

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 4 January 2012

PRESENT

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

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

Apologies for Absence: Cllrs I Dalgarno
Mrs R J Drinkwater
Ms C Maudlin

Substitutes: Cllrs C C Gomm (In place of I Dalgarno)
R W Johnstone (In place of Mrs R J Drinkwater)
K C Matthews (In place of Ms C Maudlin)

Officers in Attendance:	Mrs M Clampitt	Committee Services Officer
	Mr A Davie	Head of Development Management
	Mrs V Davies	Principal Planning Officer
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr D Lamb	Development Management Team Leader (North)

DM/11/95 **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.
- (3) 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- (4) Item 9 – CB/11/03719/REN – White Lion Retail Park had been withdrawn by the Applicant.

DM/11/96 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 7 December 2011 be confirmed and signed by the Chairman as a correct record.

DM/11/97 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr P N Aldis	10 & 11	Speaker is known to him as member of Sandy Town Council and former Mid Beds District Councillor	Present
Cllr Mrs C F Chapman MBE	10 & 11	Speaker is known to the member as a former Mid Beds District Councillor	Present
Cllr A R Bastable	10 & 11	Speaker is known to the member as a former Mid Beds District Councillor	Present
Cllr A D Brown	10 & 11	Speaker is known to the member as a former Mid Beds District Councillor	Present
Cllr K C Matthews	10 & 11	Speaker is known to the member as a former Mid Beds District Councillor	Present

Cllr P F Vickers	10 & 11	Speaker is known to the member as a former Mid Beds District Councillor	Present
Cllr A Shadbolt	7 & 8	Speaker known to Member as a Leighton Linslade Councillor	Present
Cllr D Bowater	7 & 8	Speaker known to Member as a Leighton Linslade Councillor	Present
Cllr R Berry	7 & 8	Speaker known to Member as a Leighton Linslade Councillor	Present
Cllr K Janes	7 & 8	Speaker known to Member as a Leighton Linslade Councillor	Present
Cllr R Johnstone	7 & 8	Speaker known to Member as a Leighton Linslade Councillor	Present

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

None

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

Member	Item	Parish/Town Council	Vote Cast
Cllr P N Aldis	10 & 11	Sandy Town Council	Did not vote
Cllr D Bowater	7 & 8	Leighton Linslade Town Council	Did not vote

DM/11/98 **Petitions**

The Chairman advised that no petitions had been received.

DM/11/99 **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/11/100 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/11/101 Planning Application No. CB/11/03341/FULL

RESOLVED

that the Director of Sustainable Communities be delegated authority to refuse Planning Application No. CB/11/03441/FULL relating to Land rear of Almshouses 53 North Street, Leighton Buzzard as set out in the Schedule appended to these Minutes.

DM/11/102 Planning Application No. CB/11/03394/LB

RESOLVED

that the Director of Sustainable Communities be delegated authority to refuse Planning Application No. CB/11/03394/LB relating to 51 North Street, Leighton Buzzard as set out in the Schedule appended to these Minutes.

DM/11/103 Planning Application No. CB/11/03719/REN

The Applicant withdrew the application prior to the Committee meeting being held.

DM/11/104 Planning Application No. CB/11/04251/FULL

RESOLVED

that Planning Application No. CB/11/04251/FULL relating to Park House Nursing Home, Mill Lane, Sandy be approved as set out in the Schedule appended to these Minutes.

DM/11/105 **Planning Application No. CB/11/04252/LB**

RESOLVED

that Planning Application No. CB/11/04252/LB relating to Park House Nursing Home, Mill Lane, Sandy be approved as set out in the Schedule appended to these Minutes.

DM/11/106 **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 Monday 30 January 2012:-

**Chairman (or his nominee)
Vice-Chairman (or his nominee)
Cllrs P N Aldis
Mrs S Clark
K Janes**

(Note: The meeting commenced at 2.00 p.m. and concluded at 3.50 p.m.)

Chairman

Dated

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 04 JANUARY 2012****SCHEDULE B*****Item 7 (Page 11-42) – CB/11/03341/FULL – Land rear of Almshouses, 53 North Street, Leighton Buzzard.*****Additional Consultation/Publicity Responses**

Tree and Landscape Officer – Recommends conditions to protect the “off site” trees located close to the boundary of the application site and requests a landscaping scheme be secured by condition. A condition relating to landscaping has already been included in the report and the additional conditions are set out below.

A further response was received in response to consultation on amended plans on behalf of all of the Almshouses residents, residents of other listed buildings in North Street and other interested parties. The letter repeats the previously made objections which the writer considers have not been addressed. All objections raised have been considered within the report to Members.

Two letters from neighbouring residents were received in response to consultation on amended plans repeating the objections previously made which have been addressed in the report.

One letter was received in response to consultation on amended plans from a nearby resident who had not previously commented raising concerns that the proposed development would greatly increase the road traffic in the area which is almost gridlocked at certain times. The resident also states that it would increase road noise and atmospheric pollution and it would be unsafe for vehicles exiting the development onto North Street. Issues of access and parking are addressed in the report to Members.

