

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 7 December 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		K C Matthews
	Mrs C F Chapman MBE		T Nicols
	Mrs S Clark		I Shingler
	I Dalgarno		J N Young

Apologies for Absence: Cllrs Ms C Maudlin

Members in Attendance: Cllrs R W Johnstone
P Williams

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Mr A Bunu	Senior Planning Officer
	Mr A Davie	Head of Development Management
	Mr D Hale	Development Management Team Leader (South)
	Mr D Lamb	Development Management Team Leader (North)

DM/11/80 **Chairman's Announcements**

- (1) The Chairman asked the Committee to silence their mobile phones for the duration of the meeting.
- (2) The Chairman reminded members that the Ethical Handbook rule 13.5.5 states that Members must be present to hear the entire debate including the officers introduction to the matter in order to take part in the consideration of an item.
- (2) The Chairman reminded Members that Paragraph 18.4.1 of Part B5 of the Constitution states that

“Speeches must be directed to the question under discussion or to a personal explanation, point of order or point of information”

Subject to Rule 18.4.2 and 18.4.3 no speech may exceed 3 minutes.

(4) Reference to the description and name of applicant of Item 12 on the front sheets of the agenda is incorrect and should read as follows:

Erection of 2 no 3 bedroom detached dwellings

Applicant: Mr Smallman.

DM/11/81 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 09 November 2011 be confirmed and signed by the Chairman as a correct record.

DM/11/82 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Councillor P N Aldis	7 & 8	Know speaker as candidate in election process in different area	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Councillor P F Vickers	11	Know an objector to the application	Absent
Councillor A D Brown	14	Applicant to application	Absent

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

Member	Item	Parish/Town Council	Vote Cast
Councillor Jones	9	Houghton Regis Town Council	Did not vote
Councillor P N Aldis	11	Sandy Town Council	Did not vote

DM/11/83 **Petitions**

The Chairman advised that no petitions had been received.

DM/11/84 **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/11/85 **Late sheet**

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/11/86 **Planning Application No. CB/11/03091/RM**

RESOLVED

That the Head of Development Management Committee be delegated authority to refuse Planning Application No. CB/11/03091/RM relating to Land and Buildings North of Taylors Road, Stotfold as set out in the schedule appended to these Minutes.

DM/11/87 **Planning Application No. CB/11/02183/RM**

RESOLVED

that Planning Application No. CB/11/02183/RM relating to Land South of Stotfold, Norton Road, Stotfold be approved as set out in the schedule appended to these Minutes.

DM/11/88 **Planning Application No. CB/11/03406/FULL**

RESOLVED

that Planning Application No. CB/11/03406/FULL relating to Houghton Regis Medical Centre, Peel Street, Houghton Regis, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/11/89 **Planning Application No. CB/11/03414/FULL**

RESOLVED

that Planning Application No. CB/11/03414/FULL relating to Land rear of 100 Common Road, Kensworth, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/11/90 **Planning Application No. CB/11/03441/VOC**

RESOLVED

That the Head of Development Management be delegated authority to refuse Planning Application No. CB/11/03441/VOC relating to Market Garden Nurseries, 64 High Road, Beeston, Sandy as set out in the schedule appended to these Minutes.

DM/11/91 **Planning Application No. CB/11/03820/FULL**

RESOLVED

that Planning Application No. CB/11/03820/FULL relating to Land at Houghton Conquest Methodist Church, Rectory Lane, Houghton Conquest be approved as set out in the schedule appended to these Minutes.

DM/11/92 **Planning Application No. CB/11/03465/OUT**

RESOLVED

that Planning Application No. CB/11/03465/OUT relating to 41 High Street, Henlow be approved as set out in the schedule appended to these Minutes.

DM/11/93 **Planning Application No. CB/11/03728/FULL**

RESOLVED

that Planning Application No. CB/11/03728/FULL relating to 11 Clifton Road, Shefford be approved as set out in the schedule appended to these Minutes.

DM/11/94 **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 Tuesday 3 January 2012:-

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

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

(Note: The meeting commenced at 2.00 p.m. and concluded at 5.30 p.m.)

Chairman

Dated

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 07 December 2011****SCHEDULE B*****Item 7 (Page 13-28) – CB/11/03091/RM – Land and Buildings North of Taylors Road, Stotfold.*****Additional Consultation/Publicity Responses**Stotfold Town Council

Following the developer's request that Stotfold Town Council reconsider our previous objection comments to the above planning application, at a meeting of the Planning Committee held on 23rd November 2011 the members decided that as the plans remain the same as they originally considered, they do not wish to amend their previous objections.

However, the committee would like to thank the developers for their clarification of our objection point 6 regarding the adoption of the play areas by the Town Council. We also request that with regard to the Section 106 money allocation for play areas, the suitable area for allocation should be the Town Council's decision.

Additional CommentsPlay Areas

Please note that if Members are minded to approve that application that the decision cannot be issued until either a suitably worded Deed of Variation of Supplemental S106 is entered into by the applicant. This would secure £26,800 to provide further play equipment to be used in Stotfold.

Affordable Housing

The site is providing 28% affordable housing, namely 39 units. The S106 Agreement for this site does not provide figures as to the cluster sizes acceptable for this site.

One cluster comprising 12 units (4 affordable houses and 8 affordable flats), a cluster comprising 16 units (13 affordable houses and 3 affordable flats over garages) and the remaining cluster of 11 units (8 flat units and 3 affordable houses). These are all separate clusters however there is not always market housing between each cluster.

