

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 20 January 2010

PRESENT

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

Cllrs	P N Aldis	Cllrs	H J Lockey
	A R Bastable		K C Matthews
	A D Brown		Ms C Maudlin
	Mrs C F Chapman MBE		A Northwood
	D J Gale		A A J Rogers
	K Janes		Mrs C Turner
	D Jones		J N Young

Apologies for Absence: Cllrs R D Berry
Mrs R B Gammons

Substitutes: Cllrs R A Baker (In place of Mrs R B Gammons)
B J Spurr (In place of R D Berry)

Member in Attendance: Cllr T Nicols

Officers in Attendance:	Miss H Bell	Democratic Services Officer
	Mr A Davie	Head of Development Management (North)
	Mr D Hale	Head of Development Management (South)
	Mr R Romans	Minerals and Waste Team Leader
	Mrs A Sanné	Development Management Team Leader (North)
	Mr M Woolsey	Principal Solicitor

DM/09/20 **Chairman's Announcements**

- (1) The Chairman wished the Committee a Happy New Year.
- (2) The Chairman wished the Democratic Services Officer all the best for her forthcoming maternity leave and thanked her for work on the Committee.

DM/09/21 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 16 December 2009 be confirmed and signed by the Chairman as a correct record, subject to the recording of Cllr Berry requesting that his name be recorded as having voted against the decision in relation to Item 11.

DM/09/22 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K C Matthews	15	Asked by neighbour to download plans, did not enter into discussion regarding application.	Present

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

Member	Item(s)	Nature of Interest	Present or Absent during discussion
Cllr P F Vickers	17	Spoke to objector on phone but did not enter into discussion	Present
Cllr Mrs C F Chapman MBE	11 & 12	Consulted on application as member of Marston Vale Trust	Present

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

Member	Item(s)	Parish/Town Council	Vote Cast
Cllr A Shadbolt	11 & 12	Heath & Reach Parish Council	Did not comment or vote.
Cllr K C Matthews	14 & 15	Cranfield Parish Council	Did not comment or vote.
Cllr A R Bastable	14 & 15	Cranfield Parish Council	Did not comment or vote.
Cllr R A Baker	14 & 15	Cranfield Parish Council	Did not comment or vote.

DM/09/23 **Petitions**

In accordance with the scheme of Public Participation set out in Annex 2 in Part A4 of the Constitution, the Chairman advised that no petitions had been received.

DM/09/24 **Disclosure of Exempt Information**

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

DM/09/25 **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/09/26 **Revision to Members Planning Code of Good Practice**

The Committee received and considered a report of the Director of Corporate Resources which referred to amendments and additions to the Members Planning Code of Good Practice (contained in the Ethical Framework of the Council's Constitution) considered necessary following the recent publication of revised LGA Guidance.

Attached at Appendix A to the report was the Council's existing code, which highlighted the suggested amendments/additions shown in italics. In addition to amendments concerning pre-application matters there was an amendment to the site visit guidance. Concerning inspections on third party land, the amendment was suggested following a recent ombudsman comment on that matter.

RESOLVED

that the amended Planning Code of Good Practice as appended to the report of the Director of Corporate Resources be referred to Standards Committee for consideration and adoption by the Council.

DM/09/27 **Late sheet and Representations**

In advance of the considerations of the following Planning Applications, the Committee received a late sheet advising it of an 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/09/28 **Outline Planning Application SB/09/00162 (14 dwellings with access road and ancillary works, Land at Kiln Way, Dunstable) at Appeal**

The Committee received and considered a report of the Director of Sustainable Communities which proposed that the officers written representations to the appeal relating to Application No. SB/09/00162, 14 dwellings with access road and ancillary works, land at Kiln Way, Dunstable against the non-determination of the Planning Application as set out in the report.

The Committee noted that further to the despatch of the agenda, further discussion had taken place, to include the Busway Project Team. The late sheet detailed proposed amendments to the recommendations.

RESOLVED

- 1. that the Council's Appeal Written Representations be based on the attached draft Delegated Report and that, had the application been determined by this Council, it would have been refused for the following reasons:-***

- (i) The proposal, by reason of the intended location, scale, size and design of the houses and their relation to adjacent properties in Jeansway, would both appear out of character with its urban setting and have an overpowering and oppressive visual impact on those properties to the extent that material harm is caused to the amenities of the occupiers of those properties and to the character of the local area. The proposal would therefore be contrary to Policy ENV7 of the East of England Plan (the Regional Spatial Strategy) and Policy BE8 of the South Bedfordshire Local Plan Review.**
 - (ii) The proposed access within the site would be unsatisfactory, by reason of the straightness and nature of the proposed access likely leading to excessive speeds, the lack of a safeguarded pedestrian/service route to some dwellings and the configuration of some private accesses leading to inadequate pedestrian/vehicle intervisibility. The proposal would therefore be contrary to Policy T8 of the East of England Plan.**
 - (iii) Insufficient information is provided to conclude that the proposal would deliver appropriate community infrastructure including areas of affordable housing, education, green infrastructure, and sustainable travel, having regard to the Development Brief for the site. The proposal would therefore be contrary to Policy 25 of the Bedfordshire Structure Plan 2011 and Policy H4 of the South Bedfordshire Local Plan Review as amended by PPS3 in respect of the threshold figure in (i).**
- 2. that officers exercise discretion in respect of comments on the Appellant's Unilateral Undertaking should the Appeal be allowed.**
- (i) The site includes land which is likely to be required for the implementation of the Luton to Dunstable Guided Busway, a significant local transportation project which is at an advanced stage of delivery. The land likely to be required is indicated on the submitted layout as variously part of the access road and plots 13 and 14. Should planning permission be granted in this case there is a material likelihood that land would not be available to provide the access road or to accommodate plots 13 and 14 and their associated land, which are key requirements in the proposal. Furthermore, the resulting relationship would give rise to unacceptably cramped relationships between the development and the busway without appropriate mitigation, thus being in conflict with Policy ENV7 of the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review 2004. The delivery of the full proposed development would prejudice the delivery of the busway in the form approved, conflicting with Policy T4 of the RSS and Policy T4 of the South Bedfordshire Local Plan Review 2004.**

- (ii) That Officers are delegated Authority to exercise discretion in responding to response(s) from parties representing the busway, including the need for any additional refusal reason with regard to noise impact and mitigation measures.**

Explanation:

Recent drawings produced by the Busway project team relating to land acquisition indicate that land is likely to be required from the site both parallel with the railway (a strip the length of the site between 1 and 2m deep) and in plots 13 and 14. Much of this land is considered to lie within the Luton to Dunstable Railway CWS and soil would be stripped for later replacement. This was a consideration at the T&W Inquiry. If, on the grounds of the appeal being allowed, the Busway project decided not to acquire this land the project would therefore lose this replaced habitat by development. But, more likely, the project would acquire the land making it impossible to develop the residential scheme according to the plans and producing unacceptably cramped relationships between dwellings and busway (with reduced intermediate landscaping).