Additional Condition

32. Prior to development, a Tree Protection Plan and Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval, and will be based on the findings of the Tree Constraints Plan (Ref. BHD17758-01), which forms part of Appendix 3 of the Tree Report supplied by ACD (Ref. BHD 17758tr) made in support of the application. The Tree Protection Plan and Arboricultural Method Statement shall clearly show the position and build specification of tree protection, to be erected along the edge of the calculated Root Protection Area. The protective fencing shall form a "Construction Exclusion Zone" (as specified in Section 9 of BS 5837:2005), which shall be demarcated by Protective Barriers (as specified by Figure 2 of the BS 5837:2005) and will be for the purpose of avoiding direct canopy and root damage and localised compaction of the rooting medium of retained "off-site" trees by plant and machinery.

Reason: To safeguard the integrity of the rooting medium, rooting system and existing canopy spread of trees located "off-site" in neighbouring property, in the interests of maintaining the health and appearance of boundary trees contributing to visual amenity and effective boundary screening.

Additional Informative

16. Consent is being granted in recognition that no underground services are scheduled to be routed through the Root Protection Areas of retained "off-site" trees. If any services are subsequently required to be routed through those areas protected under the Tree Protection Plan, then this work shall be carried out in full accordance with the National Joint Utilities Group (NJUG) Volume 4 "Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees"

Item 8 (Page 43-52) – CB/11/03394/LB – 51 North Street, Leighton Buzzard.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 9 (Page 53-74) – CB/11/03719/REN – White Lion Retail Park, Boscombe Road, Dunstable.

This application has now been **WITHDRAWN**. An application for approval of Reserved Matters is expected under the first outline permission.

Item 10 (Page 75-84) – CB/11/04251/FULL – Park House Nursing Home, Mill Lane, Sandy.

Additional Consultation/Publicity Responses

One letter received from neighbouring property. Object to expansion of a business in a residential area, already disturbed by visitors and deliveries – extension will lead to more disturbance, builders vehicles causing noise and disruption, concerned about removal of trees and conifer hedge, possibility of noise from additional patients, added pressure on drainage.

Internal Drainage Board - No objection.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 11 (Page 85-90) – CB/11/04252/LB – Park House Nursing Home, Mill Lane, Sandy.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

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Item No. 7**SCHEDULE B**

APPLICATION NUMBER	CB/11/03341/FULL
LOCATION	Land rear of Almhouses 53 North Street, Leighton Buzzard, LU7 1EQ
PROPOSAL	Demolition of existing house, outbuildings and boundary wall and redevelopment of site with 10 houses and 5 flats and all ancillary works and reconstruction of boundary wall to No. 51 North Street.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Vicki Davies
DATE REGISTERED	22 September 2011
EXPIRY DATE	22 December 2011
APPLICANT	Trustees of the Leighton Buzzard Townlands Trust
AGENT	BHD Ltd
REASON FOR COMMITTEE TO DETERMINE	At the request of Cllr Shadbolt due to concerns regarding the impact on the Listed Almhouses
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That authority be delegated to the Director of Sustainable Communities to refuse the application on the following grounds:-

1. The applicant sought to demonstrate that the development would be financially unviable if it were subject to the contributions set out in the Planning Obligations Supplementary Planning Document (SPD)(south) 2009. The development proposal of 10 houses and 5 flats in this location would therefore be unable to contribute financially towards mitigating the additional pressures it places on services in the locality. There are currently no surplus spaces within local schools where children from the development could be accommodated and the lack of financial contributions would place an unacceptable burden on education services. The proposal is therefore contrary to Planning Obligations Supplementary Planning Document (SPD)(south) 2009.
2. Adequate provision cannot be made within the site for the parking of vehicles clear of the public highway to meet the standards set out in the design guide "Design in Central Bedfordshire: A Guide to Development" and the Local Transport Plan 3 (LTP3) Appendix H, emerging draft Car Parking Strategy to the detriment of the safety and convenience of users of the highway.

3. Plots 5 & 6 would have amenity space covering less than 50sqm contrary to the design guide, Design in Central Bedfordshire: A Guide for Development, Design Supplement 1: New Residential Development, which requires 100sqm for family homes and a minimum of 50sqm. The lack of sufficient amenity space for these plots and the absence of amenity space for the 5 flats is reflective of the overdevelopment of the site.

Notes:-

1. Prior to consideration of the application the Committee were informed of the recommendation to remove conditions 4 and 15 and include these within a S106 agreement.
2. An additional condition 32 relating to a Tree Protection Plan and Arboricultural Method Statement would need prior consent by the Local Planning Authority.
3. An additional informative would be added at 16 relating to the consent being granted in recognition that no underground services were scheduled to be routed through the Root Protection Areas of retained "off-site" trees.
4. Prior to consideration of the application the Committee received representation made in accordance with the Public Participation Scheme.

