

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 5 January 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		T Nicols
	A D Brown		Mrs C Turner
	Mrs R B Gammons		J N Young
	K Janes		

Apologies for Absence: Cllrs D J Gale  
Ms C Maudlin  
A Northwood

Substitutes: Cllrs R A Baker (In place of Cllr Ms C Maudlin)  
P Snelling (In place of Cllr A Northwood)  
B J Spurr (In place of Cllr D J Gale)

Members in Attendance: Cllrs Mrs A Barker  
L Birt  
J A E Clarke  
Mrs D B Gurney  
R W Johnstone  
M R Jones  
Mrs J G Lawrence  
D J Lawrence  
Mrs A M Lewis  
A A J Rogers,

Officers in Attendance:	Mrs M Clampitt	Committee Services Officer
	Mr A Davie	Head of Development Management (North)
	Mr J Ellis	Major Applications Team Leader South
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Lamb	Development Management Team Leader (North)
	Mrs H Pattinson	Senior Planning Officer
	Ms K Phillips	Planning Officer
	Mr M Stigwood	Public Protection Team

DM/10/153 **Chairman's Announcements and Communications**

The Chairman made the following announcement:-

1. Officers had requested that agenda item 9 – Wyevale Garden Centres Plc, Dunstable Road, Caddington, Luton be deferred from the agenda to allow further time for the submission of a Flood Risk Assessment, as required by the Environment Agency. The request was moved and seconded and the whole committee voted in support of the deferment.
2. that the public speaking arrangements for item 7 – Wind Farm, Langford and item 8 – Land East of Saxon Drive and North of Stratton Park, Saxon Drive, Biggleswade would be as follows:-

Item 7 – The Parish Council and the Applicant each received 5 minutes. The objectors and the supporters each received 2 minutes.

Item 8 – The Town Council, the Agent and the Objector each received 5 minutes. The supporter and the Councillor with personal and prejudicial interest each received 3 minutes.

DM/10/154 **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 8 December 2010 be confirmed and signed by the Chairman as a correct record.**

DM/10/155 **Members' Interests**

(a) **Personal Interests:-**

It was noted that all Members of the Committee had received a letter from New Road Developments regarding the site at Ivel Road, Shefford.

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr P F Vickers	7	Knows objectors	Present
	8	Would withdraw during debate	Absent

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

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr Mrs J Lawrence	8		Absent
Cllr D Lawrence	8		Absent
Cllr K C Matthews	8	Chairman of Biggleswade Town Centre Partnership	Absent

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr R A Baker	11	Marston Moretaine Parish Council	Did not Vote
Cllr H J Lockey	10	Clophill Parish Council	Did not Vote
Cllr P F Vickers	15	Biggleswade Town Council	Did not Vote
Cllr A A J Rogers	7	Langford Parish Council	Did not Vote
Cllr J A E Clarke	7	Langford Parish Council	Did Vote – but comes with open mind
Cllr Mrs J Lawrence	7	Biggleswade Town Council	Did not Vote
Cllr D Lawrence	7	Biggleswade Town Council	Did not Vote

DM/10/156 **Petitions**

The Chairman advised that no petitions had been received.

DM/10/157 **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 appended 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/10/158 Planning Application No. MB/09/00118/FULL**

**that Planning Application No. MB/09/00118/FULL relating to Land to the North of Edworth Road, Langford be refused as set out in the Schedule appended to these Minutes.**

**Recorded Vote:-**

**For: Cllr A R Bastable, Cllr D Bowater, Cllr R A Baker, Cllr Mrs R Gammons, Cllr K C Matthews, Cllr H J Lockey, Cllr A D Brown, Cllr N Young, Cllr Mrs C Turner, Cllr R Berry, Cllr A Shadbolt and Cllr P F Vickers.**

**Against: Cllr D Jones, Cllr B Spurr, Cllr T Nicols, Cllr K Janes, Cllr P N Aldis, Cllr P Snelling.**

**DM/10/159 Planning Application No. CB/10/00518/OUT**

**that Planning Application No. CB/10/00518/OUT relating to Land East of Saxon Drive and North of Stratton Park, Saxon Drive, Biggleswade be refused as set out in the Schedule appended to these Minutes.**

The Committee meeting adjourned at 13.40pm.

The Committee meeting reconvened at 14.15pm.

