the same degree, except that the building would have been effectively unused in the evenings and at weekends. On balance, it is considered that there would not be any additional loss of amenity in this regard.

In this part of the site there would continue to be vehicular access and parking, again resulting in little change to the previous situation, except that the site will be busier at weekends. However, the nature of the traffic will remain residential in character and therefore there is no reason to assume that there should be any unacceptable noise levels or patterns of use compared to the adjacent residential activities.

The part of the application site to the west of the existing buildings is to be redeveloped. The placement of the access road is made to avoid undue impact to residents of Station Road and to retain the effective tree screen to the Clevedon Nursery.

The location of the buildings to the rear of Station Road has fully taken into account potential neighbour impact. The revised scheme indicates two and three storey development in closest proximity to properties in Station Road and the scale of the building closest to 18 Station Road has been reduced with no windows overlooking this property.

6. Affordable Housing

Affordable housing would be provided at the Council's target of 28% as required by policy HO2 and supplementary planning guidance. This would comprise 2 no. 1 bed flats, 4 no. 2 bed apartments and 2 no. 3 bed houses for rent, and 7 no. flats and 2 no. houses for shared ownership, totalling 17 units. Externally they would be indistinguishable from the market housing and would be spread across the site. This element of affordable housing within the development should be tied to the development as part of a Section 106 legal agreement.

7. Accessibility

The site is steeply sloping but all surfaces and accesses have been designed to facilitate ease of access and gradients will be eased where possible. All apartments are accessible either via ground level access or by lift. Many of the properties will be designed to "lifetime" homes standards including the provision of level access, wide doorways and internal routes, allowance for the future provision of stair and platform lifts and the facility for ground floor living. In addition, a total of 16 no. car parking spaces for disabled would be provided. It is therefore considered that the proposal would provide a high degree of access for the disabled. The disabled access around the proposal can be further enhanced by a condition to require details of hardsurfaces, to ensure that they are suitable for the visually disabled.

It is not, however, recommended that an additional ramped entrance be provided to the frontage of the Richardson building as this would have a harmful visual impact on the historic fabric of the building. As alternative

ramped entrances are available it will be for the occupier to ensure that there is no conflict with the Disability Discrimination Act. An informative will be used to advise of this.

8. Trees and hedgerows

The submitted scheme indicates the removal of 9 no. trees in and around the application site. The applicant has submitted an Arboricultural Report in support of the application. This report surveys all trees within the site and categorises 9 for removal, and 61 as being of lower value. These trees are either older trees which are of poor quality or younger trees of a stem diameter below 150mm. They are categorised under the definition provided within BS5837: 2005 "Trees in relation to construction". This definition is a guideline to inform the value of the trees when a scheme is being designed. Because of the layout of the site, most of these category C trees can safely be retained through any development phase. It is considered appropriate to attach conditions requiring the protection of trees during construction work to any approval.

9. Ecological issues

A walk-over survey has been submitted which considers the impacts of the proposal on trees, the watercourse and connected habitats, including grassland nearby and the buildings. No evidence was found of the presence of any protected species, but a further bat survey was recommended for trees close to the watercourse. Natural England have both requested the inclusion of a condition if permission is granted to ensure further survey is implemented regarding bats.

Cooper's Hill County Wildlife Site and SSSI is located to the west of the application site. Natural England and the Wildlife Trust are concerned that the development will increase public usage of this area, and require funding towards the better management of the site. Negotiations have been held with Natural England and with the Wildlife Trust, who manage this site, and a contribution towards improvements of signage, fencing, surfacing and so on will be sought from the developer. This contribution will need to be tied by the Section 106 agreement.

10. Waste and refuse issues

The applicant has submitted a Waste Audit in support of the application. Whilst a commitment to the principles of sustainable development is clearly outlined in the Audit, the County Waste Officer requires amendments/ further information in relation to waste and refuse, specifically waste arising from construction/ demolition works, and figures used to assess the waste storage requirements of the development. It is therefore considered appropriate that a condition is attached to any approval requiring this further information to be submitted and approved.

Concerns have also been raised by the MBDC Waste Team about the accessibility into and around the site for refuse collection vehicles and the location of recycling facilities adjacent to the sub-station. Comments are

awaited from the Highways Authority and will be reported at Committee. The applicant has been requested to re-assess the location of the recycling bins and any further comments will be reported.

11. Contamination issues

There is a low to medium risk that the site may have been contaminated by former commercial uses. A Desk Study has been submitted by the applicant in support of the application. This survey includes reference to areas of light industrial use and small scale fuel storage. The findings are such that further investigation will be necessary to fully assess the risk to human health and ground water. It is therefore considered appropriate to attach a condition requiring further investigations and mitigation measures to be carried out to the satisfaction of the local planning authority.

12. Drainage issues

A Flood Risk Assessment has been submitted in support of the application. This report identifies that the site is 2 km from the River Flit but bordered on its western boundary by a small stream which runs to the River Flit. The site lies outside the floodplain and has no risk from flooding, although further downstream the stream is known to flood.

Overall, the development will reduce the impermeable surface from 0.835 ha to 0.8ha. However, it is considered appropriate to attach conditions requiring the developer to submit full details of the proposed foul and surface water drainage in order to ensure that discharge rates are kept below or equal to the existing levels at the site and an appropriate ownership/ management system for the disposal of surface water is maintained. In this way, down stream flood risk will not be unduly increased.

13. Traffic issues

A Transport Assessment has been submitted with the application. This assessment has been revised to take into account the scheme now being proposed and advises that 125 car parking spaces are proposed for the site overall; 30 for the office use and 95 for the residential.

The application proposes a total of 60 no. dwellings, resulting in just over 1.5 spaces per dwelling. Cycle parking is also proposed for the residential part of the site and close to the office entrance. As the site is a 5 minute walk from the town centre, it is considered that an appropriate level of car parking would be provided, having regard also to the regular bus routes that operate in the vicinity.

The assessment states that the lettable area of the office development would be 870 sq metres and it is considered that 30 parking spaces for this amount of floorspace is acceptable.

In terms of vehicular access into the site, two way access would be achieved from both Station Road and Dunstable Street but these would not be interconnected, separation being achieved by a landscaped area, so that

effectively two cul-de-sacs would be formed.

In order to assess the possible future impact of the development, a comparison was carried out between the existing and proposed traffic figures at the site. The analysis carried out shows that the proposed redevelopment would have a neutral effect on peak hour trips and that Station Road has sufficient capacity following the redevelopment.

Comments from the Highways Authority will be reported.

14. Education issues

It is anticipated that the development will need to provide additional accommodation at middle and upper school level in the town. Comments from the County Council will be reported. Any such contributions would need to form part of a Section 106 agreement.

15. Cycling and pedestrian activity

In common with other larger scale developments in Mid Bedfordshire, the developer will be expected to contribute towards enhancing cycle and pedestrian routes in the area. Cycle parking at the site will need to be covered and secure or visually supervised. It is therefore considered appropriate to attach a condition requiring full details of cycle parking at the site to be approved.

The applicant has held discussions with local school teachers and governors and is proposing a pedestrian route through the site to a new pedestrian bridge crossing of Sweetbriar Brook. This route would provide an alternative pedestrian route to the adjacent schools from Dunstable Street and therefore reduce the conflict of pedestrians and vehicles on Station Road.

16. Play and Open Space

In terms of Play and Open Space, the creation of 60 units of residential accommodation will generate a demand for play, amenity and sport provision. In accordance with the Council's adopted Recreational Open Space standards, a financial contribution is recommended towards off-site highway works at other locations in Ampthill, including support for works currently programmed in Ampthill Park.

17. Community Safety issues

It is considered appropriate to attach conditions to any approval requiring details of controls of access into undercroft parking and cycle stores, and external lighting to be submitted and approved. The proposal is based upon much of the areas around the buildings being of communal provision, but fenced areas are defined in close proximity to the outer faces of the buildings. Its vehicular layout as two separate accesses to the business and residential elements of the scheme will avoid unnecessary through vehicular movements.

Units 10, 11, 12, 13 and 20 are houses and, together with unit 19, have their

own demarcated private gardens. Managed defensible space behind railings is proposed along the frontage of many of the remaining units.

18. Public Art

Policy DPS27 of the Local Plan encourages development proposals to further the provision of public art projects within the district. In association with this development, an item of public art will be achieved at the site frontage to Dunstable Street. The detail of this artwork is yet to be confirmed but will be tied to the development through the proposed Section 106 agreement.

19. Section 106 agreement

In order to adequately address issues of community provision and sustainability of the scheme, it will be necessary to tie the grant of planning permission by a Section 106 agreement. The following matters will need to be included as Heads of Terms in the agreement:

1. To tie the implementation of the residential elements of the scheme to the restoration of the original listed building fronting onto Dunstable Street;
2. Play provision for improvements of existing play sites in Ampthill;
3. Outdoor sport enhancement towards additional pitch provision in the town;
4. Amenity provision as a contribution towards works in Ampthill Park;
5. Enhancement of educational provision at middle and upper school levels;
6. Affordable housing;
7. Funding for footway/ cycleways enhancement;
8. Provision of public art at the frontage of the site;
9. Financial contribution to improvements at Coopers Hill SSSI to provide mitigation against increased usage;
10. Control over the future management and maintenance of open space.

Conclusion

This proposal is an unusual and complex scheme which has been revised following a previous refusal of planning permission. The appearance of the proposed new build element is now more traditional in nature and has been designed to enhance the special nature of the historic building at the site frontage and to reflect the unusually sloping nature of the site. It would comprise a major development for the town of Ampthill and would be subject to a range of conditions and Heads of Terms for a necessary Section 106 agreement. Importantly, the proposal offers an opportunity for the reinstatement of the former Ampthill Rural District Offices into their original format both internally and externally. It is considered that this revised scheme deals appropriately with the previous reasons for refusal.

Reasons for Granting

The proposal is in conformity with Policies LPS1, NC2, NC3, NC7, CHE1, CHE1, CHE1B, CHE11, DPS1, DPS5, DPS6, DPS9, DPS10, DPS11, DPS14, DPS16,

DPS17, DPS19, DPS20, DPS20A, DPS21, DPS23, DPS27, PHS6, DR5, HO2, HO5, HO6, TP1A, TP1, TP5 and TP8 of the Mid Bedfordshire Local Plan First Review 2005; Planning Policy Guidance: PPS1, PPS3, PPG4, PPS9, PPG13, PPG15, PPG17, PPS22, PPS23, PPG25; Technical Planning Guidance: Cycle and Walking Strategy for Mid Beds 2000; Recreational Open Space Strategy 2005; Mid Beds Cycle Route Mapping Project 2001; Wildlife in Development 2003; Affordable Housing 2004; Design Guide for Residential Areas in Mid Bedfordshire 2004; Regional Spatial Strategy: RSS 14 (East of England Plan); Milton Keynes and South Midlands Sub-Regional Strategy.

RECOMMENDATION

APPROVE planning permission subject to a Section 106 legal agreement and the following conditions and reasons:

- 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 TL02 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing, to include attention to the requirements of the visually disabled and impact of the hard surfacing on the character and appearance of the listed building and conservation area;
- minor structures (e.g. furniture, signs, etc);
- 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.

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 TL03 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in

accordance with a programme agreed in writing with the Local Planning Authority.

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 U All works to trees and vegetation shall be undertaken in accordance with the practice details indicated in the submitted Arboricultural Report dated 1 May 2006.

Reason: To safeguard existing trees on the site in the interests of visual amenity and the protection of the character and appearance of the conservation area.

- 5 TL28 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 submitted details of the proposed boundary treatment shall include full elevational and sectional drawings of the wall and railings to be erected at the frontage to Dunstable Street, and shall be completed before the building to which it is related is 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.

- 6 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 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.

- 7 U All plant, machinery and equipment installed or operated in the office building hereby approved shall be so enclosed and/ or attenuated that noise resulting from its use shall not exceed a level of 5dB (A) below the existing background level (or 10 dB (A) if there is a tonal quality) when measured in accordance with BS4142:1997, at (a) the nearest noise sensitive residential facades within the development; (b) the nearest noise sensitive facades of existing dwellings; and (c) any other residential facades where the noise could be audible due to a line of sight to the plant/plant area.

Reason: To protect the amenity of occupiers of nearby existing and proposed residential dwellings from noise from plant installed

at the office development.

- 8 U Before the development commences, the applicant shall submit to the local planning authority for approval a suitable exterior lighting design scheme devised to complement the setting of the listed building, to provide illumination to shared areas and to eliminate any detrimental effect caused by obtrusive light or glare on proposed or existing neighbouring residential occupiers. All exterior lighting at the development shall be constructed and installed in accordance with the approved scheme.

Reason: In order to protect the amenity of proposed and neighbouring residential occupiers from the adverse impact of obtrusive light or glare arising from exterior lighting on the development and to ensure that the appearance of such works is appropriate to the historic fabric of the site.

- 9 U Prior to the commencement of development, the developer shall submit in triplicate:

(a) A phase 2 site investigation report documenting the ground conditions of the site with regard to potential contamination, and incorporating chemical and water analysis and consideration of all receptors as identified as being appropriate by the already submitted Phase 1 environmental desk study report (Tendrevell Services Limited, May 2006) and following its recommendations.

(b) A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health and the wider environment posed by any contaminants and/ or gases identified by the Phase 2 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 by the local planning authority.

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 validation report, which shall include measures for maintenance, further monitoring and subsequent reporting to the local planning authority.

Any changes to these agreed elements will require the express consent of the local planning authority.

Reason: To protect human health and the environment

- 10 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.

- 11 U No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works, including a comprehensive survey of the existing drainage on the site, has been submitted to and approved in writing by the local planning authority. The scheme shall ensure that discharge rates to Sweetbriar Brook (to the west of the site) are kept equal to or below the existing levels. The approved drainage works shall be completed prior to the first occupation of any of the buildings hereby approved.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal

- 12 U Prior to the commencement of development, a scheme for the ownership and maintenance of the surface water system shall be submitted to, and agreed in writing by, the local planning authority. The approved works/ scheme shall be constructed and completed prior to the first occupation of the buildings hereby approved.

Reason: To ensure the satisfactory long-term operation of the system and prevention of the increased risk of flooding.

- 13 U Before the development hereby approved is first occupied, a revised Waste Audit shall be submitted to, and approved in writing by, the local planning authority. The revised Waste Audit shall include the following:

- (a) Figures used to assess the waste storage requirements of the proposal;
- (b) Clarification of which bin storage areas serve which particular properties;
- (c) Further information on re-use of waste arising from construction/demolition processes.

The development shall be implemented in accordance with the submitted Waste Audit and the Revised Waste Audit as required above.

