

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 29 February 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
	D Bowater		D Jones
	A D Brown		Ms C Maudlin
	Mrs C F Chapman MBE		T Nicols
	I Dalgarno		I Shingler
	Mrs R J Drinkwater		J N Young

Apologies for Absence: Cllrs R D Berry
Mrs S Clark

Substitutes: Cllrs L Birt (In place of Mrs S Clark)
R W Johnstone (In place of R D Berry) (am)

Members in Attendance: Cllrs I A MacKilligan
N J Sheppard
R D Wenham (a.m)
P A Duckett
K C Matthews
B J Spurr (a.m)

Officers in Attendance:	Mr D Ager	Highways Officer
	Miss H Bell	Committee Services Officer
	Mr A Davie	Head of Development Management
	Mrs V Davies	Principal Planning Officer
	Miss A Gammell	Senior Planning Officer
	Mr D Lamb	Planning Manager East
	Mr A Maciejewski	Definitive Map Officer
	Mr R Murdock	Principal Planning Officer

DM/11/119 **Chairman's Announcements**

The Chairman on behalf of the Committee had sent best wishes to Councillor Mrs Clark during the time of her husbands ill health.

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.

DM/11/120 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 29 February 2012 be confirmed and signed by the Chairman as a correct record.

DM/11/121 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Mrs F Chapman	13	Chairman of Marston Vale Trust	Present
Cllr N Young	12	Met with Applicant	Present
All Members of the Committee	10	Know Cllr Duckett	Present
Cllrs P N Aldis, A R Bastable, A D Brown, Mrs C F Chapman MBE, I Dalgarno, Mrs R J Drinkwater	10	Know PC Andy Rayment and Roger Nightingale (former Mid Beds Employee)	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr P Duckett	10	Knows applicant on personal basis and is a publican	Absent during consideration of item but present during officer's presentation and spoke under provision A4 of the Constitution
Cllr P F Vickers	8	Place of work act on behalf of landowner.	Absent
Cllr Mrs R Drinkwater	14 & 16	Representative on Grand Union Housing Group	Absent

Cllr P N Aldis 14 & Representative on Absent
16 Grand Union
Housing Group

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

Member	Item	Parish/Town Council	Vote Cast
Cllr C Maudlin	13	Blunham Parish Council	Did not vote
Cllr P F Vickers	14	Biggleswade Town Council	Did not vote
Cllr P N Aldis	13	Blunham Parish Council	Did not vote
Cllr P N Aldis	14	Biggleswade Tow Council	Did not vote

DM/11/122 **Petitions**

The Chairman advised that no petitions had been received.

DM/11/123 **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/11/124 **The addition of a Public Footpath between Churchills and Bunyans Walk, Harlington to the Definitive Map and Statement**

The Committee received and considered a report of the Head of Countryside Services and Transport Strategy proposing that a Definitive Map Modification Section 53 of the Wildlife and Countryside Act 1981 be made to add a Public Footpath onto the Definitive Map between Churchill's and Bunyan's Walk, Harlington.

The report set out in detail the background, legal and policy considerations, evidence and consultations undertaken in respect of the proposed modification. Attached to the report was a plan of the claimed route, photo of the private sign, summary of evidence from Bunyan's Walk residents and a summary of evidence from other users.

RESOLVED

that an order be made under Section 53 of the Wildlife and Countryside Act 1981 to add a Public Footpath between Churchill's and Bunyan's Walk, Harlington to add a Public Footpath between Churchill's and Bunyan Walk to the Definitive Map between points A, B and C as shown on the Plan at Appendix A to the report now submitted.

DM/11/125 Creation and extinguishment of public rights of way at Poppy Hill Lakes in Henlow and Langford

The Committee received and considered a report of the Head of Service for Transport Strategy and Countryside Services seeking approval of the creation and extinguishment of public rights of way at Poppy Hill Lakes in Henlow and Langford.

RESOLVED

- (1) that a Public Path Extinguishment Order be made under Section 118 of the Highways Act 1980 to extinguish parts of Langford Bridleway No 5 between points C,Y,Z,E and F on the grounds that it is not needed for public use due to the concurrent creation of an alternative bridleway and footpath.**
- (2) that a Public Path Creation Order be made under section 26 of the Highways Act 1980 in respect of new sections of Langford Bridleway No 5 between points A - B and C - D in Langford and between points E - F and G,H and I in Henlow over existing sections of public footpath and between points D - E in Henlow adjacent to and abutting the existing footpath.**
- (3) that a Public Path Creation Order be made under Section 26 of the Highways Act 1980 to create a new section of public footpath between points M, N and O in Henlow to connect the new bridleway on the Haul Road with Henlow Footpath No 26 on the Millennium Field.**
- (4) that the precise route of the footpath to be created between points M, N, and O be approved by the Director of Sustainable Communities following consultation with affected landowners.**

DM/11/126 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/11/127 Planning Application No. CB/11/03370/FULL

RESOLVED

that Planning Application No. CB/11/03770/FULL, relating to Land to the rear of 197 Hitchin Road, Arlesey be approved as set out in the schedule appended to these Minutes.

DM/11/128 Planning Application No. CB/11/04549/FULL

RESOLVED

that Planning Application No. CB/11/04549/FULL, relating to The Bell, High Street, Westoning be approved as set out in the schedule appended to these Minutes.

DM/11/129 Planning Application No. CB/11/04550/LB

RESOLVED

that Planning Application No. CB/11/04550/LB, relating to The Bell, High Street, Westoning be approved as set out in the schedule appended to these Minutes.

The Committee adjourned at 1.15pm and reconvened at 2.00pm

DM/11/130 Planning Application No. CB/11/04175/FULL

RESOLVED

that the Director of Sustainable Communities be given delegated authority to refuse Planning Application No. CB/11/04175/FULL, relating to The Winston Churchill, Church Street, Dunstable as set out in the schedule appended to these Minutes.

DM/11/131 **Planning Application No. CB/11/03412/FULL**

RESOLVED

that Planning Application No. CB/11/03412/FULL, relating to Land at Barford Road, Blunham be approved subject to acceptable Section 106 contributions being agreed in consultation with the Chairman, Vice Chairman, Ward Representatives, Executive Member and Deputy for Sustainable Communities Strategic planning & economic Development as set out in the schedule appended to these Minutes.

DM/11/132 **Planning Application No. CB/11/04503/FULL**

RESOLVED

that Planning Application No. CB/11/04503/FULL, relating to Land at former Fairholme, Fairfield Road, Biggleswade, Beds be approved as set out in the schedule appended to these Minutes.

DM/11/133 **Planning Application No. CB/11/04334/FULL**

RESOLVED

that Planning Application No. CB/11/04334/FULL, relating to 54 High Street, Sandy be approved as set out in the schedule appended to these Minutes.

DM/11/134 **Planning Application No. CB/11/03682/FULL**

RESOLVED

that Planning Application No. CB/11/03682/FULL, relating to Land adjacent to Marshalls Avenue, Shillington be approved as set out in the schedule appended to these Minutes.

DM/11/135 **Exclusion of the Press and Public**

RESOLVED

that in accordance with Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the Act.

DM/11/136 **Planning Enforcement case recommending further formal action for non compliance with Enforcement Notice**

The Committee received and considered a report of the Director of Sustainable Communities seeking a decision on further formal action for non compliance with an enforcement notice.

RESOLVED

that option 4 as set out in the report now submitted, be adopted subject to indicative costings being reported to the Committee at its meeting to be held on 28 March 2012.

(Note: The meeting commenced at 10.00 a.m. and concluded at 4.45 p.m.)

Chairman

Dated

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 29 February 2012****SCHEDULE B**

Item 9 (Pages 75-100) CB/11/03370/FULL – Retention of use of land as a residential caravan site for 6 Gypsy families, including hardstanding, utility blocks and landscaping, land to the rear of 197 Hitchin Road, Arlesey

Additional Consultation/Publicity Responses

No additional responses received

Amended Conditions

No amended conditions

Additional Informatives

None required

Item 10 (Page 101-118) – CB/11/04549/FULL – The Bell, High Street, Westoning

Additional Consultation/Publicity Responses**Petitions:**

Two petitions have been received in Support of the development; a 241 signature petition was received on the 14th February, and a 138 signature petition received on the 27th February.

Additional Individual letters:**17 letters of Support received:**

The letters are mainly from patrons of the Bell Public House, 8 are from Westoning residents, and 9 are from outside the Westoning area.

Letters indicate support for the development on grounds that the Public House needs to be upgraded, and that the additional houses would help facilitate the improvements. The letters indicated that they did not wish to see the Public House close.

1 further letter of Objection received:

18 Bell Close, Westoning detailed the reasons they chose to live in Bell Close

- 1 Character of Bell Close
- 2 The nice scenic quality of Westoning and Bell Close
- 3 The Bell PH being centre of the village
- 4 The Bell PH being land mark for village
- 5 A street and village where there is no over development or cramped build
- 6 The present design of the street and houses in Bell Close

It was noted that should the development go ahead the above would be ruined. It also noted the Localism Bill and the wishes of the residents.

1 letter received from Richard Roberts, Licensee of the Bell Public House:

- 1 States that the renovation of the pub is required in competitive market.
- 2 Noted that the design of the houses was subject to pre-application discussion with the planning department.
- 3 Showed support within the village, indicating the petition submitted.
- 4 Stated that they did not think that the Bell Public House would remain open unless the renovation was undertaken.

Additional Comments

None

Additional/Amended Conditions

No additional or amended conditions.

Item 11 (Page 119-128) – CB/11/0450/LB – The Bell, High Street, Westoning**Additional Consultation/Publicity Responses**Additional Individual letters:**9 letters of Support received:**

The letters are mainly from patrons of the Bell Public House, 1 is from a Westoning resident, and 8 are from outside the Westoning area.

Letters indicate support for the development on grounds that the Public House needs to be upgraded, and that the additional houses would help facilitate the improvements. The letters indicated that they did not wish to see the Public House close.

It is noted that the Listed Building application only relates to works to the Listed Building, and therefore comments relating to the 3 dwellings can not be considered as part of this application.

1 letter received from Richard Roberts, Licensee of the Bell Public House:

- States that the renovation of the pub is required in competitive market.
- Noted that the design of the houses was subject to pre-application discussion with the planning department.
- Showed support within the village, indicating the petition submitted.
- Stated that they did not think that the Bell Public House would remain open unless the renovation was undertaken.

Additional Comments

None

Additional/Amended Conditions

No additional or amended conditions.

Item 12 (Page 129-138) – CB/11/04175/FULL – The Winston Churchill, Church St, Dunstable

Additional Consultation/Publicity Responses

1 letter received:

3 Priory Heights:

Strongly opposes the construction of the conservatory on the roof, but unable to attend the committee, states that their flat is directly parallel to the proposal. Stated that this development would cause loss of light and overshadowing to their property. Suggested that members should view the application site from the 2nd floor of Priory Heights.

It is noted that although this is additional representation, the resident of 3 Priory Heights did object when the application was originally submitted, and therefore the earlier representation is considered within the main report. Photographs have been taken from the 1st and 2nd and 8th floor of Priory Heights to show to members.

Additional Comments

None

Additional/Amended Conditions

No additional or amended conditions.

Item 13 (Page 139-158) – CB/11/03412/FULL– Barford Road Blunham

Additional Consultation/Publicity Responses

None

Additional Comments

An email was sent to all members from the Chair of Governors for John Donne Lower school in Blunham, regarding the education contribution and how this is sought.

A response has been received from the Head of School Organisation & Capital Planning in relation to this matter and states:

The Chair of Governors is correct that education contributions are secured, where they can be justified, in accordance with the adopted Planning Obligations SPD. The impact of the development on the overall permanent capacity of a school vs. numbers currently on roll, and the need therefore for additional permanent build is indeed the main criteria.

Organisational issues i.e. temporary 'bulges' working through the school, can be managed with our support, and through the use of temporary accommodation where necessary where pressures arise as a result of demographic changes not just from housing development.

With regard to this specific planning proposal we evaluated the potential impact at Lower School level and determined that planning obligations could not be supported.

At the point of evaluation John Donne Lower School had 72 pupils on roll, against a capacity of 90. The additional pupil product forecast from the proposed development would have added a further 7 pupils, taking up some of the surplus places but not requiring additional permanent provision.

Area health authority data also indicates that an average of 8 pre school children per age group currently exist within the school's catchment. Set against a PAN of 18 we can see that the school's current capacity is sufficient to provide for the local area, even with the additional impact of the proposed development.

The latest school data indicates a total of 77 pupils on roll with year groups of 14, 17, 15, 14 and 17. Even if the total pupil product from the proposed development were to cause pressures in any one year group this would be temporary.

I was sorry to read that Chair of Governors feels let down by Education Officers as we have in the past two years supported the school, with the Diocese, in the allocation of approximately £220k of Voluntary Aided Capital for a new Nursery to be built, and in the forthcoming year's programme for a further allocation of £90k for heating, fire alarms and classrooms. These were deemed to be the school's priorities at the time.

Given the current capacity at the school, and the advice of the Education Officer, it is considered that there is no justification for seeking an educational contribution for the John Donne Lower School in this instance.

Additional/Amended Reasons

None

Item 14 (Page 159-174) – CB/11/04175/FULL – Land at former Fairholme, Fairfield Road, Biggleswade

Additional Consultation/Publicity Responses

None

Additional Comments

Still awaiting Legal Agreement from developer concerning affordable units in perpetuity.

Additional/Amended Conditions

Item 15 (Page 175-184) – CB/11/04334/FULL – 54 High Street, Sandy

Additional Comments

In response to local concerns, should permission be granted, it is advised that two further informatives be added:

- 1) Parents are to be advised not to park on the pavement or illegally when dropping off or collecting children from the premises.
- 2) Measures shall be put in place on the site to prevent children from gaining access to the highway.
- 3) The Committee are advised that the site plan in the agenda is incorrect and that the correct site plan is attached to the late sheet

Additional/Amended Conditions

None.

SCHEDULE C***Item 16 (Page 185-198) – CB/11/03682/FULL – Land adjacent to Marshalls Avenue, Shillington*****Additional Consultation/Publicity Responses**

Further comments have been received from Shillington Parish Council:

"I write to advise you that in the light of new information received relating to this application the Parish Council wishes to withdraw its support.

Having read your report to the Central Bedfordshire Council's Development Management Committee meeting to be held on 29 February 2012 it is noted that yet again, as part of the application, a viability assessment has been produced which states that the scheme would not be viable if the calculated Section 106 financial contribution is made and therefore, taking into account of the Council's strategic aim to secure more affordable housing, it is concluded that this again overrides the justification for financial contributions in this particular case. This will be the second time in a four week period that we will have missed out on substantial financial support to improve the infrastructure of our parish on the back of enforced development.

Shillington Parish Council is quite appalled that yet again CBC has decided to waive a considerable amount of s106 money, a proportion of which could have been allocated for use to improve our village facilities. Indeed our previous correspondence in connection with planning application CB/11/03036/FULL submitted by Grand Union Housing Group in respect of Scyttels Court, Vicarage Close, made it very clear that we deplore the council's practice of waiving Section 106 contributions, which in this new case would amount to approximately £96,000".

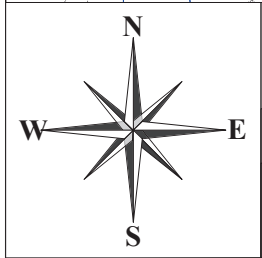
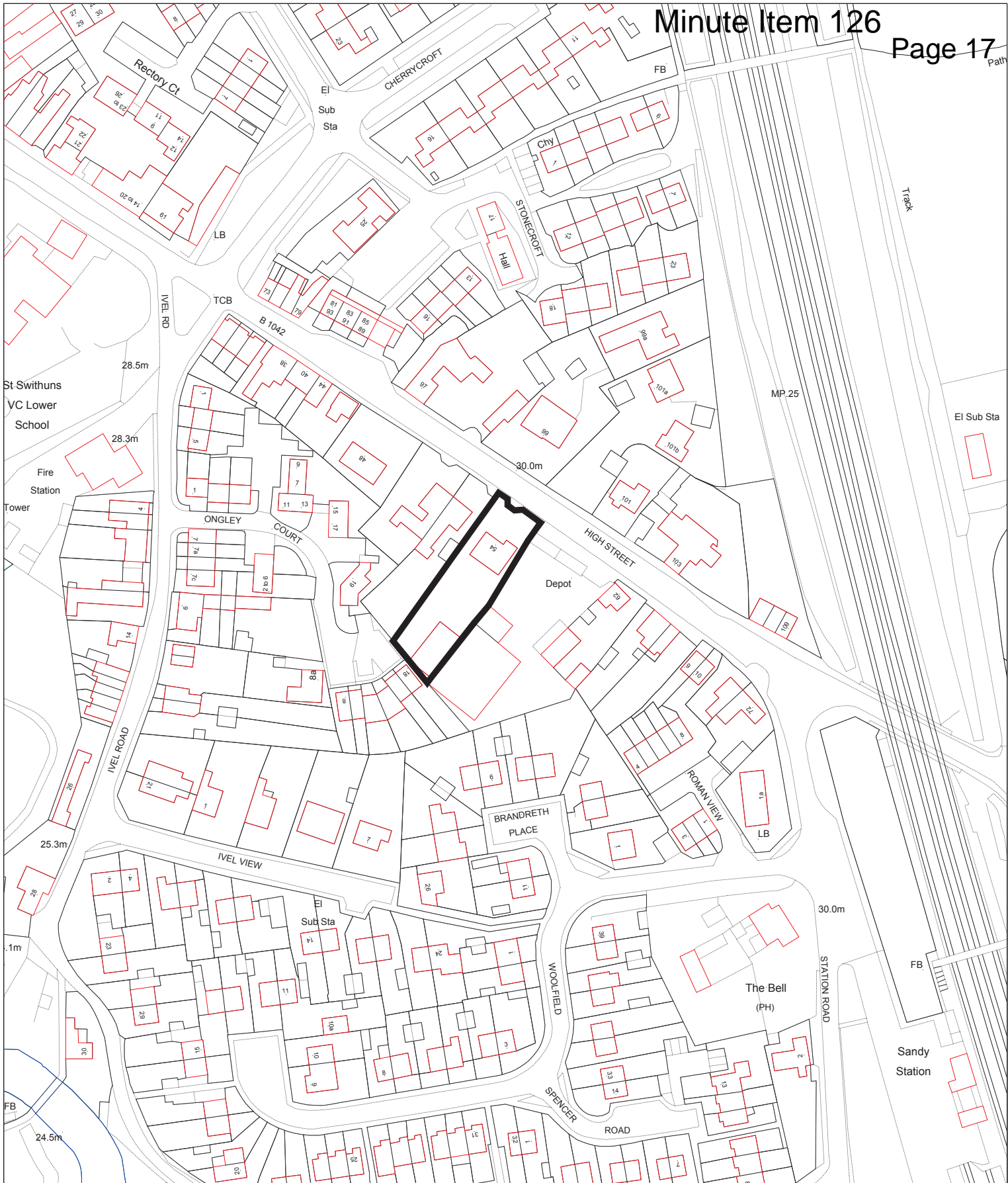
Additional Comments

None

Additional/Amended Conditions/Reasons

None

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Date: 20:February:2012

Grid Reference: 517627, 248928

CB/11/04334/FULL

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Item No. 9

APPLICATION NUMBER	CB/11/03370/FULL
LOCATION PROPOSAL	Land To The Rear Of 197, Hitchin Road, Arlesey Retention of use of land as a residential caravan site for 6 Gypsy families, including hardstanding, utility blocks and landscaping
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Vicki Davies
DATE REGISTERED	21 September 2011
EXPIRY DATE	16 November 2011
APPLICANT	Mr Rooney
AGENT	Philip Brown Associates
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	At the request of the Ward member, Cllr Mrs Drinkwater, due to the level of public interest
	Full Application - Granted

Recommendation

That Planning Permission be granted subject to the following:

- 1 This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006.

Reason: To limit the use of the site to gypsies and travellers.

- 2 No more than 12 caravans (of which no more than 6 shall be static caravans) shall be stationed on the site at any one time.

Reason: To control the level of development in the interests of visual and residential amenity.

- 3 Within three months of the date of this permission the gates to the site shall open away from the highway and be set back a distance of at least 13m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles towing a caravan to draw off the highway before the gates are opened.

- 4 Within three months of the date of this decision, a landscaping scheme showing planting along the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the approval of the details (a full planting season means the period from October to March). The trees and shrubs shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be

replaced during the next planting season and maintained until satisfactorily established.

Reason: To protect the amenities of neighbouring residents and to provide satisfactory standard of landscaping.

- 5 Within three months of the date of this permission details of foul and surface water drainage shall be submitted to and approved in writing by the local planning authority. Any works required to implement or improve the foul and surface water drainage systems shall be completed within 3 months of the date of the approval of the details.

Reason: to prevent pollution of surface water and ground water.

- 6 No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: In order to protect the amenities of local residents.

- 7 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to protect the amenities of local residents.

- 8 No additional external lighting to be installed on the site unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority, the scheme shall include the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, the lighting shall then be installed and operated in accordance with the approved scheme.

Reason: To protect the visual amenities of the site and its surrounding area.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CBC/002, CBC/003 & PBA1.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal is in conformity with Policy HO12 of the Mid Bedfordshire Local Plan First Review 2005 and policy GT3 of the draft Gypsy and Traveller DPD as there is no unacceptable impact upon the character and appearance of the surrounding countryside, the amenities of nearby residential properties are not unacceptably harmed and a safe, convenient and adequate standard of access can be provided. The proposal also meets an identified need as set out in the draft Gypsy and Traveller DPD. It is also in conformity with Planning Policy Guidance: PPS1 Delivering Sustainable Development, PPS3 Housing and Circular 1/2006.

Notes to Applicant

1. The Council is concerned that Noise from the mainline railway may cause detriment to the residents of this development. Further information may be obtained from Public Protection on 0300 300 8000.

2. Any material used for earth bunding should be suitable for safe and secure occupancy which is the developer's responsibility to ensure.
3. All mobile home sites are required to obtain a Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. Further information may be obtained from the Private Sector Housing Team, Central Bedfordshire 0300 300 8000.
4. The applicant is advised that contact should be made with the Environment Agency regarding the drainage ditch which crosses the application site and its status within the local surface water drainage system.
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.

NOTE: 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/11/04549/FULL
LOCATION	The Bell, High Street, Westoning, Bedford, MK45 5JH
PROPOSAL	Alterations and extensions to existing building and erection of three dwellings. Revised application CB/11/03239/FULL
PARISH	Westoning
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Annabel Gammell
DATE REGISTERED	09 January 2012
EXPIRY DATE	05 March 2012
APPLICANT	Oak Tree Management Service
AGENT	Paul Lambert Associates Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Cllr Jamieson called the application to committee on grounds of style of houses.
	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 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 extensions external walls and roof of the Bell Public House. 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 commencement a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the extensions external walls and roof of the new dwelling houses. 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.

- 4 **Prior to commencement a scheme shall be submitted for written approval by the Local Planning Authority setting out the materials and details of the boundary treatment for the development. 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.

- 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 1st dwelling 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 shall not begin until a scheme for protecting the proposed dwellings from noise generated by the use of public house adjacent to the proposed development has been submitted and approved by the Local Planning Authority. Any works that form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring with the results reported to the Local Planning authority in writing, before any permitted dwelling is occupied unless an alternative period is approved in writing by the Authority.**

Reason: To protect the amenity of the future occupiers of the proposed dwellings hereby permitted.

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

Reason: To record and advance understanding of the significance of the heritage asset in accordance with Policy HE12.3 of PPS5: *Planning for the Historic Environment*.

- 8 **Prior to any building works being first commenced, detailed drawings of all proposed new doors & windows to a scale of 1:10 or 1:20, together with a detailed specification of the materials, construction & finishes, shall be submitted to & approved in writing by the Local Planning Authority.**

Reason: To ensure that the new development is sympathetic to the character & appearance of the listed building and its setting, in accordance with PPS5 and Policies CS15 and DM13 of the Council's Core Strategy.

- 9 The proposed vehicular accesses shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 6m 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

- 10 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.

- 11 **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.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 12 No dwelling shall be occupied until a 2.0m wide footway has been constructed on the south-western side of Bell Close between the access to Plot 3 and the access to Plot 1 in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 13 Details of bin storage and collection points shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The development shall be carried out in accordance with the submitted details.

Reason: In the interest of amenity.

- 14 Prior to the occupation of any of the dwelling houses the works to the Listed Building and the construction of the approved car park shall be completed in accordance with the approved plans.

Reason: To ensure the enhancements to the Listed Building are complete prior to the completion of the development and to ensure a satisfactory level of parking for the Public House.

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2527-06a, 2527-04b, 2527-07, 2527-03, 2527-01, 2527-05d, 2527-02e, 2527-02g, CBC/001 (site location plan).

Reason: For the avoidance of doubt.

- 16 Notwithstanding the provisions of Classes A, B, C, D and G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development (Amendment) (No. 2) (England) Order 2008, no extensions or alterations to the dwelling houses which forms part of the overall development hereby approved shall be carried out without the prior permission of the Council, obtained through the submission of a planning application.

Reason: To protect the appearance of the dwellings and preserve the character of the adjacent Listed Building.

- 17 **Prior to commencement of the development the revised ground floor lay outs of the three dwelling houses shall be submitted to and approved in writing by the Local Planning Authority, showing the internal garage dimensions at a minimum of 6 metres in length by 3.1 metres in width. The development shall be carried out in accordance with the approved plan.**

Reason: To ensure satisfactory internal dimensions to ensure sufficient space for the parking of a vehicle, and ancillary storