

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 14 September 2011

### PRESENT

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

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

Apologies for Absence: Cllrs I Dalgarno  
Mrs R B Gammons  
K Janes  
Ms C Maudlin

Substitutes: Cllrs L Birt (In place of Cllr Mrs R B Gammons)  
R W Johnstone (In place of Cllr K Janes)

Members in Attendance: Cllrs I A MacKilligan  
N J Sheppard  
Mrs P E Turner MBE,

Officers in Attendance:

Mr A Bunu	Planning Officer
Mrs M Clampitt	Committee Services 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 Hale	Development Management Team Leader (South)
Mr C Heard	Orders & Commons Registration Officer
Mr D Lamb	Development Management Team Leader (North)

DM/11/39 **Chairman's Announcements**

The Chairman informed the Committee of the following:-

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

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

2. Item No. 10 – 34 Mill Road, Cranfield, Bedford had been withdrawn at the request of the Applicant.

DM/11/40 **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 17 August 2011 be confirmed and signed by the Chairman as a correct record.**

DM/11/41 **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr D Jones	11	Advising objectors	Absent
Cllr A Shadbolt	11	Letter received from the Applicant	Present
Cllr P F Vickers	11	Letter received from the Applicant	Present

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

None

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
Cllr P N Aldis	7	Sandy Town Council	Chaired the item and voted in favour of objection. Comes with a clear and open mind

**DM/11/42 Petitions**

The Chairman advised that no petitions had been received.

**DM/11/43 Late Sheet**

In advance of 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/11/44 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/11/45 Planning Application No. CB/11/01546/FULL**

**RESOLVED**

**that Planning Application No. CB/11/01546/FULL relating to Market Garden Nurseries, 64 High Road, Beeston, Sandy be approved as set out in the Schedule appended to these Minutes.**

**DM/11/46 Planning Application No. CB/11/02500/FULL**

**RESOLVED**

**that Planning Application No. CB/11/02500/FULL relating to the Mary Bassett Lower School, Basset Road, Leighton Buzzard be approved as set out in the Schedule appended to these Minutes.**

**DM/11/47 Planning Application No. CB/11/02050/FULL**

**RESOLVED**

**that Planning Application No. CB/11/02050/FULL relating to the Mary Bassett Lower School, Basset Road, Leighton Buzzard be approved as set out in the Schedule appended to these Minutes.**

**DM/11/48 Planning Application No. CB/11/02184/FULL**

This item was withdrawn prior to the meeting at the request of the applicant.

**DM/11/49 Planning Application No. CB/11/01842/VOC**

**RESOLVED**

**that Planning Application No. CB/11/01842/VOC relating to Whistlebrook Stud, Sewell Lane, Sewell, Dunstable be approved as set out in the Schedule appended to these Minutes.**

**DM/11/50 Planning Application No. CM/11/01693/FULL**

**RESOLVED**

**that Planning Application No. CM/11/01693/FULL relating to Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin be approved as set out in the Schedule appended to these Minutes.**

**DM/11/51 Wrest Park Estate, Wrest Park, Silsoe**

The Committee received and considered the report which sought the authorisation to confirm the order for the Article 4 Direction to restrict the owners moving from B1 to B8 usage. The Article 4 Direction was approved for consultation at the Development Management Committee held on 30 March 2011 (refer to Minute DM/10/211). The Head of Development Management informed the Committee that all of the relevant notices had been placed on the site and the owner of the site had received a letter advising them of the consultation and the date of this meeting.

There were no representations made against the Article 4 Direction and Ward Members made representations in support of the Article 4 Direction. It was noted that the Article 4 Direction would not prohibit future planning development but allows consideration by the Local Planning Authority to the site as a whole.

**RESOLVED**

**that the Committee confirm the Article 4 Direction under the Town and Country Planning (General Permitted Development) Order 1995, and as amended by the Town and Country Planning (General Permitted Development)(Amendment)(England) Order 2010 for land and buildings known as Wrest Park Estate, Silsoe (as identified on the plan attached to the report).**

DM/11/52 **Henlow Village Green Application**

The Committee received and considered the report of the Director of Sustainable Communities which related to an application to register the land described as "Town Farm Court and Town Farm Orchard", Henlow as a Town or Village Green.

The Committee noted that an earlier application has been considered at the Development Management Committee held on 2 February 2011. At that time the Committee considered the evidence submitted by the Applicant, Mr Rapacchi, the landowners and other objectors, which included 23 letters of representation and resolved "that the applicant be notified that his application to register the land described as Town Farm Orchard, Town Farm Court, Henlow as a Village Green had not been accepted."

The second application, which was made again under Section 15(3) of the Commons Act 2006, from the Applicants, Mr & Mrs Rapacchi was received on 3 March 2011 and was formally accepted on 4 May 2011, following receipt of additional evidence. In addition, the Council concluded that the second application was not a 'repeat' application and that it had been 'duly made' under the statutory regulations.

The Orders & Commons Regulations Officer explained to the Committee that in summary the Applicants must prove that the land has been used by a significant number of local inhabitants for lawful sports and pastimes "as of right" for a period of twenty years. The landowners objection had dealt with the second application by way of two separate parts and the Officer's report considered Town Farm Court and Town Farm Orchard in this way as well.

**Town Farm Court**

The Committee were informed that Examination of the Land Registry and conveyance documents confirmed that the six properties which comprised the Neighbourhood had the benefit of rights of way to pass and re-pass (with or without motor vehicles or other vehicles) from time to time and at all times and for all proper purposes over this access road. Clearly private rights had been granted and therefore insofar as the Applicants were seeking to register the Town Farm Court private driveway as a town or village green, the Council considered that in light of a 1999 House of Lords decision 'use' of the driveway land has been carried on 'by right' rather than 'as of right'. Therefore the Council did not accept that this part of the Second Application Land was eligible or met the criteria for registration as a town or village green.

In addition the Council could not accept that Town Farm Court constituted a locality, or neighbourhood within a locality in which a significant number of its inhabitants used Town Farm Court for lawful sports and pastimes as of right for a period of twenty years.

## **Town Farm Orchard**

The Applicants submitted with their application seven completed evidence questionnaires by the Applicant's themselves; Miss L R and Mrs T S are the applicants daughters, Mr P R their son, Mr N T, Mrs Rapacchi's brother, Mrs O T, Mrs Rapacchi's mother and Mr G P, a previous resident of Town Farm Court. The Applicants had not disputed this information. Therefore, it was considered that there was no evidence of use by a significant number of people in connection with Town Farm Orchard and that the test had not been met.

The Applicants stated in the application that the residents of the six properties in Town Farm Court, and High Street, Henlow had habitually used Town Farm Orchard for over 20 years. However, the Landowners refute this and the Council had not received any letters in support of this application from the residents of the other four properties in Town Farm Court and the High Street, Henlow. Therefore, it was considered that the test of locality, or neighbourhood within a locality in connection with Town Farm Orchard had not been met.

To meet the 'as of right' test, the Applicants needed to demonstrate that the use of the land had been without force, without secrecy and without permission. The evidence from the Landowners supported by the other 17 letters of objection (who had used the land at the invitation of the Landowners) is that the Applicants and the other people who completed the evidence forms were given permission by the Landowners to enter and use the land. Therefore, it was considered that the use of Town Farm Orchard had not been 'as of right',

The Committee after consideration of the information above and listening to the representations made in accordance with the Public Participation Scheme voted unanimously to reject the Application.

## **RESOLVED**

**that the Committee agreed to accept the recommendations set out in the report of the Director of Sustainable Communities to reject the application to register as a town or village green the land described in the application as "Town Farm Court and Town Farm Orchard", Henlow on the grounds that the statutory criteria for registration under Section 15 of the Commons Act 2006 have not been satisfied insofar as:-**

- 1. there is no evidence of use by a significant number of people and that this test has not been met;**
- 2. the test of locality, or neighbourhood within a locality has not been met and;**
- 3. the use of Application Land has not been "as of right".**

DM/11/53 **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 12 October 2011:-**

**Vice-Chairman (or his nominee)**

**Cllrs P N Aldis  
A R Bastable  
A D Brown**

(Note: The meeting commenced at 2.00 p.m. and concluded at 4.31 p.m.)

Chairman .....

Dated .....

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<b>Item No. 7</b>
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## SCHEDULE B

<b>APPLICATION NUMBER</b>	CB/11/01546/FULL
<b>LOCATION</b>	Market Garden Nurseries, 64 High Road, Beeston, Sandy, SG19 1PB
<b>PROPOSAL</b>	Change of use from nursery/horticultural site to commercial timber yard (Sui Generis)
<b>PARISH</b>	Sandy
<b>WARD</b>	Northill
<b>WARD COUNCILLORS</b>	Cllr N Aldis, Cllr C Maudlin & Cllr N Sheppard
<b>CASE OFFICER</b>	Clare Golden
<b>DATE REGISTERED</b>	21 April 2011
<b>EXPIRY DATE</b>	16 June 2011
<b>APPLICANT</b>	Bartram Properties Ltd
<b>AGENT</b>	Chartered Building Surveyor
<b>REASON FOR COMMITTEE TO DETERMINE</b>	Cllr Aldis called to Committee on grounds of industrial use out of keeping with the rural nature of the area, inadequate access and loss of amenity to neighbours
<b>RECOMMENDED DECISION</b>	Full Application - Granted

**RECOMMENDATION**

**Grant** Planning Permission for the application set out above subject to the following conditions:

- 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 **Before development commences an advanced signing scheme which clearly indicates entry and access of vehicles to and from the site shall be submitted to and approved by the Local Planning authority and the approved details shall be implemented before the site is first brought into use as approved.**

**Reason: In the interest of highway safety and for the avoidance of doubt in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies.**

- 3 Noise resulting from the use of any plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA if there is a tonal/distinctive quality) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To preserve the residential amenity of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies and guidance in PPG24: Planning and Noise (1994).

- 4 There shall be no machinery used at the site, goods moved within the site or deliveries received or dispatched outside the hours of 0730 hours and 1800 hours Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: To preserve the residential amenity of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies.

- 5 No goods, waste or other materials shall be stored, stacked or deposited outside the building(s) to a height exceeding 4metres, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies.

- 6 **No development pursuant to planning application number CB/11/01546/FULL shall commence unless and until the developer has submitted to and approved in writing by the local planning authority in consultation with the Highways Agency, the following design details relating to the required improvements to the access off the A1. The scheme shall generally conform to the arrangements shown in outline on RPS drawing: Job No: JKK6849 - Drg No: 100 - Rev B attached hereto.**

**Scheme details shall include drawings and documents showing:**

- i) how the improvement interfaces with the existing highway alignment and carriage way markings including lane destinations,**
- ii) full construction details relating to the highway improvement. This should include any modification to existing structures or proposes structures, with supporting analysis,**
- iii) full signing and lighting details where applicable,**
- iv) confirmation of full compliance with Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),**
- v) an independent stage 2 Road Safety Audit (taking account of any stage 1 Road Safety Audit recommendations) carried out in accordance with Departmental Standards (DMRB) and Advice Notes, and**

**2. Development of the site using the existing access off the A1 trunk road will only be permitted on completion and approval of the access improvements.**

**Reason: To ensure that the A1 will continue to fulfil its purpose as part of a national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980, and for the safety of traffic on that road. In pursuance with this requirement, the Highways Agency must be satisfied with all the details of the proposed improvement to access off the A1 prior to the commencement of construction work.**

- 7 This permission is solely for the change of use of the land and does not grant permission for any buildings indicated on the submitted plans.

Reason: For the avoidance of doubt.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 11/BGT/01, 11/BGT/02, Design and Access Statement - submitted 21.04.11.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed change of use to a commercial timber yard would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. Therefore, by reason of its site, use and location, the proposal is in conformity with Policies DM3 and DM12 of the Core Strategy and Management Policies, November 2009; PPS1 Delivering Sustainable Development (2005), Planning for Sustainable Economic Growth (2009), PPS7 Sustainable Development in Rural Areas (2004), PPG24: Planning and Noise (1994), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

### **Notes to Applicant**

1. The applicants should be aware that the Public Footpath No. 40 running adjacent to the west boundary of the site needs to be open and available for use at all times.

Please contact the Rights of Way Officer at Central Bedfordshire Council on 0300 300 8000 for further information.

2. This permission relates solely to the use of the site as a commercial timber yard (Sui Generis) and does not grant planning permission for any new buildings which shall be the subject of future full planning applications.

[Notes:-

1. In advance of consideration of the application the Committee were advised of updates on the Late Sheet which included receipt of a petition objecting to the proposed Timber Yard and 23 written objections. Details are appended to these Minutes.
2. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.]

<b>Item No. 8</b>
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<b>APPLICATION NUMBER</b>	<b>CB/11/02500/FULL</b>
<b>LOCATION</b>	<b>The Mary Bassett Lower School, Bassett Road, Leighton Buzzard, LU7 1AR</b>
<b>PROPOSAL</b>	<b>Change use of Caretaker's Bungalow to host existing before and after school care, parent support groups, 1:1 therapy sessions and local child/adult social care meetings.</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>14 July 2011</b>
<b>EXPIRY DATE</b>	<b>08 September 2011</b>
<b>APPLICANT</b>	<b>Mary Bassett Lower School</b>
<b>AGENT</b>	<b>BHD Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Ward Councillor Shadbolt having regard to public interest</b>

<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>
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**Recommendation**

That Planning Permission be granted subject to the following:

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

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

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

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

- 3 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties.  
(Policy BE8, S.B.L.P.R).

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number PL-002.2.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposal would not detrimentally impact upon the character and appearance of the streetscene nor would there be any significant adverse impact on the amenities of neighbouring residents. The proposal would not have any impact on archaeological remains and in the circumstances of the case put forward for the needs of the school does not represent an unacceptable loss of residential accommodation. The scheme therefore, is in conformity with Planning Policy Statement 1 and Planning Policy Statement 5 and South Bedfordshire Local Plan First Review policy BE8 and H7. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

### **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)**

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

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

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.

[Note:-

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

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**Item No. 9****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 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 any building works or repairs being first commenced, a full & detailed, precise specification of all proposed materials (e.g. type & origin/ manufacturer & mix of lime & sand/ aggregate for mortars or plasterwork/ render, wood lath, brick, stone, tile, slate, thatch, cast iron, timber or wood) to be used in the works hereby granted consent.**

**Reason: To ensure that the special architectural or historic interest of the building or structure, its character & appearance is properly preserved, maintained & enhanced, in accordance with PPS 5 & standard conservation good practice.**

- 3 **Prior to any building works being first commenced, detailed drawings of all proposed new &/ or replacement doors & windows, together with a detailed specification of the materials, construction & finishes, shall be submitted to & approved in writing by the Local Planning Authority. Details shall be provided which clearly show (as appropriate)- a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, depth of reveal, arch & sill detail.**

**Reason: To ensure that the special architectural or historic interest of the building or structure, its character & appearance is properly preserved, maintained & enhanced, in accordance with PPS5 & standard conservation good practice.**

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL-001A, PL-002.1A & SU-001.

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposal would not detrimentally impact upon the character and appearance of the streetscene nor would there be any adverse impact on the amenities of neighbouring residents. The proposal would not have any impact on archaeological remains. The scheme therefore, by reason of its size, design and location, is in conformity with Planning Policy Statement 1 and Planning Policy Statement 5 and South Bedfordshire Local Plan First Review policy BE8. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

### **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

**Bedfordshire Structure Plan 2011**  
No relevant policies

**South Bedford shire Local Plan Review Policies**

## BE8 - Design Considerations

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

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/11/02184/FULL</b>
<b>LOCATION</b>	<b>34 Mill Road, Cranfield, Bedford, MK43 0JL</b>
<b>PROPOSAL</b>	<b>Erection of 1No. 3 Bedroom House and 1No. 4 Bedroom House to rear of 34 Mill Road Cranfield. Conversion of No. 34 Mill Road into 2No. 1 Bedroom apartments.</b>
<b>PARISH</b>	<b>Cranfield</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Clark, Cllr Bastable &amp; Cllr K Matthews</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>05 July 2011</b>
<b>EXPIRY DATE</b>	<b>30 August 2011</b>
<b>APPLICANT</b>	<b>Mr B Jones</b>
<b>AGENT</b>	<b>3d Architects Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Cllr Clark called in the application on grounds of significant local opposition.  Full Application - Granted</b>

Withdrawn Application – See Minute No. DM/11/48

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**Item No. 11****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/11/01842/VOC</b>
<b>LOCATION</b>	<b>Whistlebrook Stud, Sewell Lane, Sewell, Dunstable, LU6 1RP</b>
<b>PROPOSAL</b>	<b>Variation of Condition: Variation of condition 4 to enable the additional D2 use, of dog agility training.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Goodchild &amp; Jones</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>25 May 2011</b>
<b>EXPIRY DATE</b>	<b>20 July 2011</b>
<b>APPLICANT</b>	<b>Miss Stephanie Cook</b>
<b>AGENT</b>	<b>Dunstable Riding School</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Member Call-in by Councillor Jones having regard to the objection from the Town Council and local residents</b>
<b>RECOMMENDED DECISION</b>	<b>Variation of Condition - Granted</b>

**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 Horse riding tuition shall not take place at the site or based at the site except between the hours of 08.00 and 21.00 on any day.  
  
Reason: To protect the amenities of nearby residential properties.  
(Policy BE8, S.B.L.P.R).
- 3 Notwithstanding the provisions of Article 3 (1) of the Town and Country (General Permitted Development) Order 1995, no part of the site shall be used for any purpose other than as a riding school or for private recreation or dog agility training and the grazing of horses belonging to the applicant or her household, or for events solely to enable pupils of the riding school to compete against each other.  
  
Reason: To protect the amenities of nearby residential properties.  
(Policy BE8, S.B.L.P.R).

- 4 Pursuant to Condition 3 above, the dog agility training tuition hereby approved shall be conducted on not more than two days in any calendar week and for not more than two hours on those days between the hours of 0800 and 2100 hours when horse riding classes are not being carried out.

Reason: To protect residential amenity.  
(Policy BE8, S.B.L.P.R).

- 5 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 variation of condition to include dog training on the application site would not, subject to the imposition of appropriate conditions, be detrimental to residential amenity and result in highway safety hazards thereby complying with the development plan policies comprising Policy ENV7 of the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review and national advice contained in Planning Policy Statements 1 & 7 and Planning Policy Guidance 2, 13 & 24 and the supplementary planning 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**  
BE8 Design Considerations  
T10 Parking - 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. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

[Notes:-

1. In advance of consideration of the application the Committee was advised of additional comments as set out in the Late Sheet appended to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. Condition 4 be amended to reflect the approval of two training sessions for no more than 2 hours each.
4. Condition 5 delete reference to "Agility Flyers – Rules" as detailed in the Late Sheet appended to these Minutes.]

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**Item No. 12****SCHEDULE C**

<b>APPLICATION NUMBER</b>	<b>CB/11/01693/FULL</b>
<b>LOCATION</b>	<b>Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin, SG5 4FD</b>
<b>PROPOSAL</b>	<b>Erection of two canopies to provide covered hard play area to two classrooms on the west elevation of the main school building</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Judy Self</b>
<b>DATE REGISTERED</b>	<b>20 June 2011</b>
<b>EXPIRY DATE</b>	<b>15 August 2011</b>
<b>APPLICANT</b>	<b>Fairfield Park Lower School</b>
<b>AGENT</b>	<b>PCMS Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application is on Council owned land and a number of objections have been received.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Recommendation**

That Planning Permission be granted subject to the following:

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

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

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

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 200-001A; 200-002A; 200-003A.

Reason: For the avoidance of doubt.

**Reasons for Granting**

The proposed extension would not detrimentally impact upon the character and appearance of the streetscene nor would there be any significant adverse impact on the amenities of neighbouring residents. As such the proposal is in conformity with Planning Policy Statement 1 (2005) and Policy DM3, CS3 and CS14 of the Core Strategy and Development Management Policies, November 2009.