We are expecting representations from parties representing the busway (the Project Team, and the Transport Strategy Officer at CBC). We would consider these alongside advice from the Environmental Health Officer and legal advice and there could be some amendment to the case made at appeal.

DM/09/29 **Planning Application No. CB/09/06668/FULL**

RESOLVED

that Planning Application No. CB/09/06668/FULL relating to Conway, Oldhill Wood, Studham, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/09/30 **Planning Application No. CB/09/6556/MW**

RESOLVED

that Planning Application No. CB/09/6556/MW relating to Reach Lane Quarry, Heath & Reach be delegated to the Director of Sustainable Communities to refuse as set out in the schedule appended to these Minutes.

DM/09/31 Planning Application No. CB/09/6566/MW

RESOLVED

that Planning Application No. CB/09/6566/MW relating to Reach Lane Quarry, Heath & Reach be approved as set out in the schedule appended to these Minutes.

DM/09/32 Planning Application No. CB/09/06288/FULL

RESOLVED

that Planning Application No. CB/09/06288/FULL relating to Land R/O The Bedford Arms, Station Road, Ridgmont be approved as set out in the schedule appended to these Minutes.

DM/09/33 Planning Application No. CB/09/06518/FULL

RESOLVED

that Planning Application No. CB/09/06518/FULL relating to Braemar, Rectory Lane, Cranfield, Bedford be approved as set out in the schedule appended to these Minutes.

DM/09/34 Planning Application No. CB/09/06810/FULL

RESOLVED

that Planning Application No. CB/096/06810/FULL relating to 20 Mill Road, Cranfield, Bedford be delegated to the Director of Sustainable Communities to refuse for the reasons as set out in the Schedule appended to these Minutes.

DM/09/35 Planning Application No. MB/03/02216/OUT

RESOLVED

that Planning Application No. MB/03/02216/OUT relating to Land Adjacent to Station Road, Ampthill Bypass, Ampthill be approved as set out in the Schedule appended to these Minutes.

DM/09/36 Planning Application No. CB/09/06068/FULL

RESOLVED

that Planning Application No. CB/09/06068/FULL relating to Land at 30 Sharpenhoe Road, Barton-le-Clay, Bedford be approved as set out in the Schedule appended to these Minutes.

DM/09/37 Planning Application No. CB/09/06892/FULL

RESOLVED

that Planning Application No. CB/09/06892/FULL relating to 16 Priory Road, Campton, Shefford be approved as set out in the Schedule appended to these Minutes.

DM/09/38 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 17 February 2010.

Chairman (or his nominee)

Vice Chairman's nominee

Cllrs K Janes

D Jones

H J Lockey

Mrs C Turner

(Note: The meeting commenced at 2.00 p.m. and concluded at 5.07 p.m.)

Item No. 10**SCHEDULE A**

APPLICATION NUMBER	CB/09/06668/FULL
LOCATION	Conway, Oldhill Wood, Studham, Dunstable, LU6 2NE
PROPOSAL	Alterations to garage roof (amendment to approved application CB/09/05112/FULL).
PARISH	Whipsnade
WARD	South West Bedfordshire
WARD COUNCILLORS	Cllr Ken Janes & Cllr Marion Mustoe
CASE OFFICER	Simon Barnett
DATE REGISTERED	26 November 2009
EXPIRY DATE	21 January 2010
APPLICANT	Mr A Brewer
AGENT	Briffa Philips Architects
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Mrs Mustoe
RECOMMENDED DECISION	Full Application - Refused

Recommendation: that Planning Permission be REFUSED for the following:

- 1 The garage roof as proposed to be modified would by virtue of its incongruous design, bulk and massing, appear out of character with the building and have a harmful affect on the visual amenities of the streetscene. Furthermore the proposed alterations would result in a replacement dwelling that by virtue of its bulk and massing be both materially larger than, and more intrusive in the landscape than the original dwelling to the detriment of the openness of the Green Belt. The proposed scheme is therefore considered to be inappropriate development within the Green Belt and no very special circumstances have been justified in support of the proposal. The proposal is therefore contrary to the principles of good design set out in Planning Policy Statement 1: Delivering Sustainable Development and Policy BE8 of the South Bedfordshire Local Plan Review and would constitute inappropriate development in the Green Belt contrary to Planning Policy Guidance Note 2: 'Green Belts' and to Policy H14 of the South Bedfordshire Local Plan Review.

[Notes:

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

This page is intentionally left blank

Item No. 11 & 12**SCHEDULE**

APPLICATION NUMBERS	CB/09/06556/MW & CB/09/06566/MW
LOCATION	Reach Lane Quarry, Heath & Reach
PROPOSALS	<p>(i) Revisions to phasing of extraction and restoration proposals (variation of conditions 1, 13, 14 and 22 of planning permission no. 9/2003 (application no. CB/09/06556/MW)</p> <p>(ii) Importation of inert waste for the purpose of restoration of Reach Lane Quarry (application no. CB/09/06566/MW)</p>
PARISH	Heath & Reach
WARD & COUNCILLORS	Plantation – Cllr. Alan Shadbolt & Cllr. Peter Rawcliffe
CASE OFFICER	David Peachey
DATE REGISTERED	11 November 2009
EXPIRY DATE	10 February 2010
APPLICANT	L.B Silica Sand Ltd
AGENT	Atkins Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	SIGNIFICANT OBJECTIONS & DEVELOPMENT IN THE GREEN BELT
	Approval of both applications subject to a Section 106 Agreement and planning conditions

Delegated Application – See Minute No. DM/09/30

That the Director of Sustainable Communities be delegated authority to refuse application CB/09/06556/MW on the grounds that the prolonged extraction time would make an unacceptable, detrimental impact on residents and the Greenbelt.

CB/09/06566/MW (Importation of inert waste for the purposes of restoration of Reach Lane Quarry) –

It is recommended that planning permission be granted subject to the conditions set out below and subject to the applicant / landowner entering into a Section 106 Agreement in respect of:

- the creation of a dedicated right of way (bridleway) upon restoration of the site as a whole and, as an interim arrangement, provision of that route as a permissive bridleway in two stages upon restoration of the appropriate phases in accordance with the submitted application details.

Draft Conditions

1. Planning permission shall extend to the area edged with a bold black line on the attached plan ref. no. CB/0906566/MW-2 and the development shall be carried out in accordance with the planning application dated 10th November 2009 as supported and amended by Atkins' letters dated 23rd December 2009 and 5th January 2010 and enclosures referred to therein, except where modified by other conditions of this permission, and except for any minor amendments which may be approved in writing by the Local Planning Authority.

