

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 2 March 2011

### PRESENT

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

|       |                 |       |              |
|-------|-----------------|-------|--------------|
| Cllrs | P N Aldis       | Cllrs | D Jones      |
|       | A R Bastable    |       | H J Lockey   |
|       | R D Berry       |       | K C Matthews |
|       | D Bowater       |       | Ms C Maudlin |
|       | A D Brown       |       | T Nicols     |
|       | D J Gale        |       | Mrs C Turner |
|       | Mrs R B Gammons |       | J N Young    |
|       | K Janes         |       |              |

Apologies for Absence: Cllr A Northwood

Members in Attendance: Cllrs Mrs A Barker  
Mrs D B Gurney  
R W Johnstone  
Mrs A M Lewis  
Miss A Sparrow,

|                         |               |   |
|-------------------------|---------------|---|
| Officers in Attendance: | Miss H Bell   | Democratic Services Officer   |
|                         | Mrs G Claxton | Principal Planning Officer  |
|                         | Mr J Ellis    | Development Management Team<br>Leader (West)                        |
|                         | Mr A Emerton  | Managing Solicitor Planning,<br>Property, Highways & Transportation |
|                         | Mr D Hale     | Development Management Team<br>Leader (South)                       |
|                         | Mr D Lamb     | Development Management Team<br>Leader (North)                       |

### DM/10/185 **Chairman's Announcements**

1. Members were asked to note that in the Ethical Handbook rule 13.5.5 states:

Do not vote or take part in the meeting's discussion on a proposal unless you have been present to hear the entire debate, including the Officer's introduction to the matter.

2. Officers had requested that agenda item 11- Land at Sandy Railway Station, Station Road, Sandy, be deferred from the agenda to allow further time for the consideration of additional information from Highways. The request was moved and seconded and the whole committee voted in support of the deferment.
3. Item No.13 – Land adjacent to 33 Marshalls Avenue Shillington has been withdrawn by the applicant.
4. The Chairman advised that he was in receipt of a 1400 signature petition in respect of Tesco Store, Leighton Buzzard. The Chairman accordingly passed this to David Hale, Team Leader Development Management (South)

DM/10/186 **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 2 February 2011 be confirmed and signed by the Chairman as a correct record.**

DM/10/187 **Members' Interests**

(a) **Personal Interests:-**

| <b>Member</b>        | <b>Item</b> | <b>Nature of Interest</b> | <b>Present or Absent during discussion</b> |
|----------------------|-------------|---------------------------|--|
| Cllr R D Berry       | 8           | Knows the Landowner       | Present                                    |
| Cllr A R Bastable    | 8           | Knows the Landowner       | Present                                    |
| Cllr D Bowater       | 8           | Knows the Landowner       | Present                                    |
| Cllr Mrs R B Gammons | 8           | Knows the Landowner       | Present                                    |
| Cllr K C Matthews    | 8           | Knows the Landowner       | Present                                    |
| Cllr T Nicols        | 8           | Knows the Landowner       | Present                                    |
| Cllr K Janes         | 8           | Knows the Landowner       | Present                                    |
| Cllr D Jones         | 8           | Knows the Landowner       | Present                                    |
| Cllr J N Young       | 8           | Knows the Landowner       | Present                                    |

|                              |    |  |         |
|------------------------------|----|--|---------|
| Cllr A Shadbolt              | 8  | Knows the Landowner                        | Present |
| Cllr R W Johnstone           | 8  | Knows the Landowner                        | Present |
| All Members of the Committee | 14 | Knows Applicant's Father as Council Member | Present |

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

There were no declarations made.

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

| <b>Member</b>   | <b>Item</b> | <b>Parish/Town Council</b> | <b>Vote Cast</b> |
|-----------------|-------------|----------------------------|------------------|
| Cllr A Shadbolt | 10          | Hockliffe Parish Council   | Did not vote     |

DM/10/188 **Petitions**

The Chairman advised that no petitions had been received.

DM/10/189 **Planning Enforcement Cases Where Formal Action Has Been Taken**

**RESOLVED**

**that the update on Planning Enforcement cases where formal action has been taken be noted.**

DM/10/190 **Late Sheet**

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

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

DM/10/191 **Planning Application No. CB/10/04207/FULL**

**RESOLVED**

**that Planning Application No. CB/10/04207/FULL relating to Land adjacent to Arlesey Railway Station, Old Oak Close, Arlesey be refused as set out in the schedule appended to these Minutes.**

DM/10/192 **Planning Application No. CB/10/04522/FULL**

**RESOLVED**

**that Planning Application No. CB/10/04522/FULL relating to The Chestnuts Friars Walk, Dunstable be refused as set out in the schedule appended to these Minutes.**

DM/10/193 **Planning Application No. CB/10/04579/FULL**

**RESOLVED**

**that Planning Application No. CB/10/04579/FULL relating to Oak Tree Farm, Potton Road, Biggleswade be refused as set out in the schedule appended to these Minutes.**

DM/10/194 **Planning Application No. CB/10/03200/FULL**

**RESOLVED**

**that Planning Application No. CB/10/03200/FULL relating to Trinity Hall farm, Watling Street, Hockliffe, Leighton Buzzard be approved as set out in the schedule appended to these Minutes.**

DM/10/195 **Planning Application No. CB/10/04390/FULL**

**RESOLVED**

**that Planning Application No. CB/10/04390/FULL relating to Land at Sandy Railway Station, Station Road, Sandy be withdrawn from the agenda following receipt of additional information from Highways.**

DM/10/196 **Planning Application No. CB/10/04536/FULL**

**RESOLVED**

**that Planning Application No. CB/10/04536/FULL relating to 39 Kings Road, Flitwick be approved as set out in the schedule appended to these Minutes.**

DM/10/197 **Planning Application No. MB/08/02060/FULL**

**RESOLVED**

**that Planning Application No. MB/08/02060/FULL relating to 33 Marshalls Avenue, Shillington be withdrawn from the agenda at the request of the Applicant.**

DM/10/198 **Planning Application No. CB/10/04516/FULL**

**RESOLVED**

**that Planning Application No. CB/10/04516/FULL relating to 19 Ashwell Street, Leighton Buzzard be refused as set out in the schedule appended to these Minutes.**

DM/10/199 **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 30 March 2011.**

**Chairman (or his nominee)  
Vice-Chairman (or his nominee)  
Cllrs P N Aldis  
A R Bastable  
K Janes**

(Note: The meeting commenced at 2.00 p.m. and concluded at 4.15 p.m.)

Chairman .....

Dated .....

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**LATE SHEET****DEVELOPMENT MANAGEMENT COMMITTEE – 02 MARCH 2011****SCHEDULE A*****Item 7 (Page 15-24) – CB/10/04207/FULL – Land adjacent Arlesey Railway Station, Old Oak Close, Arlesey.*****Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 8 (Page 25-42) – CB/10/04522/FULL – No. 1 and The Chestnuts Friars Walk, Dunstable, LU6 3JA.*****Additional Consultation/Publicity Responses**

1. Anglian Water – recommends a condition requiring the submission of details relating to surface water drainage strategy/flood risk.
2. Tree and Landscape Officer – In response to the submitted Arboricultural Implications Assessment and Method Statement can now withdraw objection to the scheme and recommend conditions. The following works and assurances would be sufficient to overcome previous concerns:
  - The roof of the cycle and bin store would be removed and the floor would be of a solid but permeable construction;
  - Tree T9 (Lime) within the site but forming part of the boundary screening with Viceroy Court would be removed and replaced with a specimen tree of approximately 20cm stem thickness, the species of which to be agreed;
  - Confirmation that all identified no-dig areas of construction are appropriate for this form of construction.
3. Highway Engineer – In response to the submitted additional information can now withdraw his objection to the scheme and recommend conditions and informatives. The additional information relates to the seven flats and the applicant being able to demonstrate that a reduced car parking provision would be acceptable. This encompasses obtaining car ownership levels from Census data and uses the research methodology for calculating parking provision as set out in the Department for Communities and Local

Government (DCLG) document 'Residential Car Parking Research' (May 2007). On that basis the applicant has demonstrated that the likely car ownership for the flats would be 0.89 cars per dwelling. If the car parking provision were to be unallocated then the parking requirement would be 7 spaces. A total of nine spaces are proposed which includes provision for visitors and this would be acceptable in the light of the new information, provided these spaces are unallocated which can be regulated by condition.

### **Additional Comments**

Following the comments of the Tree and Landscape Officer amended plans have been submitted which show the roof over the refuse and cycle storage area removed. While the full removal of a roof over this area would overcome the concerns of the Tree and Landscape Officer, we consider that an open cycle and refuse store would be unsatisfactory. There would be likely to be pressure in the future from residents for this area to be covered particularly given the proximity to trees. It is considered that this further reinforces that the form of development proposed is not suitable for this site and would be out of keeping with the Area of Special Character and the locality generally.

As the Tree and Landscape Officer has confirmed that he no longer wishes to raise an objection to the scheme, recommended refusal reason 3 is to be omitted and refusal reason 1 amended to delete reference to the likely adverse effect upon trees protected by Tree Preservation Orders.

