

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Chicksands on Wednesday, 21 October 2009

PRESENT

Cllr P F Vickers (Chairman)
Cllr A Shadbolt (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	H J Lockey
	R D Berry		K C Matthews
	A D Brown		Ms C Maudlin
	D J Gale		A Northwood
	Mrs R B Gammons		A A J Rogers
	K Janes		

Apologies for Absence: Cllrs A R Bastable
Mrs C F Chapman MBE
D Jones
Mrs C Turner
J N Young

Substitutes: Cllrs R A Baker (In place of A R Bastable)
D Bowater (In place of J N Young)
R W Johnstone (In place of Mrs C F Chapman MBE)
J Street (In place of Mrs C Turner)
G Summerfield (In place of D Jones)

Member in Attendance: Cllr J A E Clarke

Officers in Attendance:	Miss H Bell	Democratic Services Officer
	Mr A Davie	Head of Development Management (North)
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Hale	Head of Development Management (South)
	Mr A Jones	Tree and Landscape Officer
	Mr D Lamb	Development Management Team Leader (North)
	Mr A Maciejewski	Definitive Map Officer
	Mrs A Sammé	Development Management Team Leader (North)

DM/09/1 **Chairman's Announcements**

The Chairman advised the Committee that Item No 11 relating to 64 Wallace Drive, Eaton Bray, Dunstable had been withdrawn by Officers to enable full consultation to be undertaken.

DM/09/2 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 23 September 2009 be confirmed and signed by the Chairman as a correct record, subject to the deletion of Cllrs Blaine and Aldis as being listed as the Ward Representatives in respect of Item 13, and addition of Cllrs Mrs P E Turner and Mrs C Maudlin.

DM/09/3 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr A D Brown	12	Approached by an objector to discuss the application.	Present
Cllr A A J Rogers	12	Know Public Speaker/Objector	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr G Summerfield	14	Recently appointed on Flitwick Leisure Centre Outside Body	Absent

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

Member	Item	Parish/Town Council	Vote Cast
Cllr H J Lockey	15	Maulden Parish Council	Did not vote
Cllr A A J Rogers	15	Maulden Parish Council	Did not vote
Cllr G Summerfield	16	Amphill Town Council	Voted for refusal
	17	Amphill Town Council	Voted to support approval of application

DM/09/4 **Petitions**

In accordance with the Scheme of public participation set out in Annex 2 In Part 4 of the Constitution, the Chairman advised that a petition had been received in relation to Land North of Dunstable. The Petition would be referred to Full Council for consideration. It was noted that a Planning Application had not been submitted to date.

DM/09/5 **Disclosure of Exempt Information**

No proposals were received to deal with any item to involve the disclosure of exempt information.

DM/09/6 **Late Sheet and Representations**

In advance of the consideration of the following Planning Applications, the Committee received a late sheet advising it of additional consultation, publicity, responses, comments and proposed additional/amended conditions. A copy of the late sheet is attached as an Appendix to these minutes.

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

DM/09/7 To determine an application to extinguish a cross-field section of footpath and recreation of field edge footpath and bridleway

The Committee received and considered a report of the Assistant Director of Leisure and Culture, Adult and Community Learning inviting determination of an application to extinguish a Cross-Field section of Silsoe Footpath No. 16 and Bridleway No.18 and to create an alternative field-edge footpath and bridleway. It was advised that under sections 26 and 118 of the Highways Act 1980 the application should be refused on the grounds that the extinguishment and creation of the footpath does not meet the required legislative tests.

Following detailed consideration of the report the Committee agreed to approve the application made to extinguish footpath No's. 16 and 18 and create new sections of footpath No's. 16 and 18.

RESOLVED

That the application made to extinguish parts of Silsoe Footpath No.16 and Bridleway No.18 be approved and that new sections of footpath No.16 and Bridleway No.18 be created.

DM/09/8 Approval of making of a Definitive Map Modification Order in Silsoe

The Committee received and considered a report of the Assistant Director of Leisure and Culture, Adult and Community Learning seeking approval of the making of a Definitive Map Modification Order to add a footpath to the Definitive Map and Statement in the Parish of Silsoe as Directed by the Secretary of State for the Environment, Food and Rural Affairs.

RESOLVED

- 1. That a Definitive Map Modification Order be made in consequence of a direction by the Secretary of State for Environment, Food and Rural Affairs.***
- 2. That the Council formerly oppose the order so made.***

DM/09/9 Confirmation of Tree Preservation Order No6/2009 - Land at Upper Tithe Farm, Hockliffe Road, Tebworth

The Committee received and considered a report of the Director of Sustainable Communities seeking confirmation of Tree Preservation Order No 6/2009, Land at Upper Tithe Farm, Hockliffe Road, Tebworth.

RESOLVED

That Tree Preservation Order No. 6/2009, Land at Upper Tithe Farm, Hockliffe Road, Tebworth be approved.

DM/09/10 **Planning Enforcement Cases Where Formal Action Has Been Taken**

RESOLVED

That the bi-monthly update of Planning enforcement Cases where formal action has been taken, be received.

DM/09/11 **Planning Application No. CB/09/05710/FULL**

RESOLVED

Application No. CB/09/05710/FULL relating to 64 Wallace Drive, Eaton Bray, Dunstable had been withdrawn at the request of Officers to enable further consultation to be undertaken.

DM/09/12 **Planning Application No. CB/09/05512/FULL**

RESOLVED

That Planning Application No. CB/09/05512/FULL, relating to the rear of 65 Shefford Road, Clifton be approved as set out in the schedule appended to these minutes.

DM/09/13 **Planning Application No. CB/09/05708/REG3**

RESOLVED

That planning Application No. CB/09/05708/REG3, relating to Land adjacent to 94 Ampthill Road, Flitwick be approved as set out in the schedule appended to these minutes.

DM/09/14 **Planning Application No. MB/09/00337/DC3**

RESOLVED

That Planning Application No. MB/09/00337/DC3 relating to Land at the rear of Flitwick Leisure Centre, Steppingley Road, Flitwick be approved as set out in the schedule appended to these minutes.

DM/09/15 Planning Application No. CB/09/00830/FULL

RESOLVED

That Planning Application No. CB/09/0830/FULL relating to 129 Clophill Road, Maulden be approved as set out in the schedule appended to these minutes.

DM/09/16 Planning Application No. CB/09/01212/FULL

RESOLVED

That Planning Application No. CB/09/01212/FULL relating to the rear of 61 and 63 Arthur Street, Ampthill be approved as set out in the schedule appended to these minutes.

DM/09/17 Planning Application No. CB/09/00707/FULL

RESOLVED

That Planning Application No. CB/09/00707 relating to 9 Cherrytree Way, Ampthill be approved as set out in the schedule appended to these minutes.

DM/09/18 Planning Application No. CB/09/05425/FULL

RESOLVED

That Planning Application No. CB/09/5425/FULL relating to 193 Poynters Road, Dunstable be approved as set out in the schedule appended to these minutes.