(Reason: To define the permission and allow for minor amendments)

Time Limits

2. The development hereby permitted shall be begun not later than the expiration of 1 year from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

(Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004)

3. The waste importation and tipping operations hereby permitted shall cease on or before 4 years of the date of commencement of the development. The reinstatement, restoration and landscaping of the site (excluding the aftercare requirements) as required by this permission shall be completed within a further 12 months of this cessation date.

(Reason: To ensure that the development hereby permitted is completed within an acceptable timescale – Policy GE26 of the MWLP)

Levels and Phasing

4. The final landform and surface restoration levels shall accord with the finished pre-settlement restoration contours shown on Drawing No. 4092431/407 Rev. A, except for such modifications as may be approved in writing by the Local Planning Authority.

(Reason: To restrict development not authorised by this permission – Policy GE26 of the MWLP)

5. Upon completion of reinstatement of the site by importation of inert waste, but prior to commencement of landscaping, a topographical survey shall be carried out and submitted to the Local Planning Authority. The survey shall demonstrate that the site has been reinstated in accordance with the pre-settlement restoration contours shown on Drawing No. 4092431/407.

(Reason: To provide for a satisfactory restoration of the site – Policy GE26 of the MWLP)

Hours of operation

5. Unless otherwise approved in writing by the Local Planning Authority, no operations or activities authorised or required by this permission, including HGV movements into and out of the site, but excluding essential plant maintenance, shall take place except between the following hours:

0700 hours to 1700 hours Mondays to Fridays

0700 hours to 1300 hours Saturdays

and at no time on Sundays and Public / Bank Holidays

(Reason: To protect the amenities of neighbouring properties – Policy GE18 of the MWLP)

Access

7. Except as permitted by condition 8 of this permission, there shall be no vehicular access to the waste importation site other than via the existing entrance to Bryants Lane Quarry and unless otherwise approved in writing by the Local Planning Authority all vehicles shall use the internal haul road, as shown on plan ref. no. CB/09/06566/MW-2, in order to access the landfilling area.

(Reason: In the interests of highway safety and to restrict development to that applied for – Policy GE23 of the MWLP)

8. The former Reach Lane Quarry entrance shall only be used for purposes of aftercare and maintenance of the site.

(Reason: To safeguard the amenities of the surrounding area and in the interests of highway safety – Policies GE18 and GE23 of the MWLP)

9. No development shall take place unless and until a scheme for the installation and use of a fixed wheel wash facility at the Bryants Lane Quarry entrance has been submitted to and approved by the Local Planning Authority. The scheme as may be approved shall be implemented prior to the importation of waste to the site and thereafter complied with at all times.

(Reason: To prevent the transport of mud and debris onto the highway and in the interests of highway safety – Policies GE18 and GE23 of the MWLP)

Vehicle Movements

10. Unless otherwise approved in writing by the Local Planning Authority, there shall not be more than a combined total of 160 HGV movements³ on Mondays to Fridays and a combined total of 80 HGV movements on Saturdays using the approved Bryants Lane Quarry access in connection with mineral operations and the import of materials for blending operations at Bryants Lane Quarry and mineral operations and the disposal of inert waste at Reach Lane Quarry.

(Reason: To ensure that the combined total number of HGVs permitted to use the Bryants Lane entrance does not exceed the existing limit as imposed by condition 4 of ROMP approval no. 10/1997 and condition 8 of appeal decision no. T/APP/X0225/A/97/289193/P2 in the interests of highway safety – Policy GE23 of the MWLP)

11. A record of all daily waste HGV movements using the Bryants Lane Quarry access shall be maintained at all times and shall be submitted to the Local Planning Authority at the end of every 6 month period from the beginning to the conclusion of waste importation operations.

(Reason: To allow monitoring of other relevant planning conditions)

12. There shall be no importation of waste shall unless and until a CCTV camera has been installed which monitors the entrance to the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) the columns and cameras to be used;
- (b) the area covered; and
- (c) the capability for remote access viewing by officers of the Local Planning Authority.

The CCTV system as may be approved in writing shall thereafter be implemented only in accordance with the approved scheme.

(Reason: To allow monitoring of traffic movements, operating times and the condition of the site entrance and public highway – Policies GE18 and GE23 of the MWLP)

Environmental Protection

13. No waste other than dry solid inert waste material shall be deposited on the site.

(Reason: To prevent the possible contamination of the groundwater and to protect the amenities of neighbouring properties – Policy GE17 of the MWLP)

³ A vehicle entering the site and then exiting the site is classed as 2 movements for the purposes of this permission.

14. The suppression and monitoring of dust shall take place in accordance with the submitted scheme, referenced BC/CS/2003/17, as approved by letter dated 29th May 2003, except where modified by other conditions of this permission.

(Reason: To minimise any nuisance to nearby properties by reason of dust – Policy GE18 of the MWLP)

15. No vehicle shall move around the site or along internal haul roads at a speed greater than 10 mph and speed limit signs shall be erected and maintained in prominent positions on site internal routes throughout the period of sand extraction and restoration.

(Reason: To minimise any nuisance to nearby properties by reason of dust – Policy GE18 of the MWLP)

16. No development shall take place unless and until a scheme for the monitoring and control of noise has been submitted to and approved in writing by the Local Planning Authority and thereafter no development shall take place except in accordance with the approved scheme. The scheme shall include:

- (a) Noise monitoring locations;
- (b) Except for temporary operations, the free-field Equivalent Continuous Noise Level L_{Aeq} (1 hour), attributable to the operations subject to this determination of scheme of conditions, shall not exceed 55dB $L_{Aeq, 1 \text{ hour free-field}}$ for a total of eight weeks or 10dB(A) above the existing background noise level L_{90} whichever is the lower;
- (c) For temporary operations including site preparation, soil and overburden stripping, bund formation and removal and final restoration, the free-field noise level at the points in (a) shall not exceed 70dB $L_{Aeq, 1 \text{ hour}}$ for a total of eight weeks in any calendar year, except as may be agreed in writing by the Local Planning Authority;
- (d) Noise monitoring and recording procedures;
- (e) Presentation of results;
- (f) Noise suppression measures; and
- (g) Procedures to be adopted in the event of the maximum permitted noise levels being exceeded

(Reason: To minimise disturbance to nearby sensitive receptors by reason of noise – Policy GE18 of the MWLP)

17. No floodlighting shall be used on site except in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, no floodlighting shall be used on site unless in accordance with the approved scheme.