The Highway Engineer has also withdrawn his objection to the scheme. Accordingly, recommended refusal reason 4 can be omitted.

In accordance with the Planning Obligations Supplementary Planning Document, a Unilateral Undertaking should have been submitted with the application for the provision of financial contributions toward infrastructure in the local area. As this has not been submitted we consider that this should also form a separate reason for refusal.

### **Additional/Amended Reasons for Refusal**

1. The proposed development would, by reason of the siting, design and scale of the dwellings, fail to reflect the existing pattern of development in this part of the Bull Pond Lane/Friars Walk Area of Special Character. The proposed development would appear overdeveloped with insufficient green space about the dwellings in relation to the character and appearance of other properties in the locality. The proposal would thereby be detrimental to the character and appearance of the Area of Special Character and the locality generally, contrary to national guidance in PPS3: Housing and Policies BE6, BE8 and H2 of the South Bedfordshire Local Plan Review.

Omit recommended refusal reasons 3 and 4 as set out in the main agenda and add new reason 3 as follows:

3. A Unilateral Undertaking has not been submitted with the proposal in order to make a financial contribution towards infrastructure provision in the local area. As such the proposal is contrary to the Central Bedfordshire Council Southern Bedfordshire Planning Obligations Supplementary Planning Document.



***Item 9 (Page 43-54) – CB/10/04579/FULL – Oak Tree Farm, Potton Road, Biggleswade, SG18 0EP.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

**SCHEDULE B**

***Item 10 (Page 55-74) – CB/10/03200/FULL – Trinity Hall Farm, Watling Street, Hockliffe, Leighton Buzzard, LU7 9PY.***

**Additional Consultation/Publicity Responses**

**Highway Officer**

‘Further to my comments made on the 17th December 2011, there have been some concerns raised in terms of traffic generation and the routes which are to be used for the transportation of the crops. The bulk of the traffic generated by the proposed development will occur during the maize harvesting season, which is mid to late September and will be spread over a period of 15 to 20 days.

The source of the crop has not been identified at this stage, however the applicant has suggested it could be sourced within an 8 mile radius of the site. This wide spread area could potentially disperse the traffic generated by the development rather than having it concentrated to one specific area. Indeed it could be argued that which ever agricultural holding is used to source the maize, this land may already be producing a crop which requires harvesting and transporting off-site. In other words the traffic generated by the transportation of the maize, may be traffic which already exists on the road network.

As the crop may be sourced within an 8 mile radius it is difficult to provide advice to the applicant regarding the routing of delivery vehicles. The applicant is willing to consider a planning condition to address the concerns raised regarding the routing of delivery vehicles, which will provide an opportunity for the Local Planning Authority to advise the developer of the most appropriate route to the development, thereby assisting in the safe operation of the surrounding road network and to minimise disturbance to residential properties’.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 11 (Page 75-84) – CB/10/04390/FULL – Land at Sandy Railway Station, Station Road, Sandy.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 12 (Page 85-100) – CB/10/04536/FULL – 39 Kings Road, Flitwick, Bedford, MK45 1EJ.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments/Amendments**

Please note the following amendments to the text in the report.

- Page 88: Under 'Adjacent Occupiers' – This should read 'Four letters of objection have been received', rather than five.
- Page 94: Under 'Alterations to the existing dwelling', 'No.s 17, 18 and 19 Kings Road' should read as 'No.s 17, 18 and 19 Princess Close'.
- Page 94: Under 'Alterations to the existing dwelling', 'No. 16 and 17 are two storey detached dwellings' should read as 'No. 16 and 17 are two storey semi-detached dwellings'.

**Additional/Amended Conditions**

None.

**SCHEDULE C**

***Item 13 (Page 101-114) – MB/08/02060/FULL – Land adjacent to 33 Marshalls Avenue, Shillington.***

This application has been WITHDRAWN.

***Item14 (Page115-120) – CB/10/04516/FULL – 19 Ashwell Street, Leighton Buzzard, LU7 1BG.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

An amended plan has been received, reference number RM 07/174.1 A, that reduces the ridge height of the proposed two storey extension by 0.2 of a metre and changes bedroom number 3, as shown on previous drawing number RM 07/174.1, to a study. It is considered that the proposed changes are very minor and would not amend the issues relating to overbearing, overshadowing, loss of sunlight and daylight as mentioned in the Committee report.

**Additional/Amended Conditions**

None.

