

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 23 June 2010

### 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
	D J Gale		T Nicols
	Mrs R B Gammons		A Northwood
	K Janes		J N Young

Apologies for Absence: Cllrs A D Brown  
Mrs C Turner

Substitutes: Cllrs Mrs C F Chapman MBE (In place of Cllr Mrs C Turner)  
R W Johnstone (In place of Cllr A D Brown)

Members in Attendance: Cllrs P A Blaine  
T Green  
A A J Rogers  
P Snelling  
P Williams,

Officers in Attendance:

Mr D Ager	–	Highways Officer
Mrs M Clampitt	–	Democratic Services Officer
Mr J Ellis	–	Major Applications Team Leader South
Mr A Emerton	–	Managing Solicitor Planning, Property, Highways & Transportation
Mr D Hale	–	Head of Development Management (South)
Mr A Jones	–	Tree and Landscape Officer
Mr D Lamb	–	Development Management Team Leader (North)
Mr C Murdoch	–	Planning Officer (South)
Mrs A Sammé	–	Development Management Team Leader (North)

**DM/10/44 Chairman's Announcements**

The Chairman welcomed everyone to the meeting and reminded Members that by the time of the 21 July 2010 Development Management meeting all of the Planners will be located at the Priory House offices.

The Chairman reported the result of the recent appeal decision in respect of land at Stoke Road, Leighton Linlade. The application for development of up to 199 dwellings open space play areas car parking, landscaping and engineering works had been refused by the Council and an appeal had been heard by an inspector appointed by the Secretary of State at a public inquiry in January. The appeal had been dismissed and planning permission refused for the proposal – the principal reasons being inappropriate development in the green belt (and the housing supply position not amounting to very special circumstances in this case) the effect on the character and appearance of the area and the impact of the nearby sewage treatment works on future residents.

**DM/10/45 Minutes****RESOLVED**

***that the Minutes of the meeting of the Development Management Committee held on the 26 May 2010 be confirmed and signed by the Chairman as a correct record.***

**DM/10/46 Members' Interests****(a) Personal Interests:-**

None.

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

None.

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr D Bowater	9	Leighton Linlade Town Council	Did not Vote
Cllr D Jones	10	Houghton Regis Town Council	Would leave chamber
Cllr P N Aldis	1	Sandy Town Council	Did not Vote

**DM/10/47 Petitions**

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

**DM/10/48 Disclosure of Exempt Information**

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

**DM/10/49 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/10/50 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/10/51 Confirmation of Tree Preservation Order No. 1/2010 - Land at Aubers Farm, Manor Road, Lower Sundon**

The Committee received and considered a report of the Director of Sustainable Communities seeking confirmation of Tree Preservation Order No. 1/2010 – Land at Aubers Farm, Manor Road, Lower Stondon.

***RESOLVED***

***that Tree Preservation Order No. 1/2010, Land at Aubers Farm, Manor Road, Lower Stondon be approved.***

DM/10/52 Planning Application No. CB/10/00859/FULL

**RESOLVED**

*that Planning Application No. CB/10/00859/FULL relating to Land at Derwent Road, Linslade, Leighton Buzzard be refused as set out in the Schedule appended to these Minutes.*

DM/10/53 Planning Application No. SB/07/01448/OUT

**RESOLVED**

*that Planning Application No. SB/07/01448/OUT relating to Land at Houghton Quarry, Houghton Road, Dunstable be approved as set out in the Schedule appended to these Minutes.*

DM/10/54 Planning Application No. CB/10/01535/FULL

**RESOLVED**

*that Planning Application No. CB/10/01535/FULL relating to Land to the Rear of 57 Cambridge Road, Sandy be delegated to the Director of Sustainable Communities to refuse the application as set out in the Schedule to these Minutes.*

DM/10/55 Planning Application No. CB/10/00922/FULL

**RESOLVED**

*that Planning Application No. CB/10/00922/FULL relating to 11 Brook Lane, Flitton be approved as set out in the Schedule appended to these Minutes.*

DM/10/56 Planning Application No. CB/10/01172/OUT

**RESOLVED**

*that Planning Application No. CB/10/01172/OUT relating to Roker Park, The Green, Stotfold, Hitchin be approved as set out in the Schedule appended to these Minutes.*

DM/10/57 **Planning Application No. CB/10/01486/VOC**

**RESOLVED**

***that Planning Application No. CB/10/01486/VOC relating to Unit 1, 3 and 4 Grove Park, Court Drive, Dunstable be approved as set out in the Schedule appended to these Minutes.***

DM/10/58 **Planning Application No. CB/10/01168/REG3**

**RESOLVED**

***that Planning Application No. CB/10/01168/REG3 relating to 95 Beecroft Way, Dunstable be approved as set out in the Schedule appended to these Minutes.***

DM/10/59 **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 21 July 2010.***

***Chairman (or his nominee)  
Vice-Chairman (or his nominee)  
Cllrs P N Aldis  
K Janes  
H J Lockey***

(Note: The meeting commenced at 2.00 p.m. and concluded at 4.20 p.m.)

Chairman.....

Date.....

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**LATE SHEET****DEVELOPMENT MANAGEMENT COMMITTEE 23.06.10****SCHEDULE A – REFUSAL**

**Item 9 (pages 39-96) – CB/10/000859/FULL – Land at Derwent Road, Linslade, Leighton Buzzard, LU7 2XT**

**Additional Information / Relevant Policies**

In determining this application Members must take into account as a material consideration a letter dated 27<sup>th</sup> May 2010 issued by the Secretary of State for Communities and Local Government in which he states:

*“I am writing to you today to highlight our commitment in the coalition agreements where we very clearly set out our intention to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Consequently, decisions on housing supply (including the provision of travellers’ sites) will rest with Local Planning Authorities without the framework of regional numbers and plans. I will make a formal announcement on this matter soon. However, I expect Local Planning Authorities and the Planning Inspectorate to have regard to this letter as a material planning consideration in any decision they are currently taking.”*

Consequently, notwithstanding that the East of England Plan and the Milton Keynes South Midlands Sub-Regional Strategy currently constitute part of the Development Plan, Members should afford them less weight in determining this application.

With regard to the Valley Farm urban extension development proposal, it was the intention of Aylesbury Vale District Council officers to report their application to the meeting of AVDC’s Strategic Development Control Committee on 23<sup>rd</sup> June 2010. Following discussions with their barrister, this is no longer the case. The barrister has advised them to await further clarification on the Regional Strategies situation and its implications for the Valley Farm application before reporting the application to Committee. They have written to Paul Newman New Homes seeking an extension of time for determination of the application until 6<sup>th</sup> August 2010.

**Additional Consultation/Publicity Responses**

Andrew Selous MP – Objection:

- The town is currently building a significant number of new homes and does not yet have sufficient local jobs and good enough transport links and local facilities to absorb the new residents of the town without further adding to these problems by stretching the demand on existing infrastructure even

further. This inappropriate development will also bring more and more pressure on Leighton Buzzard station travellers, given that parking around the station is already causing a great deal of difficulties for residents and local travellers.