(Reason: To minimise disturbance to the local environment – Policy GE18 of the MWLP)

18. There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways.

(Reason: To prevent the possible contamination of groundwater – Policy GE17 of the MWLP)

19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bunded walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sightglasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage and all filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund

(Reason: To prevent the possible contamination of groundwater – Policy GE17 of the MWLP)

Restoration

20. Except for such modifications as may be agreed in writing by the Local Planning Authority, and except where modified by condition 25 of this determination, formation of the final restoration profile and landscaping of the landfill site shall take place in accordance with the Planning Supporting Statement entitled '*Application for the Importation of Inert Waste for the Purposes of Restoration at Reach Quarry, Heath and Reach*' dated November 2009, the Planning Supporting Statement entitled '*Application for the Alterations to the Phasing of Extraction of Material at Reach Lane Quarry, Heath and Reach*' dated November 2009 and more particularly in accordance with restoration phasing Drawing no. 4092431/415 Rev B. The site, which comprises phase 5 of the restoration plan for the wider quarry, shall be reinstated and landscaped in accordance with the relevant completion dates set out in Tables 3.2 and 4.4 of the aforementioned Planning Supporting Statements.

(Reason: To secure a satisfactory programme of progressive reinstatement and landscaping of the site – Policy GE26 of the MWLP)

21. Engineering clays and overburden shall be sourced from Bryants Lane Quarry to supplement the imported inert waste material so as to make up the shortfall of on-site restoration materials, in accordance with details contained in paragraph 4.12 and Table 4.3 of the Planning Supporting Statement entitled '*Application for the Importation of Inert*

Waste for the Purposes of Restoration at Reach Quarry, Heath and Reach' dated November 2009.

(Reason: To restrict development not authorised by this permission)

22. The final landform and surface restoration levels of the site shall accord with the finished pre-settlement restoration contours shown on Drawing No. 4092431/407 Rev. A, except for such modifications as may be approved in writing by the Local Planning Authority.

(Reason: To ensure compliance with approved restoration contours – Policy GE26 of the MWLP)

23. Prior to commencing landscaping of the site, a topographical survey shall be carried out and submitted to the Local Planning Authority. The survey shall demonstrate that the site has been reinstated in accordance with the pre-settlement restoration contours shown on Drawing No. 4092431/407 Rev. A.

(Reason: To provide for a satisfactory restoration of the site – Policy GE26 of the MWLP)

24. No development shall take place unless and until a detailed scheme for the surface water drainage of the restored site, accompanied by a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall develop the outline proposals shown on Drawing no. 4092431/410 and shall include details of the location and design of a soakaway. Thereafter, the scheme shall be implemented in full in accordance with the details as may be approved.

(Reason: To provide for the satisfactory drainage of the restored site – Policies GE17 and GE19 of the MWLP)

25. The final site landscape restoration, including provision of a Public Right of Way (bridleway), shall be in accordance with the indicative details shown on Drawing no. 4092431/412 Rev. B, as clarified and amended by Atkins' letters dated 23rd December 2009 and 5th January 2010, and except where modified by other conditions of this permission. No development shall take place unless and until a detailed restoration scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for:

- (a) localised re-grading to achieve more undulating finished slopes, within the parameters set by Drawing no. 4092431/407 Rev. A, and variation in the width and profile of the swales;

- (b) identification of areas for placement of indigenous topsoils and specification of soil depths to ensure optimal use of limited soil resource;
- (c) retention of the existing screen bund at the south west corner of the site, approved pursuant to scheme no. BC/CS/2003/15, until at least the conclusion of landfilling operations and restoration in phase 5;
- (d) treatment of the restored surfaces prior to seeding and planting;
- (e) a survey of, and management / conservation plan for, the existing boundary hedgerows on Gig Lane and Overend Green Lane, accompanied by a timetable;
- (f) a programme for management of the conifer screen alongside Reach Lane during the operational life of the Reach Lane Quarry site;
- (g) extent, alignment and specification of fencing, gates, paths and tracks;
- (h) removal of plant and all buildings (including the site manager's accommodation / office building), foundations, machinery, equipment and hard surfaces and satisfactory restoration of those areas where such demolition has taken place;
- (i) open grassland, grazing and wildflower seeding mixes;
- (j) species, sizes and spacing of tree, shrub and hedgerow planting;
- (k) infilling of gaps on the Gig Lane boundary hedgerow;
- (l) measures for protection and maintenance of planting and replacement of failed, missing or dying trees, shrubs and hedgerow plants over a 5-year period from date of planting; and
- (m) creation of a permissive bridleway route followed by a dedicated public right of way (bridleway), to include details of precise alignment, width, surfacing, fencing and maintenance; and
- (n) monitoring regime to assess developing ecological interest.

The scheme as may be approved shall be implemented in full.

(Reason: To provide for the satisfactory restoration of the site – Policies GE21 and GE26 of the MWLP)

Aftercare

26. No development shall take place unless and until a scheme for the aftercare and management of the restored site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- (a) Provide an outline strategy, in accordance with Annex 5 of MPG 7, for the 5-year aftercare period, specifying the steps to be taken and the period during which they are to be taken, and including provision for chemical analysis and treatment of the surface, any remedial drainage / underdrainage, filling of any depressions and an annual progress meeting.
- (b) Provide for a detailed annual programme, in accordance with Annex 5 of MPG7, to be submitted to the Local Planning Authority not later than 1 month prior tot the annual aftercare meeting.

The implementation of the aftercare and management scheme shall be carried out progressively upon final restoration of each phase in accordance with the approved details and completed within 5 years, unless otherwise agreed in writing by the Local Planning Authority.

(Reason: To ensure that over time the land is brought to a good standard – Policy GE27 of the MWLP)

Miscellaneous

27. Throughout the period of inert landfilling and restoration operations, a copy of this planning permission, including relevant documents and plans and schemes subsequently approved pursuant to it, shall be displayed on site during working hours in a location which is readily accessible to any person undertaking the development.

(Reason: For the avoidance of doubt)

N.B. Where conditions include the phrase “Except for such modifications as may be agreed in writing / unless otherwise agreed in writing by the Local Planning Authority.....”, this is to allow for exemptions to be approved for temporary periods for special circumstances or minor amendments to be made.

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

This page is intentionally left blank

Item No. 13

APPLICATION NUMBER	CB/09/06288/FULL
LOCATION	Land R/O The Bedford Arms Station Road Ridgmont
PROPOSAL	Full: Erection of 2 no. workshops and use of land for commercial vehicle sales, repairs and haulage depot. Resubmission 04/00646/FULL.
PARISH	Ridgmont
WARD	Woburn and Harlington
WARD COUNCILLORS	Cllr F Chapman, Cllr B Wells
CASE OFFICER	Nicola Stevens
DATE REGISTERED	15 October 2009
EXPIRY DATE	14 January 2010
APPLICANT	Newton Trailers Ltd
AGENT	CMI Consulting
REASON FOR COMMITTEE TO DETERMINE	Major Development and a Departure from the Development Plan.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be APPROVED subject to the variation of the Section 106 Agreement to 04/00646/FULL and 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 Materials for the external finishes of building A shall be implemented in accordance with the details shown on drawings P09-099-GA03, P09-099-GA04, P09-099-GA05, P09-099-GA19, P09-099-GA21, P09-099-GA22, and P06-147-GA20 unless otherwise agreed in writing with the Local Planning Authority. Materials for the external finishes of building B shall be submitted to and approved by the Local Planning Authority within two months of the date of this decision. Development shall be implemented in accordance with the approved details.