Density

It should be noted that the outline planning permission did not provide a set number of residential units. The applicant has provided a density of 43 dwellings per Hectare to represent the urban fringe nature of this development on a brownfield site. This is considered to be acceptable in this situation because 27 of the 139 residential units are flats rather than separate dwelling houses and this therefore has a knock on impact upon the density figures.

Item 8 (Page 29-40) – CB/11/02183/RM – Land South of Stotfold, Norton Road, Stotfold.

Additional Consultation/Publicity Responses

Highways

I refer to your e-mail dated yesterday and the revised drawings:-
Drawing No. 10.094.Site.5.2 Rev E - Site Layout;
Drawing No. 10.094.Site.5.3 Rev E - Wall - Roof Materials; and
Drawing No. 10.094.Site.5.4 Rev E - Storey Heights

In respect of the above reserved matters application for which you have requested my comments. I would advise as follows:

The revised layout drawing has addressed the concerns I raised in respect of the parking issues on the previous layout. This matter can now be deemed to be acceptable.

The revised layout drawing no longer contains the provision of a "Feature Tree" in the footway/carrageway on the outside of the bend to the internal access road. The applicant's agent has advised that this will also be omitted from the Landscaping Plan, although I have not seen this revised drawing.

On the assumption that the drawing will be so revised, I would advise that in a highway context I would not wish to raise objections to the Reserved Matters application and would recommend that the following conditions be included if planning approval is to be issued.

Tree and Landscape Officer

The Tree and Landscape Officer confirmed that the Walnut Tree at 96 High Street Stotfold can be protected from potential damage caused by the development through the use of a suitably worded condition.

Additional Comments

Affordable Housing

The original S106 pursuant to Planning Permission Ref: MB/02/00242/OUT relating to Land South of Stotfold, Bedfordshire provided that this site would provide 28% Affordable Housing namely, 182 plots.

The Deed of Variation dated 16 December 2009 pursuant to Outline Planning Permission Ref: MB/02/00242/OUT relating to Land South of Stotfold, Bedfordshire provided in relation to Affordable Housing states that:

The Affordable Housing Units shall be pepper-potted through the relevant part of the Site to be used for residential purposes and shall be provided in clusters as follows:

- (a) in the case of apartments no more than 12 units in any one cluster; and
- (b) for houses with 2 or more bedrooms no more than 15 units in any one cluster.

In relation to this application the site layout identifies one cluster adjacent to the Grange Link comprising 14 houses and a further cluster of 9 houses to the rear of Mulberry Close and the High Street. In addition it can be confirmed that there is market housing between these two clusters and as such the proposal is considered to be in accordance with the Land South of Stotfold S106 requirements in relation to Affordable Housing.

Density

The density of this application is 44.1 dwellings per Hectare. The Land South of Stotfold adopted Design and Landscape Strategy Code for the whole of Parcel 1 should provide a density of between 30 and 40 dwellings per Hectare. Taking this application into consideration and the already consented (MB/07/01546/RM) part of Parcel 1 which has now been built would provide an average density of 39.5 dwellings per Hectare. As such the density is in accordance with the adopted Design and Landscape Strategy Code.

Additional/Amended Conditions

Highways

- 1. No development shall commence until details of the access roads and footways, including gradients and method of surface water disposal, have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the road(s) which provide(s) access to it from the existing highway has/have been laid out and constructed in accordance with the approved details.**

Reason: In order to ensure that the proposed roadworks are constructed to an adequate standard and to minimise danger, obstruction and inconvenience to users of the highway and of the development.

2. No dwelling shall be occupied until visibility splays have been provided at the junctions of the access roads serving the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

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

3. Before any dwelling is occupied all on site vehicular areas related to that dwelling shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

5. The driveway length in front of the garage(s) shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

6. **No development shall commence until, a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

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

Tree and Landscape Officer

7. No development shall commence to Plots 29 – 33 (inclusive) until details to protect the Walnut Tree to the rear of 96 High Street, Stotfold have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be wholly implemented until Plots 29 0 33 (inclusive) have been completed and are ready for occupation.

Reason: To safeguard an existing tree and in the interests of visual amenity.

Additional Notes to Applicant

1. 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 for Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
2. 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 Highways Development Control Section, 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.

3. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance - July 2010".
4. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

Item 9 (Page 41-52) – CB/11/03406/FULL – Houghton Regis Medical Centre, Peel Street, Houghton Regis, Dunstable.

Additional Consultation/Publicity Responses

1. CBC Rights of Way Officer (23/11/11) – The following comments were offered:

This revised extension layout would seem acceptable as far as Public Footpath no. A12 is concerned and should leave the line and width of the Footpath unaffected by the proposals. I therefore now have no objections.

Should the proposals be granted planning permission, however, it is likely that the Public Footpath could be obstructed by construction work and so a temporary closure of the footpath may be necessary to allow the work to be carried out. This is because the applicant must ensure that the full width of the public footpath can be used at all times during construction and that the public footpath can freely walk along it safely. The Public Footpath cannot be obstructed by any vehicles or materials associated with the development and a scaffolding licence may be needed if any scaffolding is required which will overhang or obstruct any part of the Public Footpath. If the applicants require a temporary closure/diversion of the path, they must apply for one, giving us at least 6 weeks notice to process it. The applicants will be responsible for paying for all costs (including advertising) of processing such a temporary closure/diversion of the path. I will attach for the applicant further details on closures/diversions with details of our current costs. If they feel a scaffolding licence will be required, they must contact Hazel Potter in Highways on 0300 300 4857.