DM/09/19 Planning Application No. CB/09/05647/FULL

RESOLVED

that Planning Application No. CB/09/05647/FULL relating to Hadrian Lower School, Hadrian Avenue, Dunstable be approved as set out in the schedule appended to these minutes.

DM/09/20 **Site Inspection Appointment(s)**

RESOLVED

That the following Members be appointed to conduct any site inspections to be undertaken in advance of the next meeting of this Committee to be held on Wednesday 18 November 2009.

Chairman (or his nominee)
Vice Chairman (or his nominee)

Cllrs
P N Aldis
K Janes
H J Lockey
A A J Rogers

(Note: The meeting commenced at 2.00 p.m. and concluded at 4.50 p.m.)

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE 21/10/2009*****Item 10 – Planning Cases where action has been taken*****Additional cases where action has been taken**

Table containing details of Section 215 Notices served – **Appendix 1**

Additional cases where works have been completed in response to letters threatening Section 215 Notices

Table containing details of success stories – **Appendix 2**

SCHEDULE A***Item 11 (Page 49-54) – CB/09/05710/FULL – 64 Wallace Drive, Eaton Bray, Dunstable***

This application has been **DEFERRED** from the Agenda at the request of the Chairman to enable full consultation on amended plans and consideration of any comments received. The application will be considered at the November 18th Meeting.

SCHEDULE B***Item 12 (Page 55-68) – CB/09/05512/FULL – Land to the rear of 65 Shefford Road, Clifton.*****Additional Consultation/Publicity Responses**

Clifton Parish Council:

We have just become aware that neighbours of this property who have objected to the application were recently mailed with supplementary information and given a period of time during which to comment on it.

Clifton Parish did **not** receive the supplementary information nor the invitation to comment.

Since we are statutory consultees we feel that the determination of this application should not go ahead until we have been provided with the additional information and a period of time in which to comment.

8 additional letters have been received. The main comments are with regard to the following:

It would result in an undesirable form of piecemeal development;
Design concerns - out of character with Clifton village;
Loss of amenity (overlooking, loss of privacy and light pollution);
An increase in noise;
Poor protection of existing trees and landscaping;
Boundary concerns in relation to existing trees;
Land ownership / boundary concerns;
Concerns regarding surface water flooding;
Highway concerns regarding the access;
The proposed access to the site is out of character with existing development;
Concerns regarding security and safety issues from increased development;
Concerns regarding refuse collection;

Additional Comments

The comments received from Clifton Parish Council have been considered carefully. Prior to the last Development Management Committee meeting the Council received additional information regarding tree protection measures, details of the method of construction for the driveway, and an updated landscaping plan taking account of the trees on the site which have recently been removed.

As the majority of this additional information is of a technical nature, the Council would not normally undertake any additional consultation with organisations outside the authority. Adjoining residents were only consulted in this case as some of the trees are sited on land outside the application site. As such, it is not considered that there are grounds to defer the determination of the application to allow further consultations.

Following representations from the occupier of 14 Alexander Close direct to the agent regarding the extent of their ownership, there has been a very minor change to the site boundary adjacent to plot 1. This has been indicated on a revised site layout plan. As the change is of a very minor nature, it does not affect the proposal or the recommendation for approval.

Accompanying the late sheet is a copy of the previous appeal decision for the site (06/01386/Full)



Appeal Decision

Site visit made on 5 November 2007

by **Julia Gregory BSc (Hons) BTP MRTPI**
MCM1

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
27 November 2007

Appeal Ref: APP/J0215/A/07/2049976 65 Shefford Road, Clifton, Bedfordshire SG17 5RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs R Burton against the decision of Mid-Bedfordshire District Council.
- The application Ref 06/01486/FULL, dated 1 September 2006, was refused by notice dated 25 January 2007.
- The development proposed is the erection of seven dwellings with associated garages and parking and formation of a vehicular access.

Decision

1. I dismiss the appeal.

Reasons

2. I have considered all the issues raised in representations but the main issues are the effect of the proposal on the character and appearance of the area, and the effect of the proposal on the living conditions of the occupiers of nearby dwellings in respect of privacy and overbearing appearance, and noise and disturbance. I shall focus my attention on the main issues.

Character and Appearance

3. The dwellings would be located within the settlement envelope of Clifton where new residential development would in principle be acceptable under the provisions of policy HO6 of the Mid Bedfordshire Local Plan: First Review Adopted December 2005 (LP). This is subject to tandem development not having an adverse effect on the amenity of adjoining dwellings and the character of the area, and having a satisfactory access.
4. LP policy DPS5 requires development to relate sensitively to the character and appearance of the area, for the amenity of local residents to be protected, and for appropriate and safe provision to be made for access. Care should be taken to retain attractive features and/or views in and out of the site.
5. Residential development at depth has occurred elsewhere not far from the site and so this would not in principle be harmful to the character of the settlement. There is also variation in the design of dwellings locally and I consider that the style of the dwellings would not be objectionable. The height of the dwellings has been addressed by the use of rooms in the roof in most of the dwellings. I saw that there are other narrow backland schemes locally which have

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- similarities with the layout of the appeal scheme. I do not know the planning history of these schemes to be able to reach conclusions on what led to them being built. I have to consider the layout and design of this scheme in relation to the site and its surroundings and in accordance with the provisions of the development plan unless material considerations indicate otherwise.
6. I acknowledge that the position of the boundary between No 65 and No 61 is in dispute and that no details of levels have been provided. Nothing that I have to say alters any private land ownership rights. Nevertheless, an access to a standard acceptable to the highway authority could be created, and this is shown on the submitted plans. Part of No 65 would be demolished and the access drive would be constructed close to No 65. A new 1.8m high panelled fence would be erected along the back edge of the service zone. This and the side elevation of the proposed extended dwelling and pool enclosure would create an austere appearance to the entrance to the estate on one side, softened only by trees and bushes on the opposite side much of which is not within the development site.
 7. No report has been submitted to address the effects of creating the access drive close to trees, some of which are covered by Tree Preservation Orders. This adds to my concern about the effect of the access and fencing on the character and appearance of the area. Although the land lies within the settlement envelope, the length and comparatively narrow width of the site results in a development which is dominated by the access road and car parking with limited areas for front gardens on plots C, D, E, F and G. This would make the appearance of the plots dissimilar to those elsewhere in the immediate vicinity.
 8. Access to plots A and B would be through a narrow 2.75m wide access between the two storey dwellings on plots C and D whose side elevations would be close to the drive dominating the street scene which would create a harsh built environment. The dwellings on plots C and D would back onto the front of plots A and B. This front to back relationship, whilst providing separation distances of some 20m to secure reasonable privacy, would not be an attractive feature of the layout with boundary fences and the side and rear elevations of the dwellings on plots C and D being prominent.
 9. The layout would not in my view be sympathetic to the character and appearance of the area which is on the edge of the settlement where long rear gardens with landscaped boundaries dominate. The trees and shrubs on the boundaries have not been subject to a sufficiently detailed survey to identify which are within the application site and how they would be affected. I am not satisfied that there is space for planting and a fence to be erected on the boundary with No 61. The provision of a fence to form the boundary at the back of the service strip would add to the austere appearance of this small estate. I am also concerned about the potential effect on the oak tree on plot G which is an attractive feature of the site, since it would be close to the dwelling fairly central to the back garden and dominating this area. Even if protected during construction, its position could lead to requests to lop top or fell.
 10. The layout plan shows how land at the rear of No 61 could be developed. This is not part of the application site and there has been no planning application to

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develop the land. Nevertheless, the land also lies within the settlement limits and the plan shows one way that the site might be developed for housing. Using a separate access, dividing and developing the whole of the area that could be available for housing into two long narrow sites, both with elements of tandem development and in a layout that would be dominated by hard surfacing does not I consider relate sensitively to the character and appearance of the area. The development here would restrict the width of the site remaining and would thereby fail to take the opportunity to make efficient use of land, or make this a good place to live. PPS1: *Delivering Sustainable Development* specifies that design which is inappropriate in its context, or which fails to take opportunities for improving the character and quality of the area and the way it functions should not be accepted.

11. I acknowledge the protracted discussions that the appellant has had with Council officers and the measure of support that has been given, but the Council was entitled to reach a conclusion contrary to the advice of their officers so long as they have provided reasons for so doing. I conclude that the development would harm the character and appearance of the area contrary to LP policies HO6 and DPS5.

Living Conditions

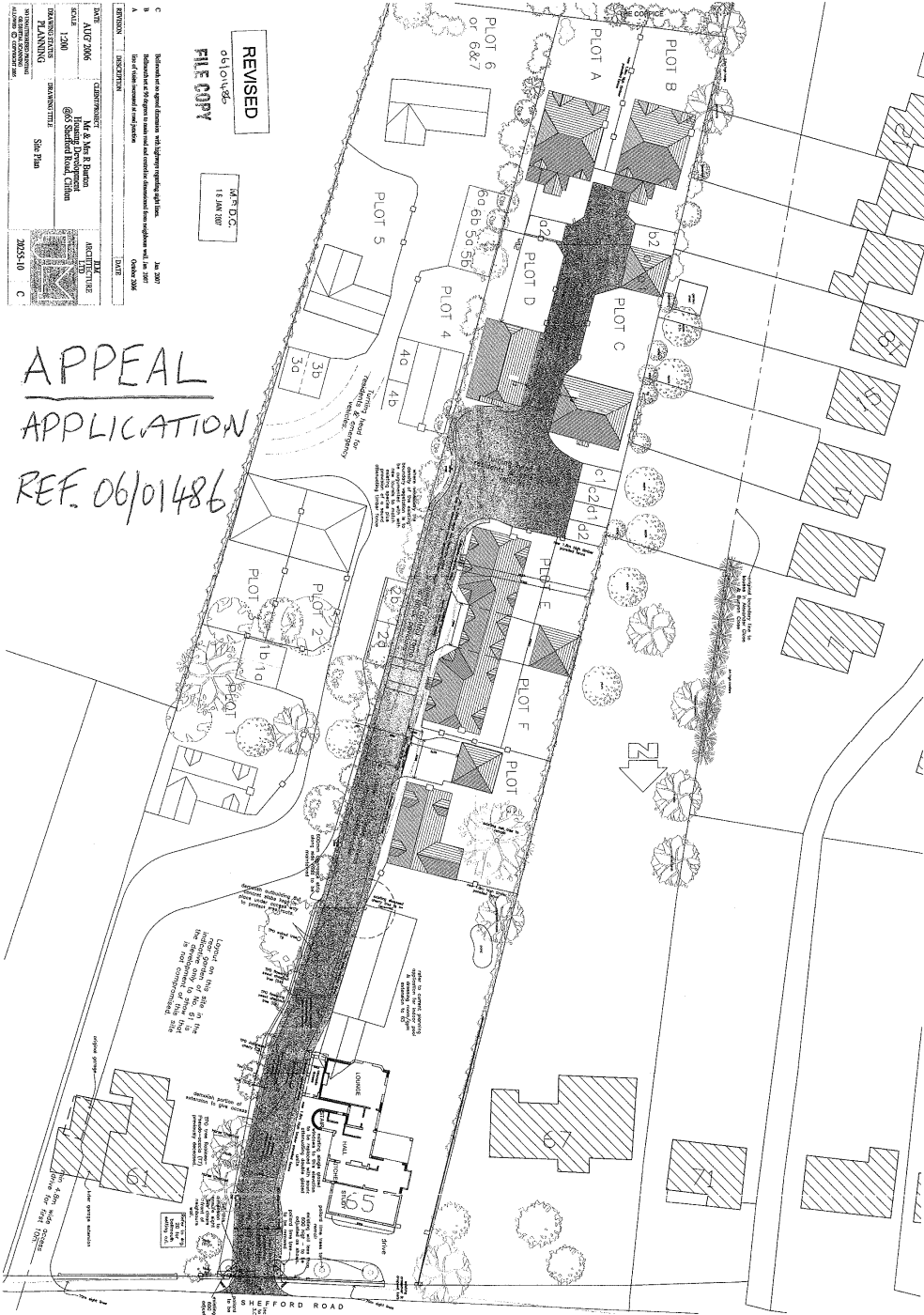
12. The site would adjoin the gardens of properties in Shefford Road, in Bunyan Close and in Alexander Close. The access would run between No 65 and No 61 Shefford Road. There would be some side separation between the access road and No 61. Most of No 65 would be away from the access. Having looked at the noise information submitted, I am satisfied that the vehicular and pedestrian traffic from seven dwellings would not cause significantly harmful noise and disturbance. Whilst the general residential activity on the site would increase, I am satisfied that the relationship of gardens and dwellings to those existing would not be so close that noise and disturbance would be unacceptable.
13. The side elevations of the dwellings on plots A and D, although close to the boundary with No 61 Shefford Road, would not cause overlooking or be overbearing. The relationship of the front elevations to the end of the rear garden would not be unreasonable. Whilst the dwellings on plots E, F and G would be sited close to and facing the boundary with No 61, there are existing trees and bushes on and close to the common boundary. Nevertheless, I am concerned that within the application site itself there is little space available for planting to augment what already exists and the erection of a fence could result in some loss. I consider that the amenity of the occupiers of No 61 has not been protected and therefore that the proposal does not comply with LP policies HO6 and DPS5.
14. No 67 has a long rear garden and a common boundary would adjoin plots E, F and G. Whilst outlook would change somewhat from the house, this would not be direct. I acknowledge that the dwellings would have relatively short back gardens, slightly less than suggested by Council guidance, but the dwellings would not be so close as to unacceptably harm privacy.
15. Undoubtedly the outlook would change from those properties facing the site in Bunyan Close and Alexander Close, but these dwellings have relatively long

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rear gardens. The dwellings at plot B and C would have their side elevations close to the site boundary but this would not be unreasonably overbearing or harm privacy from any dwelling. A garage block would be close to the rear of No 18 Alexander Close in close proximity to a summer house, but this relationship would not be overbearing or cause disturbance or loss of privacy.