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

- 3 Level details shall be implemented in accordance with the details shown on drawing no P09-099-L01 unless otherwise agreed in writing with the Local Planning Authority.

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

- 4 Hard and soft landscape works shall be implemented in accordance with the details shown on drawings NTL01 and P09-099-L01 unless otherwise agreed in writing by the Local Planning Authority.

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 The planting which shall have been approved consequent to Condition 4 above shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the building(s) hereby approved.

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

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

- 7 The temporary tree protection measures and areas prohibited from use by contractors and such other measures to be taken in the interests of existing tree and hedgerow protection shall be implemented in accordance with drawing P06-147-TP01 unless otherwise agreed in writing by the Local Planning Authority.

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

- 8 **No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.**

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

- 9 Details of external lighting to be installed on the site relating to design of the lighting unit and supporting structures shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. The position of the lighting units and the extent of the area to be illuminated shall be submitted to and approved in writing by the Local Planning Authority within two months of the date of this decision. Only the details thereby approved shall be implemented.

Reason: To protect the visual amenities of the site and its surrounding area.

- 10 Details of the design of building B foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be implemented in accordance with drawing no P09-099-P08 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.

- 11 Boundary treatment shall be implemented in accordance with the details shown on drawing no P09-099-L01 unless otherwise agreed in writing with the Local Planning Authority. The boundary treatment shall be completed before the buildings are occupied

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

- 12 Noise resulting from the use of the plant, machinery or equipment shall not exceed background levels during the day of 60dB LA90 and at night 54dB LA90 at the boundary of the nearest noise sensitive premises.

Reason: To protect the amenities of occupiers of neighbouring properties

- 13 Repair and maintenance of vehicles, plant, machinery or (and) equipment hereby approved shall not operate except between the hours of 07:00am and 19:00pm on Mondays to Saturdays, and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities which occupiers of neighbouring properties might reasonably expect to enjoy

- 14 No deliveries shall be taken at or dispatched from the site outside the hours of 8.00am and 18.30pm on Mondays to Saturdays, and not at all on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities which occupiers of neighbouring properties might reasonably expect to enjoy

- 15 No paint spraying shall be carried on except in a purpose-built part of the building to which extraction and filtration equipment has been fitted. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing within two months of the date of this decision. The equipment shall be effectively operated and maintained in accordance with the manufacturers instructions. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

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

- 16 Between the hours of 23:00pm and 08:00am no more than two vehicles may be moved on site, or taken at or dispatched from the site and vehicles may be parked only in the out of working hours recovery parking area identified on dwg no P09-099-L01 unless otherwise agreed in writing with the Local Planning Authority.

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

- 17 No ventilation and extraction equipment shall be installed on site without prior approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of occupiers of neighbouring properties

- 18 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.

- 19 The premises shall be used for commercial vehicle sales, repairs and haulage depot and no other purpose.

Reason: To ensure the Local Planning Authority retains full control of the future use of the land/buildings in view of the special circumstances of the case.

- 20 Disposal of foul and surface water drainage on all land within the applicants control including that outlined in blue shall be implemented in accordance with the details approved under ref: 04/646/Full unless otherwise agreed in writing with the Local Planning Authority. 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.

- 21 Finished floor levels that demonstrate that there will be no unreasonable flood risk in accordance with the advice given in PPS25 shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing with the Local Planning Authority. No part of the development shall be brought into use until the approved details have been implemented.

Reason: To minimise flood risk in accordance with Policy DPS17 of the Mid Bedfordshire Local Plan First Review Adopted 2005 and PPS25.

- 22 The scheme for the provision and implementation of pollution control to the water environment on all land within the applicants control including that outlined in blue shall be implemented in accordance with the details approved under ref: 04/646/Full unless otherwise agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification.

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

- 23 Details of the treatment of the public footpath which runs through the site shall be implemented in accordance with the details shown on drawing no P09-099-L01 unless otherwise agreed in writing by the Local Planning Authority. These approved works shall be carried out in full before construction of the workshops is commenced.

Reason: To ensure the footpath is safe and convenient to use.

- 24 Details of the speed restraint measures to be introduced along the access road, especially where it crosses the public footpath shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. These approved works shall be carried out in full before the development is first brought into use.

Reason: In the interests of pedestrians within the site

- 25 Details of cycle parking facilities shall be implemented in accordance with drawing no P09-099-L01 unless otherwise agreed in writing by the Local Planning Authority.

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

- 26 Before the premises are occupied all on site vehicular areas shall be surfaced in accordance with the details shown on drawing P09-099-L01 so as to ensure satisfactory parking of vehicles outside highway limits unless otherwise agreed in writing with the Local Planning Authority. Arrangements made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway shall be implemented as shown on drawing S7595/500 Rev C4 unless otherwise agreed in writing with the Local Planning Authority.

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

- 27 The construction of the junction of the proposed temporary access with the highway shall be implemented in accordance with the details shown on drawing S7595-504/P2 unless otherwise agreed in writing 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.

- 28 An area of land within the applicants control across the whole of the site frontage measuring at least 4.5m from and parallel to the nearside edge of the adjacent road carriageway including land outlined in blue shall be provided and thereafter be kept free of all obstruction to visibility over a height of 1.05m above the adjoining road channel level.

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

- 29 Any gates provided shall open away from the highway and be set back a distance of at least 15.0 metres from the nearside edge of the carriageway of the adjoining highway.

To enable vehicles to draw off the highway before the gates are opened.

- 30 A wheel cleaning facility shall be implemented in accordance with details previously approved under ref: 04/646/Full unless otherwise agreed 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.

- 31 The permanent vehicular access to be constructed shall not be brought into use until such time that visibility splays have been provided at its junction with the public highway in accordance with details shown on drawing no S7595-504/P2 unless otherwise agreed in writing by the Local Planning Authority. No amendment shall be made to the detail of the access unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 32 Before the premises are occupied any existing access within the frontage of the land to be developed including the temporary access, which is within the applicants control including land outlined in blue, shall be closed in a manner to the Local Planning Authority's written approval.

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

- 33 Details of pedestrian access to the railway station shall be implemented as approved under ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. The development shall not be brought into use until the approved works are completed.

Reason: To protect pedestrian safety and encourage other means of accessing the development other than the car.

- 34 Details of the location and construction of a temporary access to serve the development shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority, such access to be used only until redundant signage has been removed. The development shall not be brought into use until the approved works under this condition are completed.

Reason: In the interests of pedestrian and highway safety.