Reason: To ensure that waste is managed sustainably during the construction and lifetime of the development in accordance with the objectives of Policies W5 and W6 of the Bedfordshire and

- 14 EM05 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 prior to the commencement of the development hereby permitted.
- Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.
- 15 U The glazed side panels to the balconies on plots 10,11,12,13,20 and 31 shall be fitted with obscure glass of a type to substantially restrict vision through them at all times. A sample of the glazing to be used shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. The glazing shall be implemented prior to the first occupation of these units and shall be permanently retained thereafter.
- Reason: To safeguard the amenities of occupiers of adjoining properties.
- 16 U Prior to the commencement of development hereby approved, full 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 adjoining properties, the location of which shall first be agreed 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.
- 17 U No development hereby approved shall commence until a scheme of works to address security risks within the site, and to include control of access into undercroft parking areas and cycle stores, and communal areas of buildings, has been submitted to, and approved in writing by, the local planning authority. The scheme shall include provision of details for the placing and maintenance of CCV cameras at key locations within the site.
- Reason: In order to ensure the development adequately addresses issues of community safety.
- 18 U No work is to be undertaken on site until a bat survey of the existing buildings and suitable trees has been undertaken by an experienced person holding a relevant licence. Subsequent works shall only be carried out in accordance with the findings of the survey and shall incorporate any necessary mitigation measures.
- Reason: To protect features of recognised nature conservation

importance.

- 19 U No works related to clearance of vegetation shall be undertaken during the period of March - August inclusive, unless previously declared free of nesting birds by a suitably qualified ecologist.

Reason: To protect and safeguard the breeding locations of birds.

- 20 U The development hereby approved shall not commence until details of safe pedestrian crossing facilities across the junction of the proposed vehicular access with the highway have been approved by the local 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 pedestrians and users of the highway.

- 21 U Notwithstanding condition 20 above, the access shall be implemented in accordance with Drawing Number M53256/001 Rev B, Station Road junction.

Reason: In the interests of road safety and for the avoidance of doubt.

- 22 U No dwelling hereby approved shall be occupied until a footway has been constructed on the eastern side of the access road from Station Road in accordance with details of the approved drawings and/ or scheme to be submitted to, and approved in writing by, the local planning authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

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

- 23 HS20 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.

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

- 24 HS24 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the

highway in the interest of road safety.

- 25 HS29 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.

- 26 U The development hereby approved shall not commence until a scheme detailing provision of 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 provision during the construction period in the interests of road safety.

- 27 U Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, including details of arrangements for the restriction of vehicles to approved points of access and egress, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be operated throughout the period of construction works.

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

- 28 U Visibility splay improvements shall be provided at the junction of the vehicular accesses with the public highway. The splay improvements (cutting back of hedges) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The vision splays so described shall be maintained free of any obstructions to visibility at all times.

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

- 29 U Prior to the commencement of development, full details of the proposed access bridge over the brook at the western end of the site, including details of long term maintenance and timed access facilities, shall be submitted to, and approved in writing by, the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory pedestrian access through the site.

- 30 U Prior to the commencement of development, full details of cycle storage for both the residential and office developments, including secure covered facilities, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To encourage use of alternative means of transport other than the private car.

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 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 no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway surface 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 County Engineer, Bedfordshire County Council. Further details can be obtained from the Maintenance Section, Network Management Group, County Engineer's Department, County Hall, Bedford, MK42 9AP.
- 3 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.
- 4 The applicant is advised that the County Council as Highways Authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
- 5 Should bats be discovered during work on the development, the work must

immediately be halted and further advice sought from a suitably qualified and experienced ecologist, holding any licences that might be necessary. Failure to comply with this may result in prosecution and anyone guilty of an offence is liable to a fine of up to £5000 or to imprisonment for a term exceeding six months, or both.

- 6 The grant of planning permission does not absolve any owner or developer from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in Circular 06/2005.
- 7 The attention of the applicant/ developer is drawn to the conditions separately imposed in respect of the grant of listed building consent for works of conversion and alteration to the existing buildings on the site.
- 8 The developer is reminded of their responsibilities and liabilities under the Disability Discrimination Act 1995 which will require that the primary access into the office building is arranged to the side of the building in order to avoid the use of the steps at the front elevation.

This page is intentionally left blank

Item No.15

DESCRIPTION: **LB: SUBDIVISION OF BUILDING INTO THREE OFFICE UNITS.**

LOCATION: **THE LIMES, 12 DUNSTABLE STREET, AMPHILL, BEDFORD, MK45 2JU**

GRID REFERENCE: PP-00538017

APPLICATION NUMBER: 08/01805/LB

PARISH: Ampthill

APPLICANT Storey Property Developments Ltd

CASE OFFICER: Pru Khimasia

DATE REGISTERED: 23 September 2008

EXPIRY DATE 18 November 2008

RECOMMENDED DECISION **LISTED BUILDING CONSENT**

REASON FOR COMMITTEE TO DETERMINE **CLLR SUMMERFIELD CALL IN AT THE REQUEST OF AMPHILL TOWN COUNCIL DUE TO CONCERNS OF INSUFFICIENT LEVELS OF CAR PARKING.**

Site Location:

The application site comprises 1.04ha of land, the bulk of which lies within the Ampthill Conservation Area. The existing buildings on the site comprise the former Mid Beds District Council offices and the Acorn Centre to the rear. The original town hall structure (the former Council Office) is Grade II listed and was designed by Sir Albert Richardson, while there are more modern structures and a large car park area to the rear of the site. Importantly, the listing includes the more modern 1990's extension of the original frontage building.

The site slopes down steeply to the west towards an open brook and is bounded by residential development in Station Road and Dunstable Street to the south, and by the Clevedon Nursery and Russell House (now vacant) to the north.

The main part of the site is now vacant.

The Application:

The application seeks Listed Building Consent for internal demolition and alterations to divide the existing 1964 Sir Albert E. Richardson building into three office units.

A previous application 07/01876/LB for the redevelopment of The Limes proposed the conversion of the Sir Albert E. Richardson building into one office, without any subdivision. This application has been approved subject to the applicants entering into a legal obligation in connection with the parallel application for full planning permission, and these decision notices have yet to be issued pending completion of the 106.

PPS:

PPS1 Delivering Sustainable Development
PPS3 Housing
PPG15 Planning and Historic Environment

**Policy + SPG:
(Structure Plan + Mid Beds Local Plan)**

Mid Bedfordshire Local Plan First Review 2005: CHE11.

Planning History

Many and various planning applications over time relating to former use of the site as council offices.

- | | |
|---------------|--|
| 06/01657/FULL | Internal and external alterations to office building including demolition of link to rear extension; alterations and change of use of rear extension to form 27 flats; erection of 39 flats in 3 blocks following demolition of the Acorn Centre, together with parking, landscaping and ancillary works.
Withdrawn 03.01.07 |
| 06/01658/LB | Internal and external alterations to front office building, including demolition of link to rear extension and restoration of rear elevation to its original design. Alterations and change of use of rear extension to form 27 flats.
Withdrawn 03.01.07 |
| 07/00223/FULL | Restoration and alteration of the listed former Town Hall, demolition of the link to the 1990's extension, re-use of the listed Town Hall as offices, refurbishment and extension of the 1990's extension for residential use (26 flats), construction of a new residential scheme comprising 34 units, and associated parking and external works.
Refused 10.07.07. Excessive height and bulk, loss of amenity, inappropriate design, inadequate car parking, increased traffic in Station Road. |
| 07/00228/LB | Restoration and alteration of the listed former Town Hall, demolition of the link to the 1990's extension, re-use of the listed Town Hall as offices, refurbishment and extension of the 1990's extension for residential use. Refused 10.07.07 as being premature in advance of a planning permission for the site. |
| 07/01869/FULL | Full: Restoration and alteration of the listed former town hall, the demolition of the link to the 1990s extension, the re-use of the listed former town hall as offices, the refurbishment and extension of the 1990s extension for residential use, the construction of a new residential development comprising 34 |

no. units and associated parking and external works.
Approval pending S106 Agreement.

07/01876/LB

Listed Building Consent: Restoration and alteration of the listed former town hall, the demolition of the link to the 1990s extension, the reuse of the listed former town hall as offices, the refurbishment and extension of the 1990s extension for residential use, the construction of a new residential development comprising 34 no. units and associated parking and external works.
Approval pending S106 Agreement.

**Representations:
(Parish & Neighbours)**

Ampthill Town Council Object to the scheme:

- The fire escape facilities and disabled access are inadequate.
- Understand the application is a listed building application, however the car park is insufficient for the increased numbers of staff, as a consequence of the change from one to three office suites

Adjacent Occupiers One letter of Support Received:

- Support splitting of building to increases chances of building being let.

Application advertised 10 October 2008

Consultations

Ampthill & District Preservation Society Object to the scheme:

- The car park is insufficient for the increased numbers of staff, as a consequence of the change from one to three office suites.
- The fire escape facilities and disabled access are inadequate.

Access Officer Object to the scheme:

- no Disabled Access details have been submitted.
- The application is in breach of the DDA

Contract Services No Comment

Determining Issues

The main considerations of the application are;

1. **Principle of Development**
2. **Impact on the character and setting of the Listed Building**
3. **Works to the listed building**

4. Other Issues

Considerations

1. The Principle of Development

The site is located within the settlement envelope of Ampthill which is defined by policy LPS1 of the Mid Beds Local Plan First Review (Adopted 2005) as a Selected Settlement. The Listed Building is located within the Conservation Area, and therefore subject to policy CHE11. The site is currently lying vacant and has scope to be better utilised, while the continuing vacancy of the buildings is a matter for some concern.

The principle of redevelopment of this site has been established by the previous resolution to approve permission. This approval allowed the retention of the Sir Albert E. Richardson building into one office, without any subdivision.

The building has proved not to be marketable as a single unit. The applicant has submitted evidence showing the lack of demand for the offices as a whole. Details submitted show that the building was marketed from 1 September 2006 until 25 August 2008. Some viewings were made but none led to the successful occupation of the building. Some companies were looking for a partial lease only.

The Employment Land Review, undertaken as part of the evidence base for the emerging Local Development Framework shows that demand for small units in the District is great. The subdivision of the building offers the owners an opportunity to create smaller office units which they believe will be easier to market.

2. Impact on the character and setting of the Listed Building

The proposals submitted indicate that the listed building would be restored to its original format and refurbished. The listing of the former Town Hall building includes both the original 1965 frontage building and the 1900s extension to the rear, although the formal listing description very briefly dismisses the extension as being "not of architectural interest".

The detail of the scheme provides an opportunity for existing unsympathetic alterations to the historic part of the listed building to be removed, including balustrading, doors and windows. The former Council Chamber, currently filled with a mezzanine floor would be restored to its original open form. The connection to the 1990s office block would be demolished to reveal the original rear elevations of the listed building.

In terms of the context of the listed building and its setting, the scheme to separate the original building from the modern extension at the rear was considered to benefit the overall relationship of the Richardson building with the wider site, giving a separation that does not exist at present. This was considered during the determination of the full planning application

07/01869/FULL.

The detail of the works to the listed building will need to be tied by condition, for example it is considered appropriate to attach conditions to any approval requiring full details of the reinstatement of the rear elevation to be submitted to, and approved in writing by, the local planning authority.

Overall, it is considered that the proposal would considerably enhance the character and appearance of the listed building and its wider setting and is in accordance with local and national planning policies.

3. Works to the Listed Building

PPG 15 advises that internal and external alteration or addition to a listed building should only be permitted where there would be no adverse effect on its architectural or historic interest.

This scheme provides three similarly sized offices divided on a continuous vertical split with no flying freehold. Each office is spread over three floors, with the exception of the central office, which retains access to an existing basement also.

The division of each office is summarised below. All these changes have been agreed to the satisfaction of the Design and Conservation team.

Office 1

- Office 1 is located on the north side of the building.
- Access to this office would be provided on the northern elevation, at the side of the building.
- Some internal partition walls would be removed to create open plan offices on all floor levels.
- The door accessing the front hallway which links the side of the building to the original main entrance and chamber would be blocked.
- The existing side staircase would enable access to the first and second floors of this Office.
- Toilets would be proposed on all levels, in the rear of the original building (in the far end of the wings), in an area that was used as a corridor linking the original building with the modern extension.

Office 2

- Office 2 is located in the centre of the building and would utilise the chamber as the main office space.
- Access to this office would be provided from the front elevation, using the original main entrance.
- Some internal partition walls would be removed to create open plan offices on the second floor.
- The former Council Chamber, currently filled with a mezzanine floor would be restored to its original open form with balcony, providing office space on the

- ground and first floor.
- The two original symmetrical staircases linking the ground floor with the first floor would be retained. Additional staircases of steel and glass would be added to first floor central corridor to access the second floor. To enable this new openings would be made to the flank walls leading to the chamber but these would be simple, uncomplicated apertures so not to detract from the route to the chamber.
- An existing staircase would provide access to the basement.
- Toilets would be proposed in an area accessed from the flank walls leading to the chamber but again these new openings would be simple, uncomplicated apertures so not to detract from the route to the chamber, with the exception of the second floor, where toilets would be proposed in existing cupboards.
- The existing glass and wooden panels at the top of the staircase on the first floor would be removed, to enable the opening up of the first floor, in keeping with the original design.

Office 3

- Office 1 is located on the south side of the building.
- Access to this office would be provided on the southern elevation, at the side of the building.
- Some internal partition walls would be removed to create open plan offices on all floor levels.
- The door accessing the front hallway which links the side of the building to the original main entrance and chamber would be blocked.
- The existing side staircase would enable access to the first and second floors of this Office.
- Toilets would be proposed on all levels, in the rear of the original building (in the far end of the wings), in an area that was used as a corridor linking the original building with the modern extension.

The application proposes the replacement of UPVC windows with timber, single glazed sliding sash windows to match the original. In addition, the skirting, mouldings, balustrading and doors would be replaced or added where necessary to match the original features. The application does propose the removal of some original structures, it also proposes the replacement of original structures that were removed. There will be some closure of secondary openings to facilitate the subdivision.

Overall it is considered that the proposals are reasonably required to encourage and enable the continued active use of this listed building and will serve to promote and restore its integrity and character. Such works accord with paragraph 3.8 of PPG15 which states " Generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. For the great majority this must mean economically viable uses if they are to survive and new, and even continuing, uses will often necessitate some degree of adaptation. The range and acceptability of possible uses must therefore usually be a major consideration when the future of listed buildings or buildings in conservation areas is in question."

4. Other Issues

Parking

Although a matter that has raised local concern, the provision of parking is not a consideration for a Listed Building application. The applicant has submitted a plan showing a revised car parking arrangement to that subject to the resolution to approve under 07/01869/FULL. This shows allocation of car parking spaces for each of the three offices. The car parking provision calculation is based on the net lettable area for each office. This method of calculating car parking provision was agreed previously and consented for the previous applications, 07/01869/FULL and 07/01876/LB. It is considered that the proposals for parking are in principle reasonable.

Disabled Access

The applicant acknowledges in the Design and Access Statement that provision of lifts, fire doors, data, power and ventilation provision will need to be reviewed at a later stage. These details will have to be agreed to meet statutory and modern day requirements, including satisfying the requirements of the Disability Discrimination Act.

The submitted car parking plan indicates the provision of ramped access to all three offices but no detailed information is supplied at present. The ground floor to each office therefore potentially has disabled access. No other disabled access details have been submitted with this application, and it is fair to record that there have been concerns raised over the impact on the fabric of the building of the potential inclusion of lift facilities to meet Disability Discrimination Act requirements.

The provision of ramps will constitute an engineering operation requiring planning permission, but not listed building consent, and an advisory note to the applicant can remind of this requirement. The absence of lift access in this current proposal is not a matter for which it would be appropriate to refuse listed building consent. The liabilities (or indeed any exceptions) under the DDA will need to be separately investigated by the developer. Any further internal works required to meet these requirements will necessitate the submission of a further application for listed building consent.