## **SCHEDULE B – APPROVAL**

### **Item 10 (pages 97-130) – SB/07/01448/OUT - Land at Houghton Quarry, Houghton Road, Dunstable**

#### **Additional Comments**

The recommendation in the report has been reviewed in light of the newly published PPS3 (June 2010) and the comments made in Communities Secretary letter to Chief Planners (May 2010). The report remains unchanged.

#### **Additional/Amended Conditions**

28. **Development shall not begin until the detailed parking provision within the development, in accordance with the Design Guide For Central Bedfordshire - Design Supplement 7 (Movement, Streets and Places), has been approved by the Local Planning Authority and no building shall be occupied until that provision has been made in accordance with the approved details. The following parking standards shall apply:**

**1.25 spaces for 1 bedroom dwellings;**

**2.25 spaces for 2 and 3 bedroom dwellings;**

**3.25 spaces for 4 bedroom dwellings.**

**REASON:** To ensure provision of car parking in the interest of the safety and convenience of road users.

Renumber condition 28 to 29.

### **Item 11 (pages 131-142) – CB/10/01535/FULL – Land to the rear of 57 Cambridge Road, Sandy**

#### **Additional Consultation/Publicity Responses**

##### Highways Development Control:

Application is acceptable in principle, on the assumption that the vehicles can encroach upon the turning circle of Edward Close. The bin storage point is also too far from the highway and would have to be relocated. Subject to conditions relating to the above matters.

##### Tree and Landscape North:

Application will only result in the removal of a number of small trees of little significance and so there is no objection to the proposal.



Sandy Town Council:

## Objects,

- Basis that 02/00706/OUT decision notice said a detached dwelling in this location would be inappropriate, and 2 semi detached dwellings would have the same visual impact.
- The access is very narrow, and can not accommodate a fire engine.
- Access down Edward Close is poor and visibility is hard due to cars parked along Cambridge Road.
- The design of the properties are not in keeping with the properties in Edward Close or Cambridge Road.
- Overdevelopment of the site, unacceptable tandem development.
- Possibility of flooding.
- Loss of amenity for the residents of 57 and 57a Cambridge Road, due to loss of garden land.
- The turning circle is on private land and the owners have not given their permission for its use.

14<sup>th</sup> June 2010: Two emails received from the occupants of Number 2 Edward Close.

## 1. Comments on the Committee Report:

- Site is still being used as garden land.
- 6 dwellings use the access.
- Concerns over the consultation process, regarding number of objections received; there were 4 letters of objection for this application, whereas 5 were received under reference CB/10/00125/FULL which was an invalid application on the same site for the same kind of development.

Officer comment on this point: The email dated 14<sup>th</sup> June 2010 states “7 were received” but one letter was not an objection, and 2 were from the same objector.

- They wish for a definition of residential amenity.
- They commented upon the determining issues.
- Concerns over Emergency vehicles not being able to use the access.
- Concerns over drainage.
- Concerns over refuse collection.

## 2. Copy of a letter sent to Greg Clark, MP

- The “garden grabbing” amendments to PPS3 and how it effects this application.
- The residents of 57/57a still use the garden, therefore the residents need this space for amenity land.
- They wanted to know why the views of the Town Council were not in the original report to committee.

15<sup>th</sup> June 2010: Emails from the occupants of Number 2 Edward Close asking from an explanation of the committee process and the Town Councils comments which were not received until the 11<sup>th</sup> June 2010.

16<sup>th</sup> June 2010: An email was received from the occupants of Number 1 Edward Close regarding the committee process. Additional comments were also received in regard to the application. These reiterated the comments received before the original report was written, but wished for special attention to be paid to the issue of a fire engine passing down Edward Close.

Officer comments on this matter:

- The access is existing and judged acceptable by the Highway Department, it would be a matter for Building Control to require suitable alternatives should it be deemed by them that the access is too narrow or too long for a fire appliance.

22<sup>nd</sup> June 2010: An email was received from Alistair Burt MP who wished his concerns to be noted. The email was in relation to the amendments to PPS3 and objections from Sandy Town Council.

### **Additional Officer Comments**

#### Amendments to PPS3 (Housing):

Since the original report was written there has been an amendment to PPS3, and residential gardens are not longer classed as previously developed (brownfield) land.

The amendments to PPS3 (Housing) which were announced 9<sup>th</sup> June 2010 give the Local Planning Authorities power to determine the best locations for development within the area. The amendment does not supersede Policy DM4 of the Central Bedfordshire Core Strategy and Development Management Policies, which finds the principle of residential development within Settlement Envelopes acceptable. Lesser weight is given to this presumption in favour of developing previously developed land, and increases the weight to be given to the impact on amenity and character.

In the case of this application it is considered that there would be a residential court yard area which could be used by the residents of number 57 Cambridge Road and the annex property 57A Cambridge Road, there is also an outbuilding, which could be removed to provide additional external amenity space for these properties, should it be required in the future. The proposed garden areas for one bedroom dwellings are judged to be of a suitable size to provide an amenity area.

#### Unilateral Undertaking:

Though a Unilateral Undertaking was received, and there is a willingness from the applicant to enter into an agreement with Central Bedfordshire Council to make contributions, it is advised from the legal department that HSBC also

need to be party to the agreement and therefore a completed Unilateral Undertaking does not form part of this application. Should the Committee be minded to approve this application no decision could be issued until this matter was resolved and a completed Unilateral Undertaking has been received.

### **Additional Conditions**

Highways conditions:

7. 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. 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.

8. No building shall be occupied until the triangular vision splays proposed at the north-eastern corner of the building and those enclosed by the application's site red line at both sides of Edward Close's entrance shown on Drawing No 04A have been provided. 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 level of Edward Close and footway level on Cambridge Road respectively.

#### **Reason**

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

**9. Development shall not begin until details of the refuse collection point located within the first 15.0m of the site measured from the channel of the road and outside the envelope of any visibility splays shall be submitted to and approved by the Local Planning Authority and no building shall be occupied until the refuse collection point has been constructed in accordance with the approved details.**

#### **Reason**

**In order to minimise danger, obstruction and inconvenience to users of the highway.**

**Item 12 (pages 143-152) – CB/10/00922/FULL – 11 Brook Lane, Flitton****Additional Consultation/Publicity Responses**

None

**Additional Comments**

The Officer's report attached to the agenda is incomplete in respect to this application. The full report is attached.

<b>Item No.</b>
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**SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/10/00922/FULL</b>
<b>LOCATION</b>	<b>11 Brook Lane, Flitton, Bedford, MK45 5EJ</b>
<b>PROPOSAL</b>	<b>Full: Erection of detached two bay open garage with lean-to to side.</b>
<b>PARISH</b>	<b>Flitton/Greenfield</b>
<b>WARD</b>	<b>Flitwick East</b>
<b>WARD COUNCILLORS</b>	<b>Cllr James Jamieson, Cllr Andrew Turner</b>
<b>CASE OFFICER</b>	<b>Mary Collins</b>
<b>DATE REGISTERED</b>	<b>08 March 2010</b>
<b>EXPIRY DATE</b>	<b>03 May 2010</b>
<b>APPLICANT</b>	<b>Mr English</b>
<b>AGENT</b>	<b>Mr S Everitt</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Jamieson call in. There is concern regarding overdevelopment and also secondary line of development.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Site Location:**

The site is located on the west side and to the rear of 11 Brook Lane Flitton within the built up area of the village and in the Conservation Area. The site lies in the built up area of Flitton and within the Flitton Settlement Envelope. 11 Brook Lane Flitton - is a Grade II listed 17 Century house finished in colourwashed roughcast render.