Notes to Applicant

1. You are advised to note the comments of the Environment Agency as set out in the enclosed letter.
2. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of 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, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or required 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 applicant is advised that no highway surface water drainage system designed as part of a new development will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the development Planning and Control Group, Central Bedfordshire Council. Further details can be obtained from the Engineering Policy and Planning Group, Central Bedfordshire Council, Borough Hall, Bedford, MK42 9AP.
4. 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 Central Bedfordshire Council Consultants, The Babtie Group, PO Box 272, The Merton Centre, 45 St Peter's Street, Bedford, MK40 2ZY.

[Note: In advance of the consideration of the application the Committee were advised of consultation as set out in the Late sheet attached to these Minutes.]

This page is intentionally left blank

Item No. 14**SCHEDULE B**

APPLICATION NUMBER	CB/09/06518/FULL
LOCATION	Braemar, Rectory Lane, Cranfield, Bedford, MK43 0BJ
PROPOSAL	Full: Demolition of existing building and replace with two dwellings.
PARISH	Cranfield
WARD	Cranfield
WARD COUNCILLORS	Cllr Bastable & Cllr Matthews
CASE OFFICER	Nicola Stevens
DATE REGISTERED	06 November 2009
EXPIRY DATE	01 January 2010
APPLICANT	Mr G Greenwood
AGENT	Robert H Robertson & Associates
REASON FOR COMMITTEE TO DETERMINE	Councillor Matthews request due to Parish Council concerns of overdevelopment, out of character and height of development
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be APPROVED 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 Notwithstanding the details shown, no development shall commence until full details of both hard and soft landscaping are submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- i) materials to be used for any hard surfacing;
- iii) planting plans, including schedule of size, species, positions, density and times of planting;
- iv) cultivation details including operations required to establish new planting;

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

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

- 3 The scheme approved in Condition 2 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the buildings hereby approved. Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

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

- 4 **Notwithstanding the details shown, no development shall commence until details of materials to be used for the external finishes of the development hereby approved are 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 **No development shall commence until a scheme is submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied.**

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

- 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 further window or other opening shall be formed on the side (southern) elevation of the building on plot 1.

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

- 7 All existing onsite building and other structures shall be demolished and all resultant detritus completely removed from the site prior to the commencement of building works unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

- 8 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings and gardens 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 and information at the spread of existing trees. 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.

- 9 All works to or affecting trees on or adjoining the site including tree protection measures and fencing shall be carried out in accordance with the relevant recommendations of the Tree Survey Report dated 5 October 2009 unless otherwise agreed in writing by the Local Planning Authority. The area between T6767 and T6768 shall be fenced off during both demolition and construction and only removed when the final drive has been constructed.

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

- 10 No development shall commence until details of a visibility screen to the south side of the first floor rear balcony on plot 1 has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first use of the building and thereafter retained.

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

- 11 No building shall be occupied until the junction of the proposed vehicular access with the highway 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.

- 12 The area of land between the forward visibility curve as indicated on the approved drawing and the highway boundary shall be kept free from all obstructions at all times.

Reason: In the interests of road safety.

- 13 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority before the premises are occupied. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 14 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 this 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 and to safeguard the appearance of the completed development and the visual amenities of the locality.

- 15 The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout and turning areas illustrated on the approved Drawing no. L1733/01A 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.

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 arrangements at all times.

- 16 Before development begins, a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the parking area, stands to be used and access thereto), calculated at one cycle parking space per bedroom shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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.

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

Reason: In the interest of amenity.

- 18 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.

Notes to Applicant

1. You are advised to note that local residents have raised concern that there may be asbestos in the existing bungalow. You are advised to contact the Environmental Health Team prior to any demolition on the site for further guidance.
2. You are advised to note 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, 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.
3. You are advised to note 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. You are advised to note 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. You are asked to note 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. You are advised to note that in order to achieve the vision splays in condition 16 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049 to request the removal of the overhanging vegetation on the public highway.

[Notes:

- (1) In advance of the consideration of the application the Committee noted consultation as set out in the Late sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]

Item No. 15

APPLICATION NUMBER	CB/09/06810/FULL
LOCATION	20 Mill Road, Cranfield, Bedford, MK43 0JL
PROPOSAL	Full: Erection of 3 no. bedroom detached dwelling.
PARISH	Cranfield
WARD	Cranfield
WARD COUNCILLORS	Cllr Bastable & Cllr Matthews
CASE OFFICER	Julia Ward
DATE REGISTERED	10 December 2009
EXPIRY DATE	04 February 2010
APPLICANT	Mr Chana
AGENT	J & J Architectural & Construction Services Ltd
REASON FOR COMMITTEE TO DETERMINE	Loss of amenity, loss of light, overbearing nature of proposal, poor access and cramped form of development.

RECOMMENDED DECISION**Full Application - Granted***Delegated Application – See Minute No. DM/09/34*

That the Director of Sustainable Communities be delegated authority to refuse the application for the following reasons:

1. The Application is not accompanied by any undertaking to provide contributions to local infrastructure as required by the Council's adopted Planning Obligations Strategy, and contrary to policy CS2 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the Planning Obligations Strategy Supplementary Planning Document (adopted February 2008) and PPS1: Delivering Sustainable Development.
2. The proposal, by reason of its height, scale and massing, would appear unduly prominent and overbearing within the rear garden of 20 Mill Road, and will result in overlooking and loss of privacy to both 20 and 22 Mill Road, having a detrimental impact on the residential amenities of occupiers of adjoining properties. This would be contrary to Policies CS14 and DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire North adopted November 2009.
3. The proposal, by reason of its height, scale, massing and coverage, would result in an overdevelopment of the site creating a poor relationship with the existing dwelling at 20 Mill Road and also to the detriment of the character and appearance of the area. The development is thus contrary to Policies CS14 and DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire North adopted November 2009, to the Design in Central Bedfordshire Design Supplement New Residential Development adopted January 2009 and to PPS: Delivering Sustainable Development.

