

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



please ask for Leslie Manning
direct line 0300 300 5132
date 24 July 2009

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 5 August 2009 2.00 p.m.*

Venue at

**Council Chamber, Council Offices, High Street North,
Dunstable**

Jaki Salisbury
Interim Chief Executive

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

Cllrs 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 22 July 2009.

(Circulated Separately)

4. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** 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

Planning and Related Applications

To consider the planning applications contained in the following schedules:

Schedule A - Applications recommended for Refusal
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Item	Subject	Page Nos.
7	Planning Application No. SB/09/00163/OUT	1 - 20

Address: Land between Stoke Road and Bossington Lane and north of Rothschild Road, Stoke Road, Linslade

Residential development comprising of up to 199 dwellings, strategic open space, children's recreation area, ancillary car parking and landscaping. (Outline application with access to be determined at this stage)

Applicant: J S Bloor (Northampton) LTD

8	Planning Application No. CB/09/05143/TP	21 - 26
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Address: Haybury Lodge 20A Lanes End, Heath And Reach, Leighton Buzzard, LU7 0AE

Construction of balcony with new rear entrance and external stairs

Applicant: Mr White

Schedule C - Any Other Applications
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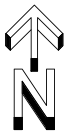
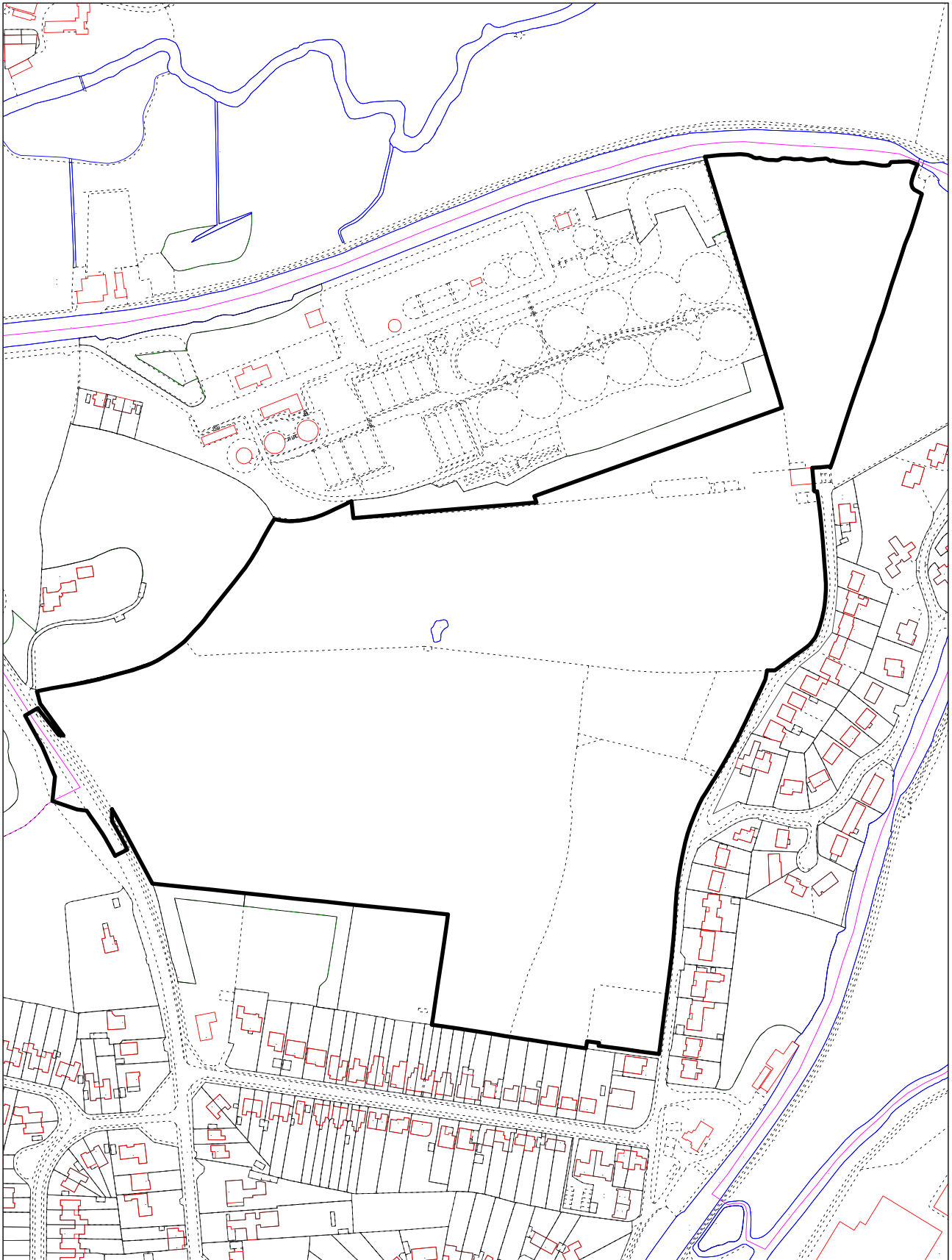
Item	Subject	Page Nos.
9	Planning Application No. CB/09/05123/TP	27 - 32

Address: Linslade Lower School, Leopold Road, Linslade, Leighton Buzzard, LU7 2QU

The proposal is to install 30 solar PV panels on the roof of the school in order to generate sustainable electricity. 22 of the panels will be on the flat roof and 8 units will be on the sloped roof of the older school building

Applicant: Linslade Lower School

- 10 **Planning Application No. CB/09/05203/TP** 33 - 40
- Address:** Land adj 151 Trident Drive, Houghton Regis, Beds
- Installation of a 6 metre high highway based column complete with cabinet base for control equipment and a CCTV camera
- Applicant:** Houghton Regis Town Council
- 11 **Planning Application No. CB/09/05232/TP** 41 - 46
- Address:** Eaton Bray Lower School, School Lane, Eaton Bray, Dunstable, LU6 2DT
- Erection of extension to provide new classroom
- Applicant:** Eaton Bray Lower School
- 12 **Planning Application No. CB/09/05266/FULL** 47 - 52
- Address:** Pulloxhill Lower School, Fieldside Road, Pulloxhill, Bedford, MK45 5HN
- Full: Timber post canopy.
- Applicant:** Pulloxhill Lower School
- 13 **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 26 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.
- 14 **Amendments to the Terms Of Reference to Development Management Committee** * 53 - 56



Date: 23 July 2009

Scale: 1:3500

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ITEM NO. 7

Application No. SB/09/00163/OUT

**Land Between Stoke Road and Bossingotn Lane
North of Rothschild Road, Stoke Road, Linslade**

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Item No. 07

SCHEDULE A

APPLICATION NUMBER	SB/09/00163/OUT
LOCATION	Land between Stoke Road and Bossington Lane and north of Rothschild Road, Stoke Road, Linslade
PROPOSAL	Residential development comprising of up to 199 dwellings, strategic open space, children's recreation area, ancillary car parking and landscaping. (Outline application with access to be determined at this stage)
PARISH	Leighton Buzzard
WARD	Leighton Linslade Central
WARD COUNCILLORS	Cllr David Bowater, Cllr Roy Johnstone, Cllr Kenneth Sharer and Cllr Brian Spurr
CASE OFFICER	Simon Barnett
DATE REGISTERED	19 March 2009
EXPIRY DATE	18 June 2009
APPLICANT	J S Bloor (Northampton) LTD
AGENT	Turley Associates
REASON FOR COMMITTEE TO DETERMINE	Advertised as a Members decision & high level of public interest
RECOMMENDED DECISION	Refuse Planning Permission

Site Location:

The application site comprises 12.9 hectares of land located to the north of Linslade on the eastern side of Stoke Road. The site is bounded to the north by an Anglian Water sewerage treatment works, to the east by properties in Bossington Lane and to the south by properties in Rothschild Road.

The topography of the site is such that there are levels changes across the site in excess of 20 metres with the highest part of the site being in the centre and slopes running down in a fairly even radial pattern. The centre of the site is host to several groups of protected trees.

The site is washed over by the Green Belt and located within a designated Area of Great Landscape Value (AGLV).

The Application:

The application is one seeking outline planning permission for a residential development comprising of up to 199 dwellings, strategic open space, children's recreation area, ancillary car parking and landscaping. Accordingly the application effectively splits the site into two parcels, 5.5 hectares located to the south proposed for residential development and 7.3 hectares to the north proposed as open space.

Access, which is to be determined, would be from Stoke Road, via a roundabout located approximately 50 metres south of the existing gated access from Stoke Road.

The submitted parameters plan shows a central spine road through the proposed residential development which would have a density of around 35 dwellings per hectare.

The application is accompanied by a comprehensive suite of documents including the following:

- Planning Supporting Statement;
- Sustainability Statement;
- Health Impact Assessment;
- Education Impact Assessment;
- Affordable Housing Statement;
- Open Space and Community Facilities Assessment;
- Design and Access Statement;
- Transport Assessment;
- Outline Residential Travel Plan;
- Archaeological Report (Desk Based and Trial Trenching Assessments);
- Flood Risk Assessment;
- Agricultural Land Impact Assessment;
- Odour Assessment;
- Noise Assessment;
- Ecological Assessment;
- Tree Assessment Report;
- Landscape and Visual Impact Assessment;
- Baseline Landscape and Visual Appraisal;
- Geo-environmental Appraisal;
- Geo-environmental Phase 1 Desk Study;
- Development Lighting Assessment;
- Waste Audit;
- Renewable Energy Statement;
- Swing Bridge Assessment;
- Service Supply Statement; and
- Statement of Community Involvement.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development

PPG2 - Green Belts

PPS3 - Housing

PPS7 - Sustainable Development in Rural Areas

PPS9 - Biodiversity and Geological Conservation

PPG13 - Transport

PPG16 - Archaeology & Planning

PPS23 - Planning and Pollution Control

PPS25 - Development and Flood Risk

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving Sustainable Development

SS3 - Key Centres for Development and Change

SS8 - The Urban Fringe
H1 - Regional Housing Provision 2001 to 2021
ENV1 - Green Infrastructure
ENV3 - Biodiversity and Earth Heritage
ENV7 - Quality in the Built Environment

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

SP1: The Spatial Framework - Locations for Growth
SP3: Sustainable Communities
BLP 2(a): Luton/Dunstable/Houghton Regis & Leighton Linlade
BLP 2(b): Luton/Dunstable/Houghton Regis & Leighton Linlade

Bedfordshire Structure Plan 2011

Policy 7 - Areas of Great Landscape Value

South Bedfordshire Local Plan Review Policies

SD1 - Keynote Policy
NE3 - Control of Development in AGLV
BE8 - Design Considerations
T10 - Parking - New Development
H2 - Fall-In Sites
H3 - Local Housing Needs
H4 - Affordable Housing
R4 - Urban Open Space - Ouzel Valley Park
R10 - Play Area Standards
R11 - New Urban Open Space
R14 - Informal Recreational Facilities

PLANNING HISTORY:

LL/71/147 - Refusal for residential development.
SB/TP/74/1186 - Refusal for erection of 15 bungalows. Appeal dismissed.
SB/TP/78/0043 - Refusal for erection of one dwellinghouse. Appeal dismissed.
SB/TP/80/0714 - Refusal for residential development.
SB/TP/81/0375 - Refusal for construction of golf course and associated buildings.
SB/TP/91/0357 - Withdrawn application for use of agricultural land as golf driving range and erection of clubhouse, driving bays and car parking facilities.
SB/TP/92/0047 - Withdrawn application for construction of 9 hole golf course with clubhouse and stewards accommodation (outline).
SB/TP/96/0901 - Refusal for construction of 9 hole golf course and ancillary works (outline).