Though the Council's Access Officer has strong objection to the proposal as it stands, the provision of access arrangements is not a matter that would justify the refusal of an application for listed building consent.

Conclusion

The subdivision Sir Albert E. Richardson building into three office units does represent minimal intervention and would allow the applicant to revert to a single building should it ever be required. The use of the building as offices remains unchanged and so no application for full planning permission is required.

The proposed internal works will not adversely effect the architectural or historic interest of this Grade II listed building, consequently the development is in accordance with the advice in PPG15 on the Historic Environment. It is therefore recommended that Listed Building Consent is granted, subject to the appropriate conditions.

Reasons for Granting

The proposal is in conformity with PPG15 Planning and the Historic Environment.

RECOMMENDATION

APPROVE Listed Building Consent for the application set out above subject to the following condition(s):

- 1 DG02 The works hereby consented shall be begun within three years of the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to ensure that this consent does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 LB01 All internal and external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building.

- 3 LB08 **Prior to the commencement of works a method statement indicating the sequence of demolition and reconstruction together with measures for temporary structural support during works, and a detailed specification for repairs and reinstatement, shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to during construction works.**

Reason: To ensure that the structural stability of the adjacent building is maintained.

- 4 LB13 **The new works shall be executed in bricks, mortar, tiles, skirting boards, architraves, cornices, door and windows frames and sills to match the existing building, details all of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.**

Reason: To safeguard the special architectural and historic interest of this statutorily listed building.

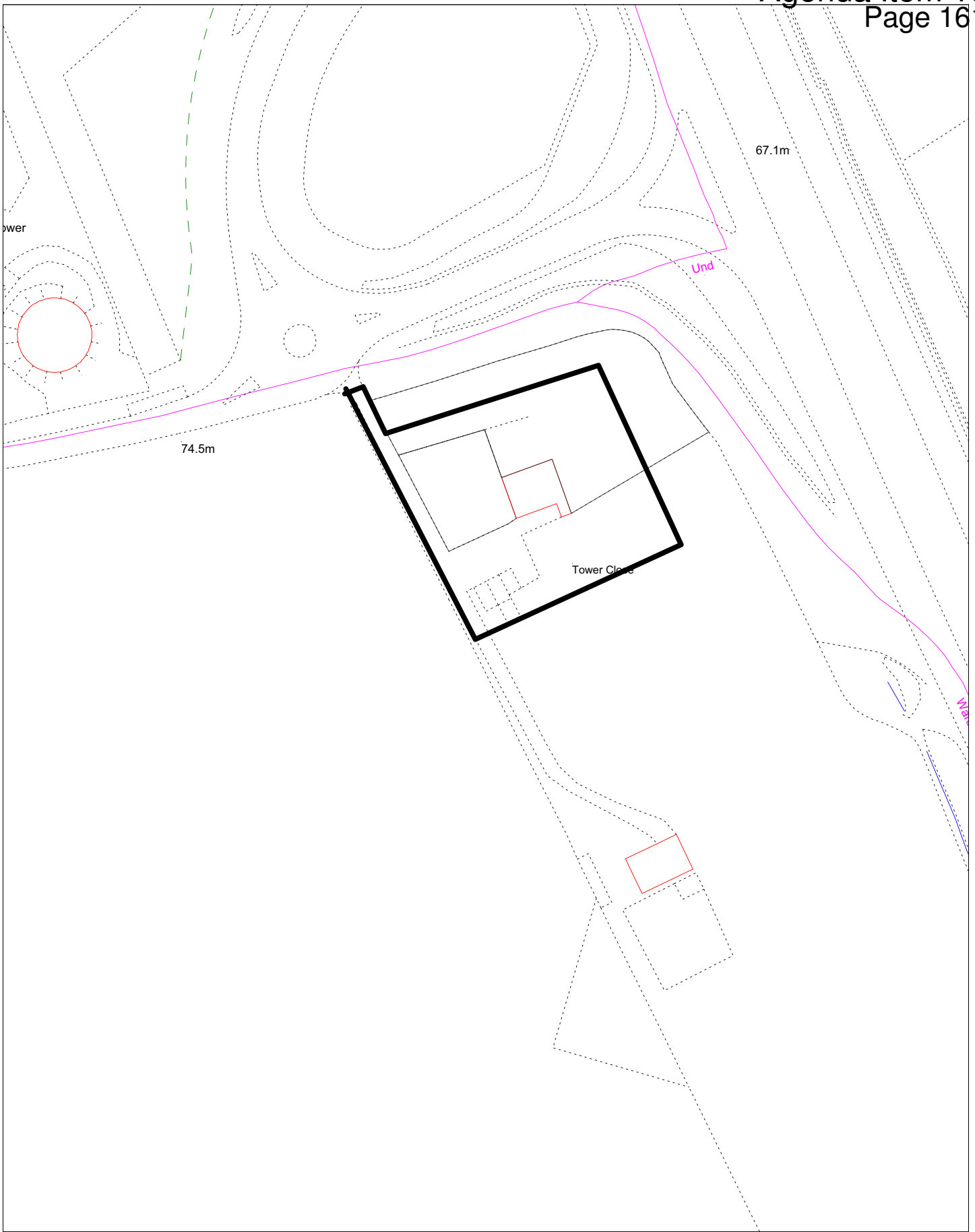
- 5 EM02 **Before the commencement of development a sample panel of bricks shall be constructed for the consideration and approval of the Local Planning Authority.**
- Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.**
- 6 LB26 Detailed drawings at a scale of 1:2 of the glazed bars to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The works shall be carried out and completed strictly in accordance with the previously approved details.
- Reason: To safeguard the special architectural and historic interest of this statutorily listed building.
- 7 LB27 Notwithstanding the approved plans, all rainwater goods shall be of cast iron or aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.
- Reasons: To safeguard the special architectural and historic interest of this statutorily listed building.
- 8 U No works shall be undertaken on any of the following matters without full details including elevations first having been submitted to, and approved in writing by, the local planning authority:
- i) modifications to the existing lantern to the Council Chamber to provide passive ventilation;
 - ii) the provision of any means of escape;
 - iii) the installation of any plant, equipment or air conditioning facilities;
 - iv) the installation of the new balcony in the former Council Chamber;
 - v) the proposed lift doors;
 - vi) the installation of any secondary windows;
 - vii) the provision of any external lighting;
 - viii) the provision of fire escape facilities;
 - ix) external surface treatments;
 - x) boundary treatments including the walls and railings to the front of the site.
- Reason: To safeguard the special architectural and historic interest of this statutorily listed building
- 9 U **Prior to the commencement of development, full details and specifications of all reinstatement works to the rear upper**

levels of the listed building shall be submitted to, and approved in writing by, the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building

Notes to Applicant

- 1 The applicant is reminded of their liability under the Disability Discrimination Act 1995 as amended to consider the needs of less able people in accessing the building. Any works to construct external ramps or the like will require full planning permission. Any internal adjustments to the building, such as the provision of lifts, will require listed building consent. Early discussion with planning officers is recommended.



Date: 08 July 2009

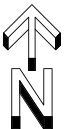
Scale: 1:1250

ITEM NO. 17

APPLICATION NO.CB/09/00784/FULL

Towers Close, Toplers Hill, Astwick

17.1



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

This page is intentionally left blank

Item No. 16

APPLICATION NUMBER CB/09/00784/FULL
LOCATION TOWERS CLOSE, TOPLERS HILL, ASTWICK,
HITCHIN, SG18 9TA
PROPOSAL FULL: SINGLE STOREY REAR AND SIDE
EXTENSIONS AND DETACHED DOUBLE GARAGE
PARISH Astwick
WARD Stotfold & Arlesey
WARD COUNCILLORS Cllrs Street, Turner, Saunders & Dalgarno
CASE OFFICER Kate Phillips
DATE REGISTERED 30 April 2009
EXPIRY DATE 25 June 2009
APPLICANT Mrs Gudgin
AGENT Richard Beaty (Building Design)Ltd

REASON FOR COMMITTEE TO DETERMINE THE APPLICANT IS EMPLOYED BY THE COUNCIL.

RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

Site Location:

The application site is Towers Close at Toplers Hill which is a detached bungalow which has been extended at various points in the past. It is situated within a large plot that is accessed from Toplers Hill close to the roundabout by the nearby water tower, however it is very well screened from the adjacent roads by tall trees that surround the site. To the south west of the bungalow is a garage structure in a poor state of disrepair. To the south of the application site is a large field which slopes south alongside the A1. The surrounding area is characterised by open countryside and the A1.

The Application:

This application seeks permission for single storey rear and side extensions and a detached double garage.

RELEVANT POLICIES:

National Policies (PPG + PPS)

- PPS 1 Delivering Sustainable Development (2005)
- PPS 3 Housing (2006)
- PPG 16 Archeaology and Planning (1990)

Regional Spatial Strategy

- East of England Plan (May 2008)
- Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Mid Bedfordshire Local Plan First Review 2005

Policy DPS6 – extensions and alterations

Supplementary Planning Guidance

Mid Bedfordshire District Council's Technical Guidance:
'Extensions and Alterations: A Design Guide for Householders' (2004)

Planning History

MB/05/01587/FULL	Full: Extensions to ground floor and construction of new roof to provide first floor living accommodation (revised scheme to approval 05/00374 dated 16/05/05) - Full Conditional Approval
MB/05/00374/FULL	Full: Extensions to ground floor level and construction of new roof to provide first floor living accommodation. - Full Conditional Approval
MB/92/01453/FA	Full: Erection of building for storage of hay and tractors. (3 bays-13.7m x 9.1m). - full conditional approval
MB/92/00120/FA	Full: Use of land for the storage of touring caravans - Full Conditional Approval
MB/91/01018/EUC	Established use certificate: Storage of caravans - established use cert refused
MB/91/00491/FA	Full: Renewal of permission for two storey side extension - Full Conditional Approval
MB/86/00178/FA	Full: Extension - Full Conditional Approval

Representations: (Parish & Neighbours)

Astwick PC	No comments received
Edworth PC	No comments received

Consultations/Publicity responses

Site notice posted	19.5.09
Highways officer	No highway implications. Do not wish to restrict the granting of planning permission.
Archaeology officer	The application site is likely to contain buried archaeological deposits. Please attach a condition in line with PPG16 'Archaeology and Planning', paragraph 30.

Determining Issues

The main considerations of the application are;

1. The effect on the character and appearance of the surrounding area
2. The impact on the residential amenity of neighbouring properties
3. Any other implications of the proposal

Considerations

1. Effect on the character and appearance of the area

The host dwelling is in a remote location, largely sheltered from view by the tall trees which surround the site. Although the proposed extensions would create a much larger dwelling, given that the proposed extensions would not be visible in the public realm it is not considered that the character and appearance of the surrounding area would be detrimentally affected by either the extensions or the detached garage. The proposal is therefore considered to be acceptable in accordance with Policy DPS6 of the Mid Bedfordshire Adopted Local Plan.

2. Impact on the residential amenity of neighbouring properties

The host dwelling is so far removed from any neighbouring properties that none would be detrimentally affected by the proposal.

3. Any other implications

The proposed development lies within an area of sub-rectangular and linear cropmarks dating to the Iron Age and representing a settlement complex. Further cropmarks and settlement evidence dating to this period is also known from the area to the north and east. These cropmark complexes are archaeologically sensitive areas and therefore it is likely that the application area will contain buried archaeological deposits.

It is therefore considered that development should not commence on site until archaeological investigation has been undertaken and the results submitted to the Council's archaeological team. A condition, in line with the guidance in PPG 16 should therefore be attached to any planning permission granted.

Reasons for Granting

The proposal for single storey rear and side extensions and a detached double garage would have no detrimental impact upon the character and appearance of the surrounding area and no nearby properties would be affected. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), Planning Policy Guidance 16 (1990), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005) and Policy DPS6 of the Mid Bedfordshire Local Plan First Review (2005). It is further in conformity with the Mid Beds Supplementary Technical Guidance 'Extensions and Alterations: A Design Guide for Householders' (2004).

RECOMMENDATION

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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 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.

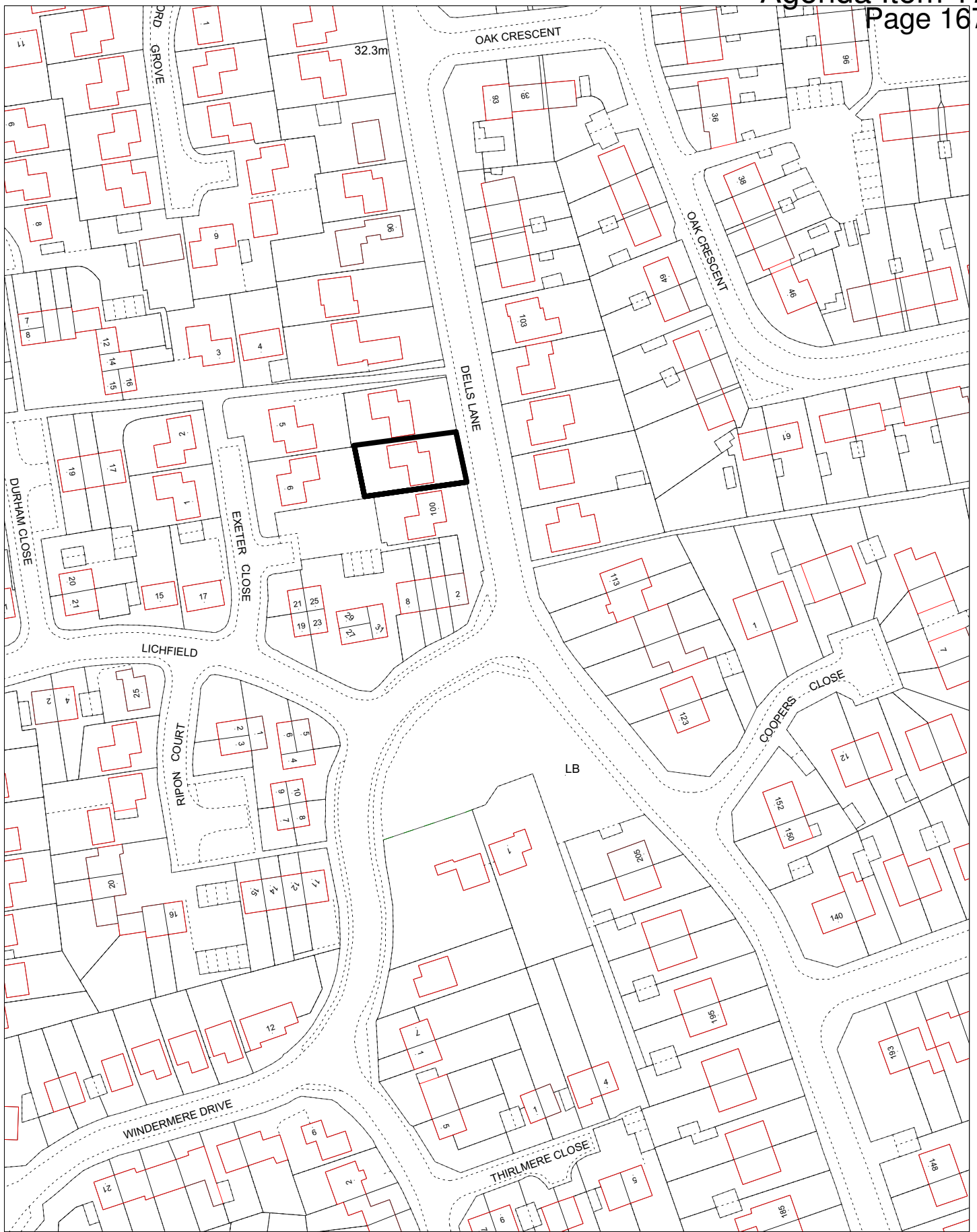
Reason: To safeguard any material of archaeological interest which exists on the site in accordance with PPG 16 'Archaeology and Planning' (1990).