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**Item No. 7**

|  |  |
|--|--|
| <b>APPLICATION NUMBER</b>                | <b>CB/10/04207/FULL</b>  |
| <b>LOCATION</b>                          | <b>Land adjacent Arlesey Railway Station, Old Oak Close, Arlesey</b>   |
| <b>PROPOSAL</b>                          | <b>Full: Provision of a new surface car park for 75 No. cars and 6 No. motorcycles. Provision of a new footway and parking on-street prevention measures. Provision of street lighting and cctv for off-street parking areas only.</b> |
| <b>PARISH</b>                            | <b>Arlesey</b>   |
| <b>WARD</b>                              | <b>Stotfold &amp; Arlesey</b>  |
| <b>WARD COUNCILLORS</b>                  | <b>Cllrs Dalgarno, Saunders, Street, Turner</b>  |
| <b>CASE OFFICER</b>                      | <b>Godwin Eweka</b>  |
| <b>DATE REGISTERED</b>                   | <b>22 November 2010</b>  |
| <b>EXPIRY DATE</b>                       | <b>17 January 2011</b>   |
| <b>APPLICANT</b>                         | <b>Network Rail</b>  |
| <b>AGENT</b>                             | <b>Frankham Consultancy Group</b>  |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>The Head of Development Management considers it appropriated for Committee to determine the application given the recent approval of a 390 space car park on an adjacent site</b>   |
| <b>RECOMMENDED DECISION</b>              | <b>Full Application - Refused</b>  |

**Recommendation**

That Planning Permission be refused.

**Reasons for Refusal**

The proposed development is considered unacceptable by virtue of its location outside the 'Settlement Envelope' and the adverse impact it would have on the character and appearance of the area and local landscape, due to visual intrusion, its scale and a lack of adequate justification for additional car parking, given the approval of a 390 space car park nearby. As such, the proposal would be contrary to Policies DM3 and DM4 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

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**Item No. 8**

**SCHEDULE A**

|  |  |
|--|--|
| <b>APPLICATION NUMBER</b>                | <b>CB/10/04522/FULL</b>  |
| <b>LOCATION</b>                          | <b>No.1 and The Chestnuts Friars Walk, Dunstable, LU6 3JA</b>  |
| <b>PROPOSAL</b>                          | <b>Extensions and alterations to No.1, demolition of Chestnuts and redevelopment of the site to provide 3 detached dwellings, 7 apartments, amenity, associated parking, communal amenity space and landscaping.</b> |
| <b>PARISH</b>                            | <b>Dunstable</b>   |
| <b>WARD</b>                              | <b>Dunstable Downs and Watling</b>   |
| <b>WARD COUNCILLORS</b>                  | <b>Cllr Paul Freeman, Cllr Tony Green, Cllr Carole Hegley, Cllr Nigel Young, Cllr Peter Hollick &amp; Cllr Ann Sparrow</b>   |
| <b>CASE OFFICER</b>                      | <b>Gill Claxton</b>  |
| <b>DATE REGISTERED</b>                   | <b>23 December 2010</b>  |
| <b>EXPIRY DATE</b>                       | <b>24 March 2011</b>   |
| <b>APPLICANT</b>                         | <b>Visao Ltd</b>   |
| <b>AGENT</b>                             | <b>Consensus Planning</b>  |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>At the request of the Assistant Director Planning</b>   |
| <b>RECOMMENDED DECISION</b>              | <b>Full Application - Refused</b>  |

**Recommendation**

That Planning Permission be refused for the following reasons:

- 1 The proposed development would, by reason of the siting, design and scale of the dwellings, fail to reflect the existing pattern of development in this part of the Bull Pond Lane/Friars Walk Area of Special Character. The proposed development would appear overdeveloped with insufficient green space about the dwellings in relation to the character and appearance of other properties in the locality. The proposal would thereby be detrimental to the character and appearance of the Area of Special Character and the locality generally, contrary to national guidance in PPS3: Housing and Policies BE6, BE8, and H2 of the South Bedfordshire Local Plan Review.
- 2 The proposed development lies within an area of high archaeological potential. It is within the bounds of the Roman and Medieval towns close to a late Roman cemetery and the site of the Dominican Friary. Under the terms of PPS5: *Planning for the Historic Environment* the submission of a description of the significance of the heritage assets affected by the development and an assessment of the impact of the development on that significance should form part of the planning application. A heritage asset statement of significance and an impact assessment was not submitted with

this application. Accordingly, it does not conform to Policies HE6.1 and HE6.2 of PPS5: *Planning for the Historic Environment* and therefore it does not provide adequate information on the impact of the proposed development on the historic environment.

- 3 A unilateral undertaking has not been submitted with the proposal in order to make a financial contribution towards infrastructure provision in the local area. As such the proposal is contrary to the Central Bedfordshire Council Southern Bedfordshire Planning Obligations Supplementary Planning Document.