SB/SCO/08/0850 - Request for screening opinion of the local planning authority - Regulation 5 of the Environmental Impact Assessment Regulations in respect of a development comprising up to 199 dwellings with landscaping, open space and associated infrastructure. Decision: that an Environmental Impact Assessment not required.

**Representations:
(Parish & Neighbours)**

Town Council

Strongly object on the following grounds:
Due to the attractive market town nature of and scale of Leighton/Linslade, this proposed development is an inappropriate urban extension. The form of urban extension

proposed is an inappropriate extension that would place unreasonable demands on an already overburdened infrastructure.

The development would have a serious detrimental effect on the residents of Bossington Lane and Rothschild Road.

Neighbours

Cotswold, Deepdene, Farthing Hill, The Herons, Kelvedon, Little Inch, Lone Pines, The Pines, Pinewood, Primrose Cottage, Rosedene, Sandy Rise, Tenaya, Tinkers, Turtles Meadow, Uplands, Windrush & Wroxleigh, Bossington Lane. 1, 5, 10, 12, 25, 26, 30, 39, 42, 43, 48, 56 & 57 The Paddocks. 1, 2, 7, 8, 9, 11, 12, 12a, 15, 16, 17, 18, 19, 21, 23 & 25 The Martins Drive. 3, 9, 10, 11, 12, 15, 19, 21, 23, 25, 27, 29, 31, 33, 34, 35, 36, 37, 39, 41, 42, 43, 45, 46, 49, 51, 53, 56 & 57 Rothschild Road. 25, 33, 37A, 45, 50, 51, 57, 59, 65, 67, 75, 77, 81, 83, 89, 103), 111, 115 & 133 Stoke Road. 15, 29, 36, 41, 55, 56, 63, 83 & 87 Golden Riddy. 2, 5, 7, 18, 19 & 22 Harcourt Close. Hillingdon, 3, 6, 10, 11, 12, 15, 16, 18, 32, 35 & 1 unaddressed resident Lime Grove. 5A, 20, 32, 49, 61 & 65 Rosebery Avenue. 25 Alwins Field, 97, 267, 437 & 482 Bideford Green, 12 Chamberlains Gardens, 4 & 12 Chestnut Rise, 13 Church Road, 11 Columba Drive, 383 Derwent Road, 3 Eden Court, 24, 25 & 29 Faulkners Way, 3 & 40 Grange Close, 34 & 43 Hydrus Drive, 1 Ledburn Grove, 9 Lincombe Slade, 7 Malvern Drive, 18 & 23 Milebush, 1 Redwood Glade, 91 Riverside, 12 Rockleigh Court, 2 Saxons Close, 15 Ship Road, 9 Southcourt Avenue, 27 Soulbury Road, 42 Summer Street, 3 St Mary's Way, 14 Windsor Avenue, 'Link House', Cuff Lane, Great Brickhill, 'Kennel Cottage', Wood Lane, Aspley Guise & 4 unaddressed objections.

Object on some or all of the following grounds:

- Site is located in the Green Belt, there are no 'very special circumstances';
- Loss of wildlife habitat, site frequented by deer, badgers, bats, foxes, newts and many species of bird;
- Unsafe access to Stoke Road, on brow of hill and designated HGV route;
- Loss of privacy and overlooking;
- Urbanising visual affect;
- Inadequate infrastructure, sewerage, water, transport (road and trains), education and health provision;
- Loss of property value;
- No market or demand for additional housing in Leighton-Linslade;
- Bossington Lane unadopted and unsuitable to additional foot/cycle traffic;
- Increased light pollution;
- Increased risk of flooding;
- Loss of historic and visually important trees and hedgerows;
- Additional traffic congestion;
- No additional employment;

- Proposed refurbishment of swing bridge would be a hazard to children and canal users, maintenance costs would fall to taxpayers;
- Proximity to sewerage works and odour problems;
- Site not part of LDF, core strategy or LB Big Plan;
- Loss of security to rear of existing dwellings;
- Loss of valuable agricultural land;
- Adverse affect on Area of Great Landscape Value;
- Loss of sunlight;
- Surrounding area is designated as Area of Special Character;
- No car parking provision for open space;
- Site contaminated by arsenic and landfilled gas canisters;
- Proposed means of drainage is a private sewer;
- Impact on Roman and Saxon archaeology;
- Previous applications to develop site refused;
- Development would have adverse impact on Linslade and Bluebell Woods;
- Concern as to reasons for issuing new residents with personal attack alarms.

A limited re-consultation was carried out with adjacent neighbours in respect of amended plans showing an additional cycle and pedestrian link to Bossington Lane from the south-east corner of the site. Any additional comments received from this re-consultation will be reported at the meeting.

Consultations/Publicity responses:

Planning Policy

Advises that the proposal is not a preferred location for development and therefore contrary to the emerging Core Strategy. Identifies that there is a sufficient supply of housing land to meet the housing requirements in the next five years in normal market conditions. Advises that a shortfall occurs when a conservative approach to the current economic climate is factored in which could reasonably be met by the preferred urban extensions following the adoption of the Core Strategy in 2011.

Highways

Recommends refusal on the grounds of inadequate parking provision, unacceptable site layout for public transport, emergency and service vehicles and proposed measures insufficient to address unsustainability of site in transport terms.

Additional comments related to amended Master and Parameters Plans

Sustainable Transport Officer

Submitted Travel Plan inadequate. Further contribution required towards public and sustainable transport measures

Archaeology

Recommends conditions

Community Involvement	Supports response of VCA
Countryside Access Service	Acknowledges proposed development will have undoubtedly significant impact on Green Belt and AGLV. Increased use of site as public open space could be achieved without housing development. Submitted documents devalue qualities of area as AGLV. Development would lead to increased pressure on Linslade Wood. Adjacent public rights of way should be improved through S106 contributions. Some of open space and multi user link for Bossington Lane should be provided with first phase of development. New access should be designed to allow pedestrians and cyclists to cross Stoke Road safely and easily. Contribution towards swing bridge welcomed, but advises cost of multi user bridge would be around £275,000. Request contributions of £50,000 towards Linslade Wood, £50,000 towards rights of way improvements. Public art contribution could be made use of installing unique feature in open space and Linslade Wood.
Education	Confirms offer of contribution of £175,000 acceptable.
Landscape Officer	Site is part of Greensand Ouzel Landscape Character Areas that are distinctive and intimate in scale. The wooded greensand ridge crossing the site forms an important local skyline feature in the locality which could be affected by development projecting against it. Topography of site is such that built development could be highly visible both at locally and at greater distances, especially at night. Questions whether built development is appropriate in this location, particularly as some 2.5 storey buildings are proposed. The inclusion of green openspace and green infrastructure is positive, however impact of visitors travelling by car to open space requires further consideration.
Leisure Services	Proposed children's play provision inadequate and contribution for formal sports facilities required.
Tree Officer	Questions the classifications of some of the protected trees in submitted survey. Accepts that Poplar trees are infected with Bacterial Canker and that their demise is inevitable within next 10 years. Groups 2 and 3 are strategically sited atop the ridge overlooking the Grand Union Canal and River Ouzel floodplain. Any landscaping scheme should ensure this area is retained for landscaping to soften the visual impact of any development against the skyline.
Environmental Health - Contaminated Land	Recommends conditions.

Environmental Health - Odour	Confirms no history of complaints regarding odours from sewage works. Unable to argue with finding of submitted odour report. Recommends condition be imposed to prevent residential development within 50m ² contour (small area to north of indicated residential development).
Environment Agency	No objection and recommends conditions.
Highways Agency	No comment.
Leighton Buzzard Society	Object to development of land designated as Green Belt and AGLV. Application contains no 'very special circumstances' to justify development in Green Belt.
Anglian Water	Object as proposal would result in dwellings within 400 metres of sewage treatment works. Submitted odour assessment inadequate. Sewerage works does not have capacity to treat foul drainage from site.
Natural England	No objection. Recommends that the additional survey work and working practices set out in submitted Ecological Assessment be secured through condition. Suggest commuted sums be secured to ensure long-term biodiversity management plan is sufficiently resourced. Welcomes extent of green infrastructure provision and encourages suggested biodiversity enhancements. Suggests conditions be imposed relating to lighting and SUDS.
Greensand Trust	Note that the proposed open space provision supports the Green Wheel objectives of LLTC. Support restoration of swing bridge and the improved connectivity between Linslade Wood and canal towpath and Ouzel Meadows. Endorse early provision of open space and stress appropriate mechanisms for funding and management be addressed through S106. Concerned about lack of parking provision for visitors to open space and suggest joint parking be provided with Linslade Wood.
Leighton-Linslade Cycling Forum	Request that swing bridge, if restored, be in closed to navigation position in normal circumstances. Suggest access to site from south-east of site be established to ensure cyclists and pedestrians can travel shortest distance to town centre. Bicycle vouchers specified in Travel Plan should have a wider remit. Supports installation of Toucan crossing at site entrance. Suggests speed limits to north of site be reduced and residential development having 20 mph speed limit. Questions criteria used in Educational Impact Assessment in respect of sustainable school run.
Sustrans	Object as development makes inadequate provision for

walking and cycling and concur with Cycling England's recommendations.

Cycling England	Offers comments on application as submitted and makes recommendations about roundabout design, desire for canal/river crossing south of the lock, development of link to railway station, provision of more links to Bossington Lane, improved permeability within the site, provision of cycle friendly on road speed reduction measures, provision of on plot cycle storage and improved Travel Plan.
Ramblers Association	No objection provided existing bridleways remain unaffected.
Voluntary and Community Action	Application fails to adequately provide for social infrastructure. Welcomes developers offer of a community house and request that S106 agreement cover this issue. Strongly request that running costs of £90,000 per annum be provided for the duration of the development. Also recommends that contribution of £300 per dwelling be provided to support existing voluntary and community sector organisations.
Leighton Linlade Churches	Support provision of community house. Request S106 agreement includes provision for running costs of up to £50,000 over 5 year lifespan of development.
British Waterways	Supports provision of canal crossing. Restoration of swing bridge has many logistical and other complications that need significant further exploration. Multi-user bridge should be provided if restoration of swing bridge not possible.
Inland Waterways Association - MK Branch	Concerned about health and safety implications of swing bridge restoration. Recommend consideration be given to provision of multi-user bridge. Hope swing bridge could be preserved as a non-working heritage feature.
Andrew Selous MP	Strongly objects to application on following grounds: <ul style="list-style-type: none">• already significant development has happened to south of town and more scheduled for eastern side.• town frequently gridlocked;• over half of existing residents commute to jobs outside of town;• Leighton/Linslade remains one of largest towns in the country not to have any form of Community Hospital; and• denial of a local democratic mandate to determine application.
Buckingham & River Ouzel IDB	Recommends conditions and informatives.

CPRE Bedfordshire	Object to development, as no very special circumstances have been advanced to justify inappropriate development in the Green Belt. Applicants comments in relation to AGLV status are without merit.
Beds Police ALO	Concerned with levels of permeability which is at odds with adopted Bedfordshire Community Safety SPG. Requests S106 contribution along the lines set out in draft obligations SPD.
NHS PCT	Welcomes opportunity to ensure a robust and sustainable health infrastructure is established.
David Lock Associates on behalf of promoters of North-West Dunstable urban extension	Object to the proposal as site is less suitable than own site, which is in greater compliance with the Core Strategy.
Hives Planning	Urge application be recommended for refusal as site is in Green Belt, in an area not identified for release, of an unsustainable size, in a designated AGLV and close to sewage works.

Determining Issues

The main considerations considered relevant to the determination of this application are:

1. Principle of Development
2. Impact on Landscape
3. Housing Land Supply
4. Deliverability of Development
5. Sustainability
6. Affect on Protected Trees
7. Access & Highway Matters
8. Proximity to Sewage Works
9. Relationship with Adjacent Properties
10. Planning Obligations and Contributions

Considerations

1. Principle of Development

The application site is washed over by the Green Belt and therefore the principle of residential development is by definition inappropriate. This is recognised by the applicant who has submitted a case for 'very special circumstances' which has two basic strands: firstly that the Council cannot demonstrate a five year supply of housing land and therefore the application should be viewed favourably; and secondly that the application will result in the provision of some seven hectares of 'strategic open space' linking Linslade Wood to the Grand Union Canal and public footpath network at Bossington Lane. A summary of the applicants case is set out in a briefing note attached as an appendix to this report.

Planning Policy Guidance Note 2: 'Green Belts' advises that the control of development within the Green Belt hinges on a two-part test: (i) whether the development proposed is appropriate development; and (ii) if inappropriate, whether there are 'very special circumstances' present which clearly outweigh both the harm by virtue of inappropriateness, and any other harm.

The Courts have held that even if there is no other harm, for example to openness, inappropriate development is, by definition, harmful to the Green Belt. Furthermore, the harm in principle will remain even if there is no further harm to openness because the development is wholly inconspicuous. Indeed the Encyclopaedia of Planning Law has examined how the courts have treated PPG2 over the years and quotes the following extract from a judgement: '[very special circumstances' are] not merely special in the sense of unusual or exceptional but very special.'

The issue of the availability of housing land is discussed in the relevant section below. The Council's Countryside Access Service have questioned the applicants description of the proposed openspace/countryside park as 'strategic', having regard to the usual national and regional definitions. The site is close to existing areas of public open space, in particular the council owned Linslade Wood and Town Council owned water meadows. The details submitted with the application describe the proposed open space as a "unique opportunity to link together existing areas of open space" and add to the existing network of pedestrian and cycle linkages. Whilst this improvement to public access is welcomed, having regard to the location between the sewerage works and the proposed residential development we consider the environmental quality of the openspace would be limited when compared to the existing wider site. Accordingly it is considered that the weight the open space contribution makes towards establishing 'very special circumstances' is limited.

2. Impact on Landscape

The application site is located on an elevated spur of land projecting into the floodplain of the River Ouzel. The site sits above Leighton-Linslade and is visible from surrounding areas and in longer views, as part of the Greensand Ridge. The site is located within a designated Area of Great Landscape Value. The site is open and comprises agricultural land split into several fields by post and wire fences. The site is bounded by hedgerows with additional fencing where there are gaps in the boundary hedging. The proposed residential development would be sited on rising land from the rear of the Rothschild Road to just below the ridgeline running laterally across the site.

The skyline formed by the Greensand Ridge is distinctive, even when viewed from a distance, such that any residential development built against it would detract from it, reducing the quality and integrity of both the local and wider landscape character. The topography of the site is such that residential properties located on the higher part of the site just below the ridgeline would have the potential to be visually intrusive, especially at night.

The details submitted with the application play down the AGLV designation of the land, claiming it is divorced from the main Greensand Ridge and adversely affected by transport infrastructure, the sewage works and existing residential development. These features were in existence when the AGLV designation was imposed and arguably makes the safeguarding of those relatively unspoiled areas all the more important.

Much is made of the proposed landscaping. Existing trees and hedges are only leafed for half of the year and appropriate landscaping would be little different. It is therefore incorrect to claim that screening the development by planting adequately addresses its otherwise visual prominence. In any case, 10 years is suggested for full effect of screening and even then it is likely that key parts of the development would still be seen.

The proposed residential element of the development would form a significant visual intrusion into a prominent location in the landscape such that it would have a detrimental impact on its character and appearance in a way that could not be overcome by new landscaping.

The proposed access to the site would be via a roundabout on the Stoke Road, off which would run the main estate road. The creation of such a feature and consequential opening up of the site would exacerbate the visual impact of the proposal and increase the harmful impact on the AGLV. This adverse impact would be further intensified by the associated hardsurfacing (pavements and carriageway) and street lighting which would be required to ensure the access would meet highway standards.

3. Housing Land Supply

The Luton & South Beds Joint Technical Unit have recently (April 2009) produced a Strategic Housing Land Availability Assessment (SHLAA) which identifies the housing supply for the next five years. The SHLAA concludes that there is sufficient supply of housing sites to meet MKSMSRS requirements for 5 years in normal market conditions. Following discussions with developers, a conservative stance was taken to the current climate to establish the most realistic delivery of housing. In response to this, a delay of 18 months was assumed for large housing sites like southern Leighton Buzzard and a number of the critical regeneration sites in Luton were assumed to be delayed until beyond the immediate 5 year period. This has resulted in an expected shortfall of 127 dwellings. With the Core Strategy due for adoption in early 2011, it is considered that there is a reasonable prospect of early delivery on the allocated urban extensions to meet this shortfall.

The applicant considers that the Council cannot demonstrate a housing land supply beyond approximately 3.5 years and that in accordance with Paragraph 71 of PPS3 there should be a presumption in favour of granting planning permission. However Paragraph 71 continues that this presumption in favour of development should have regard to the consideration set out in Paragraph 69 which states that:

"In general, in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues."

We consider that the proposal fails to meet the third, fourth and fifth criteria, namely the suitability of the site for development, the sites importance in the landscape and lack of compliance with the Preferred Option Core Strategy. The application site lies within the Green Belt and an Area of Great Landscape Value in an area of Leighton-Linslade not identified for future development. Having regard to the scale of housing needed over the next 20 years the Preferred Options for the Core Strategy makes it clear that sustainable urban extensions around the main conurbation offer the greatest potential for delivering sustainable communities, supported by urban extensions to the south and east of Leighton Linslade. This proposal would therefore not accord with the emerging Core Strategy.

Planning Policy Guidance Note 2: Green Belts advises that there are five main purposes for including land within the Green Belt:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

It is considered that the proposal would undermine the first, third and fourth purposes, thus reinforcing the inappropriateness of the site for residential development.

4. Deliverability of Development

The site is one which has the potential to be delivered within the five year time frame indicated by the applicant. However the issue of the capability of the existing sewerage infrastructure to treat wastewater would need to be addressed. Anglian Water advise that the Leighton-Linslade STW would need to be upgraded in order that Anglian Water could carry out their obligations under the Water Industry Act to provide water and waste water infrastructure for new housing.

The lack of up front infrastructure requirements that the applicant contends makes this site eminently deliverable, can be applied to a number of greenfield and agricultural locations especially where there is the potential for significant uplift in land value.

5. Sustainability

The applicant advises that the proposed development would be built to meet Level 3 of the Code for Sustainable Homes which is scheduled to become mandatory from 2010. The Renewable Energy Statement submitted with the application confirms that in accordance with Regional Policy, 10% of the energy requirements of the proposed development would be generated on site. This would be done by fitting around one-third of the dwellings with roof mounted solar water heating systems.

The site as is, is inherently unsustainable in transport terms being located over a kilometre from the edge of the Town Centre, with an infrequent bus service passing the site frontage. In order to address this the applicant proposes the following contributions towards improving sustainable transport in and around the application site. These include financial contributions towards:

- the improvement of local cycle and pedestrian linkages;
- the provision of a new crossing over the Grand Union Canal; and

- an extension of an existing bus service to serve the site with associated works.

As discussed under Highway Matters below, the Council's Highways and Transport teams are satisfied that the proposed measures may be capable of addressing the unsustainable nature of the site in public transport terms.

The applicant has made an offer of £100,000 towards the refurbishment (£70,000) and maintenance (£30,000) of the existing disused swing bridge at the northern part of the site to the east of the sewage treatment works. Alternatively the same amount is offered as a contribution towards an alternate means of canal crossing, however it is understood that the provision of a multi-users bridge, similar to that recently constructed at Tiddenfoot, would cost in the order of £250,000.

6. Affect on Protected Trees

The site is home to a number of protected trees located in two main areas: groups of mainly Sycamore trees along the ridge running across the site; and a line of Black Poplars running southwards at right angles to the belt of Sycamores. The application is accompanied by an arboricultural assessment which has highlighted a number of trees suffering from various infections and shown to be removed. Whilst the Council's Tree officer questions the classification of some of some of the protected trees in submitted survey, he accepts that the Poplar trees are infected with Bacterial Canker and that their demise is inevitable within the next 10 years. The Tree officer raises no objection to the proposed development but highlights that Groups 2 and 3 (Sycamores) are strategically sited atop the ridge overlooking the Grand Union Canal and River Ouzel floodplain. Accordingly he advises that any landscaping scheme should ensure this area is retained for substantial replacement tree planting and other landscaping to soften the visual impact of any development against the skyline

7. Access & Highway Matters

The Council's Highway Engineer has raised no objection to the principle of the access sought, i.e. a roundabout on Stoke Road serving the main spine road of the development. The detailed design would need to be designed in accordance with the current standards with appropriate safety audits submitted at the detailed design stage.

Following an initial assessment of the application three potential highway issues were identified: the potential lack of parking provision; the layout of the site being unsuitable for public transport and service vehicles; and inadequacies in the sustainability of the site in transport terms.

The issue of parking provision has been overcome following a clarification of the certain points made in the Design and Access Statement. Parking would be provided at a ratio of 2.4 spaces per dwelling with additional visitor parking of one space per five dwellings. The Highway Officer has indicated that this is acceptable.

The applicant has agreed to make a "significant" financial contribution towards extending an existing bus route into the site and providing a bus stop with real time information display. The exact amount of the contribution has not been agreed as yet, with negotiations ongoing between the applicant and the Public Transport Development Officer. An update on this matter will be given at the meeting.

Revised Parameters and Master Plans have been submitted showing an amended internal layout that would allow for a bus service to enter the proposed development,

be routed through a loop within the road layout and exit back onto Stoke Road. The applicant has confirmed that a bus stop with real time information would be provided within the site and that provision would be made for a real time bus information be provided for each dwelling.

It is considered that the amendments made to the proposal and the additional contributions proposed fully address the objections initially made by the Highway Officer. Accordingly the proposal, in highway terms, is deemed to be satisfactory.

8. Proximity to Sewage Works

The application site is located adjacent to the Leighton-Linslade Sewage Treatment Works (STW) with the closest part of the proposed residential development being sited approximately 100 metres from the sewage works. The furthest part of the proposed residential development would be located within 400 metres of the STW. Anglian Water have objected to the application on the grounds that it would breach a 400 metre cordon sanitaire around the STW. The basis for the objection is two-fold: firstly to provide an acceptable standard of amenity for future occupiers; and secondly to ensure future operational requirements are not prejudiced.

The application is accompanied by an Odour Assessment prepared by Ove Arup which concludes that the residential development would not be located in an area that would be affected by odour emissions. The findings of the report are accepted by the Council's Environmental Health Officer who further confirms that the Council has no records of any complaints being received in respect of the STW. This is worthy of note as there are approximately 35 dwellings in Bossington Lane and The Martins Drive that are located within 400 metres of the sewage works, some of whom have raised proximity to the STW as an objection to this application.

Anglian Water consider that the submitted Odour Assessment is inadequate with odour measurements taken over 2 days in October not being representative or accounting for seasonal variations. In addition the cordon sanitaire relates not only to odour, but to noise and insects. Furthermore Anglian Water advise that STW is not capable of accommodating the wastewater from the development without an upgrade and that depending on future growth plans for Leighton-Linslade the STW may need to be expanded, possibly into land forming part of the application site.