- 4 The developer shall provide access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow him to observe the excavations and record items of interest and find. To this end the developer shall notify the Local Planning Authority beforehand of the date on which work under the permission is due to commence.

Reason: To safeguard any material of archaeological interest which exists on the site in accordance with PPG 16 'Archaeology and Planning' (1990).

DECISION

.....
.....

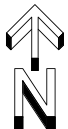


Date: 08 July 2009

ITEM NO. 17

Scale: 1:1250

APPLICATION NO. CB/09/00991/FULL



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

98 Dells Lane, Biggleswade

This page is intentionally left blank

Item No. 17

APPLICATION NUMBER CB/09/00991/FULL
LOCATION 98 DELLS LANE, BIGGLESWADE, SG18 8HN
PROPOSAL FULL: FIRST FLOOR SIDE/REAR EXTENSION
PARISH Biggleswade
WARD Biggleswade
WARD COUNCILLORS Cllrs M Jones, D Lawrence, J Lawrence , P Vickers
CASE OFFICER Dee Walker
DATE REGISTERED 01 June 2009
EXPIRY DATE 27 July 2009
APPLICANT Mr & Mrs Oliver
AGENT Dimensional Designs

REASON FOR COMMITTEE TO DETERMINE APPLICANT IS A CENTRAL BEDFORDSHIRE COUNCIL MEMBER OF STAFF

RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

Site Location:

The site is located at 98 Dells Lane in Biggleswade and consists of a two storey detached residential dwelling that benefits from an existing single storey rear extension. The property is constructed of multi-stock cream bricks with a pitched roof of red tiles.

The Application:

The application seeks permission for the construction of a first floor side/rear extension situated above the existing study, kitchen & utility room that will give provision for a internal alteration to the first floor layout.

This is a revised scheme following a previous application that was withdrawn due to being unacceptable on grounds of loss of privacy to the property to the rear of the site.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 Delivering Sustainable Development (2005)
PPS 3 Housing (2006)

Regional Spatial Strategy

East of England Plan (May 2008)
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Mid Bedfordshire Local Plan First Review 2005 Policies

Policy DPS6 Mid Bedfordshire Adopted Local Plan (2005)

Supplementary Planning Guidance

Mid Bedfordshire District Council's Technical Guidance:
Extensions and Alterations: A Design Guide for Householders (2004)

Planning History

95/00522	Full: Erection of single storey extension to side and rear – Approved 23.05.1995
MB/09/00446	Full: First floor side and rear extension – Withdrawn 22.05.2009

Representations: (Parish & Neighbours)

Biggleswade Town Council	No objections provided neighbours are consulted and any comments are considered by CBC in their deliberations
Adjacent Occupiers	One letter of objection received on grounds of overlooking, loss of privacy and overbearing

Consultations/Publicity responses

Site Notice Posted 10.06.2009

Determining Issues

The main considerations of the application are;

1. The effect on the character of the area
2. The impact that the proposal will have on the residential amenity of neighbouring properties
3. Any other implications of the proposal

Considerations

1. Effect on the Character and Appearance of the Area

The side element of the first floor extension will be visible from Dells Lane but taking into account that it has been set down from the existing ridge line, set back from the front elevation and set in from the side boundary, it will not have an adverse impact upon the character of the area.

The rear element of the first floor extension will not be visible from Dells Lane but will be visible from certain points within Exeter Close, which is situated to the rear of the properties in Dells Lane. However, as the subservient nature of this extension has been continued to the rear there will be no adverse effect on the character and appearance of the surrounding area.

2. Impact of the Proposal on the Residential Amenity of Neighbouring Properties

The principal properties that may be affected by the proposal are nos. 96 Dells Lane and 6 Exeter Close. All other properties are adequately well removed so as not to be affected.

No. 96 Dells Lane is located to the north of the application site and is set slightly further back than no. 98. Although there are no first floor windows proposed in the extension that would cause any loss of privacy, the existing single storey elevation alongside this shared boundary will increase to a two storey and thus creating a mass of brick work. No. 96 is located to the north of the application site and although there may be some loss of light, due to extension mainly being alongside the main dwelling of no. 96 the first floor element would not screen the sun from the garden area. Furthermore, given the staggered location of these two properties as the application site host dwelling is sited further forward towards Dells Lane, the majority of the extension will be in line with no. 96 thereby reducing any impact. It is therefore considered that the proposal is unlikely to have a significant adverse impact on any residential amenity of this neighbouring property.

No. 6 Exeter Close is situated to the rear and backs onto application site. This property has an existing two-storey rear extension similar to that, which is proposed. Concerns have been raised by the occupiers of this property with regards to the loss of privacy to their rear garden.

The proposal has 2 no. first floor windows to the rear elevation that will be located approx. 7.2 metres from the rear boundary, 4.2 metres closer than the existing first floor windows. However, within this revised scheme the internal first floor layout has been altered to allow for these windows to serve the main bathroom and en suite therefore they will be obscurely glazed in order to address the issue of overlooking and loss of privacy from these windows. A condition can be attached to any consent granted to restrict the opening of these windows and maintain the obscure glazing.

Although the extension will be within 7.2 metres of the rear boundary, the physical separation and location of the extension is such that there would not be any overbearing impact to neighbouring properties. Furthermore, the proposed ridge line of the extension is considerably lower than the host dwelling therefore lessening any impact.

No. 100 Dells Lane is located to the south of the site and considering that the extension is set away from this property there will be no adverse impact on the residential amenity of this neighbouring property.

It is therefore considered that the revised proposal would not have a significant adverse impact upon the residential amenity of the neighbouring properties.

3. Any Other Implications

There are no further considerations to this application.

Reasons for Granting

In conclusion, the scheme by reason of its site, design and location is in conformity with Policy DPS6 of the Mid Bedfordshire Adopted Local Plan 2005; Planning Policy Statement 1 (2005) and Planning Policy Statement 3 (2006). It is further in conformity with the Mid Beds Supplementary Technical Guidance 'Extensions and Alterations: A Design Guide for Householders' (2004). It is therefore considered **acceptable** and that planning permission should be granted subject to conditions.

RECOMMENDATION

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 **Prior to the first occupation of the building the first floor windows in the west elevation of the development 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. The development shall accord with the approved details.**

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

- 3 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

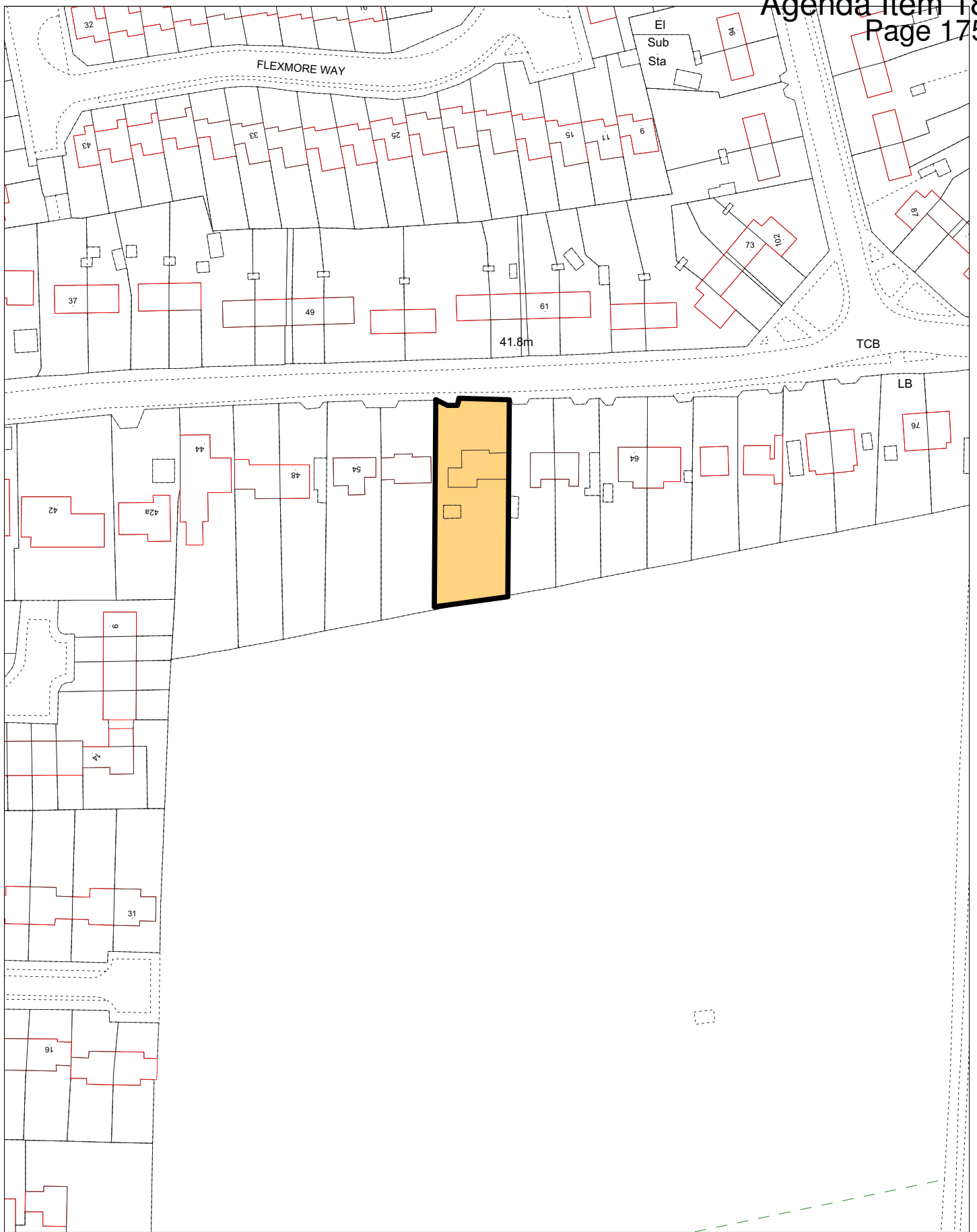
- 4 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the north, south and west elevation of the building.

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

DECISION

.....
.....

This page is intentionally left blank



Date: 07 July 2009

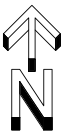
Scale: 1:1250

ITEM NO. 19

APPLICATION NO. CB/09/01141/FULL

58 Cambridge Road, Langford, Biggleswade

19.1



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

This page is intentionally left blank

Item No. 18

APPLICATION NUMBER	CB/09/01141/FULL
LOCATION	58 CAMBRIDGE ROAD, LANGFORD, BIGGLESWADE, SG18 9PS
PROPOSAL	FULL: TWO STOREY SIDE EXTENSION.
PARISH	Langford
WARD	Langford & Henlow Village
WARD COUNCILLORS	Cllr Clarke & Cllr Rogers
CASE OFFICER	Sam Boyd
DATE REGISTERED	11 June 2009
EXPIRY DATE	06 August 2009
APPLICANT	Mr Smith
AGENT	Richard Beaty(Building Design) Ltd
REASON FOR COMMITTEE TO DETERMINE	THE APPLICANT IS EMPLOYED BY CENTRAL BEDFORDSHIRE COUNCIL
RECOMMENDED DECISION	Full Conditional Approval

Site Location:

58 Cambridge Road is a detached two storey dwelling located in a residential area of Langford. The property is constructed in red bricks under a concrete tile roof and has a flat roof single storey side extension with a single garage and attached carport.

To the rear of the property the large garden backs on to open countryside and is bound by conifer hedges and timber fencing.

The Application:

Planning permission is sought for a two storey side extension.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS 1 Delivering Sustainable Development

Regional Spatial Strategy

East of England Plan (May 2008)

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

DPS6 The Built Environment

Supplementary Planning Guidance

Extensions and Alterations: A Design Guide for Householders 2004

Planning History

There is no planning history

Representations: (Parish & Neighbours)

Langford Parish Council	No comments received at time of writing report
Adjacent Occupiers	No comments received at time of writing report

Consultations/Publicity responses

Site notice displayed 19/06/09

Determining Issues

The main considerations of the application are;

1. The effect upon the character and appearance of the area.
2. The impact on neighbouring amenities.

Considerations

1. The effect upon the character and appearance of the area.

It is proposed to extend the property with a two storey side extension that also projects forward of the front elevation and beyond the rear elevation of the existing dwelling. The extension roof would form a gable to the front and rear.

Although the width of the proposed extension is 5.8m and the depth is 10m, the footprint is not significantly larger than the existing flat roof section of the building. The extension is set well away from the boundary shared with the neighbouring property and the dwelling is set back from the street frontage. A conifer hedge on the front boundary screens the property from the street scene.

The extension is not set down at the roof line or set back from the front elevation, which is contrary to guidance on subservient extensions in the Councils Supplementary Planning Guidance: Extensions and Alterations: A Design Guide for Householders, however as the property is detached, there is existing landscaping on the front boundary and it is set well back, in this case the wider impact of the development is limited. In addition, to achieve a subservient extension the design of the proposal would be compromised. As such, the size and design of the extension is felt to be appropriate for the property.

On balance, the proposal is considered acceptable with regard to its impact upon the character and appearance of the area.

2. The impact on neighbouring amenities.

The proposed extension is sited at approximately 3.1m from the boundary shared with No. 56 Cambridge Road. Due to this separation the proposed extension would not result in any significant light loss or have an overbearing impact upon this neighbouring dwelling. Windows proposed on the side facing elevation serve an en suite bathroom on the first floor and a utility room on the ground floor therefore no adverse overlooking would occur. The en suite window should be obscure glazing and this can be secured via a condition of approval.

No. 60, the adjacent property to the east of the application site would not be adversely affected by the proposal given the location of the extension. However to ensure that there is no potential to overlook the rear garden of this property a condition restricting the insertion of any further windows on the eastern elevation of the extension should be attached if permission is granted.

The rear of the property faces open fields therefore there are no other neighbouring properties to consider.

Overall it is considered that the proposal would not have a detrimental impact upon the amenities of the adjacent occupants.

Reasons for Granting

The proposed extension is acceptable in accordance with Policy DPS6 of the Mid Bedfordshire Local Plan First Review 2005. The proposed extension would not impact detrimentally upon the character and appearance of the surrounding area and there would be no adverse impact upon the residential amenity of neighbouring properties. The scheme therefore, by reason of its siting, design and location, is in conformity with Planning Policy Statement 1(2005), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005) and Policy DPS6 of the Mid Bedfordshire Local Plan First Review (2005).

- 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 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 eastern or western elevation of the building.