Julia Gregory

INSPECTOR



APPEAL
APPLICATION
REF. 06/01486

DATE	APR 2006	DESCRIPTION	18th D.C. 18th N.W.
SCALE	1:200	DESIGNER	18th D.C. 18th N.W.
APPROVED BY	MAE & MARY BROWN	DATE	2005-10
PROJECT NAME	605 Sheppard Road, Ottawa	PROJECT NO.	
CLIENT	Sheppard	PROJECT TYPE	
PLANNING	Site Plan	PROJECT STATUS	
APPROVED BY		PROJECT NO.	
DATE		PROJECT STATUS	

Item 13 (Page 69-82) – CB/09/05708/REG3 – Land adjacent 94 Ampthill Road, Flitwick.

Additional Consultation/Publicity Responses

Public Protection has made comments in relation to the proposal and confirms that subject to conditions that the proposal is acceptable. The additional conditions have been included at the bottom of this update.

Additional Comments

Please note that there is an error on Page 4 of the Development Management Committee Report Pack as this application was not submitted by Flitwick Town Council. To confirm the planning application to be considered is a Central Bedfordshire Council application.

In addition amended plans showing additional windows have been received in relation to this planning application to ensure that the pavilion would provide natural surveillance to both the grass pitches and the car park. It is considered that the amended plans provide a more acceptable form of development in terms of community safety and aesthetic appearance. As such the amendments are considered to be acceptable.

Additional/Amended Conditions

The additional conditions shown below would ensure that the proposed development would not result in an unacceptable detrimental impact upon existing neighbouring amenity in terms of either noise or light. If planning permission was granted these would be added to any decision notice.

- 21. Prior to the commencement of development details of a scheme to adequately protect neighbouring residents from noise, vehicles and machinery or plant associated with the use of the proposed car park shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be completed prior to the facility hereby approved coming into use.**

Reason: To protect the amenity of nearby residents.

- 22. No development shall commence until a Code of Construction Practice has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and sub-contractors will employ at all times during demolition, construction and other engineering operations on site. The Code of Construction Practice shall include:**

- i. Measures to be used to control and suppress dust;
- ii. Measures to be used to reduce the impact of noise & vibration arising from noise generating activities on site, in accordance with best practice set out in BS:5228:1997
- iii. “Noise and vibration control on construction and open sites”;
- iv. The siting and appearance of works compounds;
- v. Site working hours.

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

Reason: To safeguard the amenities of adjoining occupiers and to protect the surrounding countryside.

23. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment.

Item 14 (Page 83-96) – CB/09/00337/DC3–Land to the side of Flitwick Leisure Centre, Steppingley Road, Flitwick.

Additional Consultation/Publicity Responses

N/A

Additional Comments

N/A

Additional/Amended Conditions

N/A

Item 15 (page 97 – 112) – CB/09/00830/FULL – 129 Clophill Road, Maulden**Additional Consultation/Publicity Responses**

The following responses have been received following the submission of revised plans by the applicant:

150B Clophill Road – The Inspector's report on the Development Plan Document removes the application site from the Settlement Envelope. In addition, the proposed house (plot 1) is too close to the boundary with 127a Clophill Road, the new layout is cramped with not enough room for traffic to move about or room for delivery lorries and vans, a condition requiring a sprinkler system to the houses would be avoided by the developer, the proposed dwellings would cause additional parking and traffic problems and the visibility splays onto Clophill Road would be inadequate.

129a Clophill Road – The proposed drive should not be located adjacent to 129a Clophill Road and the proposed planting should not encroach onto the land in the ownership of 129a. The security of occupiers of 129a will be affected.

123A Clophill Road – Part of the land included within the site edged red along the boundary between the application site and 123A Clophill Road is owned by 123A Clophill Road.

Additional comments

The applicant has confirmed in writing that the site edged red for the application follows the line as indicated on the title deeds for the property.

The applicant has submitted a Waste Audit in respect of this proposal. Comments are awaited from the Waste Strategy Team on the acceptability of the submitted document.

The total contributions required for this development come to £28,326 rather than the figure printed in the Committee report. The reason for this change is the reduction in the number of bedrooms proposed through revisions received since the original submission. This will necessitate a re-drafting of the Unilateral Undertaking and therefore the recommendation to Committee continues to ask for delegated powers to grant planning permission subject to a Unilateral Undertaking being agreed by the local planning authority and the submission of an acceptable Waste Audit and Site Waste Management plan.

Additional/ Amended conditions

It is considered appropriate to attach the following condition to any approval:

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

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

No dwelling shall be occupied until the visitor parking bay and the car parking bays for Plot 1 and Plot 4 have been allocated as illustrated on approved drawing 1090/09/4H.

Reason: To provide adequate parking for visitors and occupiers of the dwellings.

It is also considered appropriate to attach the following informatives to any approval:

1. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, PO Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

2. The requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group, Central Bedfordshire Council Highways, Streetworks Co-ordination Unit, PO Box 1395, Bedford MK42 5AN

3. Photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

4. The closure of existing accesses shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with the Central Bedfordshire Council's Customer Contact Centre (Tel: 0300 300 8049). No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).

5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006"

Item 16 (Page 113-124) – CB/09/01212/FULL – Land to the rear of 61-63 Arthur Street, Ampthill.

Additional Consultation/Publicity Responses

N/A

Additional Comments

The agenda contains conflicting information on page 116 regarding the size of the proposed garden area. This is confirmed as being 10.5m long and 8.5m wide, retaining a garden to numbers 61 and 63 of 10m long.

Delegated powers are requested to issue the decision notice, should the application be approved, as the applicant has still to submit sufficient evidence of title for the Unilateral Undertaking to be agreed as acceptable to the Council.

Additional/Amended Conditions

N/A

SCHEDULE C***Item 17 (Page 125-130) – CB/09/00707/FULL – 9 Cherrytree Way, Ampthill*****Additional Consultation/Publicity Responses**

N/A

Additional Comments

N/A

Additional/Amended Conditions

N/A

Item 18 (Page 131 - 136) – CB/09/05425/FULL 193 Poynters Road, Dunstable.**Additional Consultation/Publicity Responses**

N/A

Additional Comments

N/A

Additional/Amended Conditions

N/A

Item 19 (Page 137-144) – CB/09/05647/FULL – Hadrian Lower School, Hadrian Avenue, Dunstable, LU5 4SR**Additional Representations
(Parish & Neighbours)**

1. Occupiers of 104 Hadrian Avenue – comment as follows:
 - It cannot be denied that the purpose and cost for an extension could only be justified to create bigger classes for more pupils attending the school.
 - More pupils means more parents bringing their children to school and increasing the already difficult parking situation that exists outside of Hadrian School - in the Avenue.
 - It is not acceptable to residents to introduce draconian regulations which also restrict residents parking etc. It is in fact quite common to see teaching personnel regularly parking outside of the school gates (in the Avenue) which only adds to congestion.

- If this planning proposal is to even be considered, it is mandatory that the opportunity be taken to incorporate new and increased parking facilities within the school grounds.
- Both national and local government must be very aware of the considerable distrust the electorate have in their ability to listen to the people who placed them in office, and indeed every opportunity should be taken to adopt their obligations to public opinion.