PPS1 advises that in order to be sustainable, new communities, should be able to stand the test of time and involve places where people want to live, and that such places should be healthy and attractive. It is considered that the proposal would result in the introduction of both residential dwellings and a large area of public open space in close proximity to the STW which requires an upgrade to improve its capacity to take account of the future growth of Leighton-Linslade. We consider that the proposal would be likely to fail to provide an adequate standard of amenity for both the occupiers of the proposed dwellings and the users of the open space.

9. Relationship with Adjacent Properties

The application site sits on higher land than those properties in Rothschild Road and Bossington Lane that surround it. The submitted Parameters Plan shows the housing proposed along the Bossington Lane boundary would in the main be single storey and front a buffer of open space of up to 10 metres wide. The Parameters Plan shows the residential development backing onto Rothschild Road with a buffer of between 10 and 12 metres being provided that the indicative cross-sections in the Design and Access Statement show to be heavily landscaped. Having regard to the topography of

the site we have concerns about the relationship of the proposed development with adjacent properties and consider that the amount of landscaping required to screen the proposed development further demonstrates its unsuitability for the development proposed. It is therefore considered that the development as indicated on the Parameters Plan and referred to in the Design and Access Statement would be likely to result in an unacceptable impact on the visual amenities of the occupiers of nearby dwellings.

10. Planning Obligations and Contributions

The application was accompanied by a draft Heads of Terms offering the following contributions:

- an off site highway contribution of £29,500 towards the resurfacing of Bossington Lane;
- a financial contribution towards a bus shelter at the nearest bus stop to the site heading into town;
- a travel pack for each new dwelling;
- the provision of 7.3 hectares of open space with a commuted sum for management;
- the provision of children's play areas;
- an education contribution of £175,00 towards Lower School provision;
- the provision of a community house (130 square metres) made available at a peppercorn rent until 6 months after the final dwelling is occupied;
- affordable housing of 35% (69 dwellings) comprising 12 one-bed, 27 two-bed, 20 three-bed and 10 four-bed units with mixed tenure;
- a financial contribution of £100,000 towards the restoration and maintenance of the swing bridge, or the same amount towards an alternate canal crossing;
- the relocation of the existing gateway feature along the Stoke Road as a contribution towards public art; and
- the funding of information boards within the public open space.

Following discussions with the applicant during the life of the application the following additional contributions have been offered:

- a contribution to subsidising the extension of a bus service to serve the development, the provision of a bus stop within the development and the provision of real time information displays for each dwelling;
- a further contribution of £50,000 towards off site highway improvement works including access to improvements to Linslade Wood or further works to Bossington Lane;
- an increased children's play space provision of 2,300 square metres (an increase of 400 square metres);
- a contribution of £30,000 per annum towards the running costs of the community house, with the VCA acting as Travel Plan co-ordinator;
- a contribution of £10,000 towards public art.

The applicant does not agree with the Police ALO request for a financial contribution and is not offering a financial contribution in this regard.

We consider that when considered without the open space and swing bridge contribution (which are part of the applicants case for very special circumstances), the

offered Heads of Terms are in line with what the Council would expect for an allocated brownfield site.

Conclusion

- a) The site is designated as an Area of Great Landscape Value and the proposed development would decimate the landscape, create visual harm to the countryside and amenities of nearby occupiers.
- b) The additional contribution of the open space and swing bridge contribution are not considered to be so very special that they would offset the harm that would result to the openness of the Green Belt and the adverse impact that would be caused to the character and setting of the Area of Great Landscape Value.
- c) The site is located immediately adjacent to the Leighton-Linslade Sewage Treatment Works, whereby it is considered that the site is unsuitable for the nature of development proposed. This is reinforced by the need for the STW to be upgraded to cope with the expected future growth of Leighton-Linslade. We consider that the proposal would be likely to fail to provide an adequate standard of amenity for both the occupiers of the proposed dwellings and the users of the open space.
- d) Any deficit the Council may have in its five year housing land supply is attributable to the current economic climate and it is considered that there are reasonable prospects that increased delivery will follow from the adoption of the Core Strategy. Furthermore the site is considered inappropriate for residential development for the reasons discussed previously.
- e) Having regard to the harm caused to the character of the area and the openness of the Green Belt, it is considered that a case for very special circumstances has not been demonstrated by the applicant.

Recommendation

That Planning Permission be **REFUSED** for the following reasons:

- 1 The site lies within the South Bedfordshire Green Belt and the proposal would therefore conflict with Planning Policy Guidance Note 2: 'Green Belts' whereby, within the Green Belt, permission will not be granted except in very special circumstances for development for purposes other than agriculture and forestry, mineral working, small scale facilities for outdoor sport and outdoor recreation or other uses appropriate to a rural area which preserve the openness of the Green Belt. No very special circumstances have been established in this case.
- 2 The application site is located within a designated Area of Great Landscape Value where the proposed residential development would appear as an intrusion into the countryside, detrimental to its appearance and rural character. The proposal is therefore contrary to the provisions of Planning Policy Statement 1: 'Delivering Sustainable Development', Planning Policy Statement 3: 'Housing', Policy 7 of the Bedfordshire Structure Plan 2011 and Policy NE3 of the South Bedfordshire Local Plan Review.
- 3 The proposal would result in the siting of residential properties and a

substantial area of public open space in close proximity to the Leighton-Linslade Sewage Treatment Works. The current operating capacity of the STW is such that it will require upgrading which would intensify operations adjacent to the proposed development and be likely to fail to provide an adequate level of amenity for future residents and users of the open space. The proposal is therefore contrary to the advice given in Planning Policy Statement 1: 'Delivering Sustainable Development' and to the provisions of Policies BE8 and H2 of the South Bedfordshire Local Plan Review.

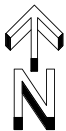
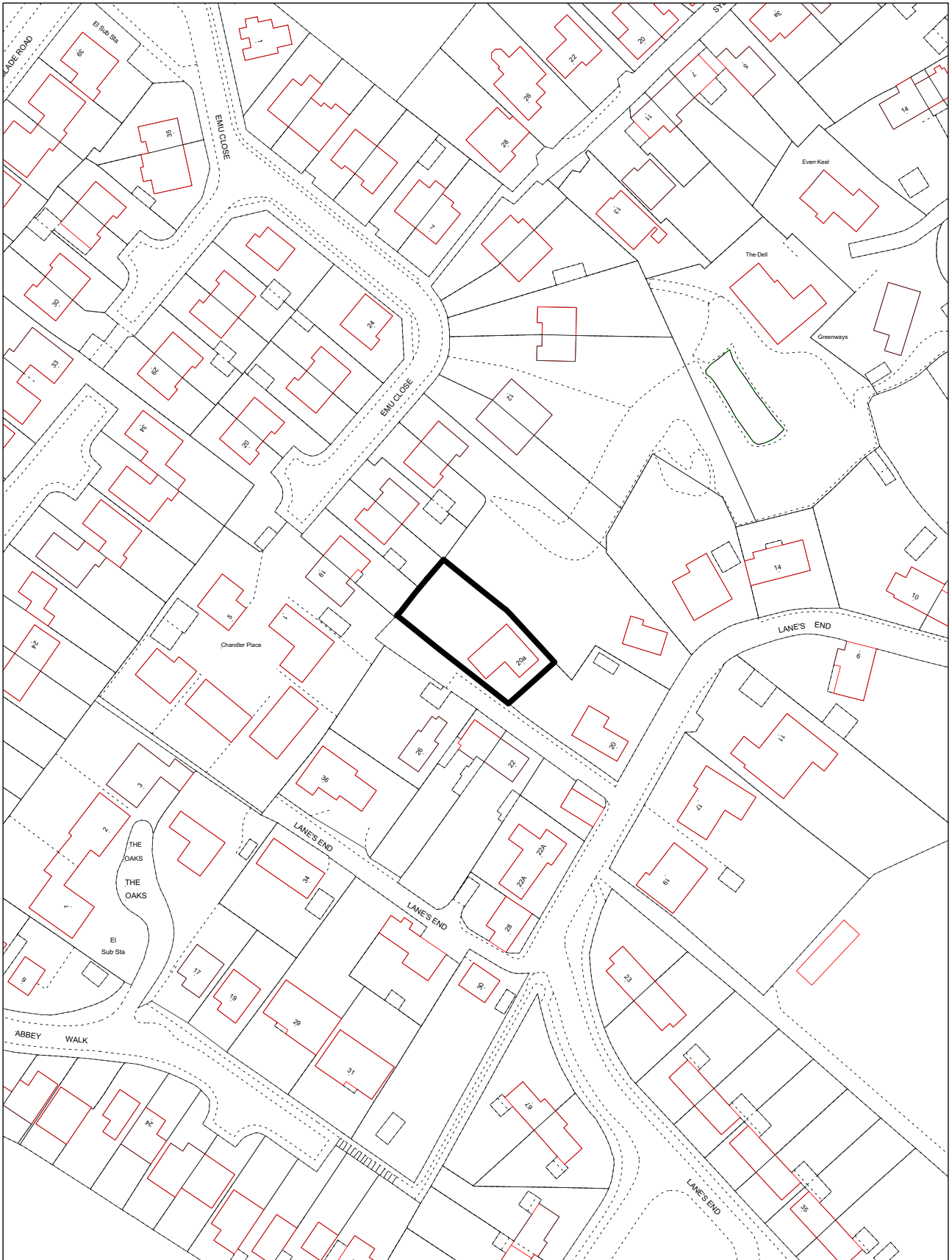
- 4 The proposal by virtue of the topography of the site and the proposed relationship of the residential development with adjacent properties in Rothschild Road would be likely to result in an unacceptable impact on the visual amenities of the occupiers of nearby dwellings. The proposal is therefore contrary to the principles of good design as set out in Planning Policy Statements 1 'Delivering Sustainable Development' and 3 'Housing' and to Policy BE8 of the South Bedfordshire Local Plan Review.

DECISION

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ITEM NO. 8

Application No. CB/09/05143/TP

Haybury Lodge, 20A Lane's End,
Heath and Reach, Leighton Buzzard

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Item No. 08

SCHEDULE A

APPLICATION NUMBER	CB/09/05143/TP
LOCATION	Haybury Lodge 20A Lanes End, Heath And Reach, Leighton Buzzard, LU7 0AE
PROPOSAL	Construction of balcony with new rear entrance and external stairs.
PARISH	Heath & Reach
WARD	Plantation
WARD COUNCILLORS	Cllr Peter Rawcliffe and Cllr Alan Shadbolt
CASE OFFICER	Donna Stock
DATE REGISTERED	24 June 2009
EXPIRY DATE	19 August 2009
APPLICANT	Mr White
AGENT	Central Bedfordshire Council
REASON FOR COMMITTEE TO DETERMINE	Objection received from Conservation Officer and Agent member of this Council
RECOMMENDED DECISION	Refuse Planning Permission

Site Location

The application site consists of a detached bungalow located within an unmade cul-de-sac in the village of Heath & Reach. The site is flanked to the west by 26 Lanes End, to the east by 18 Lanes End, to the south by 20 Lanes End and to the north by properties 17 and 18 Emu Close. The application site falls within the Heath & Reach Conservation Area and the streetscene in the immediate vicinity is mainly characterised by older buildings including many thatched cottages.