2. Houghton Regis Town Council (24/11/11) – Objects on the grounds that the land that is to be built upon is thought to be amenity land.
3. Applicant has provided a petition in support of the application for a Pharmacy with late opening hours, signed by 521 people who visited the Surgery between 25th November and 2nd December. A collection of signatures is continuing and will be reported on further at Committee.

Additional Comments

An updated plan has since been received not only including the reduction in scale but also reflecting the original sloped roof design, which is thought to better compliment

and harmonise with the host building and in turn would better enhance the character of the area, than the proposed flat roof design.

The revised plan has taken into account the public right of way and the extension no longer obstructs or overhangs the public right of way and therefore no objections have been raised by the Rights of Way Officer. The Rights of Way Officer has recommended an informative to be imposed to the decision notice, so that the applicant is made aware of their responsibilities in relation to the public right of way during construction.

The Town Council has continued to object to the planning application as they believe that the land that would be built upon is classed as amenity. However as stated in my report, the land is not classed as amenity and whilst some landscaping exists, it forms part of a mitigation method of a previous planning application and much of the landscaping is required to be removed due to its obstruction of the public right of way.

Amended Conditions

Amend condition 3, last sentence to no access "for the public" to the pharmacy other than through the dispensing hatch.

Amend condition 5 as follows:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11/1155/01, 11/1155/02B, 11/1155/03, 11/1155/05 Rev C & CBC/001,

Reason: For the avoidance of doubt.

Additional Informative

No materials or vehicles associated with the development should be left on or near the public footpath which may cause a hazard or inconvenience to users. The applicant must ensure that there is no encroachment beyond the property's legal boundary onto the width of the public footpath. However if a footpath closure is needed this will require at least six weeks notice and any footpath closure would not apply to the access to the garages. Should scaffolding be required over the public footpath, the Council's Highway department would also require notice of this so that a scaffolding licence can be processed and granted.

Item 10 (Page 53-66) – CB/11/03414/FULL – Land rear of 100 Common Road, Kensworth, Dunstable.

Additional Information

Inspector Appeal decision attached, as per page 56 of Main Agenda. (Refusal for erection of a detached bungalow, reference CB/10/02361).

Item 11 (Page 67-78) – CB/11/03441/VOC – Market Garden Nurseries, 64 High Road, Beeston, Sandy.

Additional Consultation/Publicity Responses

Following the completion of the Officer's report, an email and petition with 41 signatures has been submitted commenting and objecting to the application on the following grounds:

- Vehicles should exit the site onto the A1 rather than using Orchard Road.
 - Domestic vehicle movement will be increased by 28/30 more movements per day as a result of the increase in the number of employees.
 - Beeston Green has previously been damaged by HGV vehicles and since the site has not been in operation, it has started to recover. The new operation will cause damage again and this is not considered necessary when there is another way in and out of the site, via the A1.
 - De-restricting the operating hours would have a detrimental impact on the safety of Beeston residents.
 - There is insufficient street lighting along the footpath, dramatically increasing risk due to poor visibility.
 - There are no paths to enable pedestrians to stay safe and off the roadside, even though the road is a footpath.
 - There are no natural bollards or defence systems on either side of the road/footpath to ensure vehicles stay on the road.
 - De-restricting the operating hours would have a very negative effect on the well-being and welfare of Beeston residents, mostly affecting the families living in the 43 households alongside The Green and Orchard Road.
 - Dramatically increased noise pollution from business and heavy goods vehicles at a time when most families and children are still asleep.
 - The now expected increase in vehicular access and exit that has been verified since the Council's original decision which was based on lower volumes of site traffic.
 - The noise and visual impact in the early evening time.
 - De-restricting the operating hours would have a very negative effect on the welfare of the Beeston environment.
 - Without proper road-safety and maintenance and fiscal investment from the Council, this will affect the visual and ecological appearance of The Green.
 - There is no natural barrier or passing area to avoid vehicular access onto and off The Green and thus, motorists could use the grassed areas to pass each other, destroying/damaging The Green.
 - The Green is used by residents for walking, playing and meeting and is the area most likely to experience traffic incidents.
 - Suggest that if permission is granted, the Council overturn a restrictive clause in the original application that would allow 64 The High Road to both enter and exit the A1 directly, thus no longer needing to use Orchard Road.
 - Suggest that if permission is granted, the Council implement fiscal investment and deployment of road and environmental safety measures along Footpath 40, specifically with natural wooden barrier posts with reflective strips at eight foot intervals on either side of the road, plus the addition of increased street lighting.
- The applicant's agent has confirmed that there will be on average, 3 deliveries to the site per day.

Additional Conditions

It is recommended that condition 4 be revised to ensure that deliveries to the site are restricted to after 07:30 hours until 18:00 hours. The revised wording of the condition would be as follows:

There shall be no machinery used at the site, goods moved within the site or deliveries received outside of the hours of 07:30 and 18:00 hours, Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays, without the benefit of planning permission. There shall be no deliveries dispatched from the site outside the hours of 06:00 and 18:00 hours, Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays, without the benefit of planning permission.

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

Item 12 (Page 79-88) – CB/11/03820/FULL – Land at Houghton Conquest Methodist Church, Rectory Lane, Houghton Conquest.**Additional Consultation/Publicity Responses**

Houghton Conquest Parish Council (17/11/11) - Object to application on the basis that the buildings are too large for the plot, they will overshadow the neighbouring buildings and the access area is poorly designed. Overdevelopment of the plot and intrusion into surrounding homes.