The building is to be sited to the rear of the main listed house just beyond the end of the rear garden to the house.

**The Application:**

Planning permission is sought for the erection of a detached two bay open garage with lean-to to side.

This application was deferred at the Development Management Committee meeting on 26 May 2010 to enable a site visit to be carried out

This report has been updated to incorporate the conditions previously detailed on the late sheet and concerns expressed by the Parish Council and adjoining neighbours. The Other Concerns section of this report has been updated.

#### **RELEVANT POLICIES:**

##### **National Policies (PPG & PPS)**

PPS 1 Delivering Sustainable Development  
PPS 5 Planning for the Historic Environment

##### **Regional Spatial Strategy**

East of England Plan (May 2008)  
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

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

None

##### **Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009**

DM3 - Criteria for extensions  
CS15 - Development in Conservation Areas  
DM13 - Development in Conservation Areas

##### **Supplementary Planning Guidance**

Flitton Conservation Area Appraisal 2006

##### **Planning History**

04/00835	Full: Detached summer house. Approved: 16/06/2004
07/01520	Full: Alterations and extension to existing barn to form 1 no. 3 bed dwelling. Refused:
07/01623/LB	Listed Building Consent: Demolition of store and stable, alterations and extension to existing barn to form 1 no. 3 bed dwelling. Refused:
08/01880/LB	Listed Building Consent: Demolition of rear storage shed to barn and demolition of adjacent timber stable. Conversion and extension of barn to form ancillary accommodation with work studio. Approved: 04/12/08
08/01881/FULL	Full: Conversion and extension of barn to form

ancillary accommodation with work studio.  
Construction of new vehicular access. Approved:  
04/12/08  
CB/09/06233/FULL Full: Erection of building for residential use ancillary  
to the main house in place of dismantled barn.  
Approved: 03/12/2009.

**Representations:  
(Parish & Neighbours)**

Flitton Parish Council	Concerned that the proposal amounts to overdevelopment in a conservation area. Consent would create a dangerous precedent
Neighbours	The Occupier of No. 9 Brook Lane (The Barn) objects: The building of a new detached garage block will increase substantially the footprint of the original buildings Noise and light pollution Proposed height of the garage block will severely restrict sunlight into the area of the garden which has been used to promote a wildlife habitat.

**Consultations/Publicity responses**

Archaeology	Flitton has its origins in the Saxon period and recent investigations in close proximity to the application area uncovered the presence of a large medieval cemetery as well as other deposits relating to the development of the village. Given the location of the proposed development it is therefore highly likely that archaeological remains dating from the Saxon period onwards will be present.  Whilst this development is small scale it will have a negative and irreversible affect on any archaeological deposits present at the site. This does not represent an over-riding constraint provided that adequate provisions are made to investigate and record any archaeological remains that are affected. Recommend a condition is attached in line with <i>PPS5: Planning for the Historic Environment</i> to any permission granted in respect of this application.
Flitton Preservation Society	No response received
Highways	If a vehicle enters the garage in reverse gear (which is more than likely as turning into the garage in forward gear will be very tight), then it will take multiple manoeuvres to leave in forward gear and turn into the drive. However this is within the site and will not affect the highway as such no objection to the proposal.
Application advertised	No response received

26/03/10

Site Notice posted

No response received

31/03/10

## **Determining Issues**

### **The main considerations of the application are;**

1. Impact on appearance of Conservation Area and the setting of Listed Buildings
2. Impact on amenities of neighbours.
3. Other concerns

## **Considerations**

### **1. Visual impact on the Conservation Area and the setting of Listed Buildings**

Planning permission is required as the outbuilding is within the curtilage of a listed building and because the outbuilding is within two metres of the boundary and is more than 2.5 metres high.

The proposed building has an oak frame and is 5.6 metres deep and 6.82 metres wide. To the front elevation it has two bays each 2.81 metres wide and an open outshoot to the side of 1.2 metres wide. The remainder of the building will have weatherboarded sides on top of a 0.225 metre high brick plinth.

The building is 4 metres high to main ridge with catslide roofs to the rear and side elevation. To the other side it has a fully weatherboarded gable. The roof will be in slate.

The proposed outbuilding will be opposite the former barn that is being reconstructed to the rear of the property with the open bays of the building facing down the application site. Although the building falls just outside the main garden area to the property, it is within the curtilage of the dwelling and is in close proximity to the reconstructed barn on the site and the rear garden.

The proposed building is situated to the rear of 11 Brook Lane such that it is not visible from the Brook Lane. The building therefore does not have a visual impact on the street scene or this part of the Flitton Conservation Area.

The outbuilding has a traditional design and with the use of good quality traditional materials will preserve the appearance of this part of the conservation area.

Conditions will be imposed to ensure that the materials used are the same as those approved for the reconstructed barn.

### **2. Impact on amenities of neighbours**

The outbuilding is to be sited close to the rear boundary of the property known as The

Barn at 9 Brook Lane where the application site wraps around the rear garden of this property.

The rear and side elevations of the proposed building face the boundary. The garage has a catslide roof to the rear which will be presented to the rear boundary of The Barn and will be in directly facing the rear elevation of this property.

The boundary line is splayed at this point and the garage is inset from this boundary at its nearest point by approximately 0.5 metres increasing to 2.5 metres. The rear elevation of the building will slope away from the boundary and will attain its full height approximately 4.5 metres from the boundary.

Although the garage will be in direct view from the rear of The Barn there is an intervening distance of at least 23 metres from the rear of this property. The boundary is also screened by existing laurel bushes. The ground levels to this part of the application site already slope downwards away from this part of the boundary and are at a lower level to the adjacent property. The garage will be partially screened by the existing boundary fencing and landscaping. As such it is considered that the garage will not be overbearing on this section of the boundary.

The weatherboarded gable to the side of the garage will be presented to the side boundary with 9 Brook Lane. This side of the garage will be inset from the boundary by approximately one metre and will be partially screened by existing close boarded fencing. Although the garage is close to the boundary, due to the intervening distance between the residential property and the garage, a detrimental loss of amenities caused by noise through use of the garage is not considered to arise as a result of the proposal.

As the garage is to be situated to the north west of the garden the garage is not considered to result in a loss of sunlight to this section of the rear garden of this property and is not considered to be overbearing on this part of the boundary.

The application site slopes downwards from Brook Lane to the rear of the site. The siting of the proposed garage is at a lower level to the adjoining garden at 9 Brook Lane. However, there is potential that the levels at this point could be further lowered which would further reduce the impact of the structure on the boundary. A condition requiring final floor levels in relation to the neighbouring garden will be added if permission is granted.

### **3. Other concerns**

The Parish Council have expressed concern that the existing annexe building and proposed garage may be separated from the main dwelling at 11 Brook Lane at a later date and become a separate dwelling. The adjoining neighbour has also expressed concern that the piece meal development to the rear of this property is to get a separate three bed house.

Flitton is categorised as a "Small Village" by Policy CS1 of Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009.



Policy DM4 states that development will be limited to infill residential development and small-scale employment uses. As such backland development in this location is contrary to policy.

Concern has been raised previously that the reconstruction of the barn to the rear of 11 Brook Lane Flitton is tantamount to backland development. However the construction of outbuildings within the curtilage of the dwelling are acceptable in principle and in this particular case acceptable as long as they do not harm the setting of the listed building or the character and appearance of the conservation area.

In this instance the circumstances of the site mean that the reconstructed barn (annexe) at the site cannot be used as an independent dwelling as it is considered that the construction of a separate independent dwelling and the subdivision of the site into two separate plots in different ownership would divorce the existing listed main dwelling at 11 Brook Lane from the countryside to the rear. In addition the vehicular access to the site that has been constructed is too narrow to serve an additional separate dwelling. The access must be a minimum width of 4.7 metres to serve an independent separate dwelling plus the existing dwelling.

Permission for the annexe currently under construction was acceptable in this particular instance subject to the condition that the use of the building remains ancillary to the main house (11 Brook Lane).

The proposal the subject of this application is to provide a garage for the use of the occupants of 11 Brook Lane and should be considered on its own merits. An outbuilding in this location close to the main dwelling is acceptable in principle.

The use of the proposed garage the subject of this application can be tied to the occupation of the main dwelling and vice versa. The garage would then be ancillary to the dwelling at 11 Brook Lane and could not be used independently from the dwelling in the future without being in breach of this planning permission or without the express granting of planning permission to remove the condition

## **Conclusion**

In light of the above considerations it is recommended that planning permission is granted.

## **Reasons for Granting**

The proposal is in conformity with Policies CS15 and DM13 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009 as it is not considered inappropriate development within a Conservation Area and safeguards archaeological remains; Policy DM3 as the proposal respects the amenity of surrounding properties and respects and complements the context and setting of the designated Flitton and Greenfield Conservation Area. It is also in accordance with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPS3: Housing and PPS 5: Planning for the Historic Environment as the

development does not unacceptably adversely affect the setting of a listed building or adversely impact upon the character or appearance of the Conservation Area.

### **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 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.**

**Reason: To safeguard any material of archaeological interest which exists on the site in accordance with PPS 5 Planning for the Historic Environment.**

- 3 **Cross sections through the site of the proposed garage and the adjoining garden at 9 Brook Lane, Flitton showing the final floor level of the garage and profile in relation to the garden of the adjoining property at 9 Brook Lane shall be submitted to and approved in writing prior to commencement of the development hereby approved. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that a satisfactory relationship results between the building and adjacent garden areas.**

- 4 The weatherboarding to the external walls of the building hereby permitted shall be of a wide format 200 - 225mm wide and stained/painted black unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.

- 5 *The building hereby permitted shall be roofed in natural slate with grey clay ridge tiles unless otherwise agreed in writing by the Local Planning Authority.*

Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed

Building.

- 6 The brick plinth of the building hereby approved shall be constructed in a handmade Sainsbury Mix from Dunton Brothers Ltd, laid in a Flemish or English bond with snapped headers with gritty part coarse sharp sand/ aggregate to lime mortar and neat flush joint unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.

- 7 Notwithstanding the approved plans, the guttering shall have a half round profile and the downpipe shall be 65mm. All rainwater goods shall be of cast iron or aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.

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

Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.

- 9 Before the garage hereby approved is first used all on site vehicular areas shall be surfaced in a manner to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 10 The building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as 11 Brook Lane, Flitton.

Reason: Any intensification of use of this double garage and store would cause conflict at the entrance to the site due to the restricted width of the vehicular access.

**DECISION**  
.....  
.....**SCHEDULE C – OTHER APPLICATIONS**

**Item 13 (Pages 153-166) – CB/10/01172/OUT – Roker Park, The Green, Stotfold**

**Additional Consultation/Publicity Responses****Additional Comments**

Further information has been submitted in relation to Storey Heights which has indicated that the site would be developed with two storey properties. It should be noted though that this is an outline planning application and as such the detail would be finalised if planning permission was granted through the Reserved Matters.

Unfortunately the S106 Legal Agreement has not been completed to date. Work is continuing between the parties to ensure that this is resolved as quickly as possible. Please can we retain to refuse the planning application if a satisfactory legal agreement is not secured.

**Additional/Amended Conditions**

**Item 14 (pages 167-176) – CB/10/01486/VOC – Units 1,3 and 4 Grove Park, Court Drive, Dunstable**

**Additional Consultation/Publicity Responses**

Dunstable Town Council were re-consulted on the application following the applicant's decision to omit seeking Class A1 use for Units 3 and 4 and the suggested imposition of a condition limiting the retail offer on Unit 1 to comparison goods only. There was not an opportunity for the revised details to be reported to the Plans Sub-Committee but the Chairman of the Sub-Committee indicated that there was still likely to be an objection to accepting a retail use for Unit 1. However, if retail was considered acceptable he indicated that a further condition should be imposed restricting the use for the related sale of goods to the recreation market, such as a sportswear retailer.

**Additional Comments**

Notwithstanding the additional response above, it is considered that limiting the sale of goods to comparison goods only would be sufficient to safeguard

the vitality and viability of the town centre. There is no need to further limit within comparison goods the range of items that could be sold.

**Item 15 (pages 177-182) – CB/10/01168/REG3 – 95 Beecroft Way, Dunstable**

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

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

<b>APPLICATION NUMBER</b>	<b>CB/10/00859/FULL</b>
<b>LOCATION</b>	<b>Land at Derwent Road, Linslade, Leighton Buzzard, LU7 2XT</b>
<b>PROPOSAL</b>	<b>Formation of a secondary vehicular access on land off Derwent Road to serve development proposed within Aylesbury Vale District under an outline planning application for Mixed Use Development including Residential (C3)- some 900 dwellings, Employment (B1) Commercial (A1, A2, A3, A4, A5), Primary school, Health centre (D1), Leisure and Community (D2) Land uses and associated roads, Drainage, Car parking, Servicing, Footpaths, Cycleways, Public Open Space/Informal Open Space and Landscaping (revised application SB/09/00176/TP)</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Southcott</b>
<b>WARD COUNCILLORS</b>	<b>Cllr David Hopkin &amp; Cllr Peter Snelling</b>
<b>CASE OFFICER</b>	<b>Mr C Murdoch</b>
<b>DATE REGISTERED</b>	<b>19 March 2010</b>
<b>EXPIRY DATE</b>	<b>14 May 2010</b>
<b>APPLICANT</b>	<b>Paul Newman New Homes</b>
<b>AGENT</b>	<b>DPDS Consulting Group</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call-in by local Members and in response to significant local interest in proposed Valley Farm urban extension development adjoining application site</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refused</b>

**Recommendation**

That Planning Permission be REFUSED for the following:

- 1 The introduction of an access on Derwent Road that would serve a major urban extension development on adjoining land at Valley Farm (Leighton Road, Soulbury) would increase vehicular movements onto a road which, by virtue of the inadequate width of the footpath on the eastern side, would increase hazard to vulnerable road users. Furthermore, if granted permission, the proposed urban extension development would increase pedestrian traffic along Derwent Road which, by virtue of the lack of a footpath on the western side and the inadequate width of the footpath on the eastern side, would be hazardous to all road users. The proposal is, therefore, contrary to national guidance in Planning Policy Guidance 13 (Transport) and Policies T2, T4, T8 and T9 of the East of England Plan.
- 2 The proposed realignment and narrowing of Soulbury Road between the county boundary and its junction with Derwent Road would be detrimental to highway safety and the free flow of traffic. The proposal is, therefore, contrary to national guidance in Planning Policy Guidance 13 (Transport) and Policies T4 and T8 of the East of England Plan.

- 3 The proposal fails to demonstrate that it would make adequate provision for the increase in traffic that would be generated by the urban extension development at Valley Farm (Leighton Road, Soulbury) and is likely to lead to an increase in traffic congestion at a number of junctions within the Leighton-Linslade urban area. Furthermore, the proposed mitigation measures described in the application would be detrimental to highway safety. The proposal is, therefore, contrary to national guidance in Planning Policy Guidance 13 (Transport) and Policy T8 of the East of England Plan.
- 4 The proposal fails to make adequate provision to promote sustainable travel modes such as cycling, walking and public transport. The proposal is, therefore, contrary to national guidance in Planning Policy Guidance 13 (Transport) and Policies T2, T4, T8 and T9 of the East of England Plan.
- 5 The construction of the proposed secondary access would involve the removal of 110m of hedgerow that adjoins the Derwent Road carriageway on its western side. The hedgerow makes a significant contribution to the visual amenity of the Derwent Road streetscene and is of significant local historical interest. The loss of such a substantial length of hedgerow would have a significant detrimental impact on the visual amenity of the streetscene and on the local historic environment. The proposal is, therefore, contrary to national guidance in Planning Policy Statement 1 (Delivering Sustainable Development), Policies ENV3, ENV6 and ENV7 of the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

[Notes:

1. The Chairman thanked officers for the quality and thoroughness of the report.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. 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.]



**Item No. 10****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>SB/07/01448/OUT</b>
<b>LOCATION</b>	<b>Land At Houghton Quarry, Houghton Road, Dunstable</b>
<b>PROPOSAL</b>	<b>Erection of up to 140 dwellings with associated car parking, amenity space and landscaping, formation of new vehicular access to Houghton Road and drainage works. (Outline)</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Regis</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Egan, Goodchild, Jones &amp; Williams</b>
<b>CASE OFFICER</b>	<b>Mr J Spurgeon</b>
<b>DATE REGISTERED</b>	<b>12 December 2007</b>
<b>EXPIRY DATE</b>	<b>02 April 2008</b>
<b>APPLICANT</b>	<b>Cill Dara Property Partnership</b>
<b>AGENT</b>	<b>DP9</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from Development Plan, major application with unresolved objection from Town Councils</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Granted</b>

**RECOMMENDATION:** that the application be referred to the Secretary of State as a departure from the approved Development Plan and subject to it not being called in by him for his decision, that Planning Permission be **GRANTED** subject to the prior completion of a legal agreement pursuant to Section 106 of the Town and County Planning Act 1990 to include the following Heads of Agreement:

1. Affordable Housing land;
1. Compliance with Parameter Plans;
2. Provision and maintenance of Public Open Space on-site;
3. Provision of recreational facilities off-site;
4. Sustainable transport and Highways measures;
5. Houghton Quarry Management Scheme;
6. Educational facilities;
7. Acquisition of control over Third Party Land for the purposes of being able to apply landscaping and highway works;

and the following conditions:

- 1 Before development begins, the approval of the Local Planning Authority shall be obtained in respect of all the reserved matters, namely the
  8. appearance
    - landscaping
    - layout; and
    - scale, within the upper and lower limit for the height, width and length of each building stated in the application for planning permission in accordance with Article 3(4).

REASON: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 2 Further to condition 1 above any application for submission of reserved matters shall include detailed design codes on building form, scale and design, including heights, bulk, massing, materials, detailing, colour pallettes, boundary treatments, street furniture, surface features, key building groups, frontages, landmarks, public squares, and important open spaces. The layout and design should demonstrate how the development relates appropriately to the quarry, as a landscape, natural history and historical resource, and on the way in which open spaces within the site are be linked together with landscape treatment and artistic interventions.

REASON: To produce an acceptable development in view of its sensitive and prominent location.

- 3 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 **Before development commences, including clearance of vegetation, a Waste Audit shall be submitted and approved in writing by the Local Planning Authority which shall demonstrate how opportunities for the reduction, recycling and re-use of waste during the construction and occupation of the development will be taken into account. The development of the site shall be carried out in strict accordance with the Waste Audit.**

REASON: To provide a wider sustainability basis for the development.

- 5 **No development shall take place until a scheme for the protection of Great Crested Newts has been appropriately licensed and implemented in accordance with section 8.5 of the Land at Houghton Road, Houghton Regis Environmental Statement, November 2007.**

REASON: To ensure that species protected under the Wildlife and Countryside Act 1981 (as amended) are not harmed.

- 6 No clearance of vegetation or ground works shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year unless a survey confirming that there will be no negative impacts on breeding birds has been completed by an appropriately qualified person and has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that species protected under the Wildlife and Countryside Act 1981 (as amended) are not harmed.

- 7 **Before development commences, including clearance of vegetation, a schedule of all trees which it is proposed to retain (the "retained trees") shall be submitted to and approved in writing by the Local Planning Authority. No development shall commence unless and until the retained trees are protected by substantial protective fencing in accordance with details which shall also be approved by that Authority.**

The protective fencing shall be retained at full height and extent until the development is substantially completed and no materials shall be stored or deposited and no mixing of materials shall take place within the areas so protected. No protected tree shall be lopped or topped, cut down or destroyed and if so affected it shall be replaced by a replacement tree(s) of such size and species as may be set out by that Authority.

REASON: To protect suitable trees on the site.  
(Policy BE8 S.B.L.P.R).

- 8 **Before development commences a Pollution Prevention and Control Method Statement, to include hours of working, shall be submitted to and approved in writing by the Local Planning Authority indicating site operation practice from commencement of site operations to completion of development. Subsequent operations shall conform with the approved statement.**

REASON: To safeguard the amenities of local residential properties.

- 9 **No development shall commence, including ground clearance, until details of all excavation, imported soil, fill and capping material and new ground forms, including any stabilisation of retained slopes, have been submitted to and approved in writing by the Local Planning Authority. Subsequent operations shall conform with the approved details.**

REASON: To enable control to be had of the movement of ground materials in relation to potential contamination and the sensitivity of adjacent areas.