The Application

Permission is sought for the construction of a balcony on the rear elevation of the property. The balcony would measure 3 metres in depth, with a width of 3 metres and an overall height of 3.5 metres. It would be constructed to provide access from the living room area via a patio door which would replace the existing window. An external staircase would provide access from the balcony to the rear garden which is significantly lower than the internal floor level.

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)

ENV6 (The Historic Environment)

ENV7 (Quality in the Built Environment)

SS1 (Achieving Sustainable Development)

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

None

Bedfordshire Structure Plan 2011

None

South Bedfordshire Local Plan Review Policies

BE8 (Design Considerations)

H8 (Extensions to Dwellings)

Planning History

SB/TP/03/0049 - Permission for a single storey side extension

**Representations:
(Parish & Neighbours)**

Parish/Town Council None

Neighbours None

Consultations/Publicity responses

CBC Listed Building and Conservation Officer (06/07/2009) Objections on grounds of poor design principles within the Conservation Area.

Determining Issues

The main considerations of the application are;

1. Design Considerations
2. Affect on Residential Amenity
3. Affect on the Character of the Conservation Area

Considerations

1. Design Considerations

Due to the topography of the site, the rear of the property is visually prominent from Emu Close and Old Linslade Road. The structure due to its large overall size and un-sympathetic materials will be largely prominent, failing to compliment or harmonise with the original dwellinghouse or properties within the locality and will detrimentally affect the character of the area.

2. Affect on Residential Amenity

Due to the balconies significant height and depth, the residential amenities of 17 & 18 Emu Close are likely to be impinged upon by the development, due to overlooking of the rear gardens and rear elevations of those properties.

3. Affect on the Character of the Conservation Area

National Policy guidance in PPG15 seeks to preserve the character and quality of historic environments, in this instance the character and appearance

of the Heath & Reach Conservation Area. The proposal due to its poor design, disproportionate scale and un-sympathetic materials does not preserve or seek to compliment the Conservation Area. The Conservation Officer has objected on the grounds that the balcony will be visually prominent and will have a material impact on the views into the Heath & Reach Conservation Area.

Reasons for Granting

Due to the proposed balconies overall size and siting, it would appear overbearing and obtrusive, detrimentally affect the character of the Conservation Area and would result in an unacceptable reduction in residential amenity. The proposal would therefore not comply with Policies BE8 and H8 of the South Bedfordshire Local Plan Review 2004.

Recommendation

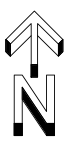
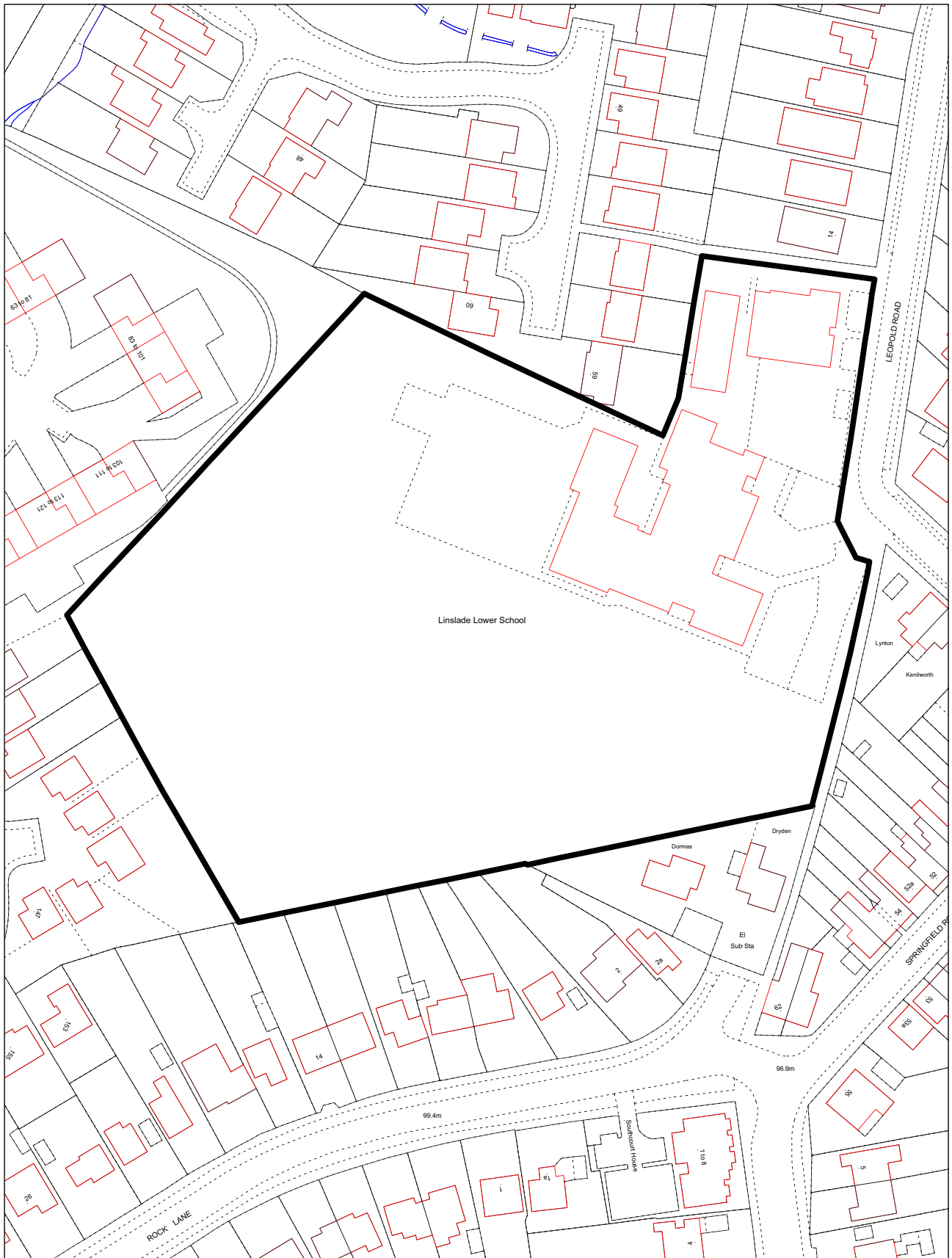
That Planning Permission be **REFUSED** for the following reasons:

- 1 The proposed development would, because of its size, siting and unsympathetic design and materials, be out of character with the existing dwelling and other similar properties in the locality, harmful to the visual amenity of the street scene, of nearby residents and to the overall character and appearance of the Heath and Reach Conservation Area. The proposal is therefore contrary to national guidance set out in PPG15 and to Policies H8 and BE8 of the South Bedfordshire Local Plan Review.
- 2 The proposed development would, because of its size, bulk, siting and unsympathetic design, appear unduly obtrusive and would result in an unacceptable amount of overlooking of the adjoining properties 17 and 18 Emu Close. The proposal is therefore contrary to the principles of good design as set out in national guidance within Planning Policy Statement 1, 'Delivering Sustainable Development' and to Policies BE8 and H8 of the South Bedfordshire Local Plan Review.

DECISION

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ITEM NO. 9

Application No. CB/09/05123/TP

Linslade Lower School, Leopold Road,
Linslade, Leighton Buzzard

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Item No. 9

SCHEDULE C

APPLICATION NUMBER	CB/09/05123/TP
LOCATION	Linslade Lower School, Leopold Road, Linslade, Leighton Buzzard, LU7 2QU
PROPOSAL	The proposal is to install 30 solar PV panels on the roof of the school in order to generate sustainable electricity. 22 of the panels will be on the flat roof and 8 units will be on the sloped roof of the older school building.
PARISH	Leighton Buzzard
WARD	Southcott
WARD COUNCILLORS	Cllr David Hopkin and Cllr Peter Snelling
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	27 May 2009
EXPIRY DATE	22 July 2009
APPLICANT	Linslade Lower School
AGENT	
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The land is owned by Central Bedfordshire Council Grant Planning Permission

Site Location

Leopold Road lies off the southern side of Soulbury Road between the mainline railway to the east and the Southcott residential estate to the west. Linslade Lower School is located on the outside of a sharp bend in the road, on its western side. The site is bounded on all sides by residential properties. The school buildings are single storey and grouped in the north-eastern part of the school site. They include a hip roofed older 'early years' building adjacent the northern boundary and a flat roofed more modern main school building to the south.

The Application

Permission is sought to install two solar photovoltaic panel arrays on the roofs of the school buildings. Constructed of silicon crystals and framed in aluminium and stainless steel, each panel would measure 1.3m wide by 0.9m high. The larger array, on the main school building, would comprise two parallel rows of eleven panels with a 3m gap between each row. Here, to enable the panels to face south they would be mounted on an aluminium and stainless steel framework and inclined at an angle of 30 degrees. The smaller array, on the 'early years' building, would comprise two rows of four panels affixed to the south-facing roof slope.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PPS1 - Delivering Sustainable Development.
- Supplement to PPS1 - Planning and Climate Change.
- PPS22 - Renewable Energy.

Regional Spatial Strategy

East of England Plan (May 2008)

Policy SS1 - Achieving Sustainable Development.

Policy ENV7 - Quality in Built Environment.

Policy ENG1 - Carbon Dioxide Emissions and Energy Performance.

Policy ENG2 - Renewable Energy Targets.

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

Strategic Policy 3 - Sustainable Communities.

South Bedfordshire Local Plan Review Policies

Policy BE8 - Design and environmental considerations.

Planning History

SB/CC/79/0051	Permission for temporary double classroom.
SB/CC/84/0465	Permission for temporary classroom.
SB/CC/93/0002	Permission for construction of additional parking area.
SB/TP/05/0321	Permission for external covered play area.
SB/CC/0143	Permission for three timber shelters and cycle racks.

Representations:

(Parish & Neighbours)

Leighton-Linslade Town Council Representations awaited.

Neighbours No representations received.

Consultations/Publicity responses

No representations received.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Impact on character and appearance of buildings and surrounding area

Considerations

1. Principle of development

Planning Policy Statement 22 (Renewable Energy) states that small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting local needs and that local planning authorities should not therefore reject planning applications simply because the level of output is small. PPS22 states further that local planning authorities should specifically encourage small-scale renewable energy schemes, such as solar panels and photovoltaic cells, through positively expressed policies in local development documents.

The applicant advises that the reasons for wishing to install the solar panels are as follows:-

- to educate the pupils regarding renewable energy and climate change;
- to enable the school to obtain a proportion of its energy from a renewable source;
- the panels would act as a beacon for renewable energy within the local community.

Clearly, the proposal accords with national guidance in PPS22 and it is considered that, at the local level, there would be educational, economic and environmental benefits that would accrue from the installation of the solar panels.

2. Impact on character and appearance of buildings and surrounding area

The larger array on the flat roof would have a maximum height of 0.5m. It is considered that the panels here would have a minor visual impact, as they would not be particularly visible from ground level. Furthermore, there are already features on this roof that are more than 0.5m high. The smaller array on the hipped roof would be visible from Leopold Road. The panels would have a dark blue, non-shiny finish and would be viewed against the grey slates of the roof. It is considered that the colour contrast between the panels and the slates would not be unduly jarring. Accordingly, the impact of the proposal on the character and appearance of the school buildings and on the surrounding area would be acceptable.

Roof mounted solar panels are becoming an accepted feature of the urban roofscape and are likely to become more common on residential properties in particular, given the likely increase in energy costs and the permitted development rights available to householders.

Recommendation

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

- 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 This permission relates only to the details shown on Drawing No. 09/LLS/001 received 18/05/09 and the Site Location Plan and the Block Plan received 27/05/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved plans 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)

Policy SS1 - Achieving Sustainable Development.