CBC Archaeology (25/11/11) - No objections to application.

CBC Highways (24/11/11) - No objections – conditions recommended.

Two letters received from neighbours. Comments summarised as:

- Proposed size and height of dwellings not in keeping with surrounding area.
- Driveway for Plot 1 is up against rear boundary resulting in loss of privacy and additional noise and movements.
- There may be damage caused to existing building wall during construction.
- Inaccuracies on application relating to address of Westerley House (marked as 30 Rectory Lane) also plan does not show passageway to side of Westerley House and implies some of the land within Westerly House boundary will be lost.
- Previous application refused, status quo has not changed.
- A large chalet bungalow so close to boundary would impact on light and privacy of 30a Rectory Lane.
- Cycle shed/store is a substantial building unsuitable on the boundary, and would impact on the light to 30a Rectory Lane.

Additional Comments

Following questions raised at the Committee Site visit the applicant has confirmed that the Cemetery at the Chapel is within his ownership and there are no legal

obligations in place in connection with the cemetery. The applicant stated an intention to the Methodist Church that the cemetery would remain in perpetuity.

The applicant also confirmed that the fence to the front of the cemetery is to remain in the current location.

Archaeology

The proposed development site has the potential to contain remains relating to the Saxon and medieval origins and development of the settlement at Houghton Conquest. It could also contain post-medieval burials associated with the post-medieval Methodist Chapel that occupies part of the site; these are heritage assets.

The application includes a report on an archaeological field evaluation comprising the results of a programme of trial trenching. The report on the evaluation describes the archaeological deposits the site contains; this provides a description of the significance of the heritage asset, conforming to Policy HE6.1 of PPS 5. It allows the impact of the proposed development on archaeological remains to be understood.

The evaluation identified two archaeological features within the application area: a pit dated to 18th-19th century and another undated pit. Other trenches dug outside the application area at the request of the applicant contained a number of other features (post holes and a ditch) which, where dated, were all post-medieval. The archaeological features appear to represent a low level of activity either just pre-dating or contemporary with the various phases of the Methodist Chapel.

The archaeological remains of low level post-medieval activity identified in the archaeological field evaluation are significant in that they provide information concerning the development of the settlement at Houghton Conquest.

The proposed development will have a negative and irreversible impact on the archaeological remains identified in the evaluation and on the significance of the heritage asset (the historic settlement of Houghton Conquest) they represent. However, the loss of significance of the heritage asset the proposed development is likely to cause is minimal and does not represent a constraint on development.

Highways

Adequate parking provision and turning area is to be provided and cycle storage buildings are provided for each dwelling. There are no objections to the proposal on Highway Safety grounds however the site access is relatively narrow and only permits one-way working. The access would benefit from being made wider therefore conditions to this effect are recommended.

Additional Conditions

1. Development shall not begin until details of the junction of the modified (widened) vehicular access with the highway have been approved by the Local Planning Authority and no dwelling shall be occupied until the access 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 the premises.

2. Before the access is brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility.

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.

3. The modified (widened) vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. 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 avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

Notes to Applicant

The applicant is advised that no works associated with the construction of the modified vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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

Item 13 (Page 89-102) – CB/11/03465/OUT – 41 High Street, Henlow.

Additional Comments

Central Bedfordshire Ecologist – The mitigation measures proposed are considered thorough and reasonable.

Additional/Amended Conditions

None.

SCHEDULE C

Item 14 (Page 103-108) – CB/11/03728/FULL – 11 Clifton Road, Shefford.

Additional Consultation/Publicity Responses

No further comments received.

Additional Comments

None.

Additional/Amended Conditions

None.

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Appeal Decision

Site visit made on 5 July 2011

by **Peter J Golder Dip TP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 September 2011

Appeal Ref: APP/P0240/A/11/2148515

Land to rear of 100 Common Road, Kensworth, Dunstable LU6 3RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Gleneden Properties Ltd against the decision of Central Bedfordshire Council.
- The application Ref CB/10/02361/FUL, dated 28 June 2010, was refused by notice dated 15 November 2010.
- The development proposed is erection of detached bungalow and garage.

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes that issued on 15 July 2011.

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site lies within and is washed over by the South Bedfordshire Green Belt. Policy GB3 of the South Bedfordshire Local Plan Review 2004 provides for limited infilling in accordance with policy H12 within the defined boundaries of Kensworth. This approach is in accordance with the guidance at para 2.11 of PPG2 – *Green Belts*. Development which does not meet the criteria of policy H12 would be inappropriate, which by definition is harmful to the Green Belt.
3. Against this background the main issues in this appeal are:
 - whether the proposal amounts to inappropriate development within the Green Belt
 - if inappropriate whether very special circumstances exist to justify setting aside harm by reason of inappropriateness and any other harm
 - the effect of the proposal upon the character and appearance of the locality.

