

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 17 August 2011

PRESENT

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

Cllrs	P N Aldis	Cllrs	Mrs R J Drinkwater
	A R Bastable		Mrs R B Gammons
	R D Berry		K Janes
	D Bowater		D Jones
	A D Brown		T Nicols
	Mrs C F Chapman MBE		I Shingler
	Mrs S Clark		J N Young
	I Dalgarno		

Apology for Absence: Cllr Ms C Maudlin

Substitutes: Cllr K C Matthews (In place of Ms C Maudlin)

Members in Attendance: Cllrs Dr R Egan
Mrs S A Goodchild
Mrs D B Gurney
R W Johnstone
Mrs M Mustoe
Mrs P E Turner MBE
M A G Versallion (a.m session)
C C Gomm (a.m session)

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Ms G Claxton	Principal Planning Officer
	Mr A Davie	Head of Development Management (North)
	Mrs V Davies	Senior Planning Officer
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Lamb	Development Management Team Leader (North)
	Mr C Murdoch	Planning Officer (South)
	Mrs L Newlands	Senior Planning Officer

DM/11/17 Chairman's Announcements

The Chairman advised that he had received oral communications commending the Committee on the way in which a decision was made in respect of Tesco Stores, Vimy Road, Leighton Buzzard.

The Chairman advised the Committee that he had received complaints from members of the public regarding the use of mobile phones during the meeting. Therefore, members were asked to ensure that their mobile phones were switched off.

Members were asked to note that in the Ethical handbook rule 13.5.5 states: Do not vote or take part in the meetings discussion on the proposal unless you have been present to hear the entire debate including the Officer's introduction.

Application No CB/11/01395/FULL relating to Woodlands Nurseries, Biggleswade road, Upper Caldecote would be considered as the first item during the 2.00 p.m session after the completion of any outstanding 11.00 a.m session applications.

DM/11/18 Minutes

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 20 July 2011 be confirmed and signed by the Chairman as a correct record subject to the following two amendments:

(i) Councillor R D Berry declared an interest under part (c) in respect of Tesco Stores, Vimy Road, Leighton Buzzard. He took no part in discussions and did not vote at Leighton Town Council meetings.

(ii) Minute No DM/11/8 to be reworded to read as follows:

That Planning Application No CB/11/00664/FULL, The Old Church of St Vincent adjacent to the Recreation Ground, tithe Farm Road, Houghton Regis be deferred for one cycle to allow for further consultation to be undertaken.

DM/11/19 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr N Young	12	Met applicant and public speaker at application site.	Present
Cllr Mrs S Clark	13	Met applicant on site.	Present
Cllr A R Bastable	13	Met applicant on site.	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr K Janes	7	Own a nursing home.	Absent

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

Member	Item	Parish/Town Council	Vote Cast
Cllr D Jones	7	Houghton Town Council	Regis Did not vote
Cllr A Shadbolt	8	Heath & Parish Council	Reach Did not vote
Cllr A Shadbolt	9	Hockliffe Council	Parish Did not vote
Cllr P F Vickers	14,15, 16 & 17	Biggleswade Council	Town Did not take part or vote

DM/11/20 **Petitions**

The Chairman advised that no petitions had been received.

DM/11/21 Planning Enforcement Cases Where Formal Action Has Been Taken

RESOLVED

that the update on planning Enforcement cases where formal action has been undertaken be noted.

DM/11/22 Late Sheets 11.00 a.m and 2.00 p.m.

In advance of the consideration of the following Planning Applications the Committee received a Late Sheet advising 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/11/23 Planning Application No. CB/11/00664/FULL

RESOLVED

that Planning Application No. CB/11/00664/FULL relating to the Old Church of St Vincent adjacent to the Recreation Ground, Tithe Farm Road, Houghton Regis be referred to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 as it involves Green belt development where the floorspace to be created exceeds 1,000 square metres. Subject to the application not being called in by the Secretary of State, the application shall be delegated to the Head of Development Management to approve in consultation with the Chairman and Vice- Chairman.

DM/11/24 Planning Application No. CB/10/04441/OUT

RESOLVED

that Planning Application No. CB/11/04441/OUT relating to Heath Motors, Woburn Road, Heath & Reach, Leighton Buzzard be approved subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/25 Planning Application No. CB/11/00528/FULL

RESOLVED

that Planning Application No. CB/11/00528/FULL relating to Shaah Group, Watling Street, Hockliffe be approved subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/26 **Planning Application No. CB/11/02050/FULL**

RESOLVED

That Planning application No CB/11/02050/FULL relating to Mary Bassett Lower school be deferred for one cycle due to outstanding conservation and design issues.

ADJOURNMENT

The Committee adjourned at 13.00

The meeting reconvened at 13.45

DM/11/27 **Planning Application No. CB/11/02433/FULL**

RESOLVED

that Planning Application No. CB/11/02433/FULL relating to 146 Castle Hill Road, Tottenham, Dunstable be approved subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/28 **Planning Application No. CB/11/01612/FULL**

RESOLVED

that Planning Application No. CB/11/01612/FULL relating to The Winston Churchill Public House, Church Street, Dunstable be approved subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/29 **Planning Application No. CB/11/01395/FULL**

RESOLVED

that Planning Application No. CB/11/01395/FULL relating to Woodlands Nurseries, Biggleswade Road, Upper Caldecote, Biggleswade be delegated to the Head of Development Management to approve subject to no new issues arising and subject to conditions as set out in the Schedule appended to these Minutes.

DM/11/30 Planning Application No. CB/11/01889/FULL

RESOLVED

that Planning Application No. CB/11/01889/FULL relating to Land to the South West of Breakheart Hill Farm, Fordfield Road, Millbrook be delegated to the Head of Development Management to approve subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/31 Planning Application No. CB/11/01817/FULL

RESOLVED

that Planning Application No. CB/11/01817/FULL relating to 1 Crowther Court, Shortmead Street, Biggleswade be delegated to the Head of Development Management to approve subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/32 Planning Application No. CB/11/01759/FULL

RESOLVED

that Planning Application No. CB/11/01759/FULL relating to 2 Crowther Court, Shortmead Street, Biggleswade be delegated to the Head of Development Management to approve the application subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/33 Planning Application No. CB/11/01965/FULL

RESOLVED

that Planning Application No. CB/11/01965/FULL relating to 4 Crowther Court, Shortmead Street, Biggleswade be delegated to the Head of Development Management to approve subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/34 Planning Application No. CB/11/01950/FULL

RESOLVED

that Planning Application No. CB/11/01950/FULL relating to 12 Crowther Court, Shortmead Street, Biggleswade be delegated to the Head of Development Management to approve subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/35 **Planning Application No. CB/11/01833/FULL**

RESOLVED

that Planning Application No. CB/11/01833/FULL relating to Tempsford Hall, Station Road, Tempsford, Sandy be approved subject to the conditions as set out in the Schedule appended to these Minutes.

DM/11/36 **Planning Application No. CB/11/01415/VOC**

RESOLVED

that Planning Application No. CB/11/01415/VOC relating to Fairfield Hall, Kingsley Avenue, Stotfold be delegated to the Head of Development Management to refuse the variation of condition as set out in the Schedule appended to these Minutes.

DM/11/37 **An application to register land described in the application as Town Farm Court and Town Farm Orchard, Henlow as a Town or Village Green.**

RESOLVED

that the application be deferred for two cycles to enable consultation to be undertaken.

DM/11/38 **Site Inspection Appointment(s)**

RESOLVED

that the following Members be appointed to conduct any site inspections to be undertaken in advance of the next meeting of this Committee to be held on Wednesday 14 September 2011:-

**Chariman
Vice-Chairman**

Cllrs:

**A R Bastable
P N Aldis
Mrs S Clark**

(Note: The meeting commenced at 11.00 a.m. and concluded at 4.40 p.m.)

Chairman

Dated

LATE SHEET**11.00 AM MEETING****DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2011****SCHEDULE A*****Item 7 (Page 13-26) – CB/11/00664/FULL – The Old Church of St Vincent adjacent to the Ground, Tithe Farm Road, Houghton Regis.*****Additional Response from Applicant's Agent**

In response to the objection from the Tree and Landscape Officer the applicant's agent has the following comments:

"We have substantial support from the local people, councillors and the Town Council for the proposal.

If the issue of casting a shadow is a genuine problem then there is not enough space on site to accommodate a further 5m from the trees unless we build 3 stories. Otherwise we will not achieve the numbers needed to make it work financially.

I believe that 3 stories will be resisted by the Council and I do not think we will be funded to revise the drawings again so closely following the recent redraw due to the TPO. It is a pity that the Tree and Landscape Officer had not made clear his full concerns earlier.

It is very disappointing to find that trees casting a shadow is now a problem at this late stage. We are finding it difficult to cope with these constant setbacks. However, in relation to the Tree and Landscape Officer's concern about overshadowing, I have a number of points to make.

1. In our experience in regard to nursing homes, there are no requests for unreasonable pruning to trees. It may happen with housing but this is not housing. Does the Tree and Landscape Officer have contrary evidence relating to nursing homes to this effect?
2. The structure is not for domestic use with domestic pressures of amenity space for barbecues, washing lines, etc.
3. This is not an old peoples home or anyone else's private home. It is proposed to accommodate elderly patients with dementia problems and those who are convalescing who will not be long term. The patients will be more concerned about their health rather than tree shadow.
4. A TPO means that pruning of the trees will be controlled as any cutting back will require an application thus allowing control over pruning. Unreasonable requests which do not harm the integrity of the building can be refused as currently is the case where any TPO'd trees are located in proximity to buildings.

5. In regard to his statement about loss of light to rooms often being a source of worry and concern to elderly people, it should be noted that this is not an old people's home.
6. We would be happy to introduce roof lights to the 1st. floor rooms to overcome his daylight concerns, however, some medical conditions require low or no light such as those with eyesight disorders. Patients with eyesight disorders could be located in the ground floor bedrooms where appropriate.
7. For dementia care, visual sensory stimulation is to be welcomed. The movement and light filtration from any foliage is a real bonus for such patients. The fact of the matter is that the revised proposals for the construction of the building where it is now shown, will not affect the trees. To indicate that overshadowing will be a factor that could result in a reason for refusal, does not take into consideration the use and function of the building.

However, a balance has to be struck against whether there will indeed be calls to prune the trees, bearing in mind that this is not a normal residential dwelling, against the provision of much needed facility with all the much needed employment that could be generated in this deprived area.

I suspect that the Tree and Landscape Officer is basing his concerns on residential dwellings or residential homes rather than nursing homes where there is more long term care.

We could, of course, revert to the religious use for the site, which to date, we have fended off due to perceived issues relating to some religions.

The reality is that the trees are not under threat by this development and any unreasonable requests for pruning would be controlled by the TPO."

Additional Comments

The Tree and Landscape Officer has considered these comments but maintains his objection to the scheme for the reasons set out in the main report on the agenda. He concludes that the development will conflict with the above ground constraints of protected trees to the extent that there will be future pressure for continual and disfiguring pruning, which will be to the detriment of the amenity value of the trees concerned.

Additional/Amended Reasons

None.

SCHEDULE B***Item 8 (Page 27-50) – CB/10/04441/OUT – Heath Motors, Woburn Road, Heath & Reach, Leighton Buzzard.*****Additional Consultation/Publicity Responses**

Highways Officer:

This application is for outline permission of a residential development which has an indicative layout comprising of 14 units. The applicant has indicated that means of access is to be considered at this stage with all other matters reserved for future consideration.

Design Supplement 7 defines a Minor Way as serving no more than 25 units and having a typical peak hour flow of approximately 10-15 vehicles. This proposed development I would expect to conform to a Minor Way.

A Minor Way shall have a minimum width of 4.8m and a 2m footway either side of the carriageway. If the development was to be a shared area then the 2m wide footways can take the form of a service margin either as a verge or a widened paved carriageway.

The applicant has shown on the indicative layout a 5.5m wide carriageway at the entrance of the site, narrowing to 4.8m some 20m into the site from Woburn Road. There is a 2m wide footway shown on the southern side of the carriageway and a 1m service margin on the other side. Whilst the carriageway widths shown are acceptable, a 2m footway/service margin is required both sides of the access, with the exception of plot 11 where a 600mm service margin may be considered acceptable.

The turning area shown on the indicative layout is suitable for a refuse type vehicle and will also accommodate a 10m rigid vehicle.

The visibility splays for this type of access at this location shall be 2.4m measured in to the site at right angles to Woburn Road by 43m measured either side of the centre line of the proposed access, along the channel of Woburn Road. The applicants Transport Statement states that an average speed of 37mph has been used to set the visibility splays as prescribed in Manual for Streets. Woburn Road at this particular point is a 30mph zone therefore the maximum splay we would apply here would be 43m. I would be very surprised if the average speed at this point is anything like 37mph. I would suggest that the applicant is demonstrating that even for speeds of 37mph with a corresponding visibility splay of 59m it can be accommodated within the highway or land within the applicant's control.

The Design and Access Statement refers to the Transport Statement prepared by Royal Haskoning which addresses the highway issues associated with the potential development. In terms of the parking provision, the indicative plan does not correspond with the breakdown of the proposed parking spaces. The applicant does however, refer in the DAS that the proposals show an appropriate number of resident and visitor parking spaces based on Council guidelines. For the avoidance of doubt I would suggest that notwithstanding the details shown on the indicative plan a condition is imposed to provide the required parking spaces.

There are three dwellings shown, on the indicative layout, fronting Woburn Road with parking provision accessed to the rear of the units. There would be a great temptation for residents in these three units to use that section of Woburn Road fronting the site for short stay parking. I would not wish to encourage any on-street parking in this location, therefore I propose the introduction of an extension to the waiting restriction which currently exists to the south of the site. The funding required for the amendment to the Traffic Regulation Order will be £3,500. I suggest this funding shall be secured via the section 106 Agreement.

I understand that there is an historical access leading through the site from Woburn Road to the former Thrift Quarry. There is no longer any extraction from the quarry but it will be subject to restoration works. I note in the statement that this private access is intended to be used by small maintenance vehicles, as the main vehicular access to the former quarry is via Brickhill Road.

The site currently has two vehicle crossing points, the location of the northern crossing will be used for the new access serving the site, whilst the southern crossing will need to be closed and reinstated as public footway, this is generally undertaken by the highway authority at the applicants expense; this can be conditioned.

The applicant's red line plan indicates the boundary of the site to be along the footprint of the existing canopy structure. I consider the highway boundary in this particular location will follow the drainage channel which is located at the back of the public footway. The applicant will need to be satisfied that they are in control of the land up to the highway boundary, I would therefore advise the applicant to check their land ownership details and amend the red line plan to accord with that of the highway boundary.

Recommend imposition of conditions in respect of the junction of the estate road with the highway, access details, pedestrian visibility splays, visibility across the site frontage, parking provision at reserved matters stage, closure of redundant accesses, provision of a turning area for refuse vehicles and cycle parking plus informatives.

Additional Comments

Highways matters and site layout

The applicant has submitted a revised illustrative layout plan that incorporates the provision of a 2m wide footway on the northern side of the estate road and an additional parking space for each of Plots 13 and 14. The applicant has also amended the red line plan so that the front site boundary abuts the highway boundary. The Highways Officer confirms that the amendments indicated on the revised plans are acceptable.

Thrift Quarry access

Thrift Quarry, at the rear of the Heath Motors site, has been infilled with inert waste and is being restored to agriculture/amenity grassland/sports pitch. The existing vehicular access through the site to/from the quarry is a secondary means of access – the primary access being off Brickhill Road through Bakers Wood. The agent advises that, ideally, the applicant would not wish to incorporate this access within

the proposed development. However, a formal easement granting limited access rights to a third party has to be accommodated in the layout of the new estate. The extent of these rights is such that the access could not be used in connection with a more intensive use of the Thrift Quarry land.

Loss of off-street parking

At present, some residents of nearby properties in Woburn Road use the site, in particular the area beside the sloping access up to the quarry, for off-street parking. The agent advises that although there is no express provision for this arrangement, existing or proposed, it is likely that the proposed development would be able to accommodate some parking for other Woburn Road residents and visitors. In strict terms however, this is an informal arrangement beyond the scope of planning control. There is no right for the residents to park vehicles on what is currently private land.

Contamination and waste management

With regards to potential site contamination, both the Environment Agency in respect of controlled waters and the Environmental Health Officer in respect of human health and the environment recommend conditions to ensure that any existing contamination is dealt with in an acceptable manner. With regards to waste management, the Waste Planning Development Officer recommends a condition requiring the submission of a Site Waste Management Plan indicating how waste would be reduced, recycled and re-used during both the construction and operational phases of the proposed development.

Adequacy of local sewerage system

The Parish Council have questioned whether the local sewerage system is adequate for the additional flows that the new housing is likely to generate. Anglian Water advises that the system at present has available capacity for foul water flows. In respect of surface water flows, Anglian Water advises that the preferred method of disposal would be by way of a sustainable drainage system with connection to a sewer seen as the least favoured option.

11 Woburn Road's privacy

The residents of 11 Woburn Road have expressed concern about being overlooked from the dwellings proposed adjacent their property. There are existing mature conifer trees within the site beside the boundary with No. 11 that should provide sufficient screening. These may not be growing on the south-eastern embankment and, if so, would not be covered by Condition 6. It is therefore recommended to amend the wording of Condition 6 to include boundary trees that are not growing on the embankments.

Amendment to Recommendation

Recommendation

That Planning Permission be granted subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure financial contributions towards:

- Education

- Sustainable transport
- Traffic Regulation Order on Woburn Road

- Health facilities
- Indoor sport and leisure centres, outdoor sport and green infrastructure
- Community facilities and services
- Waste management
- Emergency services

Amended/Additional Conditions

Condition 6 – Amend the first sentence of the second paragraph to read as follows:

“The existing trees and hedgerows growing on the tops of these embankments together with other trees growing beside the site boundaries shall be retained and protected for the duration of the development in a manner to be approved in writing by the Local Planning Authority and shall not be destroyed, uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority.”

22. Development shall not begin until details of the 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.

23. The access shall have a minimum width of 5.5m, kerb radii of 6m and a 2m footway/service margin either side of the access and shall be located in the position shown on the approved illustrative layout plan numbered 09076 (D) 105 Revision C.

REASON: In the interest of road safety and for the avoidance of doubt.

24. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate pedestrian intervisibility splays to be provided at all vehicular access junctions within the site before the accesses are first brought into use. The triangular vision splays shall measure 2.8m along the back edge of the proposed footway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the proposed footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

REASON: To provide adequate visibility between the footway and the proposed accesses, and to make the accesses safe and convenient for the traffic that is likely to use them.

25. Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m 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 that is likely to use it.

26. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for residential parking of vehicles on the site in accordance with the Design in Central Bedfordshire A Guide for Development - Design Supplement 7 and no building shall be occupied until that provision has been made in accordance with the approved details.

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

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

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

28. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a vehicular turning area to accommodate a refuse collection size vehicle.

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

29. The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the parking of cycles on the site in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance - July 2010". The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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

30. No demolition, excavation or construction or removal of trees or hedgerows shall be carried out on site between 1st March and 31st August inclusive of any year unless otherwise approved in writing by the Local Planning Authority.

REASON: To safeguard breeding birds.

31. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:
- CBC/001
 - 09076 (D) 105 Revision C

REASON: To identify the approved plans and to avoid doubt.

Additional Informatives

4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.
5. The applicant is advised that in order to comply with Condition 1 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
7. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.
8. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

9. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
10. The applicant is advised that the closure of existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.

Item 9 (Page 51-60) – CB/11/00528/FULL – Shaah Group, Watling Street, Hockliffe.

Additional Consultation/Publicity Responses

A letter has been received from a resident of Watling Street. The issues raised in the letter are set out below:

- the plans show the adjacent site as a car sales business, this is not accurate as the site has been redeveloped for housing
- a recent fire at the application site led to neighbouring residents being evacuated due to fear that gas cylinders may have been present on the site, stringent fire precautions should be taken into consideration
- the cars which have been sold were reputedly not road worthy
- the business owners and customers have parked thoughtlessly in front of residential properties and on the grass verges and footways
- business transactions have taken place in the Augustus Road area causing disturbance to local residents
- car transporters block the footway causing pedestrians to walk on the A5
- car breaking has taken place on the site which is of concern due to the proximity of the site to Clipstone Brook and also leads to disturbance by reason of noise
- the site is in the Green Belt but was removed for the development of three proposed sites until 2010
- the Highways Agency anticipate that there could be a possibility of up to 35,000 vehicles through Hockliffe per day, adding car transporters unloading into this situation is an accident waiting to happen
- if the conditions proposed by Hockliffe Parish Council were put in place and the site operated in accordance with the conditions the operation should prosper and become part of the community.

The majority of these issues have been addressed in the report however responses to the Green Belt and Highways Agency comments follow.

The resident comments that the site is within the Green Belt but was removed to allow the development of three sites until 2010. The application needs to be determined on the current policy situation which is that the site is shown on the South Bedfordshire Local Plan Proposals Map as being within the built up area excluded from the Green Belt as set out in policy GB3. Green Belt policies do not therefore apply to the application site.

The Highways Agency was consulted on the application and responded stating that it have no objection. As the A5 is a trunk road the Highways Agency is the highway authority. The Highways Agency does not raise any concern regarding the proposal or its impact on the potentially increasing traffic flow through Hockliffe.

Amended Conditions

Amended condition 1

Prior to the commencement of motor vehicle sales from the site a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall define areas for customer and staff car parking and shall be fully implemented prior to the commencement of motor vehicle sales from the site and thereafter retained for that purpose.

Reason: To ensure sufficient provision of car parking clear of the highway.

Amended condition 2

Prior to the commencement of motor vehicle sales from the site details of a turning space for service vehicles within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved turning space shall then be constructed in accordance with the details prior to the commencement of motor vehicle sales from the site and thereafter maintained in perpetuity.