Additional Consultation/Publicity Responses

1. Highway Engineer – No objection.

Additional Comments

The applicant's agent has submitted further comments on behalf of the School in response to the representations from neighbouring occupiers. In summary it is stated that:

- The proposed extension is purely for providing enhanced facilities for existing 'Foundation' and 'Year 1' pupils and not to increase class sizes.
- Currently, the two classrooms in question are smaller than the other eight classrooms within the School. The rooms can often be cramped, especially when certain activities are being taught and particularly where children have experienced more spacious rooms in previous years.
- The proposed small two metre extension will dramatically enhance the quality of education for children using the two classrooms, through increased opportunities for learning. The extension will provide a 'wet floor' area. This will enable the School to provide a dedicated, permanent Art and Design Technology area within the classroom.
- Externally, the identified paved and sheltered area on the plans directly outside the classroom will facilitate greater outdoor learning all year round.
- Each room currently has a class size of 28 pupils. Even with the new extension the maximum that could be taught (under OFSTED and Building Bulletin 99) is 30 pupils. A potential increase of up to 4 pupils in total, 2 per class.
- Therefore, the extension is not part of plans to increase the pupil intake.
- It must also be pointed out that a certain amount of noise and traffic is expected from and immediately around a school entrance. Those purchasing a property in close proximity to a School should be aware that there will be disruption at certain times of the day, in term time.

Therefore, given the fact that the proposal would not substantially increase pupil numbers, potentially leading to a maximum increase of 4 children and the comments of the Highway Engineer, it is not considered that there is a sustainable highways objection to the scheme neither is it appropriate to impose a condition requiring the provision of additional car parking on-site.

SCHEDULE A

APPLICATION NUMBER	CB/09/05710/FULL
LOCATION	64 Wallace Drive, Eaton Bray, Dunstable, LU6 2DF
PROPOSAL	Demolition of bungalow and erection of replacement two storey dwelling with attached garage and erection of new detached two storey dwelling with detached double garage.
PARISH	Eaton Bray
WARD	South West Bedfordshire
WARD COUNCILLORS	Cllr Ken Janes & Cllr Marion Mustoe
CASE OFFICER	Simon Barnett
DATE REGISTERED	21 August 2009
EXPIRY DATE	16 October 2009
APPLICANT	Mr A Barber
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Janes at the request of the Parish Council
RECOMMENDED DECISION	Refuse Planning Permission

Application Withdrawn – See Minute No. DM/09/11

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APPLICATION NUMBER	CB/09/05512/FULL
LOCATION	LAND TO THE REAR OF 65, SHEFFORD ROAD, CLIFTON
PROPOSAL	FULL: ERECTION OF 3 NO. FOUR BEDROOM DWELLINGS AND ASSOCIATED ACCESS
PARISH	Clifton
WARD	Langford & Henlow Village
WARD COUNCILLORS	Cllr Clarke & Cllr Rogers
CASE OFFICER	Dee Walker
DATE REGISTERED	30 July 2009
EXPIRY DATE	24 September 2009
APPLICANT	Mr D Eldridge
AGENT	Eades Hotwani Partnership
REASON FOR COMMITTEE TO DETERMINE	The application was first referred to the Development Management Committee by Cllr Rogers. It was considered at the Committee on 23 September where it was deferred to enable a Members site visit.
RECOMMENDED DECISION	Grant Planning Permission

Residential development is acceptable in principle and the form of tandem development proposed, incorporating adequate retention of existing trees and additional landscaping would result in a form of layout of development which would be in keeping with the character of the surrounding area.

In addition, the privacy and amenities of neighbouring properties would not be adversely affected, whilst adequate parking and a safe access would be provided. As such the proposal is in conformity with policies LPS2, H06, DPS1, DPS5, DPS9, DPS11, DPS16 of the Mid Bedfordshire Local Plan First Review 2005; Planning Policy Guidance: PPS3 Housing.

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

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

- 2 **Prior to commencement of development details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

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

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

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

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

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **minor structures (e.g. furniture, play equipment, signs, etc);**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

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

- 5 **Prior to the commencement of development the tree protection plan shown on drawing PL106 shall be implemented. The fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.**

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

- 6 **Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension of any dwelling until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.**

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

- 7 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

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

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

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

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

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

- 10 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 11 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

- 12 The proposed vehicular access shall be constructed and surfaced in a durable material to be approved in writing by the Local Planning Authority for a distance of 10.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

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

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

- 14 The turning space for vehicles illustrated on the approved plan shall be constructed before the development is first brought into use.

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

- 15 Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: In the interest of highway safety.

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

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

- 17 The access driveway shall be constructed using a “no-dig” method of construction in accordance with that shown on drawing PL106, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

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

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

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's, Highways Help Desk P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
2. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management group Highways and Transportation Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN.

[Notes:

- (1) In advance of the consideration of the application the Committee received representations made under the public participation scheme.
- (2) In advance of the consideration of the application the Committee noted representations received as set out in the late sheet attached to these Minutes.]

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SCHEDULE B

APPLICATION NUMBER	CB/09/05708/REG3
LOCATION	Land Adjacent 94, Ampthill Road, Flitwick
PROPOSAL	Regulation 3: Change of use of land to football pitches with associated changing pavilion and external landscaping.
PARISH	Flitwick
WARD	Flitwick East
WARD COUNCILLORS	Cllrs J Jamieson & Cllr A Turner
CASE OFFICER	Hannah Pattinson
DATE REGISTERED	07 August 2009
EXPIRY DATE	06 November 2009
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Major development not in accordance with the Development Plan
	Grant Planning Permission

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 **Prior to commencement of the development a scheme for a soil bund, to include details of the source and type of material, height, length and width, to be constructed on the southern boundary of the site adjacent to the existing residential properties shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of appropriate defensive landscaping and shall be implemented in full prior to the occupation of development hereby permitted.**

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

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

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

- 4 **Prior to commencement details and samples of the materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

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

- 5 **Prior to the commencement of development, a scheme for the provision and implementation of pollution control of the water environment shall be submitted and agreed in writing with the Local Planning Authority. The works included within the approved scheme shall be constructed solely in accordance with the approved plans.**

Reason: To prevent the increased risk of pollution to the water environment.

- 6 **Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:**

**(i) A detailed assessment of ground conditions of the playing field shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England.**

The approved scheme shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority (in consultation with Sport England).

Reason: To ensure that site surveys are undertaken for replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.

- 7 **Prior to the commencement of development details of the relocated pedestrian crossing shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented prior to the proposal being first brought into use.**

Reason: In the interest of highway safety.

- 8 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

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

- 9 Prior to the commencement of development, a scheme for the secure and sheltered parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented solely in accordance with the approved details and prior to the first occupation of the development or prior to the development first being brought into use. The works approved for the parking of cycles shall thereafter be retained for this purpose.

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

- 10 Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall include what arrangements are to be made to restrict such vehicles solely to the approved points of access and egress, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be operated throughout the period of construction work.