**DM/10/160 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/10/161 Planning Application No. CB/10/01265/OUT**

**RESOLVED**

**that Planning Application No. CB/10/01265/OUT relating to Wyevale Garden Centres Plc be deferred from the agenda to allow further time for the submission of a Flood Risk Assessment, as required by the Environment Agency. The request was moved and seconded and the whole committee voted in support of the deferment.**

DM/10/162 **Planning Application No. CB/10/04039/FULL**

**that Planning Application No. CB/10/04039/FULL relating to 5A Back Street, Clophill, Bedford be delegated to the Director of Sustainable Communities to refuse the application as set out in the Schedule appended to these Minutes.**

DM/10/163 **Planning Application No. CB/10/03681/OUT**

**that Planning Application No. CB/10/03681/OUT relating to Shelton Farm, Lower Shelton Road, Marston Moretaine, Bedford be refused as set out in the Schedule appended to these Minutes.**

DM/10/164 **Planning Application No. CB/10/03733/FULL**

**that Planning Application No. CB/10/03733/FULL relating to 1-23 Osborn Crescent, Shefford be approved as set out in the Schedule appended to these Minutes.**

DM/10/165 **Planning Application No. CB/10/03730/FULL**

**that Planning Application No. CB/10/03730/FULL relating to Land fronting 18 to 22 Ivel Road, Shefford be approved as set out in the Schedule appended to these Minutes.**

DM/10/166 **Planning Application No. CB/10/04022/FULL**

**that Planning Application No. CB/10/04022/FULL relating to Sutton Lower School, High Street, Sutton, Sandy be approved as set out in the Schedule appended to these Minutes.**

DM/10/167 **Planning Application No. CB/10/03655/FULL**

**that Planning Application No. CB/10/03655/FULL relating to Land to the front of 127 and 129, Mead End, Biggleswade be approved as set out in the Schedule appended to these Minutes.**

DM/10/168 **Planning Application No. CB/10/04382/REN**

**that Planning Application No. CB/10/04382/REN relating to 15 Shefford Road, Meppershall, Shefford be approved as set out in the Schedule appended to these Minutes.**

DM/10/169 **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 2 February 2011:-**

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

(Note: The meeting commenced at 10.00 a.m. and concluded at 3.35 p.m.)

Chairman .....

Dated .....

**LATE SHEET****DEVELOPMENT MANAGEMENT COMMITTEE – 5 JANUARY 2011****SCHEDULE A*****Item 7 (Page 17-232) – MB/09/00118/FULL – Land to the North of Edworth Road, Langford*****Additional Consultation/Publicity Responses**

3 letters have been received, 2 in support and one in objection to the proposal. The main points are summarised below:

*Support letters (2)*

- South Bedfordshire Friends of the Earth (letter accompanied by copies of correspondence with the Minister of State for the Department of Energy and Climate Change and a copy of an appeal decision in West Devon)
- Dispute some of the arguments about noise.
- Very few wind farms in the UK have generated noise complaints (Salford report findings)
- Benefits of CO2 reduction.
- Reference to other planning decisions made at appeal.
- Amplitude Modulation very seldom occurs and is therefore unlikely to pose a problem (Salford report findings).
- ETSU-R-97 is still recommended for use by the Government.
- The application should be approved subject to conditions
  
- Local resident (Baldock area)
- 2 issues that are an uncertain science are the effect of CO2 emissions on climate and mankind and the use of acoustics to assess the impact of noise on houses according to ETSU-R-97.
- The wind farm will undoubtedly save CO2
- ETSU-R-97 is based on interpretation and the noise consultant has put forward the worst case scenario. The application should be approved subject to conditions relating to the noise.
- Detailed comments on points raised in the noise report.

*Objection letter – (1)*

- Local resident (Langford)
- The community's right to its 'quiet enjoyment' is far more important than a poor source of energy next to countryside and schools/homes etc.
- Plans to contact local MP / Prime Minister / Communities and Local Government if the application is approved.

**Additional Comments**

None.

**Additional/Amended Conditions**

N/A.