Reasons

4. Policy H12 has four criteria. The first requires the site to be within the defined boundaries of the village; this criterion is met. The second requires the development to be for up to two dwellings on a small gap in an otherwise built up residential frontage. The proposal is for a single dwelling and while the plot is not within a defined residential frontage the irregular built form along the northern side of the main road through the village, with building in depth in

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- several places, is a characteristic feature of the settlement. In principal development at the appeal site would be consistent with the prevailing pattern of building hereabouts and the spirit of criterion (ii) of policy H12 would be satisfied.
5. Criteria (iii) and (iv) require the development to have a plot size and frontage similar to those adjoining and for there to be no adverse impact upon its surroundings. Given the juxtaposition of the appeal site with others around a direct comparison of frontages serves little usual purpose. An assessment of the size of the plot and the relationship of the proposed buildings to its boundaries is a more telling analysis in this instance.
 6. The application site includes the access drive beside No 100a which serves No 92 and other land in the vicinity. I note that a public footpath connecting the village to the open countryside just beyond the site also runs along the drive. For all intents and purposes the site of the proposed bungalow is that contained by the hedge line along the western side of the drive and the surrounding property boundaries. By any measure in comparison to those around the plot is limited in size and the bungalow and garage would take up a substantial part of it and both would be very tight to the boundaries. Plot sizes vary in the locality but even allowing for the generally smaller plots of the more recent dwellings hereabouts, that proposed would appear physically and visually cramped in comparison with the nearby residential environment. Further when the generally open and maturely landscaped broader setting of the site is taken into account, especially the spacious grounds of No 92, the adjoining agricultural land and the sizeable undeveloped area contained by the loop of the drive, the contrast with the meanly spaced proposal would be unacceptably accentuated.
 7. The existing "nissen hut" type structure on the land is low key in form. It is very much assimilated into the landscape of this part of the village which provides a transition from the more built up parts of the settlement to the open countryside beyond. The proposed development would fundamentally erode the role which this wider area land bordering the footpath has in the setting and function of this part of the village. Its semi-rural, largely open and undeveloped character and appearance would be irreversibly harmed.
 8. For these reasons the development would not meet the final two criteria of policy H12 of the local plan and I conclude that the proposal would amount to inappropriate development and hence by definition be harmful to the Green Belt. Where new housing development does not meet the criteria of policy H12 the aim, in accordance with national policy, should be to keep the Green Belt open and free of development. For the above reasons the proposal would not satisfy this requirement and would also have a seriously harmful impact upon the distinctive character and appearance of this part of the village. The proposal fails to complement or harmonise with its surroundings and would detract from rather than contribute to local distinctiveness. Consequently the scheme would also conflict with policy BE8 of the local plan which has its overall objective the protection and enhancement of the built environment. Therefore, in addition to the objections to the proposal on Green Belt grounds, I also find the scheme unacceptable for this reason.
 9. While this former garden land has been severed from the development of the new houses fronting Common Road and appears to have no current beneficial use I find nothing which weighs in favour of the development to justify setting

Appeal Decision APP/P0240/A/11/2148515

aside the harm to the Green Belt by reason of both inappropriateness and erosion of openness and also to the character and appearance of the locality. Therefore very special circumstances are not shown to exist in this instance and having had regard to all other matters raised in the representations, including the views the Parish Council and other interested persons, the appeal is dismissed.

Peter J Golder

INSPECTOR

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Item No. 7**SCHEDULE B**

APPLICATION NUMBER	CB/11/03091/RM
LOCATION	Land And Buildings North Of, Taylors Road, Stotfold
PROPOSAL	Reserved Matters: Demolition of existing buildings and redevelopment for B1/B2 employment and C3 residential to include affordable housing, car parking, service roads, landscaping, children's playspace and access (pursuant to outline planning permission MB/07/01762/OUT dated 23 December 2008)
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Hannah Pattinson
DATE REGISTERED	12 September 2011
EXPIRY DATE	12 December 2011
APPLICANT	Taylor Wimpey North Thames, Prime Estates & Bedsand Ltd
AGENT	PPML Consulting Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr B Saunders in view of planning objections raised by Stotfold Town Council.
RECOMMENDED DECISION	Reserved Matters - Granted

Recommendation

That the Head of Development Management be delegated to refuse the application.

The proposal by reason of its design and density, would be an overdevelopment of the site and have an unacceptable harmful impact on the character of the area. As such, the proposal is contrary to policies CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Notes

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses from Stotfold Town Council
- (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/11/02183/RM
LOCATION	Land South Of Stotfold, Norton Road, Stotfold
PROPOSAL	Reserved Matters: Erection of 64 Dwellings with roads, garages and ancillary works (Parcel 1 Phase 2) pursuant to outline planning permission MB/02/00242/OUT dated 21 April 2006
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Hannah Pattinson
DATE REGISTERED	06 September 2011
EXPIRY DATE	06 December 2011
APPLICANT	George Wimpey (South Midlands) & Persimmon Homes Ltd
AGENT	Eric Cole Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in by Cllr B Saunders in respect of the objection raised by Stotfold Town Council
RECOMMENDED DECISION	Reserved Matters - Granted

Recommendation

That Planning Permission be granted subject to the following:

- 1 No development shall commence until Condition 6 (viii) of the Outline Planning Permission (Ref: 02/00242/OUT) an Energy and Sustainability Strategy (including details of energy efficiency, waste and water minimisation, and any other matters identified in the Energy Strategy) has been submitted to and agreed in writing by the Local Planning Authority.

The development will be implemented in accordance with the agreed Energy and Sustainability Strategy.

Reason: To ensure that the development achieves the objectives of 'The Land South of Stotfold Development Brief', 'The Master Plan' and the 'Energy Strategy'.

- 2 Prior to commencement of development a Landscape Management and Maintenance Report and planting schedule shall be submitted to and approved in writing by the Local Planning Authority. All planting and landscaping will be carried out during the first planting season following substantial completion of the residential units and will solely be implemented in accordance with the approved Landscape Management and Maintenance Report.

Reason: To ensure a satisfactory form of development in accordance with

the Adopted Land South of Stotfold Design and Landscape Strategy Code.