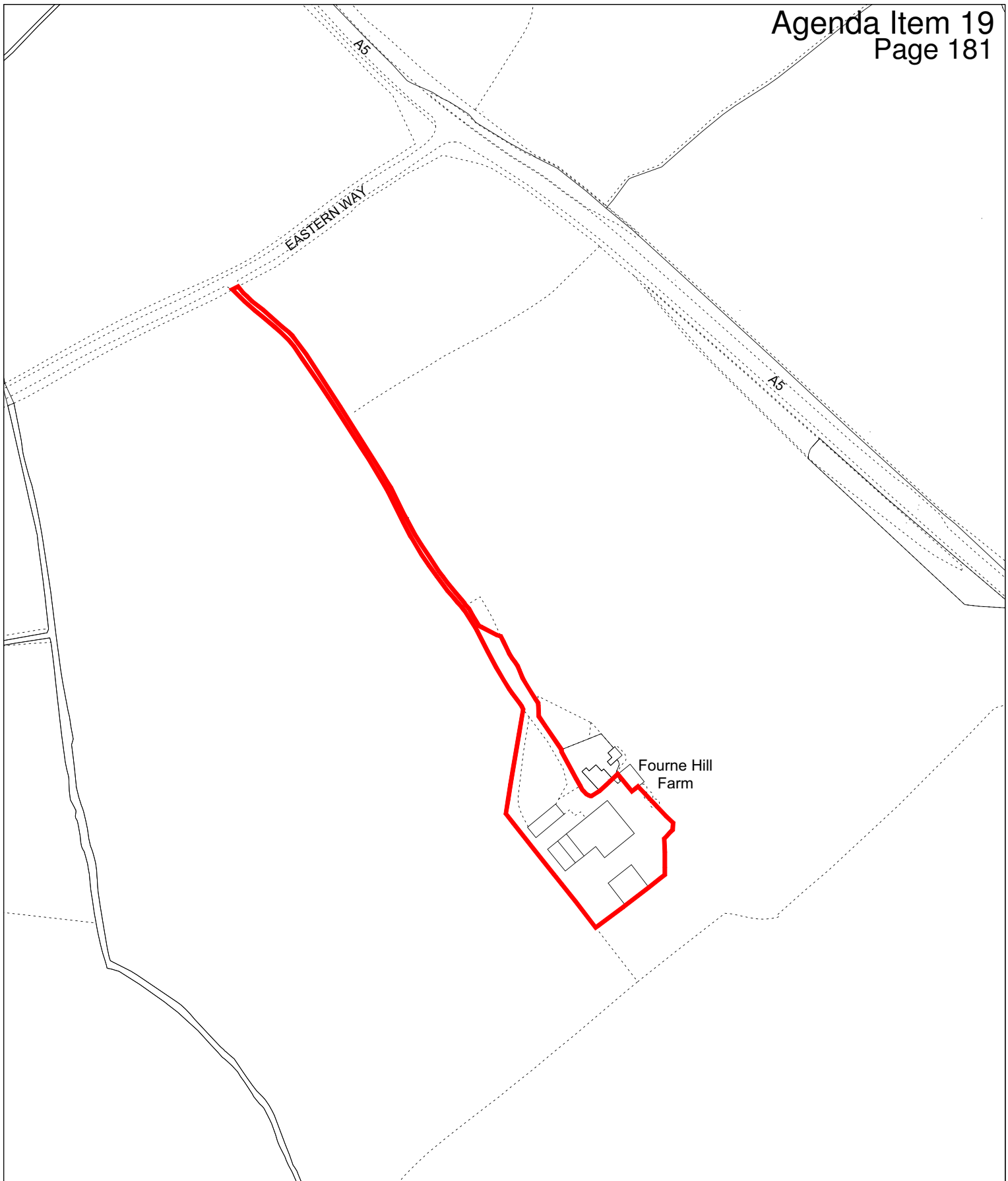
Reason: To protect the amenities of occupiers of neighbouring properties.

- 4 Prior to the first occupation of the building the first floor window in the western elevation of the development hereby permitted shall be fitted with obscured glass of a type to substantially restrict vision through it at all times. No further windows or other openings shall be formed in the elevation.

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

DECISION

.....
.....



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Item No. 19 Application No. SB/08/01217/TP
	Date: 10:July:2009	
	Map Sheet No	

Scale: 1:3500	Fourne Hill Farm, Eastern Way, Heath And Reach 19.1
---------------	--

This page is intentionally left blank

Item No. 19

APPLICATION NUMBER	SB/08/01217/TP
LOCATION	Fourne Hill Farm, Eastern Way, Heath And Reach, Leighton Buzzard, LU7 9LF
PROPOSAL	Change of use to land and buildings for general industry (B2) purposes.
PARISH	Heath & Reach
WARD	Plantation
WARD COUNCILLORS	Cllr P Rawcliffe and Cllr A Shadbolt
CASE OFFICER	Simon Barnett
DATE REGISTERED	21 January 2009
EXPIRY DATE	22 April 2009
APPLICANT	Mr R Fox
AGENT	Clifford W & R C Shrimplin
REASON FOR COMMITTEE TO DETERMINE	Application advertised as a Members decision
RECOMMENDED DECISION	Grant Planning Permission

Site Location:

The application site comprises some 1.2 hectares of land and buildings at Fourne Hill Farm, Heath and Reach. The site is located to the south of Eastern Way and is surrounded by agricultural land.

The Application:

Planning permission is sought for the continued use of a number of former farm buildings for general industrial purposes (Class B2).

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development
PPG2 - Green Belts
PPS7 - Sustainable Development in Rural Areas
PPG13 - Transport

Regional Spatial Strategy

East of England Plan (May 2008)
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

South Bedfordshire Local Plan Review Policies

NE12 - Re-use/Adaption of Rural Buildings
BE8 - Design Considerations

Planning History
Nil.

**Representations:
(Parish & Neighbours)**

Parish Council No comment received.

Neighbours None.

Consultations/Publicity responses

Archaeology	No objection.
Highways	Recommends condition and informative.
Highways Agency	Requests Traffic Statement and directs that application not be determined until such additional information supplied and assessed.
	No objection following consideration of additional information.
Environment Agency	Recommends condition and informative's.
Buck & R Ouzel IDB	Suggest condition.

Determining Issues

The main issues considered relevant in the determination of this application are:

1. Principle of Development
2. Highway Safety

Considerations

1. Principle of Development

The site is washed over by the South Bedfordshire Green Belt and the re-use of the former farm buildings for commercial purposes therefore needs to be assessed against the criteria set out in Part B of Policy NE12 of the SBLPR. The criteria are assessed as follows:

- (i) The buildings are of a typical agricultural/industrial design and the proposals will have no material affect on their appearance.
- (ii) There would be no extensions or alterations required.
- (iii) The design of the buildings is in keeping with the character of this rural location.
- (iv) No extensions are proposed and the parking for the development can be contained within the curtilage of the former farmyard. There would be no harmful impact on the openness of the green belt.
- (v) The re-use would not cause harm to features of architectural or historic value or to sites and species of nature conservation value.
- (vi) The use of the buildings for commercial purposes would not result in harm to the use of adjacent buildings, the residential amenity of neighbouring occupiers or the amenity of the area in general.
- (vii) The proposed use would be unlikely cause traffic problems or have an adverse impact on amenity and the environment.

2. Highway Safety

Concern was initially raised by the Highways Agency about the potential impacts of the proposal on the junction of Eastern Way with the A5. The applicant has now provided additional information as requested by the Highways Agency, who raise no objection to the proposal.

Conclusion & Reasons for Granting

The proposal is considered to accord with both the provisions of relevant national guidance and all relevant planning policies within the Development Plan and there are no material considerations that dictate any other decision should be made.

Recommendation:

That Planning Permission be **GRANTED** subject to the following conditions:

- 1 Within 30 days of the date of this permission, a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented within 60 days of its approval in writing and thereafter retained for this purpose.
REASON: To ensure provision for car parking clear of the highway.
(Policy T10 S.B.L.P.R).
- 2 All plant, machinery and equipment (including refrigeration and air conditioning systems, and public address and other amplified sound systems) to be used by reason of this permission shall be so installed, maintained and operated as to prevent the transmission of noise and vibration into any neighbouring premises and places of public resort.
REASON: To prevent nuisance from noise and vibration and to safeguard the amenities of the area.
(Policy BE8 S.B.L.P.R).
- 3 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 shown on the approved plan.
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).
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.
REASON: To control the external appearance of the building/s in the interests of the amenities of the area and to safeguard the openness of the Green Belt.
(Policy BE8 S.B.L.P.R).
- 5 This permission relates only to the details shown on the Site Location Plan received 21/01/09 and the Site Layout Plan received 29/12/08 or to any

subsequent appropriately endorsed revised plan.

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

Notes to Applicant

1. This permission is, in part, 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 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:

South Bedfordshire Local Plan Review

NE12 - Re-use/Adaption of Rural Buildings

BD8 - Design Considerations

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. We consider that the controlled waters at this site are of low environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. We recommend that the requirements of PPS23 and the Environment Agency Guidance on Requirements for Land Contamination Reports/ EA 'Land Contamination: A Guide for Developers' should be followed.
6. Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is normally required for any discharge of sewage or trade effluent into controlled 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. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters).

No soakaways should be constructed in contaminated land. As part of our Groundwater Protection Policy the maximum acceptable depth for soakaways is two metres below existing ground level. We recommend that

a minimum of 1 metre should be left between the base of the soakaway and the highest groundwater levels recorded as direct discharges to groundwater are unacceptable.

Any soakaways shall be designed and constructed wholly in accordance with BRE Digest 365 (or CIRIA Reports 156) and to the satisfaction of the Council's Building Control Section.

Only clean, uncontaminated water should be discharged to any soakaway.

Prior to being discharged into any surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

7. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. Further guidance is available on our website:

www.environment-agency.gov.uk/subjects/waste/

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

Waste from the development must be re-used, re-cycled or otherwise disposed of in accordance with waste management legislation and in particular the Duty of Care. This is also applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and in accordance with regulations.

Further information can be obtained from your local Environment Agency office. Responsibility for the safe development and secure occupancy of this development rests with the developer.

8. Any liquid fertilizer storage facilities must be sited in properly constructed bunded areas of sufficient capacity to avoid contamination of any watercourse, surface water drains or water source in the event of spillage, and shall comply with the Fertilizer Manufacturer's Association – Code of Practice for the Prevention of Pollution from the Storage and Handling of Fluid Fertilizers.

Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oils) Regulations 1991 and as amended 1997, the person who proposes to have control over any relevant storage installation is required to serve notice on the Environment Agency specifying the type of structure to be used and its location at least 14 days before it is to be used for the keeping or storing of any relevant substance.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the banded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund.

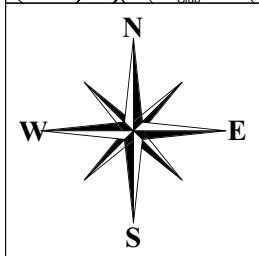
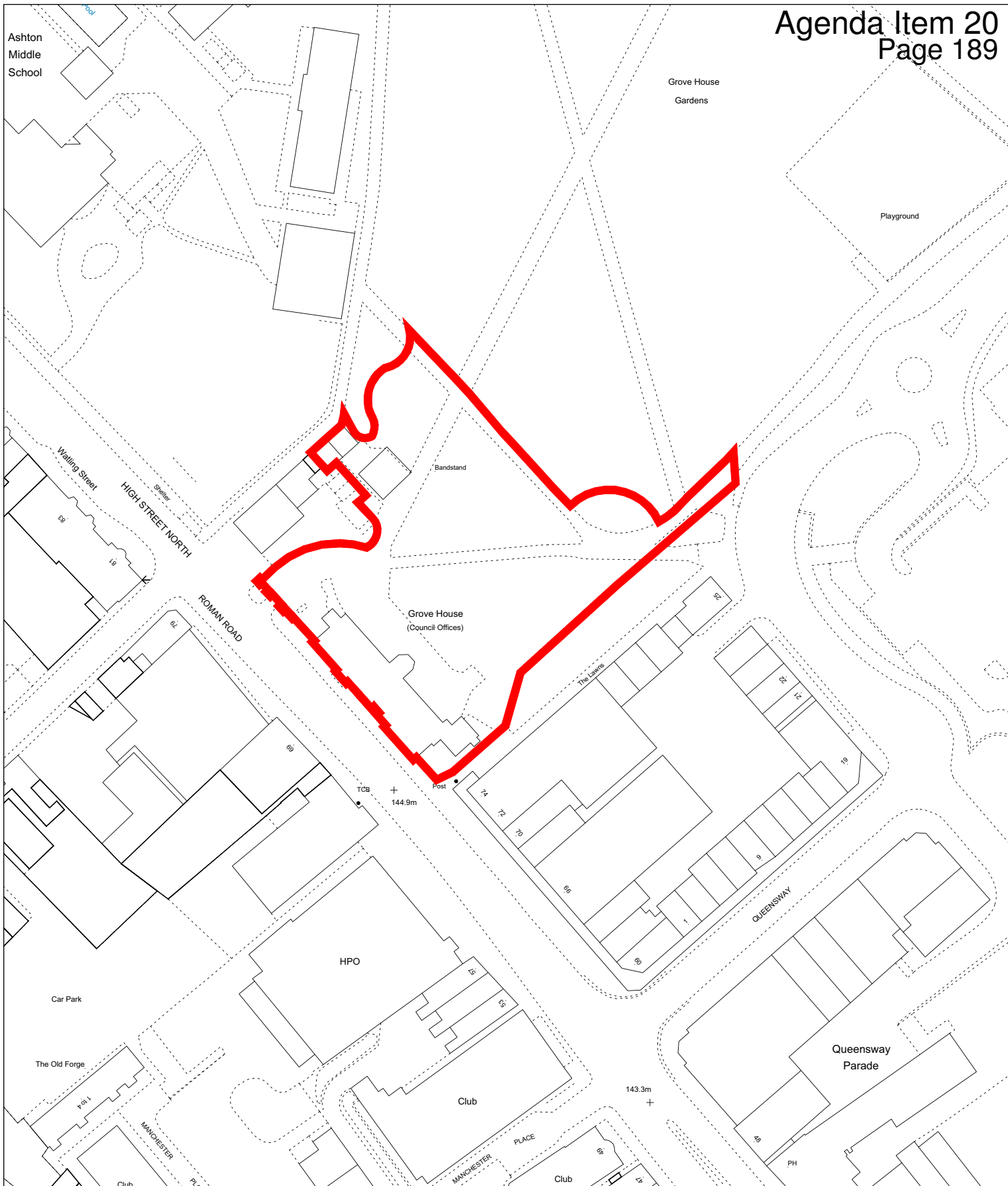
The drainage system of the bund shall be sealed with no discharge or any watercourses, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer. No foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent, shall be discharged to the surface water drainage system.

Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.

DECISION

.....
.....