***Item 8 (Page 233- 306) – CB/10/00518/OUT – Land East of Saxon Drive & North of Stratton Park, Stratton Drive Biggleswade*****Additional Consultation/Publicity Responses**

One additional letter of objection has been received. This letter has raised concern in respect of the following:

- The applicant is not the landowner.
- The proposal appears to be wholly based on a regional sports business venture.
- The basis of the application remains the same – a major sports centre and a large health centre.
- Impact upon the environment and those living in the vicinity.
- The financial implications of the proposal to the residents of Biggleswade.
- The proposal is an inappropriate form of development within the countryside.
- The proposal development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties adjacent to the site by reason of overlooking, loss of privacy and visually overbearing impact.
- Potential detrimental impact of noise, disturbance and nuisance from the sports pitches.
- Location on a Greenfield site.
- NHS Bedfordshire do not support the application.
- The creation of a separate sports academy will have a detrimental effect on Biggleswade Town Club – there is not the demand for a sports park of this size in this area.

**Additional Information**

Please see attached the recommendations section from the Applicant's submitted Phase 1 Habitat Survey produced by Middlemarch Environmental Ltd and dated September 2010. The recommendations have provided specific advice relating to nature conservation sites, habitats and those protected / notable species which would require specific surveys.



**Item 9 (Page 307-318) – CB/10/01265/OUT – Wyevale Garden Centres PLC, Dunstable Road, Caddington**

**Amendment to Recommendation**

*The Agent has requested (29/12/10) deferral of the application to allow further time for the submission of a Flood Risk Assessment, as required by the Environment Agency. Following discussions with the Agent and Environment Agency we are hopeful that the only reason for refusal could be overcome in a reasonable timescale and therefore, it is recommended that the application be DEFERRED.*

**SCHEDULE B**

**Item 10 (Page 319-326) – CB/10/04039/FULL – 5A Back Street, Clophill MK45 4BY**

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

**SCHEDULE C**

**Item 11 (Page 327-344) – CB/10/03681/OUT – Shelton Farm, Lower Shelton road, Marston Moretaine MK43 0LP**

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

***Item 12 (Page 345-352) – CB/10/03733/FULL – 1-23 Osborn Crescent, Shefford***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

***Item 13 (Page 353-358) – CB/10/03730/FULL – Land Fronting 18-22 Ivel Road, Shefford***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

***Item 14 (Page 359-366) – CB/10/04022/FULL – Sutton Lower School, High Street, Sutton***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

***Item 15 (Page 367-372) – CB/10/03655/FULL – Land to the front of 127 & 129 Mead End, Biggleswade***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

***Item 16 (Page 373-378) – CB/10/04382/REN – 15 Shefford Road, Meppershall SG17 5LJ***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

This page is intentionally left blank

## 6. RECOMMENDATIONS

### 6.1 NATURE CONSERVATION SITES

The Biggleswade Allotment Meadow CWS will be retained as part of the proposed development. To ensure habitat connectivity to and from this nature conservation site and to protect against indirect impacts during construction of the proposed development, the following recommendations are made:

- **Habitat Connectivity:** The hedgerow with trees and woodland strip which forms the northern boundary of the survey area should be retained and protected during construction. The stream and tree lined stream corridor which runs along the eastern boundary of the CWS and south through the proposed development should be retained and protected as another green corridor.
- **Construction Impacts:** During the construction phase a fenced 15 m buffer zone should be implemented around the CWS boundary to ensure no accidental damage is caused by machinery or other hazards.

### 6.2 HABITATS

The following recommendations are made regarding the habitats present on site:

- **Habitat Loss:** In accordance with the provision of Planning Policy Statement 9 (Biodiversity & Geological Conservation) and Local Planning Policy, a habitat/species enhancement scheme should be incorporated into the landscaping scheme of any proposed works to maximise the ecological value of the site. This will involve, for example, the planting of native seed/fruit bearing species which will be of value to wildlife. Only keep this in if it relevant to the works proposed on site.
- **Ponds:** The ponds within the site should be retained and protected where possible. Any ponds damaged or destroyed should be compensated for by the creation of new wildlife friendly waterbodies.
- **Running water:** The stream corridor running through the centre of the site should be retained and protected from physical, chemical or hydrological damage during the development work.
- **Trees:** Any trees and/or hedgerows on site, or overhanging the site, which are not to be removed as a part of any proposed works should be protected in accordance with British Standard "Trees in relation to construction - Recommendations" BS5837:2005. Protection should be installed on site prior to the commencement of any works on site.