Policy ENV7 - Quality in Built Environment.

Policy ENG1 - Carbon Dioxide Emissions and Energy Performance.

Policy ENG2 - Renewable Energy Targets.

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

Strategic Policy 3 - Sustainable Communities.

South Bedfordshire Local Plan Review Policies

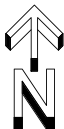
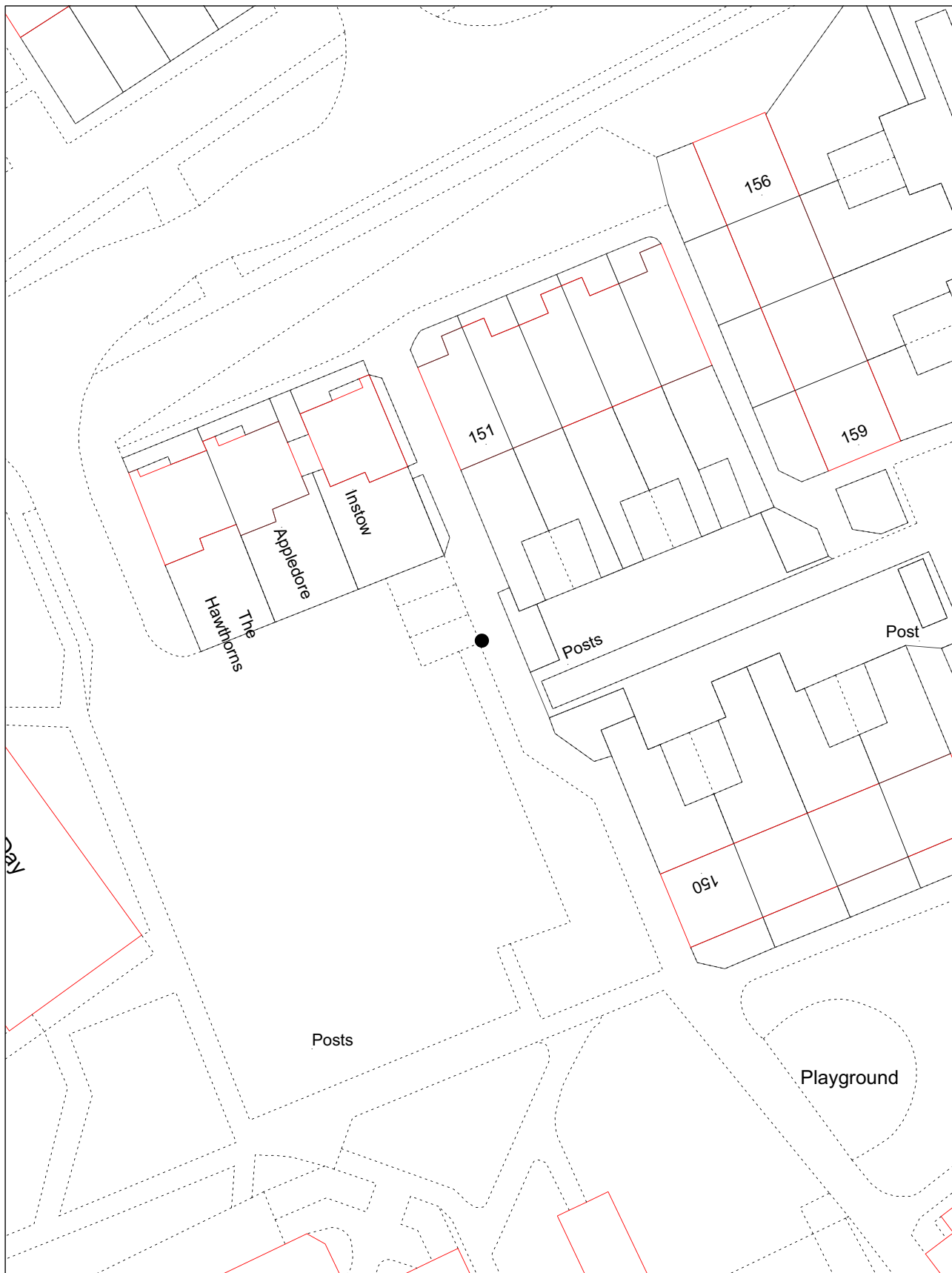
BE8 - Design and Environmental Considerations.

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.

DECISION

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ITEM NO. 10

Application No. CB/09/05203/TP

Land Adjacent 151 Trident Drive,
Houghton Regis

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Item No. 10

SCHEDULE C

APPLICATION NUMBER	CB/09/05203/TP
LOCATION	Land adj 151 Trident Drive, Houghton Regis, Beds
PROPOSAL	Installation of a 6 metre high highway based column complete with cabinet base for control equipment and a CCTV camera.
PARISH	Houghton Regis
WARD	Houghton Regis
WARD COUNCILLORS	Cllr Dr Rita Egan, Cllr Mrs Susan Goodchild, Cllr David Jones and Cllr Peter Williams
CASE OFFICER	James Clements
DATE REGISTERED	24 June 2009
EXPIRY DATE	19 August 2009
APPLICANT	Houghton Regis Town Council
AGENT	Mr. J Seamarks
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The land is owned by Central Bedfordshire Council Grant Planning Permission

Site Location

The location of the proposal site is on the edge of a footpath between two street lamps to the rear of no. 151 Trident Drive and Instow, Parkside Drive, Houghton Regis. The footpath's route is from Parkside Drive running between residential properties on Trident Drive through to Dolphin Drive. The site shares a boundary with Hawthorn Close Car Park which is used by local residents, Hawthorn Park Lower School (50m to the south) and a children's nursery (40m to the east).

The site is adjacent a number of residential properties including no's 147-155 Trident Drive and properties on Parkside Drive named Instow, Appledore and The Hawthorns. The proposal site is approximately 3m from the rear garden of no.151 Trident Road and 8 metres from the rear garden of Instow. Both properties have timber fences between 1.8 & 2m high which share a boundary with the footpath. The footpath has a 1m high metal railing boundary with the car park. The footpath is owned by Central Bedfordshire Council.

The Application

The proposal is for the installation of a 6 metre high column, cabinet base for control equipment and CCTV camera. A CCTV camera is required to help reduce crime and anti-social behaviour in the area and would be used as part of the Houghton Regis CCTV system, which is operated by Central Bedfordshire Council.

The CCTV pole would be erected in the proposed location to provide a clear view and protection for Hawthorn Close Car Park, Hawthorn Park Lower School and a children's nursery. The camera would be restricted from viewing the adjacent residential properties and gardens.

The location of the CCTV pole would be between two existing street lamps, which are approximately 6 metres in height, and would be located nearby a BT connection point to facilitate access to services. The pole would be fixed in a vertical position using two bolts and locked with internal nuts. It would have the facility to be padlocked internally to stop any unauthorised tilting.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development

PPG - 13 Transport

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving Sustainable Development

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

South Bedfordshire Local Plan Review Policies

BE8 - Design and Environmental Standards

Planning History

None

Representations:

(Parish & Neighbours)

Parish/Town Council Awaiting comments

Neighbours

Consultations/Publicity responses

Highway Officer Awaiting comments

Police Liaison Officer Awaiting comments

Determining Issues

The main considerations of the application are:

1. Principle of development and background
2. Effect on the character and appearance of the area
3. Impact on residential amenity
4. Siting of the proposal
5. Other matters

Considerations

1. Principle of development and background

The most appropriate policy is BE8 (Design and Environmental Considerations) of the South Bedfordshire Local Plan 2004 which states amongst others that, ' Proposals for development should ensure that:

(iii) The size, scale, density , massing , orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views; and

(v) The layout and design provides as far as is practicable full access for disabled and elderly persons and for those with prams or pushchairs;

(vi) The siting and layout of development is designed to limit opportunities for crime;

(vii) the proposal has no unacceptable adverse effect upon general or residential amenity'.

There are no specific PPGs or PPSs on the subject of crime prevention. PPS1 does state that a key objective for Local Planning Authorities when plan making is to, 'ensure that developments create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion'. Central Government planning circular 5/94 "Planning Out Crime" emphasises that the introduction of CCTV systems can provide more safety and security.

Section 17 of the Crime and Disorder Act 1998 places duty on each Local Authority, 'to exercise its function with regard to the likely effect of those functions on, and the need to do all that it reasonably can, to prevent crime and disorder in its area'.

Background to application

The application has been submitted because of crime levels in the Parkside Drive area of Houghton Regis. Bedfordshire Police has been collating crime figures in the Houghton Regis area and have identified three "hotspots". The largest hotspot was located in the Parkside area and related mostly to Burglary, Criminal Damage and TFMV (Theft From Motor Vehicles). An emerging crime has been theft from vans which have been targeted and tools stolen. Bedfordshire Police have also identified that damage to vehicles is the most common type of damage.

The CCTV Manager for Central Bedfordshire consulted with local residents over the proposed camera. The majority of respondents agreed that a CCTV camera should be installed on the Hawthorn Close Car Park. A number of residents commented that the car park had been targeted on a number of occasions with cars being vandalised, broken into and stolen. They also stated that there had been a number of disturbances at Hawthorn Park School.

2. Effect on the character and appearance of the area

CCTV cameras and supporting structures should, wherever possible, be in keeping with the existing street furniture and character of an area.

The character of the proposal site is one of a footpath cutting through the rear of residential properties adjacent a public car park. In the context of this type of area, the use of a new CCTV pole is considered to be acceptable. The 6 metre high column, cabinet base for control equipment and CCTV camera would be positioned in line with the existing street lamps, and although slightly bulkier than the existing lamps would be of a similar height and would have a finish to harmonise with existing street furniture.

3. Impact on residential amenity

The proposed CCTV camera would be adjacent a number of residential properties. However, the camera would be fixed so that it would not be capable of overlooking residential properties.

In terms of the CCTV pole's impact on neighbours, considering that it would be positioned in line with the existing street lamps and a similar height, the proposal would not have an undue impact on adjacent residents.

4. Siting of the proposal

In term of siting, inappropriate locations for poles can create obstacles for blind and partially sighted people, parents with pushchairs and wheelchair users. Poorly located street furniture can cause obstruction for pedestrians where there is inadequate width of footway with obstructed paths to shops and building entrances.

The proposal measures between 0.2m (main pole) and 0.4m (cabinet) in width, and the proposal would be located on the edge of the footpath, which measures approximately 3m in width. The proposal would not therefore obstruct the footpath.

5. Other Matters

At the time of writing we are awaiting comments from the Highway Officer and Force Liaison Officer. These comments will be made available at the Planning Committee.

Reasons for Granting

The proposal for a high column, cabinet base for control equipment and CCTV camera would have no detrimental impact upon the character and appearance of the surrounding area, no nearby residential properties would be adversely affected and the footpath would not be obstructed. The scheme, therefore, by virtue of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Guidance 13, East of England Plan (2008) and Policy BE8 of the South Bedfordshire Local Plan Review (2004).

Recommendation

Approve Planning permission for the application set out above subject to the following condition(s):

- 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, the finish of the CCTV pole and cabinet 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.
(Policy BE8, S.B.L.P.R).