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 10:July:2009

Map Sheet No

Item No. 20

Application No. CB/09/05173/TP

Scale: 1:1250

Grove House, 76 High Street North, Dunstable
20.1

This page is intentionally left blank

Item No. 20

SCHEDULE C

APPLICATION NUMBER	CB/09/05173/TP
LOCATION	Grove House, 76 High Street North, Dunstable, LU6 1NF
PROPOSAL	Erection of new overthrow over existing gates, secured to existing columns. Replacement of defective section of railing.
PARISH	Dunstable
WARD	Dunstable Downs
WARD COUNCILLORS	Cllr Mrs C Hegley, Cllr T Green, Cllr P Freeman and Cllr N Young
CASE OFFICER	Gill Claxton
DATE REGISTERED	28 May 2009
EXPIRY DATE	23 July 2009
APPLICANT	Dunstable Town Council
AGENT	Brasier Freeth LLP
REASON FOR COMMITTEE TO DETERMINE	The application site abuts land owned by Central Bedfordshire Council
RECOMMENDED DECISION	Grant Planning Permission

Site Location:

Grove House lies on the north eastern side of High Street North. It comprises a Grade II Listed Building dating from the late 17th Century. The property is of rendered masonry construction with sash windows to ground and first floors and with lead clad dormer windows set into the slate covered roof.

To the rear lies Grove House Gardens. To the north lies the former fire station, now known as The Place, which is used for community purposes. Gates and railings supported on stone-faced columns are situated between the two buildings and link these properties whilst providing access to Grove House Gardens. While the main property features Georgian proportions the gates are more typically Art-Deco dating from the 1930s. The listing also encompasses the gates, columns and railings.

To the south lies shops and commercial premises dating from the 1960s which form part of the quadrant of similar premises on the northern side of Queensway, between High Street North and Vernon Place.

The site lies within the Dunstable Conservation Area.

The Application:

Planning permission is sought for the erection of a new iron overthrow (the crowning section of ornamental wrought iron work to form a decorative crest above a wrought iron gate) between the existing principal stone-faced columns and gates, forming the entrance to Grove House Gardens and the replacement of a pair of dilapidated vehicular access gates abutting The Place with railings above a stone plinth.

The overthrow would be designed in an Art-Deco style and would identify Grove House Gardens with the Town Council crest above. The height of the overthrow would be designed to accommodate high top delivery vans. The materials would comprise cast iron. The gates would be replaced in a cast iron to match the existing above a stone plinth. There would be a pedestrian entrance into Grove House Gardens in the centre of the new railings. In addition the existing gates and columns would be overhauled with stone cleaning and re-facing of decayed stones as necessary.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development

PPG15 - Planning and the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving sustainable development

ENV6 - The Historic Environment

ENV7 - Quality in the Built Environment

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

South Bedfordshire Local Plan Review

BE8 - Design Considerations

Planning History

There have been numerous applications for planning permission and listed building consent. The history since 1984 is detailed below.

SB/LB/84/00004	Listed building consent for internal and external alterations and removal of temporary rear addition.
SB/DCA/84/00102	Permission for internal and external alterations and removal of temporary rear addition - (Regulation 4).
SB/DCA/89/00005	Permission for external and internal alterations - (Regulation 4).
SB/LB/89/00018	Listed building consent for refurbishment and internal alterations.
SB/LB/89/00019	Listed building consent for external and internal alterations.
SB/LB/90/00018	Listed building consent for display of signage.
SB/LB/95/00009	Listed building consent for siting of flagpole on front elevation.
SB/TP/95/00098	Permission for siting of flagpole on front elevation.
SB/LB/98/00056	Listed building consent for installation of air conditioning system.
SB/LB/99/00020	Listed building consent for installation of security system.
SB/TP/99/00983	Permission for erection of covered performance area to the rear and conversion of toilet block to store.
SB/LB/04/01132	Listed building consent for internal alterations to enlarge admin office and external condensing unit.

SB/LB/05/00407 Listed building consent for repairs to roof and dormer windows and rendering on the rear elevation.

**Representations:
(Parish & Neighbours)**

Dunstable Town Council No response received

Neighbours The application was publicised by the direct notification of adjoining occupiers and the display of site notices. No responses were received as a result.

Consultations/Publicity responses

Conservation & Design Officer Supports the proposal. The scheme accords with extensive pre-application discussions. Requests condition requiring the submission of cross section details at a scale of 1:1 showing key aspects of the fabrication for both the railings and the overthrow to ensure that the metalwork is fabricated to a high standard.

Highways Agency No objection.
Highways No objection.

Determining Issues

The main consideration in the determination of the application is:

1. Whether the proposal would have any adverse visual impact upon the character and appearance of the Conservation Area, locality generally and setting of the adjacent Listed Building.

Considerations

1. **Whether the proposal would have any adverse visual impact upon the character and appearance of the Conservation Area, locality generally and setting of the adjacent Listed Building.**

The rationale behind the proposal is to improve public access to Grove House Gardens. The design, external appearance and materials of construction of the overthrow would reflect and replicate features of the existing gates and railings. It would provide an enhancement to the existing gates and foster a sense of civic pride with the incorporation of the Town Council crest. Similarly the design, external appearance and materials of construction of the new railings and plinth would be in keeping with the existing gates and railings. Subject to the imposition of the condition requested by the Conservation & Design Officer in relation to the submission of detailed cross-sections of the metalwork, it is considered that the proposal would have no adverse effect upon the character and appearance of the Conservation Area, locality generally and setting of the adjacent Listed Building. The proposal would thereby comply with Central Government guidance in PPG 15 - Planning and the Historic Environment, Policies ENV6 and ENV7 in the Regional Spatial Strategy, the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

Reasons for Granting

The design, external appearance and materials of construction of the proposed works would reflect and replicate features of the existing gates and railings and would have no adverse effect upon the character and appearance of the Conservation Area, locality generally and setting of the adjacent Listed Building. The proposals would comply with Central Government guidance in PPG 15 - Planning and the Historic Environment, Policies ENV6 and ENV7 in the Regional Spatial Strategy, the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

Recommendation

That Planning Permission be **GRANTED** subject to the following conditions:

- 1 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 **Before development commences and notwithstanding any details submitted with the application, detailed drawings showing sectional profiles of key elements of the construction at a scale of 1:1 for the railings and gate overthrow and 1:20 for the stone plinth shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be carried out and completed only in accordance with the approved details.**
REASON: To control the appearance of the development in the interests of the visual impact upon the Conservation Area, the locality generally the historic and architectural form and fabric of the Listed Building and its setting.
(PPG15 - 'Planning & the Historic Environment' and Policy BE8, S.B.L.P.R.).
- 3 **Before development begins and notwithstanding the details submitted with the application, details of the final finished colour for the overthrow, railings and materials for the stone plinth shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**
REASON: To control the appearance of the development in the interests of the character and appearance of the Conservation Area, locality generally and setting of the Grade II Listed Building.
(Policy BE8, S.B.L.P.R.).
- 4 This permission relates only to the details shown on Drawing Nos 8040b/01 and 8040b/02 received 28/05/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

Notes to Applicant

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

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

South Bedfordshire Local Plan Review

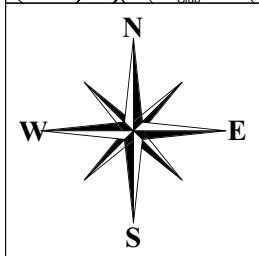
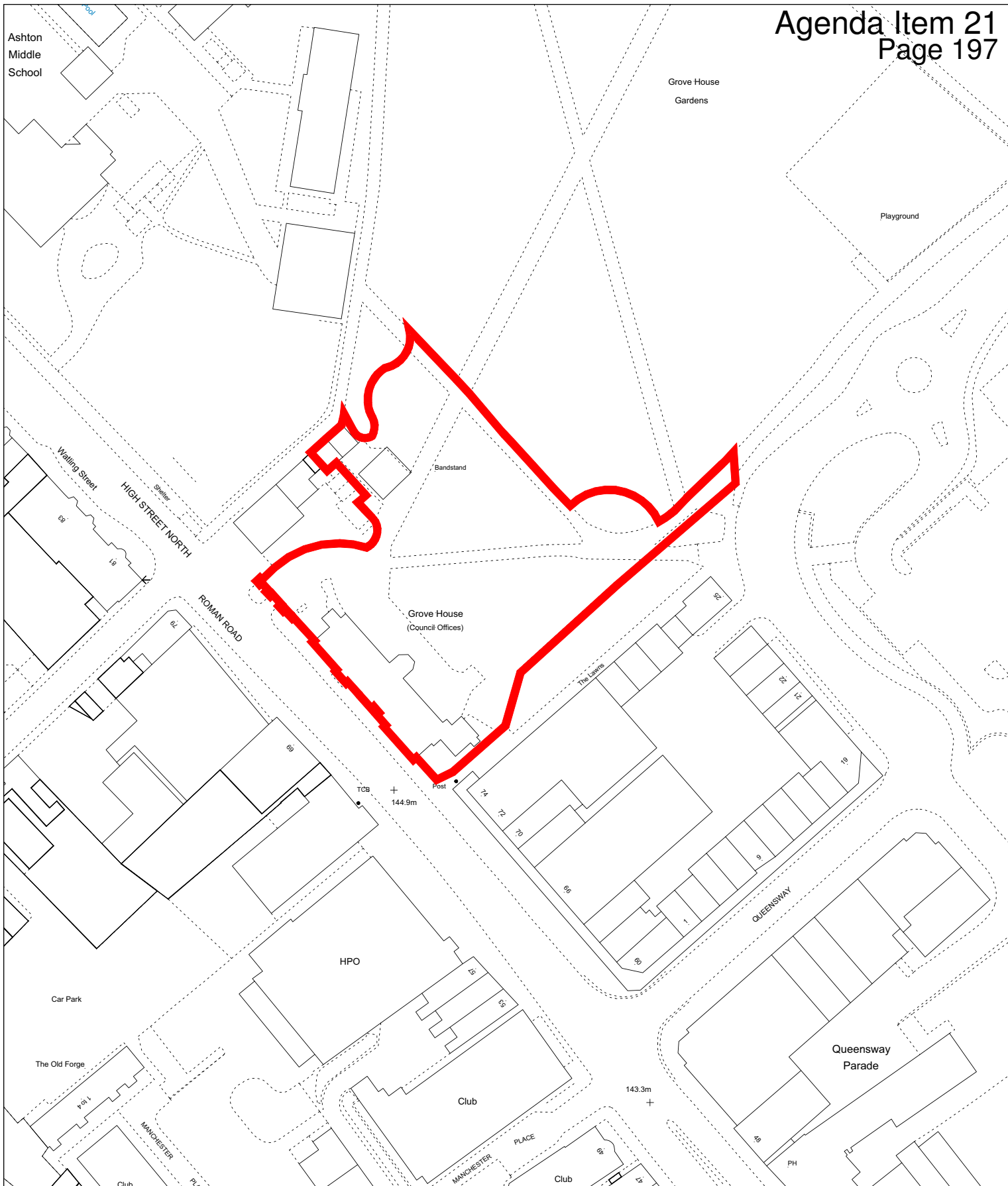
BE8 – Design Considerations

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.
4. In connection with Condition 2 above the applicant is advised to contact the Conservation and Design Officer, Development Management, Sustainable Communities, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Beds, SG17 5TQ. Tel: 0300 300 5511.

DECISION

.....
.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 10:July:2009

Map Sheet No

Item No. 21

Application No. CB/09/05174/LB

Scale: 1:1250

Grove House, 76 High Street North, Dunstable
21.1

This page is intentionally left blank

Item No. 21

APPLICATION NUMBER	CB/09/05174/LB
LOCATION	Grove House, 76 High Street North, Dunstable, LU6 1NF
PROPOSAL	Erection of new overthrow over existing gates, secured to existing columns. Replacement of defective section of railing.
PARISH	Dunstable
WARD	Dunstable Downs
WARD COUNCILLORS	Cllr Mrs C Hegley, Cllr T Green, Cllr P Freeman and Cllr N Young
CASE OFFICER	Gill Claxton
DATE REGISTERED	28 May 2009
EXPIRY DATE	23 July 2009
APPLICANT	Dunstable Town Council
AGENT	Brasier Freeth LLP
REASON FOR COMMITTEE TO DETERMINE	The application site abuts land owned by Central Bedfordshire Council and applicant has served notice under Certificate B
RECOMMENDED DECISION	Listed Building Consent

Site Location:

For a description of the site and surroundings see report on planning application CB/09/05173/TP on the agenda at the previous item, No. 23.

The Application:

Listed Building consent is sought for the erection of a new iron overthrow (the crowning section of ornamental wrought iron work to form a decorative crest above a wrought iron gate) between the existing principal stone-faced columns and gates, forming the entrance to Grove House Gardens and the replacement of a pair of dilapidated vehicular access gates abutting The Place with railings.

The overthrow would be designed in an Art-Deco style and would identify Grove House Gardens with the Town Council crest above. The height of the overthrow would be designed to accommodate high top delivery vans. The materials would comprise cast iron. The gates would be replaced in a cast iron to match the existing above a stone plinth. There would be a pedestrian entrance into Grove House Gardens in the centre of the new railings. In addition the existing gates and columns would be overhauled with stone cleaning and re-facing of decayed stones as necessary.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPG15 - Planning and the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)

ENV6 - The Historic Environment

ENV7 - Quality in the Built Environment

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

South Bedfordshire Local Plan Review

BE8 - Design Considerations

Planning History

For a resume of the planning history of the site see report on planning application CB/09/05173/TP on the agenda at the previous item, No. 23.

Representations:

(Parish & Neighbours)

Dunstable Town Council No response received.

Neighbours The application was publicised by the display of site notices. No responses were received as a result.

Consultations/Publicity responses

Conservation & Design Officer Supports the proposal. The scheme accords with extensive pre-application discussions. Requests condition requiring the submission of cross section details at a scale of 1:1 showing key aspects of the fabrication for both the railings and the overthrow to ensure that the metalwork is fabricated to a high standard.

Determining Issues

The main consideration in the determination of the application is:

1. Whether the proposal would have any adverse impact upon the character, appearance and architectural or historic integrity of the Grade II Listed Building comprising the gates and railings and Grove House itself.

Considerations

1. **Whether the proposal would have any adverse impact upon the character, appearance and architectural or historic integrity of the Grade II Listed Building comprising the gates and railings and Grove House itself.**

The design, external appearance and materials of construction of the overthrow would reflect and replicate features of the existing gates and railings. It would provide an enhancement to the existing gates. Similarly the design, external appearance and materials of construction of the new railings and plinth would be in keeping with the existing gates and railings. Subject to the imposition of the condition requested by the Conservation & Design Officer in relation to the submission of detailed cross-sections of the metalwork, it is considered that the

proposal would have no adverse effect upon the character, appearance and architectural or historic integrity of the Grade II Listed Building, comprising the gates and railings and Grove House itself. The proposal would thereby comply with Central Government guidance in PPG 15 - Planning and the Historic Environment, Policies ENV6 and ENV7 in the Regional Spatial Strategy, the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

Reasons for Granting

The design, external appearance and materials of construction of the proposed works would reflect and replicate features of the existing gates and railings and would have no adverse effect upon the character, appearance and architectural or historic integrity of the Grade II Listed Building. The proposals would comply with Central Government guidance in PPG 15 - Planning and the Historic Environment, Policies ENV6 and ENV7 in the Regional Spatial Strategy, the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

Recommendation

That Listed Building Consent be **GRANTED** subject to the following conditions:

- 1 The works shall begin not later than three years from the date of this consent.
REASON: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 **Before development commences and notwithstanding any details submitted with the application, detailed drawings showing sectional profiles of key elements of the construction at a scale of 1:1 for the railings and gate overthrow and 1:20 for the stone plinth shall be submitted to and agreed in writing with the Local Planning Authority. The works shall be carried out and completed only in accordance with the approved details.**
REASON: To control the appearance of the development in the interests of the impact upon the historic and architectural form and fabric of the Listed Building and its setting.
- 3 **Before development begins and notwithstanding the details submitted with the application, details of the final finished colour for the overthrow, railings and materials for the stone plinth shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**
REASON: To control the appearance of the development in the interests of the character and appearance of the Grade II Listed Building.
- 4 This consent relates only to the details shown on Drawing Nos 8040b/01 and 8040b/02 received 28/05/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

Notes to Applicant

1. In accordance with Regulation 3 (5) of the Planning (Listed Buildings And Conservation Areas) Regulations 1990, 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:

East of England Plan (May 2008)

- ENV6 - The Historic Environment
- ENV7 - Quality in the Built Environment

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

South Bedfordshire Local Plan Review

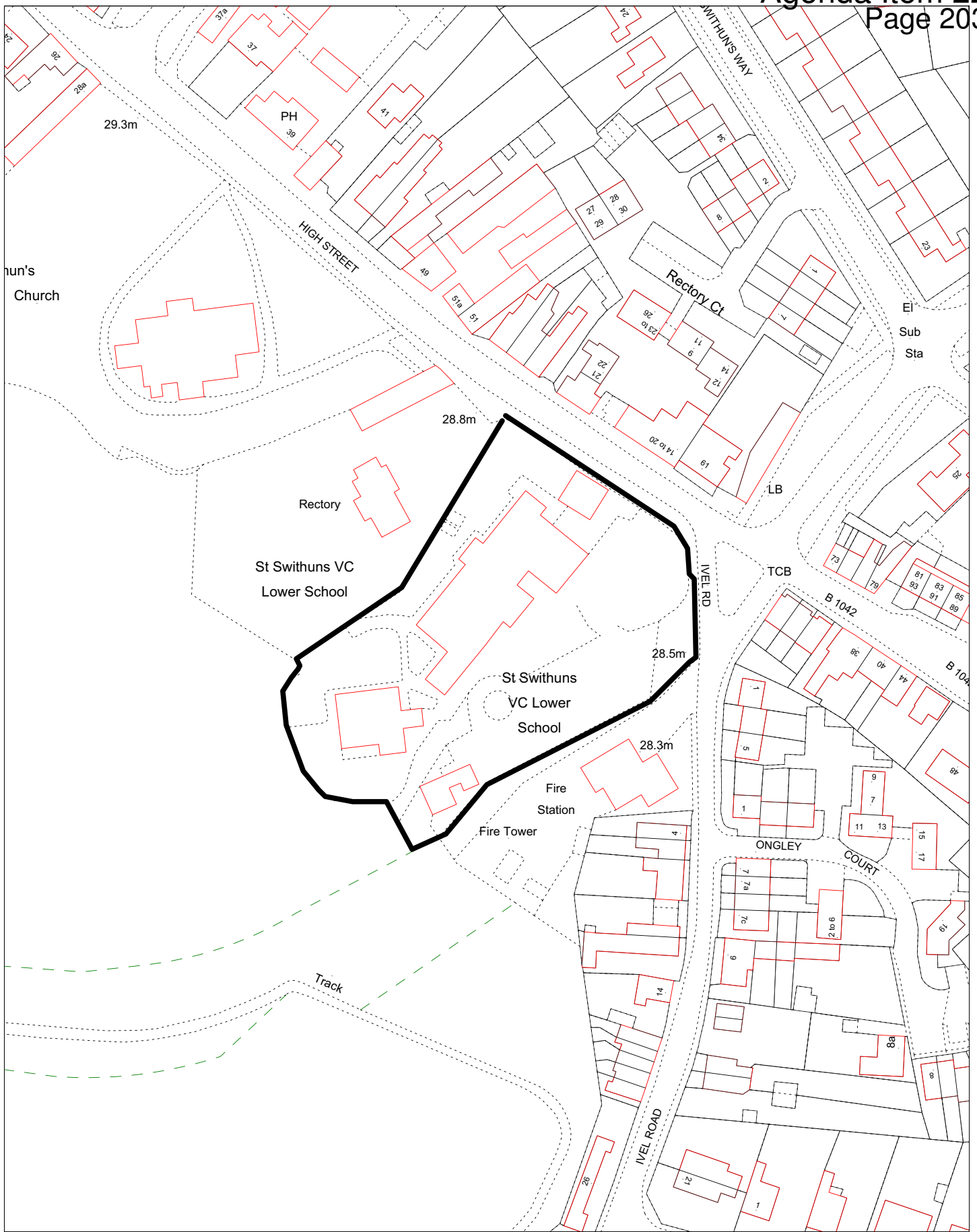
- BE8 - Design Considerations

2. This consent relates only to that required under the Planning (Listed Building and Conservation Areas) Act 1990 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.
3. In connection with Condition 2 above the applicant is advised to contact the Conservation and Design Officer, Development Management, Sustainable Communities, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Beds, SG17 5TQ. Tel: 0300 300 5511.

DECISION

.....

.....



Date: 09 July 2009

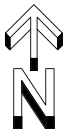
Scale: 1:1250

ITEM NO. 23

APPLICATION NO. CB/09/00932/FULL

St Swithuns School, Ivel Road, Sandy

23.1



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

This page is intentionally left blank

Item No. 22

APPLICATION NUMBER	CB/09/00932/FULL
LOCATION	ST SWITHINS SCHOOL, IVEL ROAD, SANDY, SG19 1AX
PROPOSAL	FULL: EXTENSION TO STAFFROOM AT LOWER SCHOOL, REMOVAL OF BAY WINDOW AND REPLACEMENT WITH DOUBLE DOORS OF NURSERY SCHOOL AND PROVISION OF MONOPITCHED ROOF CANOPY
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllr Blaine & Cllr Aldis
CASE OFFICER	Annabel Gammell
DATE REGISTERED	01 June 2009
EXPIRY DATE	27 July 2009
APPLICANT	St Swithins VC Lower School
AGENT	Mouchel Parkman

REASON FOR COMMITTEE TO DETERMINE	LAND OWNED BY CENTRAL BEDFORDSHIRE COUNCIL
--	---

RECOMMENDED DECISION	FULL CONDITIONAL APPROVAL
-----------------------------	----------------------------------

Site Location:

The application site is St Swithuns Lower School in Sandy, which is located on the corner of the High Street and Ivel Road to the south east of Sandy town centre. The school site comprises a Lower School building, a Nursery building, a site agents bungalow, staff car parking and outdoor facilities the site is within the Sandy conservation area. The Lower School building is central within the site and is a modern, single storey, brown brick building with white window detail and the Nursery building is to the west of the site and is a modern, single storey, red/brown brick building with green window detail. The site has residential development to the north, east and south, St Swithuns Rectory and Church to the north-west and playing fields to the west.

The Application:

Lower School: Extension to staff room.
Nursery School: Removal of bay window and replacement with double doors, provision of a mono-pitched roof canopy.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS 1 Delivering Sustainable Development (2005)

Mid Bedfordshire Local Plan First Review 2005 Policies

Policy DPS6 Mid Bedfordshire Adopted Local Plan (2005)

Planning History

MB/09/00369/FULL	Full: Single storey extension to provide an Autism Unit comprising of Classroom, Quiet Room, Office and Toilets.
81/00432/CC	New Lower School and Outdoor Play Area, including siting for future day nursery, swimming pool and Caretakers House. Approved 13/10/1981
86/00715/CC	Erection of a boundary wall. Approved 06/11/1986
98/00666/CC	Erection of a Nursery Unit. Approved 19/07/1989

**Representations:
(Parish & Neighbours)**

Sandy TC:	No objections
Adjoining Neighbours:	No comments received

Consultations/Publicity responses

Site Notice Posted 22.06.09:	No comments received
Newspaper Advertisement Posted 12.06.09:	No comments received

Determining Issues

The main considerations of the application are;

1. The effect on the character and appearance of the surrounding area
2. The impact on the residential amenity of neighbouring properties
3. Any other implications of the proposal

Considerations

1. Effect on the character and appearance of the area

The Lower School: The extension to the staff room would be of rectangular design adding an additional 8sqm of floor space. The operation would require the removal of a bay window. The staff room is to the rear of the school and therefore it would not be visible to any view outside the school grounds. The addition of the extension would not have a negative impact upon the character or appearance of the area.

The Nursery: The operation would involve the removal of a bay window and the installation of a set of double doors. Over the door would be a new mono-pitched canopy it would be of rectangular design measuring some 4 metres by 3 metres. The canopy frame would be constructed from green powder coated aluminium with a translucent mono pitched roof. It is considered that the size, scale, density, massing and orientation of the proposed canopy are appropriate in this location and that no harm to the character or appearance of the area would be caused.

It is not considered that the extension to the staff room or the double doors and

canopy of the Nursery would have a detrimental impact upon the character and appearance of the surrounding area which is in accordance with Policy DPS6 of the Mid beds Adopted Local Plan (2005).

2. Impact on the residential amenity of neighbouring properties

Due to the orientation of the Lower School and screening by the Nursery building the extension to the staff room would not be visible from anywhere outside the school site. The door and canopy on the Nursery building could be visible over long distance views to the west, as the canopy would match the design of the building it is considered that it would not have a negative impact on neighbouring residents. The closest residential dwelling to the extension would be the Rectory which is over 15 metres away and divided by a wall of some 2 metres.

No representations have been received from neighbouring residents.

3. Any other implications

The canopy would be in compliance with the requirements of the Government’s “Every Child Matters Agenda” for children to learn outside. The proposed canopy would provide the opportunity for outside learning and minimise potential harm from the elements.

Reasons for Granting

The scheme, by reason of its site, design and location, is in conformity with Policy DPS6 of the Mid Bedfordshire Local Plan First Review Adopted December 2005; Planning Policy Statement 1: Delivering Sustainable Development (2005).

Recommendation

That Planning Permission be granted subject to the following:

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

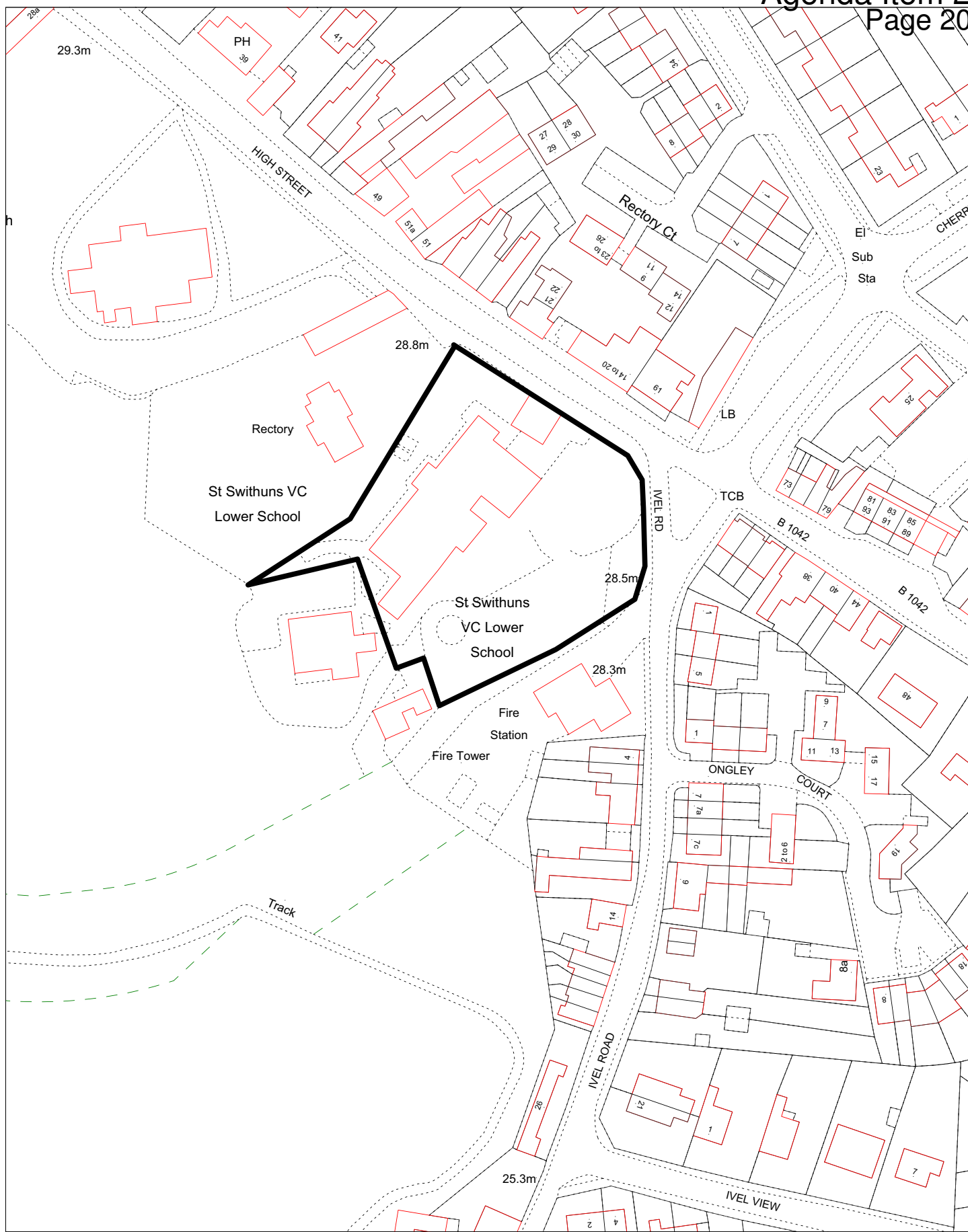
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

DECISION

.....
.....



Date: 08 July 2009

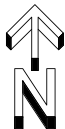
Scale: 1:1250

ITEM NO. 24

APPLICATION NO. MB/09/00369/FULL

St Swithins School, Ivel Road, Sandy

24.1



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

This page is intentionally left blank

Item No. 23

APPLICATION NUMBER MB/09/00369/FULL
LOCATION ST SWITHINS SCHOOL, IVEL ROAD, SANDY, SG19 1AX
PROPOSAL FULL: SINGLE STOREY EXTENSION TO PROVIDE AN AUTISM UNIT COMPRISING OF CLASSROOM, QUIET ROOM, OFFICE AND TOILETS.
PARISH Sandy
WARD Sandy
WARD COUNCILLORS Cllr Blaine & Cllr Aldis
CASE OFFICER Godwin Eweka
DATE REGISTERED 30 April 2009
EXPIRY DATE 25 June 2009
APPLICANT Central Bedfordshire
AGENT Mouchel Parkman

REASON FOR COMMITTEE TO DETERMINE APPLICATION IS ON COUNCIL OWNED LAND

RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

Site Location:

This is an existing school, which is situated just off the High Street and occupies a corner position where the High Street merges with Ivel Road and lies in a conservation area. The school is within a walking distance to Sandy Railway Station and with access to other public transport like buses.

The Application:

Single-storey extension to provide an Autism Unit, comprising of classroom, quiet room, office and toilets.

The proposed classroom, quiet room, office, corridor, store and boiler room, would have a total internal floorspace of about 115.5 (square metres).