- 3 Prior to the commencement of development a scheme detailing the materials and boundary treatment in respect of all residential plots shall be submitted in writing and approved by the Local Planning Authority. All dwellings hereby permitted shall be built solely in accordance with the approved materials and boundary treatment details.

Reason: For the avoidance of doubt.

- 4 No development shall commence until details of lighting of roads, footpaths, cycle routes, parking areas, parking courts and all other areas accessible to the public have been submitted to and approved in writing by the Local Planning Authority.

These details shall include the height of lighting columns, types, colouration and brightness of the proposed lights.

All lighting on site shall be implemented solely in accordance with the approved lighting details and prior to the completion and occupation of 50% of the residential units hereby approved.

Reason: To ensure public and highway safety.

- 5 **No development shall commence until details of the access roads and footways, including gradients and method of surface water disposal, have been approved in writing by the Local Planning Authority and no dwelling shall be occupied until the road(s) which provide(s) access to it from the existing highway has/have been laid out and constructed in accordance with the approved details.**

Reason: In order to ensure that the proposed roadworks are constructed to an adequate standard and to minimise danger, obstruction and inconvenience to users of the highway and of the development.

- 6 No dwelling shall be occupied until visibility splays have been provided at the junctions of the access roads serving the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

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

- 7 Before any dwelling is occupied all on site vehicular areas related to that dwelling shall be surfaced in a manner to the Local Planning Authority's

approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

9. The driveway length in front of the garage(s) shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

- 10 **No development shall commence until, a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

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

- 11 No development shall commence to Plots 29 – 33 (inclusive) until details to protect the Walnut Tree to the rear of 96 High Street, Stotfold have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be wholly implemented until Plots 29 – 33 (inclusive) have been completed and are ready for occupation.

Reason: To safeguard an existing tree and in the interests of visual amenity.

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [10.094.HTA.1 REV B; 10.094.HTB.1 REV B; 10.094.HTB.2 REV B; 10.094.HTC.1 REV B; 10.094.HTC.2 REV B; 10.094.HTD.1 REV B; 10.094.HTE.1 REV B; 10.094.HTE.2 REV B; 10.094.HTF.1 REV B; 10.094.HTF.2 REV B; 10.094.HTG.1 REV B; 10.094.HTH.1 REV B; 10.094.HTJ.1 REV B; 10.094.HTJ.2 REV B; 10.094.HTK.1 REV B; 10.094.HTK.2 REV B; 10.094.HTL.1 REV B; 10.094/GAR.1 REV B; 10.094.SITE.5.1 rev C; 10.094.Site.5.2 rev E; 10.094.Site.5.4 rev E; 001 rev C]

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal is in conformity with Policies HO8(10) of the Mid Bedfordshire Local Plan, First Review 2005; Policies CS5, CS6, CS14, DM2, DM3 & DM4 of the Core Strategy and Development Management Policies 2009; Planning Policy Statement: 1, 3, 22 & 25; Design Guide in Central Bedfordshire (2010) and Land South of Stotfold Design and Landscape Strategy Code (2007).

Note to Applicant

1. 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 for Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
2. 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 Highways Development Control Section, 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.
3. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance - July 2010".
4. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Highways Development Control Section, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

NOTES

- (1) In Advance of the consideration of the application the Committee were advised of comments received from Highways Department and the Tree and Landscape Officer. The Committee were also advised of additional/amended conditions.
- (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/11/03406/FULL
LOCATION	Houghton Regis Medical Centre, Peel Street, Houghton Regis, Dunstable, LU5 5EZ
PROPOSAL	Single storey front extension.
PARISH	Houghton Regis
WARD	Tithe Farm
WARD COUNCILLORS	Cllr Williams
CASE OFFICER	Donna Lavender
DATE REGISTERED	23 September 2011
EXPIRY DATE	18 November 2011
APPLICANT	Houghton Regis Medical Centre
AGENT	Braund Technical Services
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Councillor P Williams due to contentious late opening hours of proposed pharmacy
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 **Before 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 shall be monitored and the results of this monitoring be reviewed on an annual basis and further recommendations for improvements shall be submitted to and be approved in writing by the Local Planning Authority.**

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.

- 3 The pharmacy building shall only be open to customers between the hours of 08:00 am to 12:00pm Mondays to Fridays, 09:00 am to 11:00pm on Saturdays, and 10:00am - 04:00pm on Sundays and Bank Holidays. Between the hours of 09:00pm - 12:00pm Mondays to Fridays and 08:00pm - 11:00pm on Saturdays there shall be no access for the public to the pharmacy other than through the dispensing hatch.

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

- 4 New external brickwork and roofing 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.