[Notes:

- (1) In advance of the consideration of the application the Committee were advised of consultation received as set out in the Late sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]

Item No. 16

APPLICATION NUMBER	MB/03/02216/OUT
LOCATION	Land Adjacent To Station Road, Ampthill Bypass, Ampthill
PROPOSAL	Outline: Residential development - all matters reserved except means of access.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllr P Duckett and Cllr G Summerfield
CASE OFFICER	Nicola Stevens
DATE REGISTERED	21 January 2004
EXPIRY DATE	21 April 2004
APPLICANT	Lisscourt Limited
AGENT	C W & ER C Shrimplin
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	To Advise members on a further variation to the conditions and the section 106
	S106 Pending

Conclusion

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

1 Approval of the details of:-

- (a) the siting of the buildings;
- (b) the design of the buildings;
- (c) the external appearance of the buildings;
- (d) the landscaping of the site;

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

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

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

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

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

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

- 4 Unless otherwise agreed in writing by the Local Planning Authority, no Reserved Matters Application shall be submitted until and unless the illustrative Masterplan (Figure 12 of the Development Brief) has been expanded upon to provide the following:

- i) A detailed landscape strategy for the whole site
- ii) a strategy for improving ecological opportunities on the site
- iii) a breakdown of residential densities across the whole site in accordance with the Development Brief.
- iv) a strategy for the location and provision of 28% of housing to be affordable, to include a proportion to be constructed to the 'lifetime homes' standard of construction.
- v) a strategy for the location and provision of a minimum 2% of housing to contain annexes for extended families and self build plots unless otherwise agreed in writing with the Local Planning Officer, to include reference to their spread across the application site
- vi) the location and scale of play, sport and open space facilities.
- vii) the provision of lighting to all communal car parking areas.
- viii) an Energy, Pollution and Waste Minimisation Strategy to include energy reduction measures in all buildings, to provide recycling and waste facilities and storage on a household level, to control the disposal of waste material and recycling of topsoil within the construction phase of the development and to demonstrate the provision of additional energy/sustainability features in each showhome to be constructed on the site, all to be implemented in accordance with the guidance in PPS 22 and PPS23, such strategy to demonstrate compliance with RSS14 and the Development Brief and the Managing Waste in New Developments Supplementary Planning Guidance and other such guidance at the time of submission which may be deemed necessary.
- ix) Notwithstanding the details contained in the Design Statement February 2007, parameters shall be agreed with the Local Planning Authority to define the maximum storeys, heights, widths and depths of buildings

- x) Notwithstanding the details contained in the Travell Plan October 2006 further details shall be agreed in accordance with the Highway Authority letter dated 16 July 2007

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

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

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

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

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

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

- 7 The Landscape Strategy required by condition 4 above shall define and provide for the retention and protection of appropriate existing landscape features including the woodland in the north east corner of the site protected by a Tree Preservation Order.

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

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

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

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

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

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

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

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

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

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

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

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order with or without modification, no works shall be undertaken for the removal of annex accommodation in extended family units and live/work accommodation without the specific grant of planning permission by the Local Planning Authority.

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

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

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

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

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

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

- 16 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timescale agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

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

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

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

Reason: To protect breeding birds.

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

Reason: To ensure the protection of badgers.

- 23 Development shall not begin until a scheme protecting the proposed dwellings from noise from road traffic adjacent to the development hereby approved, to include provision of an acoustic barrier along the western boundary with the A507 and mitigation measures for any dwellings falling within NEC 'B' in accordance with Figure 2 of the Peter Brett Associates Acoustic Assessment November 2006 has been submitted to and approved in writing by the Local Planning Authority; and no dwelling shall be occupied before the works relevant to it have been completed.

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

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

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

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

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

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

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

vi) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a validation report.

Reason: To protect human health and the environment.

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

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

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

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

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

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

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

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

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

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

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

Reason: To safeguard the amenities of the adjoining occupiers.

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

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

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

- i) The anticipated nature and volumes of waste that the development will generate.
- ii) Measures to maximise the re-use on-site of waste arising from demolition/engineering/landscaping
- iii) Steps to be taken to ensure effective segregation of wastes at

- source during demolition and subsequent construction of the development including, as appropriate, the provision of waste sorting, storage and recovery and recycling facilities
- iv) Any other steps to be taken to minimise the generation of waste throughout any required demolition and during construction of the development,
 - v) Provision within the proposed development to encourage occupiers to manage their waste effectively and sustainably. This may include provision for waste and recycling storage areas, road and development layouts which allow waste and recyclables to be collected effectively, provision of community recycling facilities.
 - vi) Provision for monitoring the implementation of steps i) – v)
 - vii) A timetable for implementing steps i) – vi)

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

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

Reason. For the avoidance of doubt.

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

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

- 33 Before the access is first brought into use, the existing private access from the A507 to the development land shall be closed in a manner to the Local Planning Authority's written approval.

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

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

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

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

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

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

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

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

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

Notes to Applicant

1. The applicant is advised that in order to comply with Conditions (above) of this permission it will be necessary for the developer of the site to enter into an agreement with Bedfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.
2. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development., Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. The Development Planning and Control Group, Bedfordshire County Council must approve any improvements. Further details can be obtained from the Engineering Policy and Planning Group, Bedfordshire County Council, County Hall, Bedford, MK42 9AP.

3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Bedford, MK42 9AP.
4. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Bedfordshire County Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Bedfordshire County Council's Customer Contact Centre, 6th Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
5. The applicant is advised that the closure of existing access(es) shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Bedfordshire Highways, Bedfordshire County Council's, Customer Contact Centre, 6th Floor, County Hall, Bedford, MK42 9AP. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).
6. All roads to be constructed within the site shall be designed in accordance with Bedfordshire County Council's publication "Highway Development Control Design Guide - January 1995" and the Department of the Environment/Department of Transport's "Design Bulletin 32", or any amendment thereto.
7. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Engineering Policy and Planning Group, Bedfordshire County Council, County Hall, Bedford MK42 9AP, for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
8. The developer's attention is drawn to the attached copy of Waste Management Notes.

9. The developer is reminded that works involving the habitat of badgers, bats, breeding birds, etc may require a protected species disturbance licence. Further information can be obtained from Natural England, Beds and Cambs Team, Ham Lane House, Ham Lane, Nene Park, Orton Waterville, Peterborough, PE2 5UR Tel 01733 405 850.
10. The applicant/developer is advised that under the terms of the adopted Development Brief there is no provision made for direct vehicular access to be taken to Station Road via the adjacent site currently the subject of a residential development but formerly known as Morgana Works, and that any application which proposed such a connection would not be looked upon favourably by the Local Planning Authority.

[Notes:

- (1) In advance of the consideration of the application the Committee were advised of consultation as detailed in the Late sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]

Item No. 17

SCHEDULE B

APPLICATION NUMBER	CB/09/06068/FULL
LOCATION	Land at 30 Sharpenhoe Road, Barton-le-Clay, Bedford, MK45 4SD
PROPOSAL	Erection of two detached dwellings, one with detached single garage, and erection of single storey rear extension to no. 30.
PARISH	Barton-Le-Clay
WARD	Barton-le-Clay
WARD COUNCILLORS	Cllrs Tony Northwood & Janet Nunn
CASE OFFICER	Mr A D Robertson
DATE REGISTERED	01 October 2009
EXPIRY DATE	26 November 2009
APPLICANT	Vigor Homes
AGENT	Woods Hardwick Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Northwood
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be GRANTED subject to the following:

- 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.
- 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).
- Notwithstanding the details shown on the approved plans, the existing trees and hedgerows shall be retained and protected in a manner to be approved in writing by the Local Planning Authority and shall not be destroyed, uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees or hedgerows removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced by trees or hedgerow specimens of such size and species as may be agreed with the Local Planning Authority. Such trees or hedgerow specimens 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 comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard existing trees on the site.