### 6.3 PROTECTED / NOTABLE SPECIES

The following recommendations are made regarding protected species that are potentially present on site:

- **Badgers:** To ensure compliance with the Protection of Badgers Act 1992, given the suitable habitat present within the survey area and connectivity to adjacent habitat that is suitable for badgers, it is recommended that a badger survey is undertaken to determine whether any setts are located within 30 m of the proposed development area. Should badger setts be identified a badger activity survey may be required. Badger surveys can be completed at any time of the year. Should a badger sett be identified that will be required to be disturbed or closed, works to the badger sett will require a licence from Natural England. Badger setts can be closed between July and November inclusive.
- **Roosting Bats:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), an initial bat survey should be undertaken on any mature trees and buildings that will be removed, renovated or impacted in any other way by the proposed development works. Initial bat surveys can be completed at any time of year. Should these initial surveys recommend that further activity surveys are required, these further surveys can be undertaken during suitable weather conditions between April and September (inclusive). Ideal activity survey times are in suitable weather conditions between May and August, however surveys in April and September may be possible but consultation with Natural England / Local Planning Authority is recommended.
- **Foraging Bats:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), a foraging bat survey should be undertaken to determine bat use of the site. Foraging bat surveys can be completed in suitable weather conditions between April and September (inclusive), with ideal surveys times being May and June.
- **Water Voles:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), a water vole survey of the central stream corridor should be undertaken. This survey should include 100 m upstream and downstream of the proposed works area. Water vole surveys can be completed between March and October inclusive.
- **Otters:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), an otter survey of the central stream corridor should be undertaken. This survey should include 100 m upstream and downstream of the proposed works area. Otter surveys can be completed at any time of year.
- **Breeding Birds:** A Breeding Bird survey should be undertaken to determine bird use of the site. Particular attention will be paid to recording the presence of Schedule 1 species such as kingfisher and barn owl for which records have been provided for the local area. A large number of records were also provided for characteristic and notable farmland bird species and these will also be

considered a special interest group. Breeding bird surveys are conducted in March to July during peak breeding season.

- **Nesting Birds:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), vegetation clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally.
- **Great Crested Newts and other amphibians:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), a great crested newt Habitat Suitability Index (HSI) assessment should be undertaken for all ponds identified within 500 m of the edge of the proposed development. Great crested newt Habitat Suitability Index assessments can be carried out at any time of year, although if possible it is preferable to carry out the assessments between March and October. If suitable great crested newt breeding ponds are identified with connecting habitat to the proposed development site it is likely that a full great crested newt survey will be required.
- **Reptiles:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), a reptile survey should be undertaken of suitable habitats within the proposed development site. Reptile surveys can be completed in suitable weather conditions between April and September (inclusive).
- **Invertebrates:** Recommendations made in 6.1 and 6.2 above will ensure continuity of nectar supplies and habitats and connectivity for a large number of invertebrates which may be using the survey area as indicated by the desk study records. Additional wildlife friendly planting as part of the proposed development should aim to supply additional nectar sources and habitats for invertebrates.
- **Vascular Plants:** It is recommended that a Phase 2 detailed botanical survey is undertaken. The focus of such an investigation should be the stream corridor and other wetland habitats for the presence of the UKBAP species *Oenanthe fistulosa* and the arable farmland for the presence of notable arable weeds.
- **Himalayan Balsam:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) the works must not cause Himalayan balsam to spread. Therefore it is recommended that a Himalayan balsam survey be completed and a Method Statement developed to ensure that the proposed works do not result in the spread of this invasive non-native species.

This page is intentionally left blank



**Item No. 7****SCHEDULE A**

<b>APPLICATION NUMBER</b>	<b>MB/09/00118/FULL</b>
<b>LOCATION</b>	<b>Land To The North Of, Edworth Road, Langford</b>
<b>PROPOSAL</b>	<b>Full: Erection of 10 Wind turbines, control building and monitoring mast. Provision of associated hardstanding areas and on-site track accesses.</b>
<b>PARISH</b>	<b>Langford &amp; Biggleswade</b>
<b>WARD</b>	<b>Langford &amp; Henlow, Biggleswade</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Jon Clarke &amp; Cllr Tony Rogers, Cllr Peter Vickers, Cllr Maurice Jones, Cllr David Lawrence &amp; Cllr Jane Lawrence</b>
<b>CASE OFFICER</b>	<b>David Lamb &amp; Kate Phillips</b>
<b>DATE REGISTERED</b>	<b>11 February 2009</b>
<b>EXPIRY DATE</b>	<b>03 June 2009</b>
<b>APPLICANT</b>	<b>The Co-Operative Group</b>
<b>AGENT</b>	<b>EMP-Squared</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application site contains land owned by Central Bedfordshire Council, and in view of the public interest in the proposal.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refused</b>

**Recommendation**

1. That Planning Permission be refused for the following reason:

The development proposed will lead to excessive noise impact on nearby dwellings, particularly to those properties on East Road, Langford and especially to the houses east of the railway line, and it therefore fails to meet the limits set in ETSU-R-97. There is also insufficient information submitted by the applicant to formulate appropriate noise limits to enable the protection of residential amenity. The proposal is therefore contrary to policy DM1 of the adopted Central Bedfordshire Core Strategy and Development Management Policies, and to PPS22 Renewable Energy and to its Companion Guide, Planning for Renewable Energy.