- 10 **Prior to the commencement of any phase of the approved development the following shall be submitted to the Local Planning Authority:**

- (a) a Phase I Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination;**
- (b) where shown to be necessary by the Phase I Desk Study, a Phase II Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling;**
- (c) where shown to be necessary by the Phase II investigation, a Phase III detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment;**

**On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase IV validation report to incorporate photographs, material transport tickets and sampling.**

**Any remediation scheme and any variations shall be agreed in writing by the Local Planning Authority prior to commencement of works. This should include responses to any unexpected contamination discovered during works.**

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to

workers, neighbours and other offsite receptors.

- 11 **No development shall commence until details of the surface water drainage works have been submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved plans.**

REASON: (Environment Agency condition) To prevent the increased risk of flooding to third parties, to the site itself, to improve water quality and to enhance biodiversity.

- 12 **Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

**(a) a preliminary risk assessment which has identified:**

- **all previous uses**
- **potential contaminants associated with those uses**
- **a conceptual model of the site indicating sources, pathways and receptors**
- **potentially unacceptable risks arising from contamination at the site;**

**(b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;**

**(c) the site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;**

**(d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.**

REASON: (Environment Agency condition) To protect the quality of controlled waters in line with the Environment Agency Groundwater Protection Policy: the site lies above a Principal Aquifer and has potentially contaminative former uses (chalk pit, landfill).

- 13 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing

by that Authority.

REASON: (Environment Agency condition) To protect the quality of controlled waters in line with the Environment Agency Groundwater Protection Policy; the site lies above a Principal Aquifer and has potentially contaminative former uses (chalk pit, landfill).

- 14 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: (Environment Agency condition) To protect the quality of controlled waters in line with the Environment Agency Groundwater Protection Policy: the site lies above a Principal Aquifer and has potentially contaminative former uses (chalk pit, landfill).

- 15 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

REASON: Environment Agency condition. To protect the quality of controlled waters in line with the Environment Agency Groundwater Protection Policy: the site lies above a Principal Aquifer and has potentially contaminative former uses (chalk pit, landfill). The site is potentially contaminated and such a foundation solution could lead to the contamination of groundwater in the underlying aquifer.

- 16 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON: Environment Agency condition. To protect the quality of controlled waters in line with the Environment Agency Groundwater Protection Policy: the site lies above a Principal Aquifer and has potentially contaminative former uses (chalk pit, landfill).

- 17 **Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.**

REASON: (Environment Agency condition) To prevent the increased risk of pollution to the water environment.

- 18 **Before development commences, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than private domestic gardens and areas adopted by a Local Authority, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.**

REASON: To ensure that such areas contribute positively to the character of

the development.  
(Policy BE8 S.B.L.P.R).

- 19 **No development shall commence (a) unless details have been submitted to and approved in writing by the Local Planning Authority of the position, design and type of boundary treatment to the main site, being the whole site except for the corridor to the west used to construct the Sustainable Drainage System (SUDS), and (b) until the perimeter of the site, including the corridor used to construct the SUDS has been securely fenced in accordance with details which shall have previously been submitted to and approved in writing by that Authority.**  
REASON: To ensure that the development does not harm further areas of the County Wildlife Site in accordance with the Luton and South Bedfordshire Core Strategy Preferred Option CS17 – Biodiversity and Geology and Planning Policy Statement 9 – Biodiversity and Geological Conservation and in the interests of providing a high quality of design.
- 20 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**  
REASON: To ensure a satisfactory standard of landscaping.  
(Policy BE8, S.B.L.P.R).
- 21 **Before development begins, details of the materials to be used for the external walls and roofs of all new buildings, external hard surfaces, walls, fences, railings, and lighting of areas not to be adopted by a Local Authority, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**  
REASON: To control the appearance of the development.  
(Policy BE8 S.B.L.P.R).
- 22 A hardstanding of 25m<sup>2</sup> area with tie down anchor points shall be provided for the purposes of a waste recycling facility.  
REASON: To provide appropriate community level recycling facilities.
- 23 No operation in the course of constructing a dwellinghouse shall take place until a scheme of noise mitigation for dwellings has been submitted to and approved in writing by the local planning authority. All dwellings on the site shall be constructed in accordance with the approved scheme.  
REASON: To provide a satisfactory living environment in relation to the nearby highways.
- 24 **Before development begins, a scheme showing the special facilities to be provided for the convenience of disabled persons, particularly those in wheelchairs, including the means of access to any building, their parking facilities and access to any outdoor facilities shall be**

**submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use.**

REASON: To safeguard the interests of disabled persons.  
(Policy BE8 S.B.L.P.R).

- 25 **Development shall not begin until details of the proposed estate road, the proposed ramped access road, the proposed retaining wall and the junction between the proposed estate road and Houghton Road have been submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until those works 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 proposed estate road.

- 26 The development shall not be commenced until a site wide Travel Plan has been submitted to and approved in writing by the Local Planning Authority, such Travel Plan to include details of:

- Predicted travel to and from the site and targets to reduce car use,
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks,
- Proposals and measures to minimise private car use and facilitating walking, cycling and the use of public transport,
- Timetable for implementation of measures designed to promote travel choice,
- Details of provision of cycle parking in accordance with Central Bedfordshire Guidelines,
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include site specific travel and transport information; travel vouchers; maps showing the location of shops, recreational facilities, employment and educational facilities; details of relevant pedestrian, cycle and public transport routes to and from and within the site; copies of relevant bus and rail timetables together with discount vouchers for public transport and cycle purchase.

No part of the development shall be occupied otherwise than in accordance with the approved Travel Plan.

REASON: To reduce reliance on the private car.

- 27 **No dwelling shall be occupied until a foot/cycleway has been provided alongside Houghton Road in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

REASON: To provide appropriate sustainable infrastructure.

28. **Development shall not begin until the detailed parking provision within the development, in accordance with the Design Guide for Central Bedfordshire – Design Supplement 7 (Movement, Streets and Places), has been approved by the Local Planning Authority and no building shall be occupied until that provision has been made in accordance with the approved details. The following parking standards shall apply:**

- 1.25 spaces for 1 bedroom dwellings;**
- 2.25 spaces for 2 and 3 bedroom dwellings;**
- 3.25 spaces for 4 bedroom dwellings.**

REASON: To ensure provision of car parking in the interest of the safety and convenience of road users.

29. This permission relates only to the details shown on Drawing No. 5039/OPA/002 Rev 5 received 23/07/09; Drawing No. B0015829/C/SK008 Rev.0 received 22/06/09, and Parameter Plan 5039/OPA/005 received 22/06/09 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved plans and to avoid doubt.

### Notes to Applicant

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

#### **Regional Spatial Strategy**

SS5 Priority areas for regeneration  
 SS8 The urban fringe  
 H1 Regional housing provision  
 H2 Affordable housing  
 T2 Changing travel behaviour  
 T4 Urban transport  
 T8 Local roads  
 ENV3 Biodiversity and earth heritage  
 ENV7 Quality in the built environment  
 ENG1 Carbon dioxide emissions and energy performance  
 Wat Integrated water management  
 WM6 Waste management in development  
 2(a) Luton/Dunstable/Houghton Regis and Leighton Buzzard  
 3 Sustainable communities

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

25 Infrastructure

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

SD1 Keynote policy  
 BE8 Design and environmental considerations  
 T4 Translink project  
 T10 Parking - new development  
 T11 Contributions - alternative parking  
 T13 Future road construction



H2 Fall-in sites  
H3 Local housing needs  
H4 Affordable housing  
R10 Play area standards  
R14 Informal recreational facilities  
R15 Rights of way network.

3.
  - Where remedial measures are necessary, they should be managed with Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.
  - All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and Environment Agency/NHBC R&D Publication 66 - *Guidance for the Safe Development of Housing on Land Affected by Contamination*.
  - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
  - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the Local Planning Authority.
  - The applicant shall advise the Local Planning Authority of commencement of the works.
  - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
  - Central Bedfordshire Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.
4. In respect of conditions requested by the Environment Agency (usually so indicated above), reference should be made to the formal response of the Agency in their letter dated 30th September 2009 in which background information and advice is set out. This advice should be noted. Contact: Neville Benn, EA, 01480 483996.

5. You are advised to contact Anglian Water Services Ltd further to their formal advice in respect of the application, in respect of their assets in relation to the site. This would include any connection to the surface water and/or foul water sewerage system. Contact: Mrs D Harding, Anglian Water Services Ltd, Peterborough, 01733 414690.
6. Prior to starting preparations for the submission of reserved matters the developer is advised to contact the Local Planning Authority in respect of the treatment of the public realm. This would involve discussions on the way in which the layout and design would enable the development to relate appropriately to the quarry, as a landscape, natural history and historical resource, and on the way in which open spaces within the site can be linked together with landscape treatment and artistic interventions, engaging an artist as appropriate.
7. In respect of condition 3 it is recommended that the Waste Audit be submitted with the application for reserved matters.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. 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.]

**Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/10/01535/FULL</b>
<b>LOCATION</b>	<b>Land rear of 57, Cambridge Road, Sandy</b>
<b>PROPOSAL</b>	<b>Full: Erection of 2 No. one bedroom semi detached dwellings</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>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>07 May 2010</b>
<b>EXPIRY DATE</b>	<b>02 July 2010</b>
<b>APPLICANT</b>	<b>NJF Developments Ltd</b>
<b>AGENT</b>	<b>Levitt Partnership</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Aldis requested the application be determined by Committee: grounds of overdevelopment, inadequate parking, loss of amenity to neighbours and too many residents using a shared access</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

Delegated Decision – See Minute No. DM/10/54

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

1. The proposed development by reason of its size, design and siting, would give rise to a cramped form of development harmful to the character and appearance of the surrounding area. As such the proposal would be contrary to policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).
2. The proposal would result in the unacceptable loss of garden land and amenity space for the benefit of occupiers of the existing adjacent dwelling, which would have a harmful impact on their amenities. As such, the proposal is contrary to policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and to PPS 3 Housing (June 2010).
3. The application contains insufficient information in the form of a legal agreement requiring contributions to local infrastructure. As such the proposal is contrary to Policy CS2 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Council's Adopted Supplementary Planning Guidance: Planning Obligations Strategy (2008).

[Notes:

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

2. In advance of consideration of the application the Committee were advised of [Page 36 consultation received as set out in the Late Sheet attached to these Minutes.]

**Item No. 12****SCHEDULE B**

**APPLICATION NUMBER** CB/10/00922/FULL  
**LOCATION** 11 Brook Lane, Flitton, Bedford, MK45 5EJ  
**PROPOSAL** Full: Erection of detached two bay open garage with lean-to to side.  
**PARISH** Flitton/Greenfield  
**WARD**  
**WARD COUNCILLORS**  
**CASE OFFICER** Mary Collins  
**DATE REGISTERED** 08 March 2010  
**EXPIRY DATE** 03 May 2010  
**APPLICANT** Mr English  
**AGENT** Mr S Everitt  
**REASON FOR COMMITTEE TO DETERMINE** Cllr Jamieson call in. There is concern regarding over development and also secondary line of development.

**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 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To safeguard any material of archaeological interest which exists on the site in accordance with PPS 5 Planning for the Historic Environment.

- 3 **Cross sections through the site of the proposed garage and the adjoining garden at 9 Brook Lane, Flitton showing the final floor level of the garage and profile in relation to the garden of the adjoining property at 9 Brook Lane shall be submitted to and approved in writing prior to commencement of the development hereby approved. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the building and adjacent garden areas.

- 4 The weatherboarding to the external walls of the building hereby permitted shall be of a wide format 200 - 225mm wide and stained/painted black unless otherwise approved in writing by the Local Planning Authority.
- Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.
- 5 The building hereby permitted shall be roofed in natural slate with grey clay ridge tiles unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.
- 6 The brick plinth of the building hereby approved shall be constructed in a handmade Sainsbury Mix from Dunton Brothers Ltd, laid in a Flemish or English bond with snapped headers with gritty part coarse sharp sand/ aggregate to lime mortar and neat flush joint unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.
- 7 Notwithstanding the approved plans, the guttering shall have a half round profile and the downpipe shall be 65mm. All rainwater goods shall be of cast iron or aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension or material alteration of the building until detailed plans and elevations have been submitted to and approved in writing by the Local Planning Authority.
- Reason: To safeguard the appearance of the development in the interests of the visual amenities of the Conservation Area and the setting of the Listed Building.
- 9 Before the garage hereby approved is first used all on site vehicular areas shall be surfaced in a manner to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
- Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the premises.

- 10 The building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as 11 Brook Lane, Flitton.

Reason: Any intensification of use of this double garage and store would cause conflict at the entrance to the site due to the restricted width of the vehicular access.

**Notes to Applicant**

[Note: 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.]

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**Item No. 13**

**APPLICATION NUMBER** CB/10/01172/OUT  
**LOCATION** Roker Park, The Green, Stotfold, Hitchin, SG5 4DG  
**PROPOSAL** Outline: The erection of 43 No. dwellings (all matters reserved except access)

**PARISH** Stotfold  
**WARD** Stotfold & Arlesey  
**WARD COUNCILLORS** Cllrs Dalgarno, Saunders, Street, Turner  
**CASE OFFICER** Hannah Pattinson  
**DATE REGISTERED** 31 March 2010  
**EXPIRY DATE** 30 June 2010  
**APPLICANT** Stotfold Town Council  
**AGENT** Levitt Partnership  
**REASON FOR COMMITTEE TO DETERMINE** The Council has a legal interest in the site

**RECOMMENDED DECISION** Outline Application - Granted

**Recommendation**

That Planning Permission be granted subject to the following:

- 1 Approval of the details of:-
  - (a) the layout of the building(s);
  - (b) the scale of the building(s);
  - (c) the appearance of the building(s);
  - (d) the landscaping of the site;

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

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

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

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

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

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

- 4 **No development shall commence until 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 complement the surrounding buildings and the visual amenities of the locality.**

- 5 **No development shall commence until a Contamination Scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted Contamination Scheme shall include:**

**(1) A preliminary risk assessment which has identified:**

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site including sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