(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 11/1155/01, 11/1155/02B, 11/1155/03,11/1155/05 Rev C &CBC/001,

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed front extension would not have a detrimental impact on the character of the area and the proposed extension and pharmacy open hours would not have an adverse impact on the residential amenity of neighbouring properties, therefore by reason of the siting, design and location of the extension, it is in conformity with Policy ENV7 of the East of England Plan (May 2008); Policies BE8 and H8 of the South Bedfordshire Local Plan Review 2004 and National Planning Policy Statement 1 "Delivering Sustainable Development". 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 of the Built Environment)

SS1 (Achieving Sustainable Development)

T14 (Parking)

South Bedfordshire Local Plan Review

BE8 (Design Considerations)

T10 (Parking)

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. No access for the public to the pharmacy other than through the dispensing hatch.
4. No materials or vehicles associated with the development should be left on or near the public footpath which may cause a hazard or inconvenience to users. The applicant must ensure that there is no encroachment beyond the property's legal boundary onto the width of the public footpath. However if a footpath closure is needed this will require at least six weeks notice and any footpath closure would not apply to the access to the garages. Should scaffolding be required over the public footpath, the Council's Highway department would also require notice of this so that a scaffolding licence can be processed and granted.
5. 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 additional consultation and publicity responses received from The Rights of Way Officer, Houghton Regis Town Council and the Applicant. In addition the Committee were advised of an amendment to condition 3 and 5 and an additional informative.
- (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. 10**SCHEDULE B**

APPLICATION NUMBER	CB/11/03414/FULL
LOCATION	Land rear of 100 Common Road, Kensworth, Dunstable, LU6 3RG
PROPOSAL	Erection of 1 bed bungalow
PARISH	Kensworth
WARD	Caddington
WARD COUNCILLORS	Cllrs Mrs Gammons & Stay
CASE OFFICER	Abel Bunu
DATE REGISTERED	26 September 2011
EXPIRY DATE	21 November 2011
APPLICANT	Gleneden Properties Ltd
AGENT	Lee Butler MRICS
REASON FOR COMMITTEE TO DETERMINE	Member call in by Ward Councillor Stay on the grounds of overdevelopment of site
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 **Before development begins, samples of the materials to be used for the external walls and roofs of all new buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building.
(Policy BE8 S.B.L.P.R).**

- 3 The hedgerow to be removed shall be replaced by a new planting, the size, position and species of which shall be approved in writing by the Local Planning Authority. The hedge shall be planted by a date not later than the end of the full planting season immediately following the removal of the hedge and shall be maintained until satisfactorily established (a full planting season shall mean the period from October to March).

Reason: To ensure the planting of replacement hedge in the interests of visual amenity.
(Policy BE8 S.B.L.P.R).

- 4 **Before development begins, the position of the dwelling shall be pegged out on site and its position approved in writing by the Local Planning Authority.**

**Reason: To enable consideration to be given to the precise layout of the development.
(Policy BE8 S.B.L.P.R).**

- 5 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 building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area.
(Policy BE8 S.B.L.P.R).

- 6 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property 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).

- 7 The existing vehicular access shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 8m into the site, measured from the highway boundary, before the premises are occupied. Arrangement 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 avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

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

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

- 9 Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety.

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

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

- 11 No development shall commence until the apparatus for wheel cleaning has been provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The apparatus for wheel cleaning shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 12 Before the vehicular access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision 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 highway level.

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

- 13 Visibility splays shall be provided at the junction of the vehicular access with the highway. The splays shall extend to the limits of the site's highway frontage on each side of the access from a point on the centre line of the access measured 2m back from the edge of highway. The vision splays so described shall be maintained free of any obstruction to visibility.

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

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 13911.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not, be inappropriate in the Green Belt, detract from the appearance of the locality, be harmful to residential amenities and would make adequate provision for off-street parking thereby conforming with the development plan policies comprising policies ENV2, ENV7, H1, SS1 of the Regional Spatial Strategy for the East of England, Policy 25 of the Bedfordshire Structure Plan, BE8, SD1, H12, H3 and T10 of the South Bedfordshire Local Plan Review and national advice contained in Planning Policy Statements 1, 3, 7 and Planning Policy Guidance 2, 13 and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010 and the Planning Obligations supplementary planning document.

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

ENV2 - Landscape Conservation

Bedfordshire Structure Plan 2011

7 - Areas of Great Landscape Value (AGLV)

South Bedfordshire Local Plan Review

BE8 - Design Considerations

T10 - Parking - New Development

NE3 - Control of Development in Areas of Great Landscape Value (AGLV)

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. Only clean, uncontaminated surface water, should be discharged to any soakaway, watercourse or surface water sewer.

5. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Planning Authority. The maximum acceptable depth for soakaways is 2.00 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
6. If during any site investigation, excavation, engineering or construction works, evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall thereafter be remediated to the satisfaction of the local Planning authority to ensure that the site is made suitable for its end use.
7. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
8. 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.
9. 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.
10. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance - July 2010".
11. The applicant is reminded that a licence is required should any scaffolding be required which will overhang or encroach part of the Public Footpath.

12. No materials or vehicles associated with the development should be left on or near the Public footpath so as to cause an obstruction or hazard to its users at any time, including preparation for the development and during any work carried out.
13. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional information regarding the inspector Appeal decision.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 11**SCHEDULE B**

APPLICATION NUMBER	CB/11/03441/VOC
LOCATION	Market Garden Nurseries, 64 High Road, Beeston, Sandy, SG19 1PB
PROPOSAL	Variation of Condition: Change condition 4 (hours of vehicular movement) of Planning Permission CB/11/01546/FULL
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Clare Golden
DATE REGISTERED	04 October 2011
EXPIRY DATE	29 November 2011
APPLICANT	Mr James Bartram
AGENT	Robert Trigg
REASON FOR COMMITTEE TO DETERMINE	Cllr Maudlin has called the application in on the grounds of adverse effect on residential amenity.
RECOMMENDED DECISION	Variation of Condition - Granted

Recommendation

That the Head of Development Management be delegated authority to refuse the application for the following reasons

The proposal to vary condition 4 to allow delivery vehicles to leave the site from 06:00 hours would result in a detrimental impact to the residential amenity of nearby dwellings, due to delivery vehicles leaving the site in the early mornings, outside of normal working hours. As such, the proposal is contrary to Policy DM3 of the Adopted Core Strategy, Development Management Policies, 2009.

NOTES

- (1) In Advance of the consideration of the application the Committee were advised of additional consultation and publicity responses. A revision to Condition 4 was advised.
- (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/11/03820/FULL
LOCATION	Land At Houghton Conquest Methodist Church, Rectory Lane, Houghton Conquest
PROPOSAL	Erection of 2No 3 bedroom detached dwellings.
PARISH	Houghton Conquest
WARD	Houghton Conquest & Haynes
WARD COUNCILLORS	Cllr Mrs Barker
CASE OFFICER	Samantha Boyd
DATE REGISTERED	03 November 2011
EXPIRY DATE	29 December 2011
APPLICANT	Mr Smallman
AGENT	SKETCH3D Design & Drafting
REASON FOR COMMITTEE TO DETERMINE	Cllr Mrs Angela Barker - Reason: impact on the community living on that road.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following:

- 1 Development shall not begin until details of the junction of the modified (widened) vehicular access with the highway have been approved by the Local Planning Authority and no dwelling shall be occupied until the access 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 the premises.

- 2 Before the access is brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility.

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.

- 3 The modified (widened) vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. 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 avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 4 **Prior to the commencement of the development hereby approved 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 boundary treatment;**
- **materials to be used for any hard surfacing;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting.**

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.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 10045-10 rev A, 10045-11, 10045-13, 10045-30, 10045-31, 10045-40, 10045-50, 10045-60, 10045-61, 10045-62, 10045-70, 10045-71, 10045-72 .

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed three bedroom dwellings would not have an adverse impact on the character and appearance of the area or on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, the proposal is in conformity with Policies CS1, CS2, CS14, DM3, CS15, DM13 and DM4 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), Planning Policy Statement 5 (2009), 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 Supplementary Planning Guidance: Design in Central Bedfordshire: A Guide for Development (2010).

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses received from Archaeology, Highways, neighbours. The Committee were furthermore advised of additional conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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- (c) the appearance of the building(s);
- (d) the landscaping of the site;

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

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

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

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

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

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

- 5 Prior to commencement of development a Written Multi-Stage Scheme of Archaeological Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Written Multi-Stage Scheme of Archaeological Investigation must be fully compliant with the Brief prepared by the Archaeological Advisor for 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 heritage asset in accordance with Policy HE12.3 of PPS5.

- 6 Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the junction has been improved and constructed in accordance with the approved details. For the avoidance of doubt the access shall have a minimum width of 5.5m over the initial 8m when measured from the existing nearside kerbline.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development in accordance with Policy DM3 of the Core Strategy.

- 7 Before the access is brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility.

Reason: To maximise the level of visibility between the existing highway and the proposed access and to make the access safer and more convenient for the traffic which is likely to use it, in accordance with Policy DM3 of the Core Strategy.

- 8 Development shall not begin until the detailed plans and sections of the proposed internal access road, including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard, in accordance with Policy DM3 of the Core Strategy.

- 9 Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened. In accordance with Policy DM3 of the Core Strategy.

- 10 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

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

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

- 12 No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period, in accordance with Policy DM3 of the Core Strategy.

- 13 Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety in accordance with Policy DM3 of the Core Strategy.

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

Reason: To ensure adequate off street parking during construction in the interests of road safety in accordance with Policy DM3 of the Core Strategy.

- 15 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11/51/2, 262/18A, 262/19C, 262/20, 262/21.

Reason: For the avoidance of doubt.

Reasons for Granting

In conclusion, the principle of redevelopment and the provision of four flats and seven houses served by the access shown would not harm highway safety, the appearance of the area or have any adverse impact on the residential amenity of neighbouring properties or any other material considerations. As such the proposal is in conformity with Policies CS1, CS2, DM3 and DM4 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; Planning Policy Statement 1 (2005) and Planning Policy Statement 3 (2010); Design in Central Bedfordshire: A Guide for Development - *Design Supplement 1: New Residential Development* (2009) and Central Bedfordshire Council's Adopted Supplementary Planning Guidance: Planning Obligations Strategy (2008). The proposal is therefore **acceptable** and that planning permission should be granted subject to conditions.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the improvement to the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
2. 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.
3. 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.
4. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance - July 2010".
6. Land drainage shall be installed where necessary to ensure continuity of existing land drainage.
7. In conjunction with Condition 15 the applicant is advised of the comments by Bedfordshire and River Ivel IDB which in the interests of flood risk mitigation recommend that the ground site levels of the residential development be a minimum of 37.83 AOD on the south side of the site reducing to 37.70 AOD on the north side of the site.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional comments received from Central Bedfordshire Ecologist.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 14**SCHEDULE C**

APPLICATION NUMBER	CB/11/03728/FULL
LOCATION	11 Clifton Road, Shefford, SG17 5AA
PROPOSAL	Erection of 1.8 meter high fence
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Birt & Brown
CASE OFFICER	Samantha Boyd
DATE REGISTERED	17 October 2011
EXPIRY DATE	12 December 2011
APPLICANT	Mr A Brown
AGENT	
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Applicant is Cllr Anthony Brown
	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.

Reasons for Granting

The proposal would not have an adverse impact on the character and appearance of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, the proposal is in conformity with Policies CS14 and DM3 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is further in conformity with the Supplementary Planning Guidance: Design in Central Bedfordshire, 2010.

Notes to Applicant

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

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