2. The development proposed by reason of its size and siting, would result in an unacceptable harmful impact on the visual amenities of Langford and of nearby dwellings. As such the proposal would be contrary to policy DM1 of the adopted Central Bedfordshire Core Strategy and Development Management Policies.

## [Notes:

1. In advance of 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 consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. The Chairman congratulated Officers for a well written and comprehensive report.
4. The Committee felt that the visual impact on Langford was unacceptable.
5. There was a recorded vote taken (as detailed at Minute No. DC/10/158).]

**Item No. 8**

**APPLICATION NUMBER** CB/10/00518/OUT  
**LOCATION** Land East Of Saxon Drive And North Of Stratton Park, Saxon Drive, Biggleswade  
**PROPOSAL** Outline Application: Health Centre, sports pitches, changing facilities with car parking (Revised)  
**PARISH** Biggleswade  
**WARD** Biggleswade  
**WARD COUNCILLORS** Cllrs Jones, Lawrence, Lawrence & Vickers  
**CASE OFFICER** Hannah Pattinson  
**DATE REGISTERED** 23 March 2010  
**EXPIRY DATE** 22 June 2010  
**APPLICANT** Biggleswade Town Council  
**AGENT** Levitt Partnership  
**REASON FOR COMMITTEE TO DETERMINE** Referred by Head of Development Management as CBC land

**RECOMMENDED DECISION** Outline Application - Refused

**Recommendation**

That Outline Planning Permission be Refused for the following reasons:

- 1 The proposed Health Centre , by virtue of its scale and location outside the defined Settlement Envelope where insufficient justification has been provided for the development, would have an unacceptable impact on the character and appearance of this rural area where restrictive planning policies apply; as such the proposal is contrary to PPS7, PPG13 and Policies DM3, DM4 & CS14 of the Core Strategy and Development Management Policies (2009).
- 2 The application contains insufficient information to show that the development would not result in a detrimental impact upon ecology & habitats and as such the proposal is contrary to the PPS9 and Policies CS18 and DM15 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) .

[Notes:

1. In advance of 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 consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

This page is intentionally left blank

**Item No. 9****SCHEDULE A**

<b>APPLICATION NUMBER</b>	<b>CB/10/01265/OUT</b>
<b>LOCATION</b>	<b>Wyevale Garden Centres Plc, Dunstable Road, Caddington, Luton, LU1 4AN</b>
<b>PROPOSAL</b>	<b>Erection of new garden centre and office accommodation.</b>
<b>PARISH</b>	<b>Caddington</b>
<b>WARD</b>	<b>South East Bedfordshire</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ruth Gammons &amp; Cllr Richard Stay</b>
<b>CASE OFFICER</b>	<b>Mr C Murdoch</b>
<b>DATE REGISTERED</b>	<b>28 May 2010</b>
<b>EXPIRY DATE</b>	<b>27 August 2010</b>
<b>APPLICANT</b>	<b>Gleneden Plant</b>
<b>AGENT</b>	<b>Lee Butler MRICS</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major application for inappropriate development in the Green Belt where justification of very special circumstances to overcome refusal on Green Belt grounds has been recommended</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Refused</b>

Deferred Application No. – DC/10/161

That the Planning Application No. CB/10.01265/OUT relating to Wyevale Garden Centres PLC be deferred from the agenda to allow further time for the submission of a Flood Risk Assessment, as required by the Environment Agency. The request was moved and seconded and the whole committee voted in support of the deferment.

This page is intentionally left blank

**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/10/04039/FULL</b>
<b>LOCATION</b>	<b>5A Back Street, Clophill, Bedford, MK45 4BY</b>
<b>PROPOSAL</b>	<b>Full: Conversion of existing garage to part of dwelling. Erection of double garage.</b>
<b>PARISH</b>	<b>Clophill</b>
<b>WARD</b>	<b>Maulden and Clophill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Angela Barker &amp; Cllr Howard Lockey</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>12 November 2010</b>
<b>EXPIRY DATE</b>	<b>07 January 2011</b>
<b>APPLICANT</b>	<b>Mr M Newman</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Requested by Councillor Lockey the reason for the request are set out below (reference to Parish Council comments)</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

Delegated Application – See Minute No. DC/10/162

That Planning Application No. CB/10/4039/FULL relating to 5A Back Street, Clophill, Bedford be delegated to the Director of Sustainable Communities to refuse the application for the following reason:-

The proposed garage by reason of its size, sitting and design, would detract from the character and appearance of the Conservation Area, and street scene; as such the proposal is contrary to PPS5 and Policies DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

[Note: Prior to consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

This page is intentionally left blank



**Item No. 11**

**APPLICATION NUMBER** CB/10/03681/OUT  
**LOCATION** Shelton Farm, Lower Shelton Road, Marston  
 Moretaine, Bedford, MK43 0LP  
**PROPOSAL** Outline: Redevelopment to form mixed use  
 scheme, incorporating affordable housing,  
 livework units, community facility and enterprise  
 centre.  
**PARISH** Marston Moretaine  
**WARD** Marston  
**WARD COUNCILLORS** Cllr Roger Baker & Cllr Mike Gibson  
**CASE OFFICER** Nicola Stevens  
**DATE REGISTERED** 14 October 2010  
**EXPIRY DATE** 13 January 2011  
**APPLICANT** Westhaven Estates Ltd  
**AGENT** JRA Design Associates  
**REASON FOR** An Officer of the Council has an interest in part of  
**COMMITTEE TO** the site.  
**DETERMINE**

**RECOMMENDED**  
**DECISION** Full Application - Refused

**Recommendation**

That Planning Permission be REFUSED subject to the following:

- 1 The proposed development is located outside any defined settlement envelope and in open countryside and no overriding justification has been made to demonstrate that an alternative employment use of the barns/site is inappropriate. As such the proposal is contrary to PPS7 and Policies CS1 and CS11 of the of the Core Strategy and Development Management Policies Adopted November 2009.
- 2 The proposal is contrary to Policies CS1 and DM4 of the Core Strategy and Development Management Policies Adopted November 2009 and PPS3 Housing and PPS7 Sustainable Development in Rural Areas as it constitutes residential development on an area of open countryside. No other material considerations exist which warrant an exception to existing policies.
- 3 The proposal will adversely affect the character of the village of Lower Shelton in that it will result in the addition of a large residential development on the edge of the village lying within the open countryside which is contrary to Policies CS1, CS14, DM3 and DM4 of the Core Strategy and Development Management Policies Adopted November 2009 and PPS3 Housing and PPS7 Sustainable Development in Rural Areas and Technical Guidance entitled Design in Central Bedfordshire A Guide for Development.

- 4 The proposed development, by nature of its form and content, would result in a cramped and confined form of development to the detriment of the character and appearance of the area. A tight relationship is shown between the community hall and affordable housing. In the absence of details of how that community hall is to be used this could result in undue noise and disturbance. The rural innovations centre appears cramped and overdeveloped. Proposed scheme will have a greater scale and spread of built form than currently exists on site thus having a greater visual impact on the surrounding area. As such the proposal is contrary to Policies CS1, CS14, DM3 and DM4 of the Core Strategy and Development Management Policies Adopted November 2009 and PPS3 Housing and PPS7 Sustainable Development in Rural Areas and Technical Guidance entitled Design in Central Bedfordshire A Guide for Development.
- 5 Insufficient information has been submitted to properly and accurately assess the proposal. No information on traffic generation for the lawful use or the proposed uses has been submitted and as such a proper assessment of the effect that the development traffic may have on the highway cannot be made. As such the proposal is contrary to policies CS14 and DM3 of the Core Strategy and Development Management Policies Adopted November 2009 and technical guidance entitled Design Guide for Central Bedfordshire & DS7 Movement Street and Places Adopted January 2010.
- 6 The proposal if permitted would lead to the use of an access at which point forward visibility is substandard, leading to conflicting vehicular movements to the detriment of highway safety. As such the proposal is contrary to policies CS14 and DM3 of the Core Strategy and Development Management Policies Adopted November 2009 and technical guidance entitled Design Guide for Central Bedfordshire & DS7 Movement Street and Places Adopted January 2010.
- 7 No adequate provision is included in the proposal for the satisfactory layout of the statutory services equipment; parking of vehicles and turning of commercial vehicles leading to road blockage, on street parking and reversing movements to the detriment of highway safety. As such the proposal is contrary to policies CS14 and DM3 of the Core Strategy and Development Management Policies Adopted November 2009 and technical guidance entitled Design Guide for Central Bedfordshire & DS7 Movement Street and Places Adopted January 2010.
- 8 Insufficient information has been submitted in terms of the existing biodiversity of the site and any mitigation measures that might be required. As such the proposal is contrary to policies CS18 and DM15 of the Core Strategy and Development Management Policies Adopted November 2009 and PPS9 Biodiversity and Geological Conservation and technical guidance Wildlife in Development 2003