#### Notes

(1) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

(2) In advance of the consideration of the application, the Committee were advised of consultation received from Anglian Water, The Tree & Landscape Officer and the Highway Engineer as set out in the schedule appended to these Minutes.



**Item No. 9**

|  |   |
|--|---|
| <b>APPLICATION NUMBER</b>                | <b>CB/10/04579/FULL</b>   |
| <b>LOCATION</b>                          | <b>Oak Tree Farm, Potton Road, Biggleswade, SG18 0EP</b>  |
| <b>PROPOSAL</b>                          | <b>Change of use of first floor from games room to seperate residential unit and laundry on ground floor</b>  |
| <b>PARISH</b>                            | <b>Sutton</b>   |
| <b>WARD</b>                              | <b>Potton</b>   |
| <b>WARD COUNCILLORS</b>                  | <b>Cllr Doreen Gurney &amp; Cllr Anita Lewis</b>  |
| <b>CASE OFFICER</b>                      | <b>Kate Phillips</b>  |
| <b>DATE REGISTERED</b>                   | <b>31 December 2010</b>   |
| <b>EXPIRY DATE</b>                       | <b>25 February 2011</b>   |
| <b>APPLICANT</b>                         | <b>Mr Sturman</b>   |
| <b>AGENT</b>                             |   |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>Councillor Vickers requested that the application be determined by Development Management Committee to allow full consideration of the business implications of the proposal</b> |
| <b>RECOMMENDED DECISION</b>              | <b>Full Application - Refused</b>   |

**Reasons For Refusal**

- 1 The proposal to change the use of the first floor of the garage/workshop from ancillary recreational use to residential use is tantamount to the creation of a new dwelling in the countryside. The proposed dwelling would be located outside any defined Settlement Envelope and no overriding justification has been made for it; as such the proposal is contrary to Policies DM4 and CS11 of the Council's Core Strategy and Development Management Policies DPD and also Planning Policy Statement 7 (2004).
- 2 A Unilateral Undertaking has not been submitted with the proposal, in order to make a financial contribution towards infrastructure in the local area; as such the proposal is contrary to Policy CS2 of the Central Bedfordshire Council Core Strategy and Development Management Policies Development Plan Document (2009) and the Central Bedfordshire Council Planning Obligations Supplementary Planning Document (Reviewed November 2009).

**Notes to Applicant**

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

NOTE

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

**Item No. 10**

**SCHEDULE B**

**APPLICATION NUMBER** CB/10/03200/FULL  
**LOCATION** Trinity Hall Farm, Watling Street, Hockliffe,  
 Leighton Buzzard, LU7 9PY  
**PROPOSAL** Construction of Biogas Plant including digester  
 tank, storage tank, flare stack, technical building  
 and silage compound . Development proposes a  
 farm based anaerobic digester with a capacity of  
 1,063Kw using maize feedstock grown locally  
 together with widening of the farm access where it  
 joins the A5 Trunk Road  
**PARISH** Chalgrave  
**WARD** Toddington  
**WARD COUNCILLORS** Cllr Norman Costin & Cllr Tom Nicols  
**CASE OFFICER** James Clements  
**DATE REGISTERED** 15 September 2010  
**EXPIRY DATE** 15 December 2010  
**APPLICANT** Hallwick Ltd  
**AGENT** Jane R Orsborn Associates  
**REASON FOR  
 COMMITTEE TO  
 DETERMINE** Departure from the Development Plan

**RECOMMENDED  
 DECISION** Full Application - Granted

**Reasons for Granting**

The proposed Biogas Plant has provided Very Special Circumstances for inappropriate development in the Green Belt, which would preserve the openness of the Green Belt, would contribute towards the renewable energy and carbon reduction targets for the East of England and Central Bedfordshire, and is acceptable in all other ways. Accordingly the proposed development is in accordance with Local Plan Policies BE8 and NE10, East of England Plan Policies SS1, ENV2, ENV3, ENV7, ENG1 and ENG2 and Planning Policy Statements 1, 4, 5, 7, 9, 22 and Planning Policy Guidance 13.

The proposal does not need to be referred to the Government Office for the East of England under the Town and Country Planning (Green Belt) Direction 2005 (Circular 11/2005) as the floorspace proposed is significantly below the 1,000 sq.m threshold and the development by reason of its scale, nature and location would not have a significant impact on the openness of the Green Belt.

**Recommendation:**

That Planning Permission be Approved subject to the following:

- 1 The development shall begin not later than three years from the date of this

permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Before any part of the development is brought into occupation or beneficial use the access to Trinity Hall Farm is to be brought up to current standards applying at the time of implementation based on the enclosed drawing prepared by "David Tucker Associates", number 12145-01 dated August 2010. The approved scheme is to be supported with a Road Safety Audit.