Item No. 8

SCHEDULE B

APPLICATION NUMBER	CB/11/03394/LB
LOCATION	51 North Street, Leighton Buzzard, LU7 1EQ
PROPOSAL	Demolition of boundary wall to No. 51 North Street and reconstruction using salvaged materials in the denoted position to allow the construction of site access road. Works to include the retention of the existing dedication plaque.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Vicki Davies
DATE REGISTERED	22 September 2011
EXPIRY DATE	22 December 2011
APPLICANT	Trustees of the Leighton Buzzard Townlands Trust
AGENT	BHD Ltd
REASON FOR COMMITTEE TO DETERMINE	At the request of Cllr Shadbolt due to concerns regarding the impact on the Listed Almshouses
RECOMMENDED DECISION	Listed Building - Granted

Recommendation

That authority be delegated to the Director of Sustainable Communities to refuse the application on the following grounds:-

Protection is sought to protect and enhance the character of the built environment by resisting development proposals which are likely to have an adverse effect on historic buildings. This proposal is likely to have an adverse effect on such a site and there is no justifiable reason for the relocation of the wall. The proposal is therefore contrary to PPS5.

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

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Item No. 9

SCHEDULE B

APPLICATION NUMBER	CB/11/03719/REN
LOCATION	White Lion Retail Park, Boscombe Road, Dunstable, LU5 4WL
PROPOSAL	Renewal of Planning Permission:SB/08/00807 - Erection of four storey building comprising 24 residential units and construction of new access (outline)
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Young
CASE OFFICER	Gill Claxton
DATE REGISTERED	14 October 2011
EXPIRY DATE	13 January 2012
APPLICANT	White Lion RP Ltd
AGENT	GVA Grimley Ltd
REASON FOR COMMITTEE TO DETERMINE	Unresolved objection by Dunstable Town Council
RECOMMENDED DECISION	Rep PP - New Time Limit - Granted

Withdrawn Application – See Minute No. DM/11/103

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Item No. 10

SCHEDULE B

APPLICATION NUMBER	CB/11/04251/FULL
LOCATION	Park House Nursing Home, Mill Lane, Sandy, SG19 1NL
PROPOSAL	Erection of Single Storey Side Extension
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Samantha Boyd
DATE REGISTERED	30 November 2011
EXPIRY DATE	25 January 2012
APPLICANT	John Tillisch Ltd
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Cllr Aldis Committee Call-in. Reason - Overdevelopment of site leading to lack of outdoor amenity space and adverse impact on near neighbours.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following:

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

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

- 2 **Prior to commencement of the development hereby approved a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external appearance of the building. The development shall be carried out in accordance with the approved scheme.**

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

- 3 **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:-**

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

- density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.
- details of protective fencing for retained trees, particularly regarding trees T7, T8 and T9.

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.

- 4 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.

- 5 Following the carrying out or completion of the building operations or alterations for which consent is hereby granted, all *making good* of the existing building shall be carried out in materials and finishes which closely match, like-for-like, those historic materials and finishing details used in the existing building or structure- to accord with usual conservation good practice and to the satisfaction of the Local Planning Authority. If there is any doubt regarding the approach to any proposed making good, or any alternative materials are proposed, a precise specification of the materials and finishes should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the special architectural and historic interest, character and appearance of the building is properly maintained, in accordance with PPS 5 and standard conservation good practice.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1103/1, 1103/2, 1103/3, 1103/4, 1103/5, 1103/6, 1103/7, 1103/8, 1103/9, 1103/10, 11-033-LS.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed single storey extension would not have an adverse impact on the character and appearance of the area, the listed building itself 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, is in conformity with Policies CS14, DM3, CS15 and DM13 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010), 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).

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Item No. 11

SCHEDULE B

APPLICATION NUMBER	CB/11/04252/LB
LOCATION	Park House Nursing Home, Mill Lane, Sandy, SG19 1NL
PROPOSAL	Erection of Single Storey Side Extension
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Samantha Boyd
DATE REGISTERED	30 November 2011
EXPIRY DATE	25 January 2012
APPLICANT	John Tillisch Ltd
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Cllr Aldis Committee Call-in. Reason - overdevelopment of site leading to a lack of outdoor amenity space for residents and adverse impact on near neighbours.
RECOMMENDED DECISION	Listed Building - Granted

Recommendation

That Listed Building Consent be granted subject to the following:

- 1 The works hereby consented shall be begun within three years of the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to ensure that this consent does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **Prior to commencement of the development hereby approved a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external appearance of the building. The development shall be carried out in accordance with the approved scheme.**

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

- 3 Following the carrying out or completion of the building operations or alterations for which consent is hereby granted, all making good of the existing building shall be carried out in materials and finishes which closely match, like-for-like, those historic materials and finishing details used in the existing building or structure- to accord with usual conservation good practice and to the satisfaction of the Local Planning Authority. If there is any doubt regarding the approach to any proposed making good, or any alternative materials are proposed, a precise specification of the materials and finishes should be submitted to and agreed in writing by the Local

Planning Authority.

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

- 4 The works hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1103/1, 1103/2, 1103/3, 1103/4, 1103/5, 1103/6, 1103/7, 1103/8, 1103/9, 1103/10, 11-033-LS.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed single storey extension would not have a negative impact on the character and appearance of the listed building therefore by reason of its site, design and location, is in conformity with Policy CS15 and DM13 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 5 (2010), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005).