- 9 The application contains insufficient information to show that the development will not increase the risk of flooding on and in the vicinity of the application site. A Flood Risk Assessment should have been submitted; as such the proposal is contrary to PPS25 Development and Flood Risk, Policy DM2 of the Core Strategy and Development Management Policies Adopted November 2009.
- 10 The application fails to have regard to the Council's adopted Planning Obligations Strategy adopted 2008, insofar as it is not accompanied by an acceptable undertaking to provide contributions to local infrastructure. The application therefore fails to accord with the Adopted Planning Obligations Strategy, Policy CS2, CS3, CS4, DM14, DM16, and DM17 of the Core Strategy Adopted November 2009 and PPS1: Delivering Sustainable Development and PPS3 Housing.

[Note: Prior to consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

This page is intentionally left blank

**Item No. 12**

<b>APPLICATION NUMBER</b>	<b>CB/10/03733/FULL</b>
<b>LOCATION</b>	<b>1 - 23 Osborn Crescent, Shefford</b>
<b>PROPOSAL</b>	<b>Full: 19 No Driveways to houses and flats.</b>
<b>PARISH</b>	<b>Shefford</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Lewis Birt &amp; Cllr Tony Brown</b>
<b>CASE OFFICER</b>	<b>Clare Golden</b>
<b>DATE REGISTERED</b>	<b>21 October 2010</b>
<b>EXPIRY DATE</b>	<b>16 December 2010</b>
<b>APPLICANT</b>	<b>Aragon Housing Association</b>
<b>AGENT</b>	<b>Aragon Housing Association</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Central Bedfordshire Council own part of the land within the application site and an objection has been received from the Occupiers of a neighbouring property.</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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01/01/14 and 01/01/05.

Reason: For the avoidance of doubt.

- 3 Before any of the accesses are first brought into use, a triangular vision splay shall be provided on each side of the 3 new accesses and shall be 2.0m measured along the back edge of the highway from the centre line of the anticipated vehicle path on the nearest parking bay to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

### **Reasons for Granting**

The proposal is in conformity with Policies DM3 and CS4 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009 and the Adopted Design Guide SPD, 'Design in Central Bedfordshire, Supplement 7: Movement, Streets and Places' as the proposal is appropriate in terms of siting, use and scale, does not seriously harm the amenities of neighbours and there is no unacceptable impact upon the character and appearance of the street scene or general locality or on highway safety.

### **Notes to Applicant**

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's, Technology House, 239 Ampthill Road, Bedford, MK42 9BD 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 or similar 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.

**Item No. 13**

<b>APPLICATION NUMBER</b>	<b>CB/10/03730/FULL</b>
<b>LOCATION</b>	<b>Land Fronting 18 To 22, Ivel Road, Shefford</b>
<b>PROPOSAL</b>	<b>Full: 9 No Parking Bays.</b>
<b>PARISH</b>	<b>Shefford</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Lewis Birt &amp; Cllr Tony Brown</b>
<b>CASE OFFICER</b>	<b>Clare Golden</b>
<b>DATE REGISTERED</b>	<b>04 October 2010</b>
<b>EXPIRY DATE</b>	<b>29 November 2010</b>
<b>APPLICANT</b>	<b>Aragon Housing Association</b>
<b>AGENT</b>	<b>Aragon Housing Assoc</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Central Bedfordshire Council own part of the land within the application site and Shefford Town Council object to the proposal on the grounds of highway safety.</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 There shall be no restriction on the use of the car parking spaces shown on the approved plans by members of the public using the highway.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users and for the avoidance of doubt.