Reason: To ensure that the A5 trunk road will continue to fulfil its purpose as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, and for the safety of traffic on the road.

- 3 **Prior to development commencing, a Tree Protection Plan shall be submitted for approval to the Local Planning Authority, which clearly shows the position and build specification of tree protection, with the purpose of enclosing an area around the designated Root Protection Area (RPA) of all category A, B and C trees as indicated on the Tree Constraints Plan prepared by Arbtech Consulting Limited as per their Drawing No. TCP-01 (Project No. 90945) and dated 26th August 2010. The fencing shall form a "Construction Exclusion Zone" (as specified in Section 9 of BS 5837 : 2005), which shall be demarcated by Protective Barriers (as specified by Figure 2 of the BS 5837: 2005). These measures will be for the purpose of avoiding localised compaction of the rooting medium and preventing damage to the natural canopy spread by avoiding branch encroachment by plant and machinery.**

**Reason: To safeguard the rooting medium, natural canopy spread and health of trees marked for retention on the site layout plan and which are considered to be strategically important for screening in the wider landscape.**

- 4 Consent is being granted in recognition that no underground services are scheduled to be routed through designated Root Protection Areas (RPA's) of all category A, B and C trees, as indicated on the Tree Constraints Plan prepared by Arbtech Consulting Limited, as per their Drawing No. TCP-01 (Project No. 90945) and dated 26th August 2010. If any services are subsequently required to be routed through Root Protection Areas then this work shall be carried out in full accordance with the National Joint Utilities Group (NJUG) Volume 4 "Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees".

Reason: To safeguard the integrity of the rooting medium within the Root Protection Area of retained trees.

- 5 **Prior to development, a landscape scheme shall be submitted for approval to the Local Planning Authority to indicate the size, position/density and species of trees and shrubs to be planted in the**

areas indicated for proposed tree planting on the Site Layout Plan prepared by Arm Buildings Ltd., as per their Drawing No. P10-THFB-003 (Rev C). All landscape planting shall be maintained for a period of 5 years thereafter, replacing any specimens lost during the first planting season following failure.

**Reason:** To ensure satisfactory landscape establishment that will reinforce existing planting and help soften the new structures from views from within the wider landscape, in the interests of visual amenity.

- 6 **Prior to the development being brought into use an external lighting scheme, including hours of use, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall only be implemented in accordance with the scheme thereby approved.**

**Reason:** To protect the amenity of neighbouring properties and/or highway safety.  
(Policy BE8, S.B.L.P.R).

- 7 **Before development begins, a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

**Reason:** To ensure provision for car parking clear of the public highway.

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

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

- 9 **Before development begins, samples of the materials to be used for the external walls and roofs of all new buildings 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.  
(Policy BE8, S.B.L.P.R).

- 10 **Two months before the first maize to be used at the Biogas Plant hereby granted approval is harvested, a code of conduct and route management scheme for vehicles transporting maize to the Biogas Plant shall be submitted for approval and agreed in writing with the Local Planning Authority. Every year thereafter, should any different land be used to grow the maize crop, details of a route management scheme for vehicles transporting the maize from that land to the Biogas Plant shall be submitted for approval and agreed in writing with the Local Planning Authority.**

Reason: To assist in the safe operation of the surrounding road network and to minimise disturbance to residential properties.

- 11 All fixed plant, machinery and equipment installed or operated in connection with this permission, shall be so enclosed, operated and or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997. Noise limits for new plant are to apply at a position 1 metre from the closest affected window of the relevant noise sensitive property. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.

Reason: In the interests of residential amenity.

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P10-THFB-001, P10-THFB-002, P10-THFB-003, P10-THFB-004, P10-THFB-005, P10-THFB-006, P10-THFB-007, P10-THFB-008 and TCP-01.

Reason: For the avoidance of doubt.

### Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the East of England Plan May 2008 and Milton Keynes & South Midlands Sub-Regional Strategy March 2005, Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

#### **Regional Spatial Strategy**

##### **East of England Plan (May 2008)**

SS1 - Achieving Sustainable Development

ENV2 - Landscape Conservation

ENV3 - Biodiversity and Earth Heritage

ENV7 - Quality in the Built Environment

ENG1 - Carbon Dioxide and Energy Performance

ENG2 - Renewable Energy Targets

##### **Bedfordshire Structure Plan 2011**

None

##### **South Bedfordshire Local Plan Review Policies**

BE8 - Design and Environmental Consideration

NE10 - Rural Diversification

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. The Environment Agency requests that the applicant follow the EA surface water management information, which can be found at:  
<http://www.environment-agency.gov.uk/research/planning/82584.aspx>

#### NOTE

- (1) In advance of the consideration of the application the Committee were advised of consultation received from the Highways Officer as set out in the late sheet as appended to these Minutes.

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| <b>Item No. 11</b> |
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| <b>APPLICATION NUMBER</b>                | <b>CB/10/04390/FULL</b>  |
| <b>LOCATION</b>                          | <b>Land at Sandy Railway Station, Station Road, Sandy</b>  |
| <b>PROPOSAL</b>                          | <b>Full: Provision of a surface level car park comprising 228 spaces.</b>  |
| <b>PARISH</b>                            | <b>Sandy</b>   |
| <b>WARD</b>                              | <b>Sandy</b>   |
| <b>WARD COUNCILLORS</b>                  | <b>Cllr Nigel Aldis &amp; Cllr Peter Blaine</b>  |
| <b>CASE OFFICER</b>                      | <b>Dee Walker</b>  |
| <b>DATE REGISTERED</b>                   | <b>17 January 2011</b>   |
| <b>EXPIRY DATE</b>                       | <b>14 March 2011</b>   |
| <b>APPLICANT</b>                         | <b>Network Rail</b>  |
| <b>AGENT</b>                             | <b>WYG Planning &amp; Design</b>   |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>Cllr Aldis requested on grounds increased traffic generation onto a busy road, provision of a temporary toilet on a permanent site and parking concerns</b> |
| <br><b>RECOMMENDED DECISION</b>          | <br><b>Full Application - Granted</b>  |

**RECOMMENDATION**

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

Withdrawn Application – The application was withdrawn from the agenda following receipt of additional information received from the Highways Authority. The whole Committee voted in favour of the application being deferred.

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**Item No. 12**

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| <b>APPLICATION NUMBER</b>                | <b>CB/10/04536/FULL</b>  |
| <b>LOCATION</b>                          | <b>39 Kings Road, Flitwick, Bedford, MK45 1EJ</b>  |
| <b>PROPOSAL</b>                          | <b>Full: Extension and alteration to existing bungalow and new detached three bedroom dwelling.</b>  |
| <b>PARISH</b>                            | <b>Flitwick</b>  |
| <b>WARD</b>                              | <b>Flitwick East</b>   |
| <b>WARD COUNCILLORS</b>                  | <b>Cllrs James Jamieson &amp; Andrew Turner</b>  |
| <b>CASE OFFICER</b>                      | <b>Clare Golden</b>  |
| <b>DATE REGISTERED</b>                   | <b>21 December 2010</b>  |
| <b>EXPIRY DATE</b>                       | <b>15 February 2011</b>  |
| <b>APPLICANT</b>                         | <b>Mrs J Sherman</b>   |
| <b>AGENT</b>                             | <b>Bradbury Design Ltd</b>   |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>Councillor Andrew Turner has called the application to Committee on the grounds of inadequate parking, turning, detrimental impact on neighbours and overdevelopment.</b> |
| <b>RECOMMENDED DECISION</b>              | <b>Full Application - Granted</b>  |

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

**Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.**

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

- **means of enclosure;**

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

The landscaping works shall be undertaken in accordance with the approved plans no later than the end of the full planting season following the first occupation of the development.

**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, in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 4 Before the development commences on site, details of the existing and proposed ground levels of the development in relation to any adjacent house and/or road shall have been submitted to and approved in writing by the Local Planning Authority. Such details must be sufficient to clearly identify the completed height of the development in relation to the adjacent development.

**Reason:** To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 5 The four parking bays and visitor parking bay shall measure 2.4m x 4.8m each.

**Reason:** For the avoidance of doubt, and to provide adequate on site parking provision in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 6 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority and the parking bays shall be demarcated. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

**Reason:** To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 7 The development shall not be brought into use until a turning space for

vehicles has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority and thereafter kept clear of obstruction.

**Reason:** To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 8 Before development begins, a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces, 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 in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

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

**Reason:** To ensure adequate off street parking during construction in the interests of road safety in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 10 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for extensions or alterations, including new windows, and structures within the residential curtilage of the approved new dwelling until detailed plans and elevations which form a valid planning application have been submitted to and approved in writing by the Local Planning Authority.

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

- 11 All rooflights proposed within the roofs of both dwellings hereby shall have a cill height no less than 1.7 metres above the finished floor level, and the circular brick features on the front elevation of the new dwelling shall at all times be retained with a brick infill (i.e. not utilised as windows).