- 3 **Before development begins, details of the camera showing how it will be fixed to only view the car park, Hawthorn Park School and nursery 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 protect residents amenity.
(Policy BE8, S.B.L.P.R).**
- 4 This permission relates only to the details shown on the technical specification received 10/06/2009 and the block plan received 20/07/2009 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved plan/s 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

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

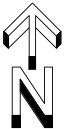
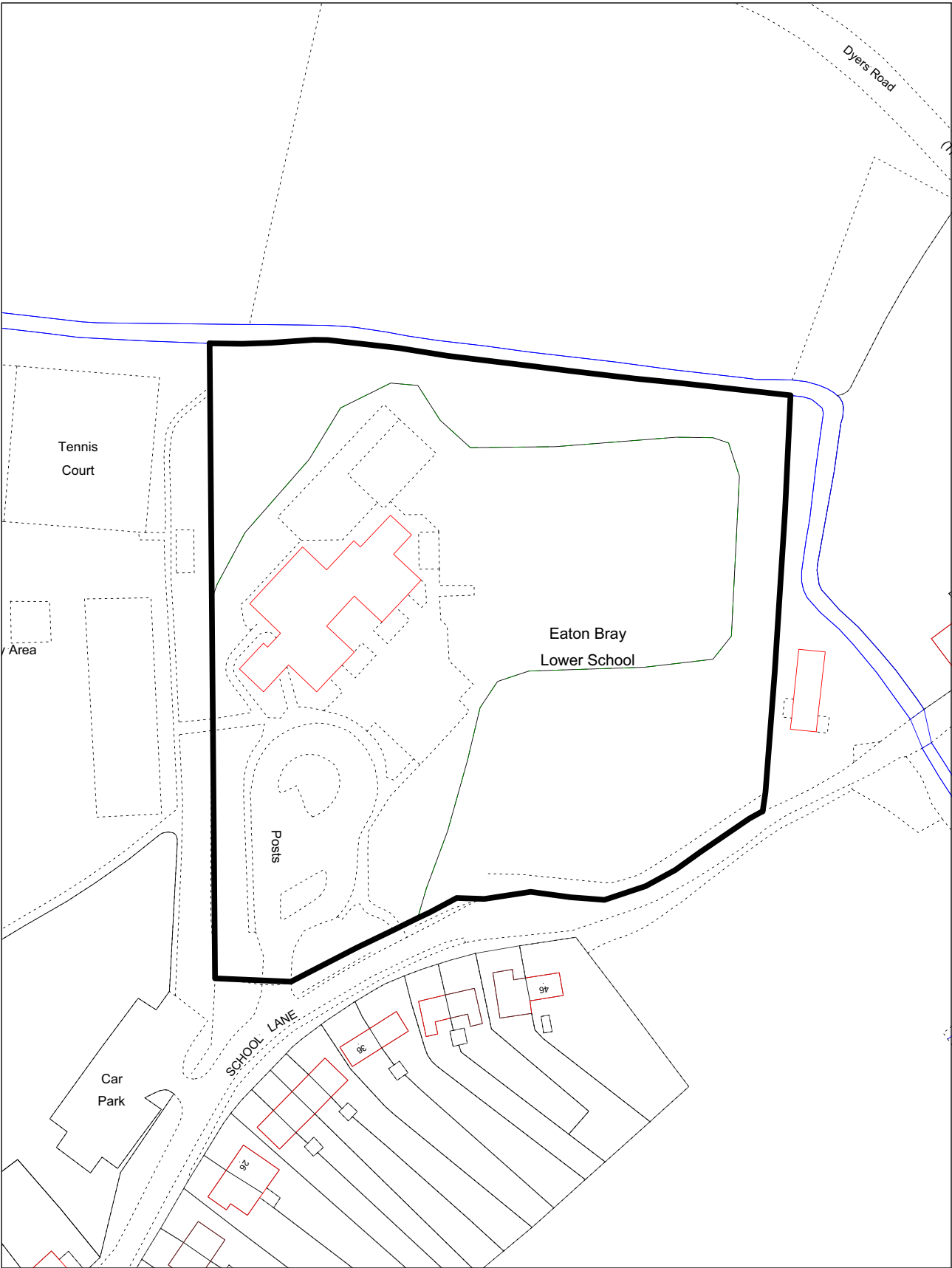
South Bedfordshire Local Plan Review Policies
BE8 - Design and Environmental Standards

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.

DECISION

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Date: 23 July 2009

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ITEM NO. 11

Application No. CB/09/05232/TP

Eaton Bray Lower School, School Lane,
Eaton Bray, Dunstable

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Item No. 11

SCHEDULE C

APPLICATION NUMBER	CB/09/05232/TP
LOCATION	Eaton Bray Lower School, School Lane, Eaton Bray, Dunstable, LU6 2DT
PROPOSAL	Erection of extension to provide new classroom
PARISH	Eaton Bray
WARD	South West Bedfordshire
WARD COUNCILLORS	Cllr Ken Janes and Cllr Mrs Marion Mustoe
CASE OFFICER	Nicola McPhee
DATE REGISTERED	18 June 2009
EXPIRY DATE	13 August 2009
APPLICANT	Eaton Bray Lower School
AGENT	A P Whiteley Limited
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The land is owned by Central Bedfordshire Council Grant Planning Permission

Site Location:

Eaton Bray Lower School is situated on the northern side of School Lane, outside the built-up area of the village and within the Green Belt. A recreation ground lies to the east of the site and the residential properties of 28-46 School Lane are to the south. The school grounds are enclosed by way of a mixture of fencing, gates and mature shrubbery and trees.

A new nursery building has recently been built in the school grounds. The design of the building is unique, with asymmetric roofline's, a "copper" green roof and purple stained timber cladding.

The school buildings are situated to the north east of the site and are only visible from the entrance gates.

The Application:

Permission is sought for an additional classroom and library to be situated in an existing recess within the south-east facing elevation of the main school building. The area is currently a paved courtyard occupied by a pergola. The overall depth of the extension would be 10.5 metres and it would project beyond the existing building line by approximately 3.9 metres. The total width would be 6.2 metres.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development

PPG2 - Green Belts

PPS7 - Sustainable Development in Rural Areas

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving Sustainable Development
SS7 - Green Belt
ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations

Planning History

SB/CC/85/0545 Erection of replacement lower school.

SB/CC/07/0452 Erection of nursery building and construction of
hardstanding, play area and footpath.

Representations: (Parish & Neighbours)

Parish Council
(14/07/09) The Parish Council have no objection to an additional
classroom, however believe the proposed design is
architecturally inappropriate for current building style
(*residential/country setting*)

Neighbours None received to date

Consultations/Publicity responses

None received to date.

Determining Issues

The main issues considered relevant in the determination of this application are:

1. Reason for Development;
2. Design & Appearance;
3. Green Belt.

Considerations

1. Reason for development

As a direct result of the success of the recently opened nursery building, the number of pupils has risen significantly and it has become essential to increase the teaching space within the main school. The proposed extension would provide an additional classroom and new library area. The existing library is effectively an extension to the main corridor of the school, and the proposed extension would allow for the library to be closed off and become independent from the corridor, but could be opened up for use as a larger meeting/teaching area when required.

2. Design & Appearance

The recently constructed nursery school was the inspiration for the design of

the classroom, The architect has again taken the opportunity to incorporate some fun and interest into the design of the building.

The roof design is based on a 'ladybird' symbol, widely associated with books and children's learning, and would be constructed from moulded GRP (glass fibre reinforced plastics), domed, and coloured red with black spots. The 'eaves' would match those of the existing building and the ridge height would be no higher than the main roof. The black vertical posts separating the glazing sections would offer structural support and anchorage points for the dome whilst also suggesting the 'legs' of the 'ladybird.'

The domed roof would allow projections to be made on to the ceiling from inside as a teaching aid for areas of learning such as the sky at night, inside the earth and for telling the time. Large areas of glazing and the height offered by the domed ceiling would provide a light and airy atmosphere.

The Parish Council state that while they have no objections, they consider that the proposed design is architecturally inappropriate.

We accept that the 'ladybird' design would not reflect the vernacular style of the existing school however it is considered that the design should be relevant and appropriate in its context. Furthermore we consider that the proposed extension would build on the success of the pre-school building, where the use of striking architecture and vibrant colours have contributed to its popularity, by providing a place of visual interest, encouraging children to attend school within a fun and stimulating learning environment.

3. **Green Belt**

The proposal, is by definition inappropriate development and therefore 'very special circumstances' must be demonstrated to justify the grant of planning permission. The need for additional spaces at the village school is considered to be sufficient justification for allowing the development as a minor departure from the Local Plan. The new classroom would represent an increase in footprint by approximately 10% and is therefore not considered to have any significantly detrimental impact on the openness of the Green Belt.

Conclusion & Reasons for Granting

The proposed development complies with national guidance and Policy BE8 of the South Bedfordshire Local Plan Review in respect of the visual impact of the siting, design and external appearance of the development on the character and appearance of the locality generally, and the openness of the Green Belt and the amenity of neighbouring occupiers.

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 and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building/s 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/s. (Policies BE8 & H8, S.B.L.P.R).**
- 3 This permission relates only to the details shown on Drawing No's. EBL/20906/LB/SITEPLANNING and EBL/20906/LB/01PLANNING1 received 18/06/09 or to any subsequent appropriately endorsed revised plan. REASON: To identify the approved plans 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)
SS7 (Green Belt)
ENV7 (Quality in the Built Environment)

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

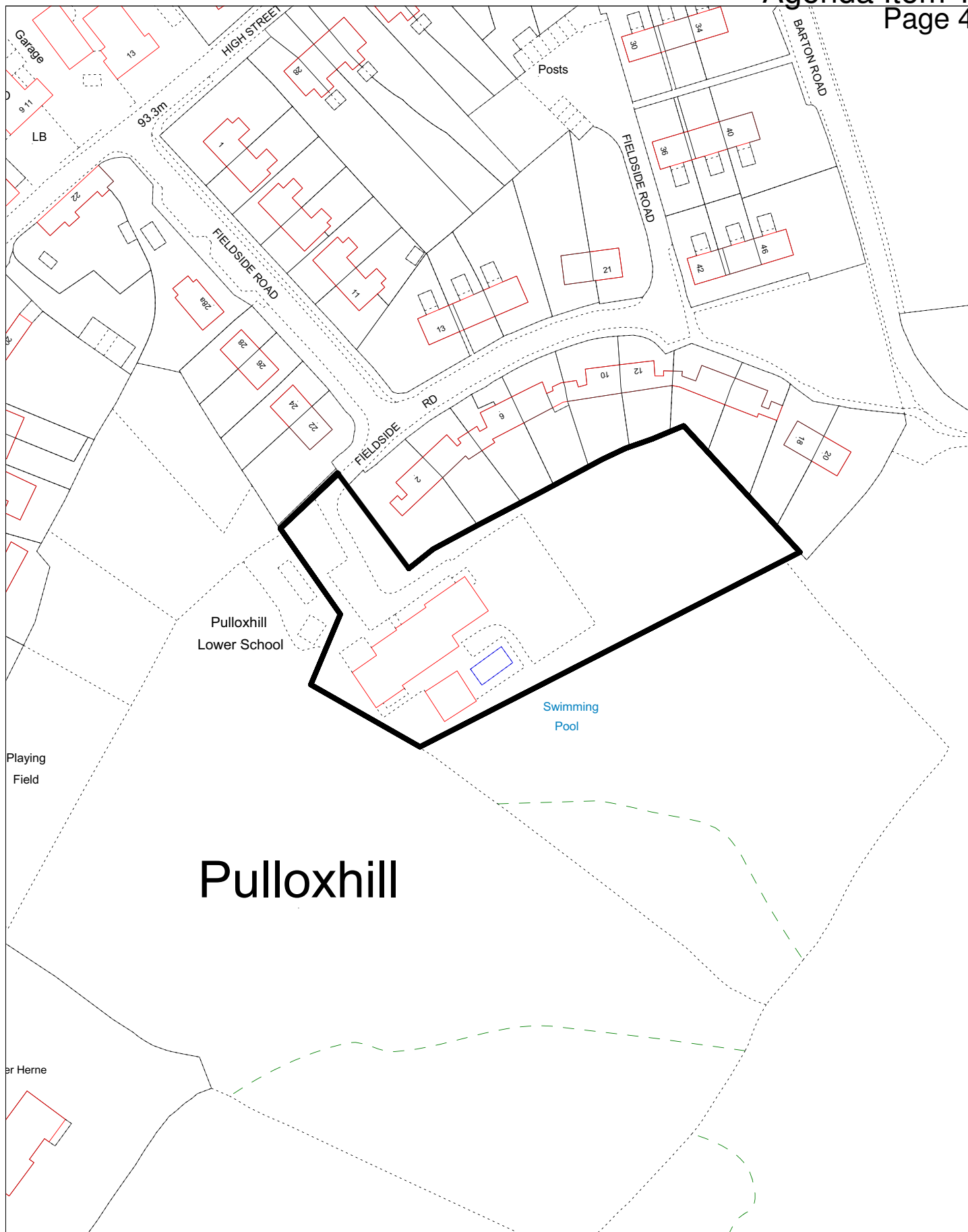
South Bedfordshire Local Plan Review

BE8 (Design and Environmental 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.