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

- 11 Prior to the commencement of development details of a scheme to adequately protect neighbouring residents from noise, vehicles and machinery or plant associated with the use of the proposed public car park shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be completed prior to the facility hereby approved coming into use.

Reason: To protect the amenity of nearby residents.

- 12 No development shall commence until a Code of Construction Practice has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and sub contractors will employ at all times during demolition, construction and other engineering operations on the site. The Code of Construction Practice shall include:

- i. Measures to be used to control and suppress dust;
- ii. Measures to be used to reduce the impact of noise & vibration arising from noise generation activities on site, in accordance with best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites;

- iii. **The siting and appearance of works compounds;**
- iv. **Siting working hours.**

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

Reason: To safeguard the amenities of adjoining occupiers and to protect the surrounding countryside.

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

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

- 14 Before the premises hereby permitted are occupied a scheme indicating the proposed means of illumination shall be submitted to and approved by the Local Planning Authority. The scheme submitted shall include details and mitigation methods to ensure that no glare or dazzle occurs to drivers of vehicles using the public highway or to adjacent residential properties, through illumination on the site and details of hours of usage and appearance of the units. The development shall be implemented prior to the first use of the development hereby permitted in accordance with the approved scheme and shall be retained thereafter.

Reason: In the interest of road safety.

- 15 Prior to the bringing into use of the development a Management and Maintenance Scheme for a period of 5 years to include measures to ensure, management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the development.

Reason: To ensure that new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (PPG17 Par 14).

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

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, play equipment, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;

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

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

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

- 17 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

- 18 No sound reproduction or amplification equipment (including public address systems, loudspeakers, tannoys etc) which is audible from the site boundary shall be installed without the prior written consent of the Local Planning Authority.

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

- 19 The pitches hereby permitted shall not be used except between the hours of 0930 to 2100 Monday to Friday, 0800 to 2100 on Saturdays and 0900 to 1600 Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

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

- 20 The pavilion hereby permitted shall not be used except between the hours of 0930 to 2200 Monday to Friday, 0800 to 2200 on Saturdays and 0900 to 1600 Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

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

- 21 The development hereby permitted shall be undertaken in accordance with the approved Waste Audit Ref CBC002.

Reason: To ensure that the development conforms with the waste audit requirements.

- 22 Details of the height and appearance of the fencing proposed of the post and rail fencing proposed for the pitch immediately adjacent to the pavilion and of safety fencing to the north of this pitch to protect traffic on the A507 shall be submitted to and agreed in writing to the Local Planning Authority. The fences shall be in place before first use of this pitch.

Reason: In the interests of visual amenity and the safety of traffic on the adjoining road network.

- 23 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

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

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

- 25 If during the site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council, Highways Help Desk, P.O. Box 1395, Bedford MK42 5AN quoting the planning application number and supplying a copy of the Decision Notice and a copy of the approved plans. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc) then the applicant will be required to bear the cost of such removal or alteration.

2. The applicant is advised that in order to comply with condition 7 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group, Highways Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford MK42 5AN.
4. The applicant is advised that the closure of the existing accesses shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council, Highways Help Desk, P.O. Box 1395, Bedford MK42 5AN. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the accesses.

[Notes:

- (1) In advance of the consideration of this application the Committee received representations made under the public participation scheme.
- (2) In advance of the consideration of the application the Committee received representations received as set out in the late sheet appended to these Minutes.]

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SCHEDULE B

APPLICATION NUMBER	MB/09/00377/REG3
LOCATION	Land to the North West of Flitwick Leisure Centre, Steppingley Road, Flitwick
PROPOSAL	REG3: Replacement leisure facilities to include swimming pool, squash courts and health suites - Outline with all matters reserved.
PARISH	Flitwick
WARD	Flitwick West
WARD COUNCILLORS	Cllr Dennis Gale & Cllr Steve Male
CASE OFFICER	Hannah Pattinson
DATE REGISTERED	20 March 2009
EXPIRY DATE	19 June 2009
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Regulation 3 application- Major development
	Outline Permission

That Planning Permission be granted subject to the following:

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

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

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

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

- 3 **Approval of the details of:-**

- (a) the layout of the building(s);**
- (b) the scale of the building(s);**
- (c) the appearance of the building(s);**
- (d) the means of access of the site;**
- (e) the landscaping of the site;**

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

Authority and the development shall be implemented as approved.

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

- 4 **Prior to the commencement of development details of the car park, to include the bus drop off point, layout, secure cycle parking, surfacing and details of spaces for disabled users shall be submitted to and approved in writing by the Local Planning Authority. The car park shall be constructed and operated solely in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority and shall be available for use prior to the development hereby permitted coming into use.**

Reason: To ensure a satisfactory development and for the avoidance of doubt.

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

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

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

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **materials to be used for any fencing including details of proposed locations;**
- **public art;**
- **minor structures (e.g. furniture, play equipment, signs, etc);**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

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

- 7 Prior to the commencement of development, details of CCTV cameras to be provided on the site, including their position, and coverage, shall be submitted to and approved in writing by the Local Planning Authority. The cameras shall be provided and available for use prior to the development hereby permitted first coming into use in accordance with the approved details.**

Reason: To ensure the amenity of both existing and future residents and to ensure site security.

- 8 Prior to the commencement of development the two senior football pitches and one junior football pitch which will be lost at this development site shall be completed and open for use on the site at 94 Ampthill Road, Flitwick.**

Reason: To ensure the continued provision of football pitches in Flitwick

- 9 Prior to the commencement of development details of any external lighting to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include any supporting structure and the extent of the area to be illuminated. The development shall be implemented solely in accordance with the approved details.**

Reason: To ensure the amenity of both existing residential amenity and future residential amenity.

- 10 No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the once the built form development and any works to highways in connection with the development hereby permitted has been completed to the satisfaction of the Local Planning Authority.**

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

- 11 Prior to the commencement of development details of noise mitigation measures to reduce noise levels to existing residential properties and to potential future residential properties from the proposed car park shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented solely in accordance with the approved details and prior to the development hereby permitted first being brought into use.**

Reason: To protect the amenity of both existing and future residents.

- 12 **Prior to commencement of development a scheme detailing the provision of on site parking for construction workers for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented solely in accordance with the approved details and for the duration of the construction period.**

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

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

- (i) Details of traffic routes and points of access/egress to be used for construction purposes;**
- (ii) Measures to be used to control and suppress dust;**
- (iii) Measures to be used to reduce the impact of noise and vibration arising from noise generating activities on the site, in accordance with the best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites".**
- (iv) The siting and appearance of works compounds**

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

Reason: To safeguard the amenities of adjoining occupiers and to protect the surrounding countryside.

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

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

- 15 **Prior to the occupation of the development hereby permitted a Green Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The recommendations of the approved Green Travel Plan shall be implemented within 6 months of the development being first brought into use.**

Reason: For the avoidance of doubt and to reduce reliance on the private car in the interests of sustainability of the development.