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 Delivering Sustainable Development

Regional Spatial Strategy

East of England Plan (May 2008)

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

Mid Bedfordshire Local Plan First Review 2005 Policies

DPS6

Planning History

81/00432/CC	New Lower School and Outdoor Play Area, including siting for future day nursery, swimming pool and Caretakers House. Approved 13/10/1981
86/00715/CC	Erection of a boundary wall. Approved 06/11/1986
98/00666/CC	Erection of a Nursery Unit. Approved 19/07/1989

Representations: (Parish & Neighbours)

Sandy Town Council	Support development.
Neighbours	No comments received.

Consultations/Publicity responses

Archaeology No objection.

However, there is a high likelihood that the application area will contain archaeological deposits relating to the development of sandy as a settlement and these remains could date from the later prehistoric through the medieval periods. The proposed development have a negative and irreversible impact upon any surviving archaeological deposits present on site. However, this does not present an overriding constraint on the development provided that adequate provision is made for the investigation and recording of any archaeological remains that may be affected.

Highways Section No objection.

Access Officer Any design should comply with the Department for Children, Schools and Families Building Bulletin 102 "Designing for Disabled Children and Children with Special Educational Needs."

Environmental Health No objection.

Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Impact of Development on Character and Appearance of the Area
3. Impact of Development on Neighbouring Properties
4. Highway Safety Implications
5. Other Issues

Considerations

1. Principle of Development

The proposed development includes a side extension to accommodate a new classroom, quiet room, office, corridor, store and boiler room. This single-storey additional accommodation sits well within the grounds of the school and complies with the criteria as set out in Policy DPS6 of the Mid Bedfordshire Local Plan 2005.

The above policy allows for the re-arrangement of uses within a site or the erection of new building(s) like this one, which is ancillary to an existing development such as this school building(s), as long as the proposed development does not seriously harm neighbours through undue loss of light or privacy and extension(s) do not result in overdevelopment of the site, the development should be appropriate in scale and function to the existing development, with matching materials.

Furthermore, that the development does not result in unacceptable loss of off-street car parking or amenity area or landscaping or result in unacceptable impact on the character and appearance of the streetscene or general locality.

In light of the above, it is considered the principle of development is acceptable.

2. Impact of Development on Character and Appearance of the Area

The proposed side/front extension would be sited towards the highway and proximity to the site boundary and the High Street and it is not considered the development would have any significant adverse impact on the conservation area. The high boundary wall to the High Street and the corner with Ivel Road, restricts views.

There is a cherry tree on the proposed site, which is due to be felled. The Arboricultural Officer has advised that no objection would be raised to its removal. Therefore, the proposed single-storey front/side extension will have little impact on the character and appearance of the conservation area.

3. Impact of development on Neighbouring Properties

The proposed development does not lie or adjacent to any residential property. However, the only nearby properties are across the opposite side of the High Street. It is considered therefore, that no adverse impact would be caused.

4. Highway Safety Implications

The proposed 'specialised unit' will attract pupils from outside Sandy and therefore, some additional vehicular trips may be generated. However, there is no capacity problems on the highway to accommodate them.

There may also be additional demand for parking which however, can be accommodated on-street. In the circumstances, it is considered the proposal is satisfactory.

Other Issues

- 5. The applicant is supporting this application with a written justification. It is advised that the proposed development would be an eight place 'Autistic Spectrum Disorder Inclusion Unit' to cater for the needs of the wider local community within the school, which has been recognised as having expertise in the inclusion of ASD pupils. Furthermore, it is advised that there are currently a number of pupils with ASD within the wider local community who do not have a local placement in education and for whom journeys to provisions elsewhere in the county are too far.

Reasons for Granting:

The proposed development is considered acceptable and in scale, proportional to the existing building(s) and complies with the criteria of Policy DPS6 of the Mid Bedfordshire Local Plan 2005.

RECOMMENDATION

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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

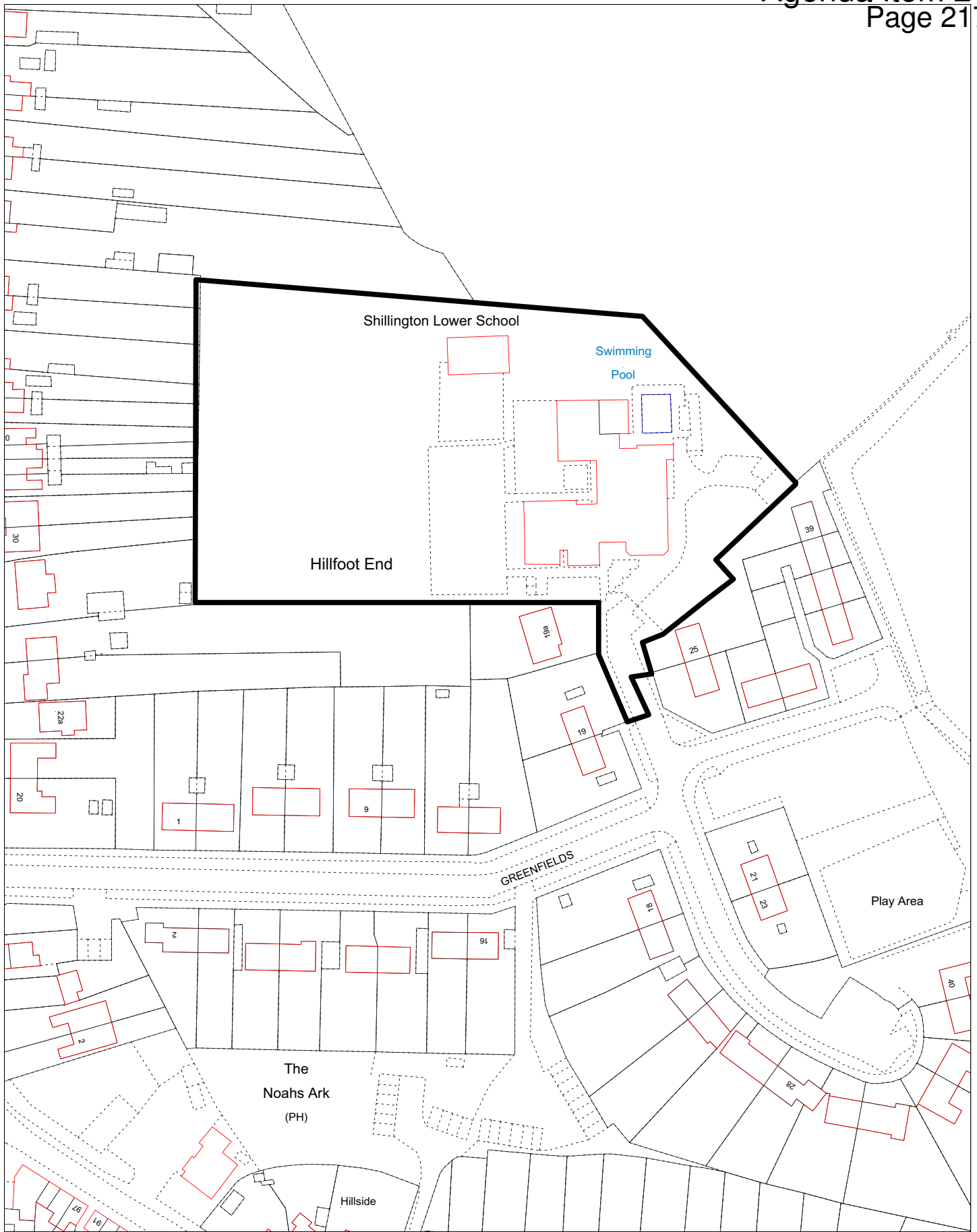
- 3 **No development shall take place within the development area as shown on the submitted plan and area of archaeological interest until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the details approved.**

Reason: To safeguard archaeological interests in accordance with Planning Policy Guidance Note (PPG16).

DECISION

.....
.....

This page is intentionally left blank

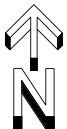


Date: 09 July 2009

ITEM NO. 24

Scale: 1:1250

APPLICATION NO. CB/09/00968/FULL



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

Shillington Lower School, Greenfields, Shillington

This page is intentionally left blank

Item No. 24

APPLICATION NUMBER	CB/09/00968/FULL
LOCATION	Shillington Lower School, Greenfields, Shillington, Hitchin, SG5 3NX
PROPOSAL	Full: Installation of two canopies
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Councillors R Drinkwater & A Graham
CASE OFFICER	Kate Phillips
DATE REGISTERED	28 May 2009
EXPIRY DATE	23 July 2009
APPLICANT	Shillington Lower School
AGENT	Mouchel
REASON FOR COMMITTEE TO DETERMINE	Land owned by Central Bedfordshire Council
RECOMMENDED DECISION	Full Conditional Approval

Site Location:

The application site is Shillington Lower School which comprises of various school-related buildings within the school campus which is within Shillington Settlement Envelope, surrounded on 3 sides by residential gardens, and open countryside to the north.

A temporary building which houses Shillington Lower School is within the grounds of the school and to the west of the lower school and its playground is the large school playing field.

The Application:

This application seeks permission for the installation of a two-part canopy structure to provide a covered area for the children to play and to provide an area for the whole school to sit during school events, such as sports day.

They would be situated to the west of Shillington Lower School. They would be approximately 4.5 metres at their highest and would cover an area of 74 square metres.

RELEVANT POLICIES:

National Policies (PPG + PPS)

PPS 1 Delivering Sustainable Development (2005)

Regional Spatial Strategy

East of England Plan (May 2008)

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

Bedfordshire Structure Plan 2011

Not applicable

Mid Bedfordshire Local Plan First Review 2005

Policy DPS6 – extensions and alterations

South Bedfordshire Local Plan Review Policies

Not applicable

Supplementary Planning Guidance

Mid Bedfordshire District Council's Technical Guidance:

'Extensions and Alterations: A Design Guide for Householders' (2004)

Planning History

MB/06/00428/CC	County Council: Single storey extension to form library and offices at front of school. - Full Conditional Approval
MB/02/02215/FULL	Full: Siting of temporary classroom unit for use by local playgroup. - Full Conditional Approval
MB/02/01855/FULL	Full: Siting of steel container for use by Shillington Scout group. - Full Conditional Approval
MB/01/01853/CC	COUNTY COUNCIL: ERECTION OF SINGLE STOREY EXTENSION TO FORM LIBRARY AND NEW ENTRANCE.
MB/01/01500/CC	COUNTY COUNCIL: SINGLE STOREY EXTENSION FOR CLASSROOM WITH ANCILLARY WORKS AND PROVISION OF TWO NEW CAR PARKING SPACES
MB/97/00765/CC	COUNTY COUNCIL: SITING OF SINGLE TEMPORARY CLASSROOM.

Representations: (Parish & Neighbours)

Shillington PC	No objection.
Adj. occupiers	No responses received.

Consultations/Publicity responses

Site notice posted 11.6.09

Determining Issues

The main considerations of the application are;

1. The effect on the character and appearance of the surrounding area
2. The impact on the residential amenity of neighbouring properties
3. Any other implications of the proposal

Considerations

1. Effect on the character and appearance of the area

The canopy structure would be situated within the school grounds not visible from the public realm. It would be close to an existing building in order to reduce its visual impact upon the surrounding area and it would be coloured brown and cream, again to reduce its visual impact when viewed against the backdrop of the school.

Overall, it is not considered that the canopy structure would detrimentally impact upon the character and appearance of the surrounding area, in accordance with Policy DPS6 of the Mid Bedfordshire Local Plan First Review 2005.

2. Impact on the residential amenity of neighbouring properties

The canopy structure would be within the school grounds at least 10 metres away from the site's northern boundary, which is currently marked by trees.

The location of the proposed canopy relative to neighbouring residential properties is therefore considered to be such that there would be no adverse impact on their residential amenity in terms of loss of light/ outlook or overbearing impact.

The proposal is therefore considered to be acceptable in this respect.

3. Any other implications

There are no further considerations to this application.

Reasons for Granting

The proposal to erect the canopy structure would not impact detrimentally upon the character and appearance of the surrounding area and there would be no adverse impact upon the residential amenity of any neighbouring properties. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005) and Policy DPS6 of the Mid Bedfordshire Local Plan First Review (2005).

- 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 The materials to be used for the development hereby permitted shall be as detailed in the application hereby approved, unless otherwise agreed in

writing by the Local Planning Authority.

Reason: To protect the visual amenities of the surrounding area.

DECISION

.....
.....

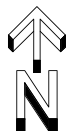


Date: 08 July 2009

ITEM NO. 25

Scale: 1:1250

APPLICATION NO. CB/09/00903/FULL



Crown Copyright. All rights reserved.
Central Bedfordshire Council.
100049029. 2009.

Lower School, Lower Shelton Road, Marston Moretaine

This page is intentionally left blank

Item No. 25

APPLICATION NUMBER	CB/09/00903/ARM
LOCATION	Lower School, Lower Shelton Road, Marston Moretaine, Bedford, MK43 0LS
PROPOSAL	Reserved Matters: Prefabricated single storey classroom building with access ramp and steps
PARISH	Marston Moretaine
WARD	Marston
WARD COUNCILLORS	Councillors R Baker & M Gibson
CASE OFFICER	Duncan Jordan
DATE REGISTERED	15 May 2009
EXPIRY DATE	10 July 2009
APPLICANT	Shelton Lower School
AGENT	RTG Associates
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Land owned by Central Bedfordshire Council
	Reserved Matters

Site Location:

Shelton Lower School, Lower Station Road, Marston Moretaine is a conglomeration of a brick built main building and external porta cabins making up the school facilities. In terms of local plan policy the site lies in the designated Settlement Envelope.

The Application:

Reserved Matters: Prefabricated single storey classroom building with access ramp and steps

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1: Delivering Sustainable Development

Regional Spatial Strategy

East of England Plan (May 2008)

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

Bedfordshire Structure Plan 2011

Mid Bedfordshire Local Plan First Review 2005 Policies

DPS6

Supplementary Planning Guidance

South Bedfordshire Local Plan Review Policies

Supplementary Planning Guidance

Planning History

08/02087 Outline: Prefabricated single storey classroom building with access ramp and steps. Approved 29/12/08

**Representations:
(Parish & Neighbours)**

Marston Moretaine No objection
Parish Council

Neighbours No response

Consultations/Publicity responses

Public Protection - Work No response
Environment Team
Disability Discrimination No comment
Officer

Determining Issues

The main considerations of the application are;

- 1. Visual impact on the character and appearance of the area**
- 2. Impact on neighbouring residential amenity**

Considerations

1. Visual impact on the character and appearance of the area

This proposed portacabin measures 9.6m by 6m with a ramp to the eastern side. The external finish will be of textured green paint with a grey membrane flat roof.

In terms of the impact on the character and appearance of the area, this proposed portacabin is well set back in the site and the open space left between the main school building and this proposal sufficient such that the site does not appear overcrowded. Nor will the building be prominent to view.

2. Impact on neighbouring residential amenity

It is considered the relative distance to neighbouring properties concludes there should be no substantial impact to their amenity.

Reasons for Granting

The portacabin proposed will be sited well back in the site so as to present an acceptable impact on the streetscene and located such that it will not unduly impact on neighbouring residential amenity such as to be in compliance with Policy DPS6 of the Mid Bedfordshire Local Plan, First Review, Adopted December 2005.

Recommendation

That reserved matters be unconditionally approved:

DECISION

.....
.....

This page is intentionally left blank