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

Amended condition 3

Prior to the commencement of motor vehicle sales from the site details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Prior to the commencement of motor vehicle sales from the site the approved drainage scheme shall be implemented and thereafter retained in accordance with the approved details.

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

Amended condition 5

The premises shall only be open to customers of the motor vehicle sales business between the hours of 9am to 6pm Mondays to Fridays, 9am to 5pm on Saturdays, and 10am to 5pm Sundays and Bank Holidays.

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

Additional Conditions

None.

Additional Informatives

None.

Item 10 (Page 61-70) – CB/11/02050/FULL – Mary Bassett Lower School, Bassett Road, Leighton Buzzard.

As there are outstanding Conservation and Design issues with the application, which have not been resolved due to the sudden illness of the Conservation and Design Officer, it is recommended that the application be deferred until the Development Management Committee on 14th September 2011.

Item 11 (Page 71-78) – CB/11/02433/FULL – 146 Castle Hill Road, Totternhoe, Dunstable.**Additional Consultation/Publicity Responses**

Archaeology (01/08/11) - No objections:

“The proposed development lies adjacent to the Lower End, Totternhoe settlement historic core (HER 16889), this is an archaeologically sensitive area and a locally identified heritage asset as defined by PPS5: *Planning for the Historic Environment*.

Totternhoe is mentioned in the Domesday survey of 1086 AD and it is therefore likely that the settlement has at least late Saxon origins. In addition the discovery an 8th century AD coin from the vicinity of the application site in the early 1970's also suggests activity dating to this period close by (HER 2819).

Despite the potential for the survival of archaeological deposits dating to the later Saxon and medieval periods within the application area, the proposed development is of such a small scale that it is unlikely to have a serious impact on any sub-surface remains. Consequently I have no objection to this application on archaeological grounds.”

Additional Comments

None.

Additional/Amended Conditions

None.

Item 12 (Page 79-88) – CB/11/01612/FULL – The Winston Churchill Public House, Church Street, Dunstable.

Additional Consultation/Publicity Responses

Comments received from:

Mr Neal Reynolds, Quadrant Shopping Centre:

- Information regarding and images showing rubbish outside the Winston Churchill PH after internal clearing. Image shows rubbish on the car parking area to the rear of the pub.

Mr Thomas Eggar, on behalf of the Owners of the Quadrant Shopping Centre:

- Access – concern for scaffolding blocking passing trade.
- Refuse – concern about additional refuse.
- Pest control – how is the applicant going to deal with the issue of pest control.

Dunstable Town Council:

- No objection subject to Environmental Health Officer being satisfied that adequate arrangements are made for waste disposal, taking account of the additional food waste that will be created in association with use as a restaurant.

Environmental Health Officer:

- Has concern with regard to the method that could be used for extraction for noise and smells, has suggested two conditions:

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

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

“The kitchen ventilation system approved in accordance with the condition above, together with any other external plant, machinery and equipment installed or operated in connection with this permission, shall be so enclosed, operated and or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.”

Reason: To protect neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system or other external plant on the premises.

On the original report written for members a condition (condition 3) was suggested which relates to the extraction of fumes and smells from the premises, it is recommended that the original condition is used as the first condition recommended by the Environmental Health Officer would be unreasonable due to the use of "effectively". As this condition is open to personal interpretation it is judged should members be minded to approve the application that the original condition be used. With regard to the second suggested condition relating to the external plant, machinery and equipment it is considered that this is also unreasonable as the noise levels would be enforced under a Statutory Nuisance Order should they be found to be unreasonably high adjacent to the residential properties. It is suggested that the levels of noise within this suggested condition be attached as a note to applicant.

Additional Comments

None.

Additional/Amended Conditions

Amended reason for condition 1:

The development hereby approved shall be commenced within one year of the date of this permission

Reason: The application site currently has a significant adverse impact on visual amenity and 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.

Amended condition 5:

The 3rd bank of windows from the bottom in the eastern (side facing) elevation of the development hereby permitted shall be of fixed type and fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be carried out in accordance with the approved details and maintained in perpetuity. No further windows or other openings shall be formed in the elevation.

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

Additional Note to Applicant

Noise arising from any plant or machinery shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling. Should levels exceed this amount it may cause a nuisance to the adjacent residential properties.

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LATE SHEET**2.00 PM MEETING****DEVELOPMENT MANAGEMENT COMMITTEE – 17 AUGUST 2011****SCHEDULE A**

Item 13 (Page 89-98) – CB/11/01889/FULL – Land to the South West of Breakheart Hill Farm, Fordfield Road, Millbrook.

Additional Consultation/Publicity Responses

None.

Additional Comments

Please see Appendix to the late sheet to see full comments from the Council Agricultural Advisor, Mr A G Coombe and the rebuttal to these comments by Reading Agricultural Consultants dated July 2011.

Additional/Amended Reasons

None.

Items 14 (CB/11/01817/FULL); 15 (CB/11/01759/FULL); 16 (CB/11/01965/FULL) and 17 (CB/11/01950/FULL) (Pages 99-122) – Applications at No. 1, 2, 4 & 12 Crowther Court, Shortmead Street, Biggleswade.

Additional Consultation/Publicity Responses

None.

Additional Comments

There is no Article 4 Direction in place in the area and had the properties involved been residential houses, and not flats, they would not have had to seek planning permission for replacing the windows despite being in the Biggleswade Conservation Area.

Additional/Amended Reasons

None.

SCHEDULE B

Item 18 (Page 123-134) – CB/11/01395/FULL – Woodlands Nurseries, Biggleswade Road, Upper Caldecote, Biggleswade.

Additional Consultation/Publicity Responses

The application was advertised as a departure from local planning policy on the 5th August 2011 and a new site notice displayed on this date. This consultation period will end on the 26th August 2011. It is therefore requested that should the Committee be minded to approve the application that the decision be delegated to the Head of Development Management should no further objections or issues be raised.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 19 (Page 135-150) – CB/11/01833/FULL – Tempsford Hall, Station Road, Tempsford, Sandy.

Additional Consultation/Publicity Responses

Neighbours:

Please note that 14 additional letters of objection were received after the report was completed, one containing a petition with 127 signatures. The grounds of objection are:

- The impact on noise, safety, and pollution as a result of the proposed exit onto Station Road and additional volume of traffic leaving the site onto Station Road
- Light pollution from the extended car park lighting
- Loss of privacy and overlooking of gardens in Home Farm Close from the Trim Trail and car park
- Loss of outlook with views over the car park
- The impact on the archaeology within the area of the proposed fitness suite and MUGA
- Impact on wildlife
- Concerns about the opening hours of the fitness suite and MUGA.

Highways:

Recommended conditions:

1. Before development commences details of the mitigation works and timing for implementation to be carried out at the site access and verge opposite on Everton Road shall be submitted to and be approved by the Local Planning authority and the approved details shall be implemented as approved.

Reason: In the interest of road safety.

2. On completion of the development the areas affected by construction, staff and commercial traffic at the site access and verge opposite Everton Road access shall be reinstated to grass.

Reason: In the interest of road safety.

3. Before development commences, the passing bay and relocation of the barrier at the Everton Road access shall be carried out as illustrated on drawing No 004 – 01.

Reason: In the interest of highway safety.

4. Before the development is occupied, a Travel Plan which includes the following:
 - fully assess the policy context for Travel Plan
 - include sufficient information on existing traffic flows on surrounding highway network and predicted flows after the proposed development is operational,
 - confirm bus routes/frequencies that stop at the closest bus stop to the site;
 - confirm whether cycle spaces and other facilities are currently provided on site;
 - confirm the provision of pedestrian crossing points (if any) in the site vicinity;
 - consider the introduction of car parking charging, installation of electric vehicle charging posts or home working policy for staff , shall be submitted to and approved by the Local Planning Authority and be implemented as approved.

Reason: In order to ensure that car travel to the development is reduced in the interest of highway safety and to encourage the use of sustainable modes of transport.

Additional Comments/Amendments

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

- Page 88: Under 'The Application' – This should read 'an additional **113** car parking spaces' rather than 104.
- Page 144: Under 'Highways and Parking', first paragraph – This should read 'It is proposed to create an additional **113** car parking spaces (rather than 120) resulting in a total of **433** parking spaces, (rather than 440). This is an overall reduction of 20 from the **453** spaces originally proposed (rather than 460) when the application was submitted.'

Updates following Member's questions at the site visit:

- 1) *Increase in floor space across the site:*

The existing total building floor space on the site is: 10,230m²

This comprises of:

3 main buildings (Hall, 1960s & 1980s extension) = 7830
Lysander House = 1970
Workshop = 205
Temporary office = 125 (**being demolished**)
Cricket changing = 40m² (**being demolished**)
Pool change/equip = 50m² (**being demolished**)

The total amount of floor space being demolished is: **4225m²**

The resulting floor space on the site as proposed is: 11,025m²

This comprises of:

3 main buildings = 8280
Lysander House = 1970
Extended workshop = 440
New fitness suite = 335

This results in an additional area of floor space of **795m²**.

2) *Location of temporary staff accommodation:*

The temporary staff accommodation building would be on the site of the existing swimming pool to the west of the main building.

Additional/Amended Conditions

None.

Item 20 (Page 151-160) – CB/11/01415/VOC – Fairfield Hall, Kingsley Avenue, Stotfold.

Additional Consultation/Publicity Responses

None

Additional Conditions

It is considered that a making good condition should be included with any planning permission to safeguard the setting of the Grade II Listed Building, namely Fairfield Hall.

Additional Informatives

None.

AGRICULTURAL, EQUESTRIAN, RURAL PLANNING CONSULTANTS

Sanham Lodge, Great Dalby Road, Kirby Bellars, Melton Mowbray, LE14 2TN
Telephone: 01664 813706 Email: sanham.farm@virgin.net

Mr. Saunders,
Assistant Director of Planning,
Central Bedfordshire Council,
Priory House,
Monks Walk,
Chicksands,
Shefford, Beds. SG17 5TQ.

Your ref: CB/11/01889/FULL

Our ref: AGC/JW/MBDC39

28th June, 2011

Dear Mr. Saunders,

PROPOSED MOBILE HOME - LAND TO SOUTH WEST OF BREAKHEART HILL FARM, FORDFIELD ROAD, MILLBROOK - SACAR LEYS LIMITED

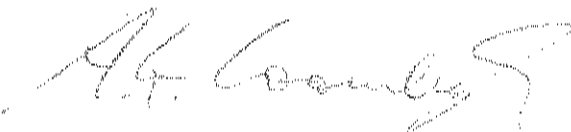
I refer to your letter dated 2nd June, 2011 together with enclosures and my subsequent telephone conversation with Annabel Gammell when a full agricultural appraisal including a site visit was requested.

I have now visited the site and met with the Company's Director and Secretary Miss S. and Mrs. L. Staples respectively together with their agricultural consultant Mr. A.H. Elliott and also your Planning Officer Annabel Gammell.

I enclose my agricultural appraisal for your information which I trust you will find straightforward however should you require any clarification or further advice on the agricultural aspects of this application would you please contact myself on 01664 813706.

Thank you for your instructions in this matter.