- 16 **All planting, seeding or turfing comprised in the approved details of**

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

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

- 17 No equipment, goods, waste or other materials shall be deposited or stored in the open outside the buildings on the site.

Reason: To safeguard the character and appearance of the site and the surrounding area.

- 18 All plant, machinery and equipment installed or operated in connection with this permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below existing background level (or 10dBA below if there is tonal quality) when measured or calculated in accordance with BS4142:1997, at the boundary of any neighbouring residential dwelling.

Reason: To protect the amenity of neighbouring residents.

- 19 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation in the cafe, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The equipment shall be installed solely in accordance with the approved details and prior to the use hereby permitted commencing.

Reason: In order to prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents.

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

Reason: To safeguard the amenities of nearby occupiers.

- 21 This permission shall be implemented by and for the benefit of Central Bedfordshire Council only.

Notes to Applicant

1. The applicants are advised that the premises may require registration as a commercial food business under the Food Premises (Registration) Regulations 1991 and will need to comply with the standards contained in the relevant Food Hygiene Directives and Regulations. Further information may be obtained from the Public Protection Food Safety Team on 0300 300 8000.
2. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Customer Contact Centre, 6th Floor, Borough Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
3. The requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Highways, Streetworks Co-ordination Unit, Borough Hall, Bedford. MK42 9AP.

APPLICATION NUMBER	CB/09/00830/FULL
LOCATION	129 CLOPHILL ROAD, MAULDEN, BEDFORD, MK45 2AE
PROPOSAL	FULL: DEMOLITION OF EXISTING BUILDING AND ERECTION OF FOUR NEW DWELLINGS.
PARISH	MAULDEN
WARD	MAULDEN AND HOUGHTON CONQUEST
WARD COUNCILLORS	Cllr A Barker and Cllr H Lockey
CASE OFFICER	Julia Ward
DATE REGISTERED	22 May 2009
EXPIRY DATE	17 July 2009
APPLICANT	Mr Rayner
AGENT	Aragon Land & Planning UK LLP
REASON FOR COMMITTEE TO DETERMINE	CLLR LOCKEY REQUEST IN RESPONSE TO RESIDENTS' CONCERNS ABOUT NEW DRIVEWAY AND IMPACT OF NEW HOUSE ON ADJACENT BUNGALOW
RECOMMENDED DECISION	Grant Planning Permission

Delegated powers were approved to issue the decision once details of the unilateral undertaking were satisfactory. That Planning Permission be granted subject to the following conditions:

- 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 **Notwithstanding the approved plans, no development shall be undertaken until a scheme has been submitted to and approved in writing by the Local Planning Authority setting out the details of the materials to be used for the external walls and roofs. The development shall be carried out in accordance with the approved scheme.**

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

- 3 **No development shall be undertaken on site until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**

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

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

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

- 4 No development shall be undertaken on site until a scheme has been submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied.

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

- 5 Before development is undertaken on site, details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Such details shall be sufficient to clearly identify the completed height of the development in relation to the adjacent development. Thereafter the site shall be developed in full accordance with the approved details.

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

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

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

- 7 Before development is undertaken on site, further reptile surveys of the site, as recommended in the submitted Reptile Assessment (Adonis Ecology, 13/07/09), shall be undertaken and the results submitted to the Local Planning Authority for approval. A long term management plan for the wildlife enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. If any protected species are found to exist the details of mitigation measures to be

undertaken to safeguard these protected species, as stated in the submitted Reptile Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The habitat protection measures and long term management plan shall be implemented to the satisfaction of the Local Planning Authority and in accordance with a timetable agreed in writing by the Local Planning Authority.

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

- 8 **Before development is undertaken on site, full details of the proposed sprinkler system to be installed within the dwellings at plots 2, 3 & 4 shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

Reason: The development does not allow a fire appliance to turn and leave in a forward gear and therefore to ensure adequate fire protection.

- 9 **Before development is undertaken on site, a scheme for the parking of cycles on site (calculated at one space per bedroom), and access thereto, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

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

- 10 **Before development is undertaken on site, a scheme for on site parking provision for construction workers during the construction period shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be undertaken in accordance with the approved details.**

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

- 11 **Before the dwellings hereby approved are occupied, the proposed vehicular access and on site vehicular areas shall be surfaced in a stable and durable manner be approved in writing by the Local Planning Authority for a distance of 8 metres into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits.

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

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

- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

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

- 14 The turning space for vehicles illustrated on the approved drawing no. 1090/09/4C shall be constructed before the development is first brought into use.

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

- 15 Notwithstanding Schedule 1 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the flank elevations of Plot 1 without the grant of express planning permission from the Local Planning Authority.

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

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (no) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no works shall be commenced at Plots 2,3 and 4 under Schedule Part 1 Class A (extensions), Class B (additions or alterations to roof), Class C (alteration to roofs), Class D (porches), Class E (outbuildings), or Class F (hardstandings) without the grant of express planning permission from the Local Planning Authority.

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

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

satisfaction of the Local planning Authority.

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

- 18 No dwelling shall be occupied until the visitor parking bay and the car parking bays for Plot 1 and Plot 4 have been allocated as illustrated on approved drawing 1090/09/4H.

Reason: To provide adequate parking for visitors and occupiers of the dwellings.

Notes to Applicant

1. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highways Desk, P O Box 1395, Bedford MK42 5AN quoting the planning application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the costs of such removal or alteration.
2. The requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group, Central Bedfordshire Council Highways, Streetworks Co-ordination Unit, P O Box 1395, Bedford MK42 5AN.
3. Photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local highway Authority and at the expense of the applicant. Attention is drawn to Section 52 of the Highways Act 1980 in this respect.
4. The closure of existing accesses shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with the Central Bedfordshire Council's Customer Contact Centre (Tel: 0300 300 8049). No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).
4. The applicant is advised that all cycle parking to be provided within the site shall be designated in accordance with the Bedfordshire County Council's "Cycle Parking Guidance – August 2006".

[Notes:

- (1) In advance of the consideration of this application the Committee received representations made under the public participation scheme.
- (2) In advance of the consideration of this application the Committee were advised of consultation received as set out in the late sheet appended to these Minutes.]

APPLICATION NUMBER	CB/09/01212/FULL
LOCATION	LAND TO THE REAR OF 61 AND 63, ARTHUR STREET, AMPHILL
PROPOSAL	FULL: ERECTION OF DETACHED DWELLING.
PARISH	Amphill
WARD	Amphill
WARD COUNCILLORS	Cllr P Duckett & Cllr G Summerfield
CASE OFFICER	Mary Collins
DATE REGISTERED	24 June 2009
EXPIRY DATE	19 August 2009
APPLICANT	Mr K Knowles
AGENT	Mr B Pitts
REASON FOR COMMITTEE TO DETERMINE	CLLR SUMMERFIELD AT REQUEST OF AMPHILL TOWN COUNCIL WHO OBJECT. ALSO BECAUSE CENTRAL BEDFORDSHIRE COUNCIL OWNS A PART OF THE ACCESS TO THE SITE.
RECOMMENDED DECISION	Grant Planning Permission

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

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

- 3 **Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority defining those trees, hedges, shrubs and other natural features to be retained during the course of the development, and setting out measures for their protection during construction work . No work shall commence on site until all trees, hedges, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- for trees, hedges and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;
- for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;
- for other natural features along a line to be approved in writing by the Local Planning Authority.