DECISION

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Pulloxhill

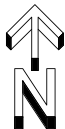
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ITEM NO. 13

APPLICATION NO. CB/09/05266/FULL
Pulloxhill Lower School, Fieldside Road, Pulloxhill

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Item No. 12

APPLICATION NUMBER	CB/09/05266/FULL
LOCATION	PULLOXHILL LOWER SCHOOL, FIELDSIDE ROAD, PULLOXHILL, BEDFORD, MK45 5HN
PROPOSAL	FULL: TIMBER POST CANOPY.
PARISH	Pulloxhill
WARD	Flitwick East
WARD COUNCILLORS	Cllr D Gale & Cllr S Male
CASE OFFICER	Vicki Davies
DATE REGISTERED	30 June 2009
EXPIRY DATE	25 August 2009
APPLICANT	Pulloxhill Lower School
AGENT	Mr C Baxter
REASON FOR COMMITTEE TO DETERMINE	COUNCIL OWNED LAND
 RECOMMENDED DECISION	 FULL CONDITIONAL APPROVAL

Site Location:

Pulloxhill Lower School is located on the eastern edge of the village of Pulloxhill in a primarily residential area. The school site of approximately 1 hectare is located to the south of Fieldside Road and is accessed by a driveway the entrance of which is located between two dwellings. There are residential properties to the north of the school site and open countryside on all other sides.

The Application:

The application seeks consent for a timber post canopy with a transparent polycarbonate roof. The canopy would be 4 metres wide running along the north west elevation of the building and would extend 2.4 metres out from the building. The flat roof of the canopy would be sloped and sit 2.7 metres from ground level, immediately below the fascia boards, 0.25 metres lower than the flat roof of the school building. The canopy would provide a sheltered area for parents and children to wait when arriving at or departing from the pre-school.

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)

DPS6

Planning History

MB/09/00098/CC	County Council: Retention of one single temporary classroom unit - Approved 12/3/09
MB/08/01523/FULL	Erection of timber post canopy with transparent plastic roof - Approved 1/10/08
MB/07/01078/FULL	Single storey extension and 6 additional parking spaces - Approved 7/8/07

Representations: (Parish & Neighbours)

Pulloxhill Parish Council	Any response received will be reported via the late sheet
Neighbours	Any responses received will be reported via the late sheet

Consultations/Publicity responses

Any responses received will be reported via the late sheet

Determining Issues

The main considerations of the application are;

1. Impact on the character and appearance of the area
2. Impact on residential amenities

Considerations

1. Impact on the character and appearance of the area

Policy DPS6 of Mid Beds Local Plan First Review 2005 states the criteria which proposals to extend buildings need to meet, including that new buildings and extensions are subservient in scale and function to existing development and, where appropriate, their design and use of materials are in keeping; there is no unacceptable loss of off street parking or amenity area or landscaping and there is no unacceptable impact on the character and appearance of the streetscene or general locality. As schools are in a different Use Class to residential or commercial properties it is judged that this policy is not directly applicable. It is considered however, that all built development should accord with the requirements as set out in policy DPS6 and therefore this proposal has been examined in this way.

The canopy would be subservient in scale and function to the existing building. The canopy would match the existing canopy on the western elevation of the school building in terms of design and materials. The proposed and existing canopies are considered to be acceptable in terms of design as they are flat roofed and therefore match the school building which is also flat roofed. The use of timber in constructing the canopy is considered appropriate as it matches the existing canopy and would blend in with the trees and planting surrounding the school building. There would be no loss of car parking, amenity area or

landscaping nor is there an unacceptable impact on the locality.

2. Impact on residential amenities

Policy DPS6 of the MBLP also states that the proposal should not seriously harm the amenities of neighbours through undue loss of light or privacy. The proposal would not impact on the amenities of neighbours as the closest dwelling to the proposed canopy would be over 50 metres to the north east on Fieldside Road. The residents of this property would not be able to see the canopy due to the mature trees and hedgerow that define the boundaries of the school site.

The proposal is in accordance with policy DPS6 of the MBLP as it does not adversely effect the amenities of neighbouring residents.

Reasons for Granting

The proposed development would not have an adverse impact on the character or appearance of the streetscene or general locality, nor would it unacceptably effect the amenities of neighbouring residents. The proposal is in conformity with PPS1 Delivering Sustainable Development and policy DPS6 of the Adopted Mid Bedfordshire Local Plan First Review (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 The canopy hereby permitted shall be constructed using materials to match as closely as possible in colour, type and texture, those of the existing canopy.

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 and associated structures and the visual amenities of the locality.

DECISION

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Agenda Item: 14

Meeting: Development Management Committee
Date: 5th August 2009
Subject: Amendments to the Terms of Reference to the Development Management Committee
Report of: Head of Development Management
Summary: To request that the Committee endorse the amendments to the Terms of Reference of the Development Management Committee (Part E2 Page 1) and the Scheme of Delegation with regards the handling of Regulation 3 and Regulation 4 planning applications

Contact Officer: David Hale, Head of Development Management (South)

RECOMMENDATIONS:

1. That the Committee endorses the amendment to the Terms of Reference of the Development Management Committee so that the meetings are convened in one location on a three weekly cycle.
2. That the Committee endorses the proposed changes to the Scheme of Delegation with regards the handling of Regulation 3 and 4 Planning Applications.

Background

1. This issue was considered at the Constitution Advisory Group on 21st July 2009. The Group requested that the matter was referred to the Sustainable Communities Portfolio Holders, circulated to all Members of the Council and referred to the Development Management Committee for formal views. This consultation process will then refer back views to the Constitution Advisory Group on 25th August, and on to Full Council on 10th September for decision.
2. Since 1 April 2009, the Council's Development Management Committee has been meeting twice a month at two alternating venues, namely Chicksands and Dunstable. This practice accords with the recommendations set out in the report of the Constitutional and Governance Working Group (12 February 2009) and reflected in the Committee Terms of Reference within the Constitution (Part E2/Page 1).

3. Table 1 below sets out the number of applications considered by the Committee in the period since 1 April 2009 and the relevant split of applications prepared by the North and South Teams of the new Authority.

Table 1

<u>Meeting Date and Venue</u>	<u>North Applications</u>	<u>South Applications</u>
8 April, Chicksands	7	1
29 April, Dunstable	3	6
13 May, Chicksands	3	2
27 May, Dunstable	5	1
24 June, Chicksands	8	2
8 July, Dunstable	0	5
22 July, Chicksands	14	4

4. Due to the need to meet nationally set performance targets, the Committee meetings have consistently contained applications from both the North and South Teams. This has had the effect of both teams effectively preparing for a Committee every two weeks. This has placed an additional burden upon the administrative teams who compile the agendas for the meetings and prepare the presentations for the Committee. In addition, Officers attending the Committee have been required to attend meetings every two weeks at alternative venues.
5. Whilst the majority of the Members of the Sustainable Communities Transitional Task Force had supported a proposal for the Committee to meet at one venue on a three weekly basis, the work undertaken by the Constitution and Governance Working Group recommended the twice monthly, alternating venues option which was endorsed by Full Council. A determining factor in adopting this option was recognition of the commitment given in the Unitary Bid document to be closer to our communities. However, some analysis of public speaking at the Development Management Committee has shown a willingness of interested parties to attend the venues. The table below sets this evidence out.

<u>Meeting Date and Venue</u>	<u>Total Speakers</u>	<u>North items</u>	<u>South items</u>
8 April, Chicksands	16	15	1
29 April, Dunstable	4	0	4
13 May, Chicksands	8	6	1 (+ 1 no show)
27 May, Dunstable	11	9	2
24 June, Chicksands	7	5	2
8 July, Dunstable	5	0	5
22 July, Chicksands	8	7	1

By moving to a single venue every three weeks the balance between ensuring performance targets are achieved and reducing the administrative burden of

preparing for a Committee every 2 weeks would be relieved. This should free up time to ensure that other performance monitored administrative functions such as registration of applications is improved.

6. The second area to which amendment is sought relates to Regulation 3&4 applications and other applications where development is proposed on Council owned land by some third parties.

Regulation 3 applications are applications for planning permission by the Authority to develop any land of that Authority either solely or jointly with another party.

Regulation 4 applications are applications for planning permission to develop land of the Authority where they do not intend to develop the land themselves or jointly with any person.

In addition some applications are submitted by interested third parties on Council owned land or buildings, such as Schools who make their own applications or tenants of Council shops or amenity land.

7. These applications have taken up a disproportionate amount of Agenda space at present, amounting to some 28 applications to date that would not otherwise have been determined at Committee.
8. At present the Constitution is unclear on these types of application. Para 4.3.93 indicates an ability for Regulation 3 applications to be determined by Officers. However, this is contradicted by para 4.3.93.5 which sets out an exception for the purpose of delegation by including cases where the application is made for the Council's own development to be carried out jointly with another party or for development on the Council's own land.
9. It is requested that the scheme of delegation be amended for Regulation 3 applications, or other applications where the Council has an interest, to be delegated unless an objection (or contrary representation) is received to the proposed development and that Regulation 4 applications are specifically excluded from the delegations and are determined by the Committee.
10. Therefore, it is recommended that paragraph 4.3.93 is amended to exclude reference to 'Regulation 3 of', but reference is retained to the Regulations in general.
11. A new paragraph 4.3.93.5 would need to be inserted to deal with Regulation 3 and other Council 'land' applications. A suggested wording would be:

4.3.93.5 The application is made under Regulation 3 of the Town and Country Planning General Regulations 1992 or is for development on the Council's own land and a material planning representation(s) has been received in writing that is contrary to the Officer delegated decision otherwise to be made and in the case of objections these cannot be resolved through the imposition of conditions.

12. Paragraph 4.3.93.6 would then be amended as follows to concern itself solely with Regulation 4 applications which would all be reported to, and determined by, Committee.

A suggested wording would be:

4.3.93.6 The application is made under Regulation 4 of the Town and Country Planning (General) Regulations 1992.

CORPORATE IMPLICATIONS

Financial: Savings from use of one venue, fewer meetings and smaller agendas.

Legal: None.

Risk Management: None.

Staffing: Savings from use of one venue, fewer meetings and smaller agendas.

Equalities/Human Rights: None.

Community Safety: None.

Sustainability: None.

Background Papers: None other than referred to in the report