- 3 **Before the development is brought into use, details of the construction and layout of the access and parking bays shall be submitted to and approved by the Local Planning Authority.**

**Reason: In the interest of road safety and traffic movement.**

**Reasons for Granting**

The proposal is in conformity with Policies DM3 and CS4 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009 and the Adopted Design Guide SPD, 'Design in Central Bedfordshire, Supplement 7: Movement,

Streets and Places' as the proposal is appropriate in terms of siting, use and scale, does not seriously harm the amenities of neighbours and there is no unacceptable impact upon the character and appearance of the street scene or general locality or on highway safety.

## Notes to Applicant

1. The applicant is advised that in order to comply with Condition 2 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated parking bays. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.



**Item No. 14**

**APPLICATION NUMBER** CB/10/04022/FULL  
**LOCATION** Sutton Lower School, High Street, Sutton, Sandy, SG19 2NE  
**PROPOSAL** Full: The erection of a canopy, rooflights and associated works  
**PARISH** Sutton  
**WARD** Potton  
**WARD COUNCILLORS** Cllr Doreen Gurney & Cllr Anita Lewis  
**CASE OFFICER** Annabel Gammell  
**DATE REGISTERED** 08 November 2010  
**EXPIRY DATE** 03 January 2011  
**APPLICANT** The Governors of Sutton Lower School  
**AGENT** DLP Design Ltd  
**REASON FOR COMMITTEE TO DETERMINE** An objection was received on land owned by Central Bedfordshire Council

**RECOMMENDED DECISION** Full Application - Granted

**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 Prior to commencement of the development a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the canopy, all other external materials shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building. The development shall be carried out in accordance with the approved scheme.

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01, PL02, PL03, PL04, PL05, PL06.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed canopy and changes to fenestration would not have a negative impact upon the general character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is in further conformity with technical guidance, Design in Central Bedfordshire, a Guide for Development.

[Notes:

1. Prior to consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. An additional condition was added to restrict the materials to be used on the roof of the canopy.]

**Item No. 15**

<b>APPLICATION NUMBER</b>	<b>CB/10/03655/FULL</b>
<b>LOCATION</b>	<b>Land To The Front Of 127 And 129, Mead End, Biggleswade</b>
<b>PROPOSAL</b>	<b>Full: 6No. parking bays and dropped kerb and crossover</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Jones, Lawrence, Lawrence &amp; Vickers</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>21 October 2010</b>
<b>EXPIRY DATE</b>	<b>16 December 2010</b>
<b>APPLICANT</b>	<b>Aragon Housing Association</b>
<b>AGENT</b>	<b>Aragon Housing Association</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>An objection was received on land owned by Central Bedfordshire Council</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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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

- 3 The parking bays shall not be brought into use until the junction of the proposed vehicular access with the highway have been constructed in accordance with the approved details.

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

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01/01/13, 01/01/05.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The 6 parking bays would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2009.

**Item No. 16**

**APPLICATION NUMBER** CB/10/04382/REN  
**LOCATION** 15 Shefford Road, Meppershall, Shefford, SG17 5LJ  
**PROPOSAL** REN: Loft extension with new dormer windows to rear (Replacement of planning permission MB/07/01847/FULL dated 19 December 2007)  
**PARISH** Meppershall  
**WARD** Shefford  
**WARD COUNCILLORS** Cllr Lewis Birt & Cllr Tony Brown  
**CASE OFFICER** Kate Phillips  
**DATE REGISTERED** 03 December 2010  
**EXPIRY DATE** 28 January 2011  
**APPLICANT** Mr & Mrs King  
**AGENT**  
**REASON FOR COMMITTEE TO DETERMINE** The applicant is a member of staff  
**RECOMMENDED DECISION** Rep PP - New Time Limit - Granted

**RECOMMENDATION**

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

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

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

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

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

- 3 The westernmost first floor dormer window in the north (rear) elevation of the development hereby permitted shall be fitted with obscured glass of a type to substantially restrict vision through it at all times and it shall be fixed shut up to a height of 1.7 metres above the floor of the room in which the window is installed.

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

### **Reasons for Granting**

The proposal for a loft extension with 3 dormers to the rear of the property is still considered to be acceptable because it would not detrimentally impact upon the character and appearance of the surrounding area or upon the residential amenity of nearby and neighbouring properties. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006) and Policy DM3 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 - Design Supplement 4: Residential Alterations and Extensions (2010).