Such fencing shall be maintained during the course of the works on the site. No unauthorized access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

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

- 4 Prior to the commencement of the development, samples of all the materials to be used for the external walls and roof and details of all external finishes including windows and doors, brick bond and mortar mix shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented solely in accordance with these approved details.

Reason: To safeguard the appearance of the completed development and preserve the special character and appearance of the Conservation Area in accordance with Policy CHE11 of the Mid Bedfordshire Local Plan 2005.

- 5 Notwithstanding the details shown on the approved plan, no development shall be undertaken until a scheme has been submitted for written approval by the Local Planning Authority indicating the positions, design, materials and types of boundary treatment to be erected including details of the retaining wall to the garden and the provision of a full height brick wall to enclose the rear garden adjacent to Oliver Street. The boundary treatment shall be completed in accordance with the approved scheme before the dwelling is occupied.

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

- 6 Development shall not commence until a scheme detailing provision for on site parking for construction workers and one on site space for both 61 and 63 Oliver Street for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

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

- 7 All rainwater goods shall be cast iron or cast aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.

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

- 8 Prior to the first occupation of the dwelling the rooflights to the rear roofslope shall be fitted with obscured glass of a type to substantially restrict vision through them at all times.

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

- 9 Notwithstanding Schedule 2, Part 1, Classes A, B, C, D, E, F, G and H of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension or material alteration of the buildings hereby permitted or the erection of any building/ structure within the curtilage of the dwelling hereby approved until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties. To protect the character of Ampthill Conservation Area.

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

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

- 11 Details of a bin collection point to serve the new dwelling shall be submitted to and approved by the Local Planning Authority and made available for use prior to the first occupation of the dwelling.

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

- 12 Before the access is first brought into use a triangular vision splay shall be provided on the west side of the access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 13 Before the premises are occupied the on site vehicular areas shall be constructed and surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits .

- 14 The proposed development shall be carried out and completed in all respects in accordance with the access siting and parking bays sizing and layout, 2.0m footpath width along the site frontage with Oliver Street, site boundary excluding the existing service box illustrated on the approved drawing No. 01 Rev G and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority. The dwelling shall not be occupied until the six parking spaces on the approved plan have been laid out and are available for use.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access and parking arrangements at all times and to ensure the highway boundary is protected.

Notes to Applicant

1. The applicant is advised that, under the provisions of the Highways Act 1980, no part of boundary treatment or foundations shall be erected or installed in, under or overhanging the public highway door or gate shall be fixed so as to open outwards into the highway.
2. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.

4. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006".
6. This Planning Permission is subject to a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990.

[Notes:

- (1) In advance of the consideration of the application the Committee received representations made under the public participation scheme.
- (2) In advance of the consideration of the application the Committee noted consultation received as set out in the late sheet appended to these Minutes.]

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SCHEDULE C

APPLICATION NUMBER CB/09/00707/FULL
LOCATION 9 Cherrytree Way, Ampthill, Bedford, MK45 2SZ
PROPOSAL Full: Demolition of garage and utility room to provide driveway to front and single storey extension to side and conservatory to rear

PARISH Ampthill
WARD Ampthill
WARD COUNCILLORS Cllr P Duckett & Cllr G Summerfield
CASE OFFICER Duncan Jordan
DATE REGISTERED 04 September 2009
EXPIRY DATE 30 October 2009
APPLICANT Mrs Morton
AGENT
REASON FOR COMMITTEE TO DETERMINE Applicant is an employee of Central Bedfordshire Council

RECOMMENDED DECISION Grant Planning Permission

Recommendation

That Planning Permission be Granted subject to the following:

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

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

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

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

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SCHEDULE C

APPLICATION NUMBER	CB/09/05425/FULL
LOCATION	193 Poynters Road, Dunstable, LU5 4SH
PROPOSAL	Construction of vehicular crossover and formation of parking area.
PARISH	Dunstable
WARD	Icknield
WARD COUNCILLORS	Cllr John Kane & Cllr David McVicar
CASE OFFICER	Donna Stock
DATE REGISTERED	20 August 2009
EXPIRY DATE	15 October 2009
APPLICANT	Ms J Miles
AGENT	Kingswood Design Ltd
REASON FOR COMMITTEE TO DETERMINE	Part of the development has taken place on highway land owned by Central Bedfordshire Council
RECOMMENDED DECISION	Grant Planning Permission

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 **Within 30 days of the date of this permission, details of the method of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The means of surface water drainage shall be fully implemented in accordance with the approved details before the hardstanding is first used.**
REASON: To ensure that adequate provision is made for surface water drainage.
- 3 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
- 4 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 5 Before the hardstanding is first used, it shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 6 This permission relates only to the details shown on the Site Location Plan received on 18/08/09 and Block Plan and Drawing No. 1001-PL-010 received on 07/08/09 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)

ENV7 (Quality of the Built Environment)

SS1 (Achieving Sustainable Development)

South Bedfordshire Local Plan Review

BE8 (Design Considerations)

T10 (Parking)

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

4. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN. The applicant is also advised that if any of the works associated with the construction of vehicular access affects or requires the removal and/or relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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SCHEDULE C

APPLICATION NUMBER	CB/09/05647/FULL
LOCATION	Hadrian Lower School, Hadrian Avenue, Dunstable, LU5 4SR
PROPOSAL	Erection of single storey extension with canopy to increase size of existing classrooms and provision of landscaping to play area.
PARISH	Dunstable
WARD	Icknield
WARD COUNCILLORS	Cllr John Kane & Cllr David McVicar
CASE OFFICER	Gill Claxton
DATE REGISTERED	26 August 2009
EXPIRY DATE	21 October 2009
APPLICANT	2C Design Consultants
AGENT	2C Design Consultants
REASON FOR COMMITTEE TO DETERMINE	The land is owned by Central Bedfordshire Council and there is an unresolved objection from a third party.
RECOMMENDED DECISION	Grant Planning Permission

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 The external finish of the walls and roofing materials to be used for the extension shall match that of the existing building as closely as possible.
REASON: To ensure that the development is in keeping with the existing building.
(Policy BE8, S.B.L.P.R).
- 3 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the new external paved concourse shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**
REASON: To control the appearance of the development in the interests of the visual amenity of the locality.
(Policy BE8, S.B.L.P.R).
- 4 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next**

planting season and maintained until satisfactorily established.
REASON: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).

- 5 This permission relates only to the details shown on Drawing Nos 2CD00682LP and 2CD00682PP received 05/08/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

Notes to Applicant

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

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving Sustainable Development

ENV7 - Quality in the Built Environment

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

South Bedfordshire Local Plan Review

BE8 - Design Considerations

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

[Note: In advance of the consideration of the application the Committee noted consultation as detailed in the late sheet appended to these Minutes.]