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

- 4 Before development begins, tree protection fencing and ground protection measures shall be fully installed and thereafter properly maintained and fully managed in strict accordance with the details shown on the approved Tree Protection Plan, Drawing No. WHK16889-03, and the associated Arboricultural Method Statement (Ref: WHK16889ams) submitted as part of the application.
REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard the existing trees on the site.
(Policy BE8, S.B.L.P.R).
- 5 The proposed areas of "No-Dig" surface shall be provided in accordance with the design specification and in the precise locations as shown on the approved Tree Protection Plan, Drawing No. WHK16889-03, and shall be installed in strict accordance with the Arboricultural Method Statement (Ref. WHK16889ams) submitted as part of the application.
REASON: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard the existing trees on the site.
(Policy BE8, S.B.L.P.R).
- 6 Before development begins, a Project Arboriculturist shall be appointed to carry out monitoring and supervision of work on the site in strict accordance with the Arboricultural Method Statement (Ref. WHK16889ams) submitted as part of the application.
REASON: To ensure that the development is carried out in accordance with the approved details.
- 7 The developer and Project Arboriculturist shall adhere strictly to all stipulated methodology identified in the Arboricultural Method Statement (Ref.WHK16889ams) submitted with the application.
REASON: To ensure that the development is carried out in accordance with the approved details.
- 8 Before the development is first occupied or brought into use, the parking scheme shown on Drawing No.16239 / 1006.Rev.A shall be completed and thereafter retained for this purpose.
REASON: To ensure provision for car parking clear of the highway.
(Policy T10, S.B.L.P.R).
- 9 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building/s shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**
REASON: To control the appearance of the building/s.
(Policies BE8 & H8, S.B.L.P.R).
- 10 **Before development begins, details of the levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority, and development shall thereafter be implemented accordingly.**
REASON: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.
(Policy BE8, S.B.L.P.R).

- 11 **Before development begins, the positions of the re-aligned access drive and the proposed dwellings shall be pegged out on site and their positions approved in writing by the Local Planning Authority.**
REASON: To enable consideration to be given to the precise layout of the development.
(Policy BE8, S.B.L.P.R).
- 12 The windows shown on Drawing No. 16239/106A shall be permanently glazed with obscured glass.
REASON: To protect the privacy of the occupiers of adjoining properties.
(Policy BE8, S.B.L.P.R).
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.
REASON: To control the external appearance of the building/s in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).
- 14 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the Local Planning Authority.
REASON: To control the development in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be inserted into the south facing elevation of the proposed dwelling to be erected on Plot 2.
REASON: To protect the amenity of neighbouring residents.
(Policy H2, S.B.L.P.R).
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), any garage, car port or parking space hereby permitted shall be kept permanently available for the parking of motor vehicles.
REASON: To ensure that off-street parking is retained in the interests of highway safety.
(Policy T10, S.B.L.P.R).
- 17 Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
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.
- 18 Before development begins, details of a bin storage/collection point shall be

submitted to and approved in writing by the Local Planning Authority. The facility shall be provided in accordance with the approved details prior to the first occupation of any dwelling.

REASON: In the interest of amenity.
(Policy BE8, S.B.L.P.R).

- 19 The communal areas and the vehicle turning area to the front of Plot 1 shall be placed in the control and ownership of a single body which shall be responsible for the management and maintenance of those areas.
REASON: To retain off-street parking and turning provision and thereby minimise the potential adverse impact on the convenience of road users.
- 20 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.
- 21 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.
- 22 No development shall commence until wheel-cleaning facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed and made operational before development commences and the Site Developer(s) shall ensure that all vehicles exiting the site use the approved wheel cleaning facilities. The wheel cleaning facilities shall be retained until the development has been substantially completed or until such time as the Local Planning Authority is satisfied that the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).
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.
- 23 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied within relation to that contamination.

(a) Site Characterisation

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

The report of the findings must include:

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

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

(b) Submission of Remediation Scheme

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

(c) Implementation of Approved Remediation Scheme

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

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

(d) Reporting of Unexpected Contamination

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

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 24 Before development begins, a noise assessment for the site shall be undertaken in accordance with the assessment methodology set out in BS4142:1997 "Method for rating industrial noise affecting mixed residential and industrial areas". The noise assessment shall assess the impact of noise arising from the adjoining electricity sub-stations and shall include details of any noise mitigation measures considered necessary to ensure that appropriate noise levels within the proposed dwellings and outdoor amenity areas are achieved. The completed noise assessment shall be submitted to the Local Planning Authority for approval before development begins and any works which form part of the approved scheme shall be completed before any dwelling is occupied, unless an alternative period is previously agreed in writing by the Local Planning Authority.
REASON: To protect the amenity of future occupiers of the development.
- 25 Before development begins, a method statement detailing any works to be undertaken to the fabric of the adjoining listed building, 32 Sharpenhoe Road, shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out only in accordance with the approved details.
REASON: To safeguard the historic and structural integrity of the listed building.
- 26 Before development begins, a schedule of works shall be submitted to and approved in writing by the Local Planning Authority detailing those elements of the existing fabric and fittings within the existing dwelling which are to be repaired and retained and those which are to be removed. The work shall be carried out only in accordance with the approved details.
REASON: To ensure that those elements of historic building fabric which are of value are retained.
- 27 This permission relates only to the details shown on Drawing No. 16239/1007A received 01/10/09, Drawing Nos. 16239/105, 16239/107, WHK16889-03 and WHK16889-11 received 23/09/09 and Drawing Nos. 16239/1006, 16239/106A and 16239/109.A received 23/11/09, 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 in the Built Environment

South Bedfordshire Local Plan Review Policies

BE8 - Design and Environmental Considerations

H2 - Making Provision for Housing via 'Fall-in' Sites

H8 - Extensions to Dwellings

T10 - Parking in New Developments

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. No works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the 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.

[Notes:

- (1) In advance of the consideration of the application the Committee noted consultation received as set out in the Late sheet attached to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]

This page is intentionally left blank

Item No. 18**SCHEDULE C**

APPLICATION NUMBER	CB/09/06892/FULL
LOCATION	16 Priory Road, Campton, Shefford, SG17 5PG
PROPOSAL	Full: Erection of ground floor rear/side extension
PARISH	Campton/Chicksands
WARD	Shefford
WARD COUNCILLORS	Cllr Burt and Cllr Brown
CASE OFFICER	Mary Collins
DATE REGISTERED	14 December 2009
EXPIRY DATE	08 February 2010
APPLICANT	Mr Alan Stone
AGENT	Architectural Design Ltd
RECOMMENDED DECISION	Full Application - Granted
REASON FOR COMMITTEE TO DETERMINE	Applicant employee of Central Bedfordshire Council

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.

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

This page is intentionally left blank