Yours sincerely



A G Coombe MRICS FAAV
Sanham Agricultural Planning Limited



SANHAM AGRICULTURAL PLANNING LIMITED

AGRICULTURAL APPRAISAL FOR A TEMPORARY AGRICULTURAL DWELLING

Application to: Central Bedfordshire Council

Planning Authority Reference Number: CB/11/01889/FULL

Our Reference: AGC/JW/MBDC39

Name of Applicant: Sacar Leys Limited

Address of Farm: Land off Fordfield Road
South-west of Breakheart Hill Farm
Fordfield Road
Millbrook

Date of Application: 6th May 2011.

Area: 2.4 hectares Owned: 2.4 hectares Rented: Nil

Appraisal and Advice

The application is for the siting of a mobile home on the 2.4 hectare (6 acre) application site which comprises 2.4 hectares (6 acres) of land on which is sited two timber stable blocks which potentially provide 13 stables/loose boxes, a purpose built ménage, and approximately 5 acres of agricultural land which is to be used for grazing/range for a small free range poultry enterprise and the provision of grazing for rabbits to be kept on the holding.

The Applicant Company, Sacar Leys Limited, is run by its Director, Miss S. Staples, with financial and managerial assistance from her mother Mrs. L. Staples, who is the Company Secretary, and who also runs Staples Garden Centre opposite the application site.

At the time of my inspection on 21st June, 2011 the application holding was stocked with 2 horses, approximately 50 free range hens, 28 breeding does, 6 of which had had litters, and 22 of which were due to have litters in the near future. There was a total of approximately 180 rabbits on the site (this included all of the young with up to 145 of the young rabbits which will be kept and used for breeding. Cont/d.....

- 2 -

The proposed enterprise has been significantly altered since the time of the previous application in September, 2010, when approximately 150 breeding does were proposed to be kept on the holding, after three years on a free range basis. It is now proposed that the breeding does will be increased to 250 does, and they will be housed when they are due to give birth and also at all times during the winter when they will be kept in hutches in the stables and let out in indoor runs at certain times of the day. The young meat rabbits will also be housed except during the summer months when they will be kept in hutches with access to grass runs.

Planning consent has recently been granted for an additional timber building which is to be sited on the existing stable yard covering the concrete yard between the two stable blocks. This is to house some of the breeding does, the young stock in the winter months when the outdoor runs will not be available due to the weather conditions and lack of grass growth etc., and approximately one third of the new building will be utilised for the killing and processing of the meat rabbits prior to sale.

I calculate that the existing enterprise is very much part-time at present with an existing labour requirement for approximately 0.2 of a full-time person. In addition when rabbits give birth they are left alone, to avoid stress and people's scent which causes the mother to eat its young. As the holding is only stocked with a small number of livestock, and they do not require assistance when giving birth etc. I consider the enterprise does not pass the functional test as set out in paragraph 4 of Annex A to PPS7 as I do not consider it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

Applications for temporary agricultural dwellings are required to satisfy all of the five criteria in paragraph 12 and also paragraph 13 of Annex A to PPS7.

Paragraph 12 of the Annex states "If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:-

1. Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);" - the proposed business plan has been significantly altered since the previous application, and the free range element of the rabbit production enterprise has now been restricted to the summer months only, and also not when the does are close to giving birth or immediately after giving birth. To enable the proposed increased numbers of rabbits to be housed a new timber building is proposed.

Cont/d.....

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According to Mrs. Staples the Company Secretary this has been ordered. I consider that if and when this building is constructed on the site; this would provide the evidence required in paragraph 12 (i). However, at the present time the criteria in paragraph 12 (i) has not been satisfied.

Paragraph 12 (ii) states "Functional need (see paragraph 4 of this Annex);" - as stated above, I do not consider there is a functional need on this site, and therefore the criteria in paragraph 12 (ii) has not been satisfied.

Paragraph 12 (iii) states "Clear evidence that the proposed enterprise has been planned on a sound financial basis;" - a budget has been provided for the proposed enterprise. However, there have been omissions in this budget i.e. no depreciation or replacement costs for the breeding stock have been included, it is also proposed that the food costs will be approximately two thirds of normal intensive rabbit production i.e. £72.00 per doe for the meat rabbits whereas the ABC Costings book gives a feed cost of £124.49 per doe. The pet rabbits in the budget will apparently only eat £38.20 of feed i.e. approximately one third of actual cost. I consider these reductions in feed costs are excessive when most free range animals/birds etc. eat more food per unit of production than those housed at all times.

I consider the fixed costs of £2,000 per annum which apparently includes water/electricity/maintenance/waste disposal and administration is very low. There is also no provision within the budget for a notional rent on the land which the Applicant states has been transferred to the Company, or a return on any capital invested in the site. - provision has been included for a minimum wage of £13,500 (which apparently excludes the employers' contributions) per worker for the 1.1 workers which will be required to operate the enterprise when it is fully stocked. However, the current minimum agricultural wage is £15,186 per worker per annum which includes the employers' contributions as it is the requirements of the enterprise not those of the individual that are relevant in assessing the needs of the holding. I note that Mr. Elliott considers that this approach is the "traditional assessment approach" - and it has "traditionally looked for -

- (i) A return to unpaid labour at least equivalent to the minimum agricultural wage;
- (ii) A modest return on capital invested;
- (iii) A return to owned land equivalent to the rental value of the land."

He then goes on to quote part of paragraph 8 of Annex A to PPS7, and states in paragraph 4.35 of his report "There was no indication in Mr. Coombe's previous advice to CBC as to how he had applied this aspect of the guidance to his assessment." - in response to this, Mr. Elliott has selectively quoted from paragraph

Cont/d.....

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8 - what paragraph 8 goes on to say is "Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns." - I do not consider that the keeping of free range hens, and rabbits in wire runs provides wider benefits in managing an attractive landscape or wildlife habitat. In addition, the cost of financing the dwelling is based on interest only repayments on a build cost of £100,000. £100,000 would only build a dwelling of approximately 80-100 square metres which is extremely small. I also consider that the mortgage repayments should include part of the capital sum borrowed i.e. after 20 years the mortgage and the cost of the dwelling should have been re-paid. In conclusion, I consider there is not clear evidence that the proposed enterprise has been planned on a sound financial basis and therefore the criteria in paragraph 12 (iii) has not been satisfied.

Paragraph 12 (iv) states "The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned;" - there are no existing dwellings on the unit, and there are apparently no other dwellings which are suitable and available in close proximity to the site. However, Miss Staples previously lived in Flitwick approximately 1 ½ miles away prior to her moving into a property in Bedford. However, as there is no functional need for a person to be readily available at most times the criteria in paragraph 12 (iv) cannot be satisfied as accommodation in the locality would fulfil any functional needs of the enterprise.

Paragraph 12 (v) states "Other normal planning requirements, e.g. on siting and access, are satisfied." - Again I consider this criteria will be dealt with by the Case Officer for the application, and the Local Highway Authority as this criteria will not affect the agricultural needs of the enterprise.

Paragraph 13 states that Local Authorities should not give temporary permissions in locations where they would not permit a permanent dwelling". - Based on the financial information submitted in the budget I consider it is unlikely that the enterprise would be capable of sustaining the cost of a permanent dwelling in three years' time, and therefore, paragraph 13 of Annex A to PPS7 has not been complied with.

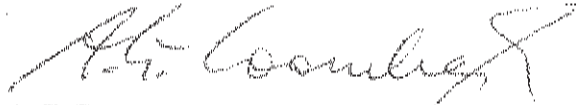
In response to Mr. Elliott's criticism that I did not take various aspects of the previous application into account, I clearly did take the relevant factors into account including the facts that the Applicant had purchased various rabbit hutches, small moveable poultry coops, wire fencing etc., and that the unit was only stocked with a

Cont/d.....

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small number of livestock. This was found to be the case at the site visit on 21st June, 2011 and there were only six does with litters on the site, and the free range element had been found to be unworkable during the winter period with only very small numbers of rabbits on the site.

In conclusion, I continue to ADVISE that there is no agricultural support for the proposed temporary agricultural workers' dwelling as the proposal is unable to comply with all five criteria in paragraph 12 or the guidance in paragraph 13 of Annex A to PPS7.



A G Coombe MRICS FAAV
Sanham Agricultural Planning Limited
28th June, 2011

Reading Agricultural Consultants

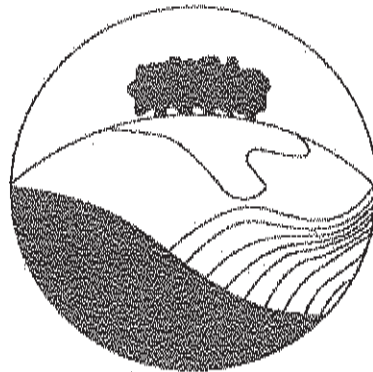
S. Staples, Sacar Leys Ltd

Land at Fordfield Road, Millbrook

**Proposed
Agricultural Worker's Dwelling**

**Response to Agricultural Appraisal by
Sanham Agricultural Planning Ltd**

July 2011



This report was prepared by:

A.H.Elliott BA (Hons), MSc.

Independent Consultant in Agriculture and Rural Land Use
Associate. Reading Agricultural Consultants

Fellow. British Institute of Agricultural Consultants
Associate. Institute of Environmental Management and
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1st July 2 2011

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S. Staples, Sacar Leys Ltd

Land at Fordfield Road, Millbrook

Proposed Agricultural Worker's Dwelling

**Response to Agricultural Appraisal by
Sanham Agricultural Planning Ltd**

**Reading Agricultural Consultants
July 2011**

1. Introduction

The following comments are a response to the appraisal of a proposal for temporary agricultural workers accommodation on land at Fordfield Road, Millbrook, undertaken by Sanham Agricultural Planning Ltd (SAPL) on behalf of the local planning authority, Central Bedfordshire Council and attached to a letter dated 28th June 2011.

The appraisal is framed in the context of the planning policy guidance set out in Annex A to Planning Policy Statement 7 'Sustainable Development in Rural Areas' (2004), and the test for temporary worker's accommodation summarised in paragraph 12. There are four relevant agricultural tests concerned with the genuineness of the proposal, the functional need for it, appropriate financial planning and the availability of suitable alternative accommodation. The SAPL appraisal concludes that in respect of each of these tests the proposal for temporary accommodation the proposal by Sacar Leys Ltd (SLL) fails to meet the necessary requirements.

The conclusions reached by SAPL are fundamentally different to those reached by Reading Agricultural Consultants (RAC) and set out in its appraisal submitted with the planning application. Nothing in the SAPL appraisal persuades RAC to alter its conclusions in respect of the proposed development. In the following comments, each of the SAPL conclusions is addressed.

2. Intent and ability to develop the enterprise

The enterprise which the proposed temporary dwelling is intended to support is based primarily on the rearing of meat rabbits. Most of the key elements for that enterprise are in place, the rearing activity has commenced, and produce is being traded. An absent element is a building to provide additional rabbit housing, particularly over the winter period, and a location for associated processing of the rabbits prior to sale. Planning permission has been secured for this building. Despite the level of commitment to the enterprise, SAPL concludes that only when this outstanding building has been erected will the enterprise have shown sufficient intent to meet the requirements of the policy test.

The policy test does not require the erection of the agricultural building in advance of a decision on the ability of the stockperson to properly manage the developing enterprise dependent upon an on-site presence. Indeed it is regularly the position, for example on new intensive livestock units, that there are parallel planning applications for a building and

temporary dwelling on a green field site with the two being interdependent. In the absence of a dwelling, the building and related agricultural enterprise will not proceed. The normal solution to this, if both elements are deemed appropriate, is to attach a planning condition to the dwelling consent which precludes the implementation of that consent until such time as the necessary building is erected and available for use. Notwithstanding RAC's view that SLL has already demonstrated a sufficient level of commitment and intent, such an approach is equally applicable in the current case.

3. Functional Need

SAPL states that *"As the holding is only stocked with a small number of livestock, and they do not require assistance when giving birth etc, I consider the enterprise does not pass the functional test as set out in paragraph 4 of Annex A to PPS7 as I do not consider it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times."*

There are two aspects of this conclusion with which RAC would take issue, namely current stocking levels and the proper functioning of the enterprise. In relation to both issues the relevant consideration is not what is currently present on the holding but the scale and nature of the enterprise which would be expected to develop over the period of a temporary planning permission for worker's accommodation. The whole intention of the temporary permission element of planning policy is to enable new enterprises to develop and be tested. It does not, and cannot, relate to situations where on Day 1 a fully-fledged enterprise in terms of scale and nature is in place. To interpret policy in such a way is incorrect.

The proposed enterprise is one based on a breeding population of 250 does. The proposal intends that this be developed primarily through the rearing of the enterprise's own stock, rather than large-scale purchase of stock. Consequently, it will take time to build up the proposed numbers. The fact that the number of animals currently present does not engage a full-time worker is not relevant. The relevant issues are whether the proposed number would do so. If at the end of the period of a temporary consent the enterprise had failed to grow to a scale and nature commensurate with a requirement for a full-time worker, then there would be little prospect of worker's accommodation being retained.

The adjustment to the scale and nature of the rabbit enterprise has been largely in response to the views expressed by SAPL in respect of the earlier planning application. In those views it was implicitly accepted that 250 does required a worker engaged full-time or primarily in the enterprise.

In respect of the husbandry requirements of the rabbit enterprise, SAPL is dismissive of any need for any ready presence of a worker to ensure the proper functioning of the enterprise, largely on the basis that rabbits do not require assistance when giving birth. This is a very simplistic view of the overall husbandry requirements of the rabbit, and specifically suggests that any intervention at parturition is unnecessary or undesirable. Both are inconsistent with accepted husbandry requirements, and the guidance set out in the relevant Defra Code of recommendations for the welfare of rabbits.

Contrary to the SAPL opinion, successful breeding of rabbits is not just a matter of leaving pregnant does alone and trusting to luck. Firstly, while does close to giving birth

should not be unnecessarily disturbed, it is essential that there is early inspection of the nest box after they have given birth. The nest should be inspected and dead and deformed offspring removed, and any young born outside the nest returned to it. The risk of mortality is greatest in the first week after birth, when the young should be monitored and potential fostering arrangements made where the doe is a poor mother or becomes ill. The scale of the proposed enterprise is such that births will be taking place on an almost daily basis in order to generate the necessary flow of offspring to provide the regular output of product.

Secondly, it is a general premise of the Defra animal welfare codes that no livestock enterprises should be established or expanded unless the welfare of the individual animals can be secured. While rabbits are being managed within the existing and proposed buildings, they will be entirely dependent upon human intervention for their well-being. In the absence of an on site presence, the stockperson cannot have a sufficient degree of awareness of conditions on site, including emergency situation such as a fire, or provide regular monitoring of stock consistent the welfare obligations to the animals.

Despite the best efforts of SLL to adhere to the best practice and welfare guidance with relatively small numbers of animals, the inability to safeguard the welfare of the animals from off-site has been reflected in unacceptable levels of mortality in young stock and losses due to external interference. The clear evidence of experience over the past 12 months is that without the ability to deliver an appropriate level of stockmanship consistent with the guidance and regularity requirements, the enterprise will not develop further and will fail.

4. Sound Financial Planning

In relation to the application of the financial test SAPL has a number of specific points in respect of the financial assessment presented in the RAC appraisal and there is a general difference of view on the interpretation of the application of the test.

In its appraisal RAC set out its approach to the application of the financial test. This drew on guidance provided to local planning authorities in the early 1990s by the then Ministry of Agriculture, Fisheries and Food. This was described as the traditional approach and required viable enterprises to demonstrate a level of profitability which gave an appropriate return to the land, labour and capital employed in the enterprise. RAC indicated that this approach has been generally modified as a consequence of the change in guidance on the financial test introduced in 2004, which required local planning authorities to take a realistic approach to levels of profitability in their application of the test. RAC's appraisal made an adjustment in this respect, SAPL's appraisal does not. The reason given by SAPL for not making any adjustment is that the 2004 guidance relates only to subsistence-based enterprises which provide some environmental benefit. RAC does not accept that interpretation. The change in the guidance is a general statement on the application of the test, and the reference to subsistence enterprises is reference to a particular type of case. To take a different approach would be inconsistent with the key Court of Appeal decisions which preceded the change in the guidance.

The specific points made by SAPL relate to:

- (i) absence of depreciation and replacement costs

The build up of breeding stock numbers will be largely from existing stock. The life of breeding does will be extended by the conservation breeding programme proposed. However, if the depreciation and replacement factors quoted for conventional intensive units in the standard data were applied, there is sufficient in the residual figure in the assessment to carry these costs.

(ii) excessive reduction in feed costs

The reduction in standard feed costs has had regard to actual experience. Those animals in the free range-rearing element of the enterprise receive no supplementary feed, unless there is a perceived health problem. The animals reared to date have achieved the necessary saleable weight without the need for supplementary feed.

(iii) low fixed costs

Again the fixed costs have been derived from actual experience to date.

(iv) absence of a notional rental provision or return on capital

The concept of applying a notional rent on owned land derives from the early MAFF assessment guidance. It is unusual for practitioners to apply this in modern assessments and, in taking the realistic view of profitability now encouraged by policy guidance, it is more usual for a general return on resources used to be sought. In emergent businesses, early returns are unlikely, but it is considered that the proposed enterprise has the prospect of providing such a return. A notional rental factor in the current appraisal would, in any event, be small at £150-200.

(v) incorrect use of minimum agricultural wage factor

SAPL states that the wage factor to be used is that for employed labour, namely £15,186, which includes employer's contributions. The figure, net of those contributions, which applies to self-employed is £13,344. The proposed enterprise is to be managed by a self-employed individual, and only likely to be so. By the end of the period to which a temporary planning consent would apply, it is the intention of the Coalition Government that the Agricultural Wages Board be abolished and with it the minimum wage.

(vi) low build cost factor and interest-only repayments

It is assumed that SAPL has reached its conclusion on build cost by reference to standard data on conventional dwellings. As no information has been provided on the size or type of construction of a potential future permanent dwelling, SAPL's assumption is entirely speculative. However, it is anticipated that if successful a dwelling would be small, of a prefabricated timber construction, and have a build cost at current prices significantly less than the £100,000 factor included in the RAC appraisal assessment.

Although the build cost was shown in the appraisal assessment as carrying a finance charge, this was a conservative approach. In the event of a planning consent, the

dwelling would be financed by the investment of private capital and be met through a future return on that capital.

5. Suitable alternative accommodation

- 5.01 Since SAPL does not consider there to be a functional need for the ready availability of a worker, it is considered that suitable accommodation is available in the local housing stock. Due to her personal circumstances the applicant has moved her residential location several times during the past 12 months. Even at the closest location in Flitwick, it proved impossible to adequately safeguard the well being of even a small number of animals.

Item No. 7**SCHEDULE A**

APPLICATION NUMBER	CB/11/00664/FULL
LOCATION	The Old Church of St Vincent adjacent to the Recreation Ground, Tithe Farm Road, Houghton Regis
PROPOSAL	Erection of two storey building to provide a 41 Bed Nursing Home (C2 use) and associated parking.
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Jones
CASE OFFICER	Gill Claxton
DATE REGISTERED	28 February 2011
EXPIRY DATE	30 May 2011
APPLICANT	Innoventions Consultancy
AGENT	Knight Architecture & Design
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Councillor Jones as the issues of Green Belt, conflict with Policy R3 and departure from the Local Plan are finely balanced and there is considerable local interest.
RECOMMENDED DECISION	Full Application - Refused

Recommendation

That Planning Permission be delegated to the Head of Development Management to approve the application subject to the referral to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

NOTES:

- (1) In advance of the consideration of the application the Committee were advised of consultation received from the Applicant's Agent and the Tree & Landscape Officer as set out in the Late Sheet appended to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 8**SCHEDULE B**

APPLICATION NUMBER	CB/10/04441/OUT
LOCATION	Heath Motors, Woburn Road, Heath And Reach, Leighton Buzzard, LU7 0AP
PROPOSAL	Erection of 14 dwellings comprising mix of terraced, semi-detached and detached houses
PARISH	Heath & Reach
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	20 December 2010
EXPIRY DATE	21 March 2011
APPLICANT	Mr Banwell
AGENT	Kirkby & Diamond
REASON FOR COMMITTEE TO DETERMINE	Member call-in
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be GRANTED subject to 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**
 - **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 4(4).**

Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

- 2 Plans and particulars of the reserved matters, referred to in Condition 1 above, shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out only as approved.

Reason: To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

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

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 The development hereby permitted shall begin either before the expiration of five 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 Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 5 **Before development begins, a landscaping scheme 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.).**

- 6 The existing embankments adjoining the north-eastern, north-western, south-western, southern and south-eastern boundaries of the site shall be retained and protected in accordance with a Management Plan that previously shall have been submitted to and approved in writing by the Local Planning Authority. There shall be no excavation of or re-profiling of these embankments without the prior express approval/permission of the Local Planning Authority.

The existing trees and hedgerows growing on the tops of these embankments together with other trees growing beside the site shall be retained and protected for the duration of the development in a manner to be approved in writing by the Local Planning Authority and shall not be destroyed, uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees or hedgerows removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced by trees or hedgerow specimens of such size and species as may be agreed with the Local Planning Authority. Such trees or hedgerow specimens shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard existing trees on site.
(Policy BE8, S.B.L.P.R.).

- 7 **The plans and particulars to be submitted in accordance with Condition 5 above shall be submitted before development commences and shall include:**

(a) a plan, to a scale and level of accuracy appropriate to the proposal, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;

(b) and in relation to every tree identified a schedule listing:

- information as specified in Paragraph 4.2.6 of British Standard BS 5837 : 2005 (*Trees in Relation to Construction - Recommendations*);
- any proposed pruning, felling or other work;

(c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:

- any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area (see Paragraph 5.2.2 of BS 5837 : 2005);
- all appropriate tree protection measures required before and during the course of development (see Condition 8 below);

(d) areas of existing landscaping to be protected from construction operations and the method of protection (see Condition 8 below).

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

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

- 8 Development shall not commence until a tree protection plan, which clearly shows the position and build specification of tree protection, with the purpose of enclosing an area around the canopy spread of all retained trees, has been submitted to and approved in writing by the Local Planning Authority. The fencing shall form a construction exclusion zone (as specified in Section 9 of BS 5837 : 2005) which shall be demarcated by protective barriers (as specified by Figure 2 of BS 5837 : 2005). These measures shall be for the purpose of avoiding localised compaction of the rooting medium and preventing damage to the natural canopy spread by avoiding branch encroachment by plant and machinery.

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

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

- 9 Development shall not commence until details of a scheme describing the treatment of all the site boundaries and the treatment of the boundaries of each house plot, to include details of any fencing to be erected on the embankments that adjoin the site boundaries, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the treatment of the site boundaries and the

treatment of the boundaries of each house plot shall be carried out in accordance with the approved details. There shall be no variation to these approved boundary treatments without the express permission/approval of the Local Planning Authority.

Reason: To safeguard the amenity of the area and to safeguard the embankments and the trees growing on the tops of the embankments. (Policy BE8, S.B.L.P.R.).

- 10 **Development shall not commence until details of the existing ground levels within and adjoining the site and details of the finished floor levels of each building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details of levels.**

Reason: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties. (Policy BE8, S.B.L.P.R.).

- 11 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the buildings hereby permitted shall be carried out without the grant of a further specific permission from the Local Planning Authority.**

Reason: To control the external appearance of the buildings in the interests of the amenities of the area and to safeguard the embankments that adjoin the site boundaries and the trees growing on the tops of the embankments. (Policy BE8, S.B.L.P.R.).

- 12 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the provision within the curtilages of the dwellings hereby permitted of any building or enclosure, swimming or ornamental pool required for purposes incidental to the enjoyment of the dwelling, or the alteration of such a building, enclosure, swimming or ornamental pool shall not be carried out without the grant of further specific permission from the Local Planning Authority.**

Reason: To control the development in the interests of the amenities of the area and to safeguard the embankments that adjoin the site boundaries and the trees growing on the tops of the embankments. (Policy BE8, S.B.L.P.R.).

- 13 **Development shall not commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy/flood risk assessment so approved unless otherwise approved in writing by the Local Planning Authority.**

Reason: To prevent environmental and amenity problems arising from

flooding.

- 14 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), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A desk study identifying:

- 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.

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

3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters in accordance with Planning Policy Statement 23 (PPS23) and our Groundwater Protection: policy and practice (GP3). The site overlies the Woburn Sands principal aquifer. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. The regional use of groundwater in the area makes the site vulnerable to pollution. The Trendrevel Services Limited "Desk Study" submitted with the application identifies several historical land uses on site that pose the potential for polluting controlled waters, including petrol filling station, vehicle dismantling and historic landfill site.

- 15 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 Method Statement detailing how this unsuspected contamination shall be dealt with.

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

- 16 **Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.**

Reason: To protect and prevent the pollution of controlled waters in accordance with PPS23 and Environment Agency GP3. The site overlies a vulnerable principal aquifer. There is an increased potential for pollution from inappropriately located or designed infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins.

- 17 Piling or any other foundation designs using penetrative methods will 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: The site is potentially contaminated and penetrative foundation solutions could lead to the contamination of groundwater in the underlying aquifer.

- 18 **Prior to the commencement of development approved by this planning permission, the developer shall submit to the Local Planning Authority, in both paper and electronic form where possible:**

(a) A Phase 1 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 1 desk study, a Phase 2 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 2 site investigation, a Phase 3 detailed scheme for the remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

(d) 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 4 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 the commencement of works. This should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and shall be adhered to.

**Reason: To protect human health and the environment.
(Policy BE8, S.B.L.P.R.).**

- 19 **Before development commences and notwithstanding the details submitted with the application, a detailed mitigation and monitoring strategy in respect of the Badgers and Badger sett(s) within the application site shall be submitted to and approved in writing by the Local Planning Authority in consultation with Natural England. No demolition, site clearance or ground preparation works shall be carried out until a disturbance licence has been obtained from Natural England, the details of which shall be submitted to the Local Planning Authority.**

Reason: To ensure that any Badgers and Badger setts within the application site are safeguarded.

- 20 **Before development commences and notwithstanding the details submitted with the application, a detailed mitigation and monitoring strategy in respect of the population of Slow Worms within the application site shall be submitted to and approved in writing by the Local Planning Authority in consultation with Natural England. Such mitigation and monitoring strategy shall include provision of a reptile hibernacula, provision of enhanced foraging in garden habitats and use of a suitably qualified and experienced ecologist to undertake hand searches and advise on site clearance and ground preparation works.**

Reason: To ensure that any populations of Slow Worms within the application site are safeguarded.

- 21 **Development shall not commence until a Site Waste Management Plan, indicating how opportunities for the reduction, recycling and re-use of waste during the construction and occupation phases of the development hereby permitted will be taken account of, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the proposed development shall be carried out and completed in accordance with the approved Site Waste Management Plan.**

**Reason: In the interests of sustainable waste management.
(Policies W5 and W6, Bedfordshire and Luton Waste Local Plan).**

- 22 **Development shall not begin until details of the 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.

- 23 The access shall have a minimum width of 5.5m, kerb radii of 6m and a 2m footway/service margin either side of the access and shall be located in the position shown on the approved illustrative layout plan numbered 09076 (D) 105 Revision C.

REASON: In the interest of road safety and for the avoidance of doubt.

- 24 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate pedestrian intervisibility splays to be provided at all vehicular access junctions within the site before the accesses are first brought into use. The triangular vision splays shall measure 2.8m along the back edge of the proposed footway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the proposed footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

REASON: To provide adequate visibility between the footway and the proposed accesses, and to make the accesses safe and convenient for the traffic that is likely to use them.

- 25 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m 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 that is likely to use it.

- 26 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for residential parking of vehicles on the site in accordance with the Design in Central Bedfordshire A Guide for Development - Design Supplement 7 and no building shall be occupied until that provision has been made in accordance with the approved details.

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

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

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

- 28 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a vehicular turning area to accommodate a refuse collection size vehicle.

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

- 29 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the parking of cycles on the site in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance - July 2010". The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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

- 30 No demolition, excavation or construction or removal of trees or hedgerows shall be carried out on site between 1st March and 31st August inclusive of any year unless otherwise approved in writing by the Local Planning Authority.

REASON: To safeguard breeding birds.

- 31 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

- CBC/001
- 09076 (D) 105 Revision C

REASON: To identify the approved plans and to avoid doubt.

Reasons for Granting

The developable area of the application site is excluded from the Green Belt and its redevelopment for residential purposes would increase the supply of housing locally and contribute to the Government's key housing objective to increase significantly the delivery of new homes. The proposed housing mix and density are commensurate with the requirements of the local housing market and the character of the surrounding area. The new development can be undertaken without undue adverse impacts on the existing boundary embankments and the trees growing on the tops of the embankments and on the protected species within the site. The proposal accords with relevant national, strategic and local planning policies.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the 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) Policies**

SS1 - Achieving Sustainable Development.

SS4 - Towns other than Key Centres and Rural Areas.

SS7 - Green Belts.

H1 - Regional Housing Provision 2001 to 2021.

ENV3 - Biodiversity and Earth Heritage.

ENV7 - Quality in Built Environment

WM6 - Waste Management in Development.

Milton Keynes & South Midlands Sub-Regional Strategy

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

Bedfordshire Structure Plan 2011

Policy 25 - Infrastructure.

South Bedfordshire Local Plan Review Policies

GB3 - Green Belt villages.

BE8 - Design and environmental considerations.

T10 - Controlling parking in new developments

H2 - Making provision for housing via 'fall-in' sites.

H3 - Meeting local housing needs.

E2 - Control of development on employment land outside Main Employment Areas (Category 2).

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk
5. The applicant is advised that in order to comply with Condition 1 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
7. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Amphill Road, Bedford MK42 9BD.
8. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
9. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
10. The applicant is advised that the closure of existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.

11. The applicant/developer is advised that in respect of Condition 23 above, the detailed layout plans to be submitted for approval of the reserved matters shall have regard to the shared space design concept in order to ensure that the proposed street is accessible to both pedestrians and vehicles and is designed to enable pedestrians to move freely by reducing traffic management features that tend to encourage users of vehicles to assume priority.
12. The applicant/developer is advised that the level and usable rear gardens for the proposed 4/5 bed dwellings, indicated on the detailed layout plans submitted for approval of the reserved matters, shall have an area of not less than 100m², the level and usable rear gardens for the proposed 3 bed dwellings shall have an area of not less than 75m² and the level and usable rear gardens for the proposed 2 bed dwellings shall have an area of not less than 50m².

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received subsequent to the despatch of the agenda from the Highways Officer as set out in the Late Sheet appended to these minutes. As a result an amendment to the recommendation and amended conditions were suggested and approved.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 9**SCHEDULE B**

APPLICATION NUMBER	CB/11/00528/FULL
LOCATION	Shaah Group, Watling Street, Hockliffe, Leighton Buzzard, LU7 9LJ
PROPOSAL	Change of use from motor vehicle repairs to motor vehicle repairs and sale of motor vehicles
PARISH	Hockliffe
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Vicki Davies
DATE REGISTERED	26 May 2011
EXPIRY DATE	21 July 2011
APPLICANT	Shaah Group
AGENT	Lee Butler MRICS
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor Versallion call in request due to concern over parking of vehicles on the verges and pavements and the unauthorised sales of cars from the site.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following conditions:

- 1 Prior to the commencement of motor vehicle sales from the site a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall define areas for customer and staff car parking and shall be fully implemented prior to the commencement of motor vehicle sales from the site and thereafter retained for that purpose.**

Reason: To ensure sufficient provision of car parking clear of the highway.

- 2 Prior to the commencement of motor vehicle sales from the site, details of a turning space for delivery and service vehicles, including car transporters, within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved turning space shall then be constructed and marked out in accordance with the details prior to the commencement of motor vehicle sales from the site, kept clear of obstruction at all times and thereafter maintained in perpetuity.**

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

- 3 **Prior to the commencement of motor vehicle sales from the site details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Prior to the commencement of motor vehicle sales from the site the approved drainage scheme shall be implemented and thereafter retained in accordance with the approved details.**

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

- 4 **Prior to the commencement of motor vehicle sales from the site, a landscaping scheme to provide screening of the site 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 first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory standard of landscaping. (Policy BE8, S.B.L.P.R).

- 5 The premises shall only be open to customers of the motor vehicle repair business between the hours of 8am to 6pm Mondays to Fridays, 9am to 5pm on Saturdays, and not at all on Sundays and Bank Holidays.

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

- 6 The premises shall only be open to customers of the motor vehicle sales business between the hours of 9am to 6pm Mondays to Fridays, 9am to 5pm on Saturdays, and 10am to 5pm Sundays and Bank Holidays.

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

- 7 No more than 30 vehicles shall be permitted to be parked on the site for the purposes of sale or repair. The 30 vehicles shall not include cars belonging to staff or customers parked within the designated parking area.

Reason: In the interests of highway safety.

- 8 The premises shall only be used for motor vehicle repairs and motor vehicle sales and for no other purpose.

Reason: To control the development in the interests of amenity. (Policy BE8 S.B.L.P.R).

- 9 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings, extensions or other structures shall be erected or constructed within the site without the grant of further specific permission from the Local Planning Authority.

Reason: To control the development in the interests of the amenities of the area. (Policy BE8 S.B.L.P.R.).

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not detrimentally impact upon the character and appearance of the locality nor would there be any adverse impact on the amenities of neighbouring residents. The proposed development would not have any adverse impact on highway safety. The scheme would thereby be in conformity with policies BE8, T10 and GB3 of the South Bedfordshire Local Plan Review, Policy ENV7 in the East of England Plan and Planning Policy Statement 1 and it is further in conformity with the technical guidance, Design in Central Bedfordshire, A Guide for Development, 2010.

Notes to Applicant

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

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

Bedford shire Structure Plan 2011

No relevant policies

South Bedford shire Local Plan Review Policies

GB3 - Green Belt Villages

BE8 - Design Considerations

T10 - Controlling parking in new developments

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
5. The applicant is advised that the watercourse on the boundary, or passing through this site is under the statutory control of the Internal Drainage Board. In accordance with the Board's byelaws, no development should take place within 9 metres of the bank top, without the Board's prior consent, this includes any planting, fencing or other landscaping.
6. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received subsequent to the despatch of the agenda as set out in the Late Sheet appended to these Minutes. This therefore resulted in amended conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 10**SCHEDULE B**

APPLICATION NUMBER	CB/11/02050/FULL
LOCATION	The Mary Bassett Lower School, Bassett Road, Leighton Buzzard, LU7 1AR
PROPOSAL	First floor extension over existing building to form cloakroom/toilets
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Vicki Davies
DATE REGISTERED	22 June 2011
EXPIRY DATE	17 August 2011
APPLICANT	Mary Bassett Lower School
AGENT	BHD Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Councillor Shadbolt having regard to public interest.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That the application be deferred for one cycle to enable outstanding conservation and design issues to be undertaken.

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Item No. 11**SCHEDULE B**

APPLICATION NUMBER	CB/11/02433/FULL
LOCATION	146 Castle Hill Road, Totternhoe, Dunstable, LU6 1QG
PROPOSAL	Single storey side extension and loft conversion which incorporates 2 front dormers and a side bay window.
PARISH	Totternhoe
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Mrs Mustoe
CASE OFFICER	Nicola McPhee
DATE REGISTERED	14 July 2011
EXPIRY DATE	08 September 2011
APPLICANT	Mr & Mrs Gajewski
AGENT	SKETCH3D Design & Drafting
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor call-in as property already considerably enlarged; development out of character with cottage; and porch would block right of way for caravans to enter registered site to rear.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be GRANTED subject to the following:

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

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

- 2 New external facing materials shall match those of the existing building as closely as possible.

Reason: To ensure that the development is in keeping with the existing building.
(Policies BE8 & H8 S.B.L.P.R).

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11025-10, 11025-20, 11025-90, 11025-100, 11025-70, 11025-80, 11025-110, 11025-111, 11025-61, 11025-62, 11025-112, 11025-113, 11025-30, 11025-40, 11025-50 & 11025-60.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not result in a disproportionate addition to a Green Belt property and would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and therefore by reason of its size and design is in conformity with; Policies BE8 & H13 of the South Bedfordshire Local Plan Review 2004, Policy ENV 7 in the East of England Plan (May 2008) and Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), Planning Policy Statement 2 (1995) and it is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the 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:

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

Milton Keynes and South Midlands Sub-Regional Strategy

None

Bedfordshire Structure Plan 2011

None

South Bedfordshire Local Plan Review

BE8 - Design Considerations

H13 - Extensions in the Green Belt

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of an update regarding archaeology as set out in the Late Sheet appended to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 12**SCHEDULE B**

APPLICATION NUMBER	CB/11/01612/FULL
LOCATION	The Winston Churchill, Church Street, Dunstable, LU5 4RP
PROPOSAL	Internal alteration to vacant pub to convert it into a restaurant with new glass facade on the front right corner
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	CIIs McVicar & Young
CASE OFFICER	Annabel Gammell
DATE REGISTERED	07 July 2011
EXPIRY DATE	01 September 2011
APPLICANT	Mr Miah
AGENT	Mr I Hussain
REASON FOR COMMITTEE TO DETERMINE	Councillor McVicar called the application in due to concern from neighbouring properties.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following conditions:

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

Reason: The application site currently has a significant adverse impact on visual amenity and to comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **Prior to commencement a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls, windows, doors and roof. The development shall be carried out in accordance with the approved scheme.**

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

- 3 **Details of the means of extraction of fumes and smells from the premises shall be submitted to and approved by the Local Planning Authority in writing and any equipment or arrangements made thereby approved shall be installed in the premises and be available for use before the use to which permission relates is commenced.**

Reason: To safeguard the amenities of neighbouring properties.

- 4 **Before development begins, details of the arrangements to be made for the collection, storage (including a location plan showing the bin storage area) and disposal of solid trade waste emanating from the premises shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained in perpetuity.**

Reason: To ensure control over the development in the interests of amenity and public safety. (Policy BE8 S.B.L.P.R).

- 5 **The 3rd bank of windows from the bottom in the eastern (side facing) elevation of the development hereby permitted shall be of fixed type and fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be carried out in accordance with the approved details and maintained in perpetuity. No further windows or other openings shall be formed in the elevation.**

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

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SE/WC/001, SE/WC/002, SE/WC/10, SE/WC/11A.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal would have a positive impact on the character of the area and no adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies BE8, TSC1 and T10 of the South Bedfordshire Local Plan Review 2004; Policy ENV7 of East of England Plan (May 2008); and Planning Policy Statement 1 (2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

Notes to Applicant

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

follows:

**Regional Spatial Strategy
East of England Plan (May 2008)
ENV7 - Quality in the Built Environment**

South Bedfordshire Local Plan Review Policies

TCS1 - District Town Centres
BE8 - Design Considerations
T10 - Parking - New Development

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing.”

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

5. The kitchen ventilation system approved in accordance with the condition above, together with any other external plant, machinery and equipment installed or operated in connection with this permission, shall be so enclosed, operated and or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system or other external plant on the premises.

6. Noise arising from any plant or machinery shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the

boundary of any neighbouring residential dwelling. Should levels exceed this amount it may cause a nuisance to the adjacent residential properties.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received from the Quadrant Shopping Centre, Dunstable Town Council and Environmental Health Officer. Details of which are set out in the Late Sheet appended to these Minutes. As a result two additional conditions were approved and Conditions one and five were amended. An additional note to the applicant was approved.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 18**SCHEDULE B**

APPLICATION NUMBER	CB/11/01395/FULL
LOCATION	Woodlands Nurseries, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
PROPOSAL	Extension to warehouse, glasshouse, store and new office building
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Lisa Newlands
DATE REGISTERED	16 May 2011
EXPIRY DATE	15 August 2011
APPLICANT	Chessum Plants Ltd
AGENT	Fitch Butterfield
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Major development which is a departure from Local Plan Policy
	Full Application - Granted

Recommendation

That the Head of Development Management be delegated authority to approve the application subject to no objections being received to the consultation period advertising the departure from the Local plan expiring on 26 August 2011.

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. This permission shall not be exercised by any person other than Chessum Plants Limited and shall not enure for the benefit of the land.

Reason: The Local Planning Authority considers that the exceptional personal circumstances of the applicant override the planning objections which would normally compel the authority to refuse permission for the development hereby permitted.

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

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

4. Prior to commencement of the development hereby approved, the new access road shown on plan number 1381/02C and approved on planning permission MB/08/01913/FULL shall be implemented and constructed in full and maintained in this form thereafter.

Reason: To protect the amenities of residential properties.

5. Before development commences a scheme for the widening of Biggleswade Road from the new access to the A1 shall be submitted to and approved by the Local Planning Authority and the approved scheme shall be implemented before the development is first brought into use.

Reason: To ensure the highway is to the standard required to accommodate the development traffic in the interest of highway safety.

6. Before the development commences a traffic management plan which includes methods to ensure HGV traffic when leaving the site will turn right to join the A1; ways of managing the casual labour staff travelling to the site; and details of signage directing traffic from the site shall be submitted to and approved in writing by the Local Planning Authority and the approved plan shall be implemented when the development is first brought into use and thereafter maintained during the duration of the development.

Reason: For the avoidance of doubt and in the interest of highway safety

7. Prior to occupation of the development hereby approved, details of a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and the recommendations of the Travel Plan shall be implemented in full within 6 months of the development being occupied. In addition, the plan should be monitored and the results of this monitoring be reviewed on an annual basis and further recommendations for improvements shall be submitted to and approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to reduce reliance on the private car.

8. Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-
 - proposed finished levels or contours;
 - materials to be used for any hard surfacing;
 - minor structures (e.g. furniture, play equipment, signs, etc);
 - proposed and existing functional services above and below ground level;

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

This shall include details of enhanced planting to the A1 boundary. The development shall be carried out in accordance with the approved details.

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

9. The scheme approved in Condition 8 shall be carried out in accordance with a timetable previously agreed in writing by the local planning authority. Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

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

10. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated June 2011 by Geoff Beel Consultancy and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 100 year (1% AEP) critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Finished floor levels are set no lower than 26.60m above Ordnance Datum (AOD).

Reason:

1. To prevent flooding by ensuring the satisfactory storage of/ disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

11. **Prior to the commencement of the development hereby approved, details of the closure of the existing access from Biggleswade Road shall be submitted and approved in writing by the Local Planning Authority. The closure details shall not completely close the access to the properties that currently use the access but will restrict the access to Woodlands Nursery. The closure shall be implemented prior to the first use of the approved development. The development shall accord with the approved details.**

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

12. **Before the commencement of the development hereby approved details of the restriction in width of the existing main access to the site to prevent HGV's from entering the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details and be implemented within 3 months of the first use of the new approved access.**

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

13. **Prior to the commencement of the development hereby approved details of the proposed surfacing of the access track shall be submitted to and approved in writing by the Local Planning Authority. The proposed vehicular access shall be surfaced in tarmac or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 150 m into the site, measured from the highway boundary, before the development is first brought into use. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

Reason: To safeguard the interest of highway safety and the amenities of the occupants of the adjacent properties.

14. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1381/01A; 1381/02C; 1381/03C; 1381/04D; 1381/05A; 1381/06; 1381/07; 1381/08; 1381/10; 1381/11; 1381/12; ASC.10.383; ASC.10.384.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development by virtue of the existing horticultural use, the design, and siting of the proposal and the significant job creation would be acceptable in principle and would ensure the continuance of an existing rural employment site. In addition to this it is not considered that the proposal would have a detrimental impact on the character and appearance of the surrounding area, the residential amenities of any neighbouring properties or the highway network; as such the proposal is in conformity with national planning guidance PPS1, PPS7, PPG13, PPS23, PPG24 and PPS25. It is further in conformity with Policies CS4, CS9, CS11, DM3, and DM12 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

Notes to Applicant

1. The applicant is advised that implementation of the works in condition 5 of this permission requires the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the road improvements. Further details can be obtained from the Highways Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

NOTES

- (1) In advance of the consideration of the application the Committee were advised that the application was advertised as a departure from Local Planning Policy on 5 August 2011 and a new site notice displayed on this date. This consultation period will end on 26 August 2011. It is therefore requested that should the Committee be minded to approve the application that the decision be delegated to the Head of Development should no further objections or issues be raised.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 13

APPLICATION NUMBER	CB/11/01889/FULL
LOCATION	Land To The South West Of Breakheart Hill Farm, Fordfield Road, Millbrook
PROPOSAL	Siting of a mobile home for a temporary period of three years for an agricultural worker
PARISH	Millbrook
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	
CASE OFFICER	Annabel Gammell
DATE REGISTERED	09 May 2011
EXPIRY DATE	04 July 2011
APPLICANT	Sacar Leys Limited
AGENT	Mr M Leedale
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Clark, possible agricultural need
RECOMMENDED DECISION	Full Application - Refused

Recommendation

That the application be delegated to the Head of Development Management to approve subject to relevant conditions.

NOTES

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

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Item No. 14**SCHEDULE A**

APPLICATION NUMBER	CB/11/01817/FULL
LOCATION	1 Crowther Court, Shortmead Street, Biggleswade, SG18 0AR
PROPOSAL	Install replacement windows and door to property
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllr M Jones & Cllr J Lawrence
CASE OFFICER	Judy Self
DATE REGISTERED	09 June 2011
EXPIRY DATE	04 August 2011
APPLICANT	Mr Aubigne
AGENT	Anglian Home Improvements
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Ward Councillor request - Cllr Mrs J Lawrence - A planning request based on the precedent within the street of the installation of PVC windows
	Full Application - Refused

That the Head of Development Management be delegated authority to approve the application subject to relevant condition.

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.

NOTES

- (1) In advance of the consideration of the application the Committee was advised of an additional comment as set out in the Late sheet appended to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 15

APPLICATION NUMBER	CB/11/01759/FULL
LOCATION	2 Crowther Court, Shortmead Street, Biggleswade, SG18 0AR
PROPOSAL	Installation of replacement windows and door to front and rear of property
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllr M Jones & Cllr J Lawrence
CASE OFFICER	Judy Self
DATE REGISTERED	02 June 2011
EXPIRY DATE	28 July 2011
APPLICANT	Mr Burfield
AGENT	Anglian Home Improvements
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Ward Councillor request - Cllr Mrs J Lawrence - A planning request based on the precedent within the street of the installation of PVC windows
	Full Application - Refused

That the Head of Development Management be delegated authority to approve the application subject to relevant condition.

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.

NOTES

- (1) In advance of the consideration of the application the Committee was advised of an additional comment as set out in the Late Sheet appended to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 16**SCHEDULE A**

APPLICATION NUMBER	CB/11/01965/FULL
LOCATION	4 Crowther Court, Shortmead Street, Biggleswade, SG18 0AR
PROPOSAL	Install replacement windows and door to property
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllr M Jones & Cllr J Lawrence
CASE OFFICER	Judy Self
DATE REGISTERED	06 June 2011
EXPIRY DATE	01 August 2011
APPLICANT	Mr Dorrington
AGENT	Anglian Home Improvements
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Ward Councillor request - Cllr Mrs J Lawrence - A planning request based on the precedent within the street of the installation of PVC windows
	Full Application - Refused

That the Head of Development Management be delegated authority to approve the application subject to the following condition:

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.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of an additional comment as set out in the Late Sheet appended to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 17

APPLICATION NUMBER	CB/11/01950/FULL
LOCATION	Flat 12 Crowther Court, Shortmead Street, Biggleswade, SG18 0AR
PROPOSAL	Replace windows to front, side and rear or property and new front door with fanlight above
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllr M Jones & Cllr J Lawrence
CASE OFFICER	Judy Self
DATE REGISTERED	01 June 2011
EXPIRY DATE	27 July 2011
APPLICANT	Mr Miah
AGENT	Anglian Home Improvements
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Ward Councillor request - Cllr Mrs J Lawrence - A planning request based on the precedent within the street of the installation of PVC windows Full Application - Refused

That the Head of Development Management be delegated authority to approve the application subject to relevant condition.

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.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of an additional comment as set out in the Late Sheet appended to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 19**SCHEDULE B**

APPLICATION NUMBER	CB/11/01833/FULL
LOCATION	Tempsford Hall, Station Road, Tempsford, Sandy
PROPOSAL	New office building including part demolition and internal refurbishment of existing offices, extension to existing workshop for energy centre, construction of new fitness centre, multi use games area & trim trail and extension to associated car park
PARISH	Tempsford
WARD	Potton
WARD COUNCILLORS	Cllr D Gurney & Cllr A Zerney
CASE OFFICER	Clare Golden
DATE REGISTERED	11 May 2011
EXPIRY DATE	06 July 2011
APPLICANT	Kier Limited
AGENT	R H Partnership Architects
REASON FOR COMMITTEE TO DETERMINE	Cllr Gurney has called the application to Committee on the grounds of the proposal having a detrimental impact on visual amenity, neighbour amenity and over development
RECOMMENDED DECISION	Full Application - Granted

Recommendation:

The neighbour consultation period for some properties expires on 18.08.11 which is the day after this meeting. Should the Committee be minded to approve the application, it is recommended that delegated powers be granted to the Head of Development Management to approve the application subject to no new issues being raised after the end of the consultation period.

It is recommended that Planning Permission be **Granted** subject to the following:

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

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

- 2 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high**

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

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

Reason: To safeguard the existing trees on the site in the interests of visual amenity, in accordance with Policies CS16, DM3 and DM14 of the Adopted Core Strategy, Development Management Policies, 2009.

- 3 **A scheme for replacement tree planting including number, location, size, species and a planting and maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority before any felling takes place. Planting shall be carried out in accordance with the approved scheme.**

Reason: In the interests of the visual amenities of the site and the area generally, in accordance with Policies CS16, DM3 and DM14 of the Adopted Core Strategy, Development Management Policies, 2009.

- 4 **Replacement planting in accordance with approved details shall take place as soon as practicable and in any event within six months of the felling being carried out. The replacement planting shall be maintained for a period of three years beginning with the date of the felling operation and during this period any trees that die or become diseased shall be replaced with trees of the same size and species.**

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area, in accordance with Policies CS16, DM3 and DM14 of the Adopted Core Strategy, Development Management Policies, 2009.

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

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

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

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area, in accordance with Policies CS16, DM3 and DM14 of the Adopted Core Strategy, Development Management Policies, 2009.

- 6 No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Resource Management 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 record and advance understanding of the significance of the archaeological heritage asset(s) in accordance with Policy HE12 of PPS5: Planning for the Historic Environment; this will include, where appropriate, the protection of archaeological remains in situ.

- 7 The development permitted by this planning permission shall only be carried out in accordance with the recommendations and mitigation measures proposed in the approved Ecology report by Kepwick Ecological Services, Phase I & II Ecological Assessment, July 2011.

Reason: To ensure the development proposals have a minimal impact to site ecology in accordance with Policies CS18, DM3 and DM15.

- 8 Prior to the commencement of development, a scheme showing the proposed external lighting for the MUGA and car parking shall be submitted to and approved in writing by the Local Planning Authority. The external car park lighting shall not be used except between the hours of 6am and 10pm, without the prior agreement in writing of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To preserve the residential amenities of occupiers of nearby residential dwellings, in accordance with Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 015; 020 2; 1.02A; 307; 308; 400; 401; 402; 403; 404; 405; 410; 411; 415; 420; 421; 450; 451; 452; 460; 461; 462; 463; 464; 465; 466; TLL/B/0114040/EXT/RB/030511; SOR001843-04; SOR001843-05;

Reason: For the avoidance of doubt.

- 10 Before development commences details of the mitigation works and timing for implementation to be carried out at the site access and verge opposite on Everton Road shall be submitted to and be approved by the Local Planning authority and the approved details shall be implemented as approved.

Reason: In the interest of road safety.

- 11 On completion of the development the areas affected by construction, staff and commercial traffic at the site access and verge opposite Everton Road access shall be reinstated to grass.

Reason: In the interest of road safety.

- 12 Before development commences, the passing bay and relocation of the barrier at the Everton Road access shall be carried out as illustrated on drawing No 004 – 01.

Reason: In the interest of highway safety.

- 13 Before the development is occupied, a Travel Plan which includes the following:

- fully assess the policy context for Travel Plan
- include sufficient information on existing traffic flows on surrounding highway network and predicted flows after the proposed development is operational,
- confirm bus routes/frequencies that stop at the closest bus stop to the site;
- confirm whether cycle spaces and other facilities are currently provided on site;
- confirm the provision of pedestrian crossing points (if any) in the site vicinity;
- consider the introduction of car parking charging, installation of electric vehicle charging posts or home working policy for staff , shall be submitted to and approved by the Local Planning Authority and be implemented as approved.

Reason: In order to ensure that car travel to the development is reduced in the interest of highway safety and to encourage the use of sustainable modes of transport.

Reasons for Granting

The proposal to demolish the existing 1960s, four storey north wing extension and replace

this with a new three storey office building, the extension of the existing works and erection of a new fitness centre with a Multi-Use Games Area and extension to the existing car park to provide an additional 104 car parking spaces, would not impact detrimentally upon either the character and appearance of the existing buildings or the Parkland, or surrounding area, or upon the residential amenity of any nearby residential properties, or highway safety. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2010), PPS4: Planning for Sustainable Economic Growth, PPS5: Planning for the Historic Environment, PPS7: Sustainable Development in Rural Areas, PPS9: Biodiversity and Geological Conservation, PPG13: Transport and Policies CS4, CS9, CS10, CS11, CS13, CS14, CS15, CS16, CS18, DM1, DM2, DM3, DM4, DM14 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009). It is further in conformity with the Central Bedfordshire Council's Technical Guidance - Design in Central Bedfordshire (2010).

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received from neighbours as set out in the Late Sheet appended to these minutes. The Highways Department suggested additional conditions which were agreed by the Committee. In addition the Committee were advised of amendments to the report as detailed in the Late Sheet appended to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 20

APPLICATION NUMBER	CB/11/01415/VOC
LOCATION	Fairfield Hall, Kingsley Avenue, Stotfold
PROPOSAL	Variation of condition: Removal of Condition 5 relating to CCTV on planning permission MB/05/01923/FULL dated 19 July 2007
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Hannah Pattinson
DATE REGISTERED	13 May 2011
EXPIRY DATE	12 August 2011
APPLICANT	P.J.Livesey Country Homes (Southern) Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Major Development - Outstanding objection from Stotfold Town Council
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That the application be delgated to the Head of Development Management to refuse the application on the grounds that the application would allow the removal of the CCTV cameras at the site, thereby failing to enhance community safety. As such the proposal is contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009)

NOTES

(1) In advance of the consideration of the application the Committee were advised of a suggested additional condition should the application be granted as set out in the Late Sheet appended to these minutes.

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