**Reason:** In order to prevent any direct outlook from rooflights or side facing windows to protect the privacy of neighbouring occupiers in accordance with Policy DM3 of the Development Management policies of the Adopted Core Strategy, 2009.

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 2083-01A; 2082-01D;

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposal for the erection of a dwelling, and alterations to the existing dwelling would not impact detrimentally upon the character and appearance of the surrounding area or upon the residential amenity of any existing neighbouring properties or future occupiers of the new dwelling. Highway safety would not be affected and the impact on nearby trees is considered to be acceptable. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2010), and Policies CS1, CS2, CS4, CS5, CS14, DM3 and DM4 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009). It is further in conformity with the Central Bedfordshire Council's Technical Guidance – A Guide for development (2010) and the Central Bedfordshire Council's Technical Guidance - Design Supplement 1: New Residential Development (2010).

### **Notes to Applicant**

1. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
2. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

### **NOTES**

- (1) In advance of the consideration of the application the Committee received representations made under the public participation scheme.
- (2) In advance of the consideration of the application, the Committee were advised of amendments to the text contained within the report as set out in the late sheet appended to these Minutes.

**Item No. 13**

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| <b>APPLICATION NUMBER</b>                        | <b>MB/08/02060/FULL</b>  |
| <b>LOCATION</b>                                  | <b>Land Adjacent To 33, Marshalls Avenue,<br/>Shillington</b>  |
| <b>PROPOSAL</b>                                  | <b>Full: The erection of 2 no. 2 bed houses, 5 no. 3<br/>bed houses and 1 no. 4 bed house for sustainable<br/>housing</b>                            |
| <b>PARISH</b>                                    | <b>Shillington</b>   |
| <b>WARD</b>                                      | <b>Silsoe &amp; Shillington</b>  |
| <b>WARD COUNCILLORS</b>                          | <b>Cllr Rita Drinkwater, Cllr Alison Graham</b>  |
| <b>CASE OFFICER</b>                              | <b>Godwin Eweka</b>  |
| <b>DATE REGISTERED</b>                           | <b>25 November 2008</b>  |
| <b>EXPIRY DATE</b>                               | <b>20 January 2009</b>   |
| <b>APPLICANT</b>                                 | <b>Aragon Housing Association</b>  |
| <b>AGENT</b>                                     | <b>Kyle Smart Associates</b>   |
| <b>REASON FOR<br/>COMMITTEE TO<br/>DETERMINE</b> | <b>The application site is Council owned land and<br/>objections have been received which cannot be<br/>resolved by the imposition of conditions</b> |
| <b>RECOMMENDED<br/>DECISION</b>                  | <b>Full Application - Granted</b>  |

**Withdrawn Application** – The application was withdrawn from the agenda at the request of the Applicant.





**Item No. 14****SCHEDULE C**

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|--|---|
| <b>APPLICATION NUMBER</b>                | <b>CB/10/04516/FULL</b>   |
| <b>LOCATION</b>                          | <b>19 Ashwell Street, Leighton Buzzard, LU7 1BG</b>   |
| <b>PROPOSAL</b>                          | <b>Demolition of existing single-storey outbuildings and erection of two-storey rear extension.</b> |
| <b>PARISH</b>                            | <b>Leighton-Linslade</b>  |
| <b>WARD</b>                              | <b>Leighton Linslade Central</b>  |
| <b>WARD COUNCILLORS</b>                  | <b>Cllrs Bowater, Johnstone, Sharer &amp; Spurr</b>   |
| <b>CASE OFFICER</b>                      | <b>Richard Castro-Parker</b>  |
| <b>DATE REGISTERED</b>                   | <b>21 December 2010</b>   |
| <b>EXPIRY DATE</b>                       | <b>15 February 2011</b>   |
| <b>APPLICANT</b>                         | <b>Mr C Reading</b>   |
| <b>AGENT</b>                             | <b>Rosser Morris Ltd</b>  |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>The applicant is the daughter of Councillor Hopkin</b>   |
| <b>RECOMMENDED DECISION</b>              | <b>Full Application - Refused</b>   |

**Recommendation**

That Planning Permission be REFUSED subject to the following:

- 1 The proposed two storey rear extension, would by virtue of its siting, size, scale, volume and overall massing appear overbearing and would lead to overshadowing and loss of daylight to the detriment of the occupiers of the adjoining property number 17 Ashwell Street. The proposal thereby represents inappropriate development which is contrary to the principles of good design as set out in the national guidance of PPS1, Delivering Sustainable Development and to Policies BE8, and H8 of the South Bedfordshire Local Plan Review 2004 and also to the Design Guide for Central Bedfordshire.

**Notes**

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

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