**(2) A site investigation scheme, based on (1) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site**

**(3) An options appraisal and remediation strategy, based on (2) above, giving full details of the remediation measures required and how they are to be undertaken**

**(4) A verification plan, based on (3) above, providing details of the data that will be collected in order to demonstrate that the works set out on (3) above are complete and identify any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for a contingency action.**

**The scheme shall be implemented solely in accordance with the approved details.**

**Reason: To protect the quality of, and prevent the pollution of controlled waters in accordance with PPS23 and the Environment Agency's Groundwater Protection (GP3) policy.**

- 6 **No development shall take place until the details, including location, height and materials of temporary protective fencing or hoardings and areas prohibited from use by contractors and such other measures to be taken in the interests of existing tree and hedgerow protection shall have been submitted to and approved in writing by the Local Planning Authority and the details shall be implemented as approved for the duration of the works.**

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

- 7 **No development shall commence until details of the final ground and slab levels of the buildings to be erected have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties or land, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 8 **No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works, which shall not include borehole soakaways, has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.**

- 9 **No development shall be commenced until a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.**

**Reason: To ensure a satisfactory method of foul water drainage.**

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

- i) measures to suppress dust;**
- ii) measures to be used to reduce the impact of noise arising from noise generating activities on site, in accordance with best practice set out in BS:5228:1997 "Noise and vibration control on construction and open sites";**
- iii) the siting and appearance of works compounds; and**
- iv) wheel cleaning facilities for construction traffic.**

**The implementation of the development shall only be undertaken in**

accordance with the approved Code.

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

- 11 **Prior to the commencement of the development shall not begin until details of the modified junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.**

- 12 **No development shall commence until a programme of landscape implementation to include any landscape buffers, and details of any advance or screen planting has been submitted to and approved in writing by the Local Planning Authority. Implementation shall be carried out in accordance with an implementation timetable agreed in writing by the Local Planning Authority.**

**This landscaping shall be appropriately protected during building operations and maintained to encourage its establishment for a minimum of 5 years following the practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective within this period shall be replaced in the first available planting season in accordance with a scheme to be first approved in writing by the Local Planning Authority.**

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

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

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

- 14 This permission shall not extend to the layout and associated engineering details submitted in support of the application.

Reason: For the avoidance of doubt.

- 15 The permission shall authorise the erection of no more than 43 dwellings.

Reason: For the avoidance of doubt.

- 16 Visibility splays shall be provided at the junction of the access with the public highway before the development is first brought into use. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0 m measured from the centre line of

the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

- 17 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4 m measured along the centre line of the side road from its junction with the channel to the through road and 25.0 m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junctions in the interest of road safety.

- 18 If contamination not previously identified is found on the site during the construction process then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and received approval in writing from the Local Planning Authority for an amendment to the remediation strategy detailing how the unsuspected contamination shall be dealt with.

Reason: To protect the quality of and prevent the pollution of controlled waters in accordance with PPS23 and the Environment Agency's Policy GP3.

### 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 Highway Engineer, Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highways Help Desk P.O. Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc) then the application will be required to bear the costs of such removal or alteration.

[Note: 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.]

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

<b>APPLICATION NUMBER</b>	<b>CB/10/01486/VOC</b>
<b>LOCATION</b>	<b>Unit 1, 3 and 4, Grove Park, Court Drive, Dunstable, LU5 4GP</b>
<b>PROPOSAL</b>	<b>Variation of condition 18 of planning permission SB/TP/03/01863 in order that the specified units can be used for Class A1 (Shops) Class A3 (Restaurant and cafes), Class A4 (Drinking establishments) and for purposes within Class D1 (Non-residential institutions) and Class D2 (Assembly and Leisure)</b>
<b>PARISH</b>	<b>Dunstable</b>
<b>WARD</b>	<b>Dunstable Downs</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Paul Freeman &amp; Tony Green</b>
<b>CASE OFFICER</b>	<b>Gill Claxton</b>
<b>DATE REGISTERED</b>	<b>26 April 2010</b>
<b>EXPIRY DATE</b>	<b>21 June 2010</b>
<b>APPLICANT</b>	<b>CDP Dunstable Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The land is owned by Central Bedfordshire Council and there is an unresolved objection</b>
<b>RECOMMENDED DECISION</b>	<b>Variation of Condition - Granted</b>

**Recommendation**

That planning permission be granted subject to the following:

- Units 3 and 4 shall only be used for purposes falling within Use Classes A3 (Restaurants and Cafes), A4 (Drinking Establishments); D1 (Non-residential institutions) and D2 (Assembly and leisure) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order, with or without modification) and for no other purpose including any other purpose in Class A1 or Class A2 of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order, with or without modification).  
REASON: To control the development in the interests of amenity and in order to protect the vitality and viability of the town centre shopping area.
- Unit 1 shall only be used for purposes falling within Classes A3 (Restaurants and Cafes), A4 (Drinking Establishments); D1 (Non-residential institutions) and D2 (Assembly and leisure) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). Unit 1 may also be used for purposes falling within Class A1 (Shops) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended (or any order revoking and re-enacting that Order with or without modification) provided it is only used for the sale of comparison goods. Unit 1 shall be used for no other purpose including any other purpose in Class A2 of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order, with or without modification).

REASON: In order to control the development in the interests of amenity, to restrict the sale of convenience goods outside Dunstable Town Centre, in accordance with the advice contained in Planning Policy Statement 4 - Planning for Sustainable Economic Growth and to protect the vitality and viability of the town centre shopping area.

- 3 This permission relates only to the details shown on Drawing No's 1224/AL105E and 681.SK24/4B received 26/04/10 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved plans and to avoid doubt.

### Notes to Applicant

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

#### **Regional Spatial Strategy**

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

SS1 - Achieving Sustainable Development

SS6 - City and Town Centres

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

BE8 - Design Considerations

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

[Note:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. 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.]



**Item No. 15****SCHEDULE C**

<b>APPLICATION NUMBER</b>	<b>CB/10/01168/REG3</b>
<b>LOCATION</b>	<b>95 Beecroft Way, Dunstable, LU6 1EF</b>
<b>PROPOSAL</b>	<b>Erection of single storey rear extension</b>
<b>PARISH</b>	<b>Dunstable</b>
<b>WARD</b>	<b>Northfields</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Jeanette Freeman &amp; Julian Murray</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>12 April 2010</b>
<b>EXPIRY DATE</b>	<b>07 June 2010</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Central Bedfordshire Council</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Applicant is a Council employee</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommendation**

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

- 1 The development hereby permitted shall only be used as an annexe/extension to the dwelling and shall not be occupied as a separate or self-contained dwelling unit.  
REASON: To prevent the establishment of a separate residential unit. (Policy BE8 S.B.L.P.R).
- 2 This permission relates only to the details shown on the Site Location Plan, Floor Plan and Elevation Drawings received 30/03/10 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved plans and to avoid doubt.

**Notes to Applicant**

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

**Regional Spatial Strategy**

ENV7 - Quality in the Built Environment

**South Bedfordshire Local Plan Review**

BE8 - Design Considerations

H8 - Controlling Extensions to Dwellings

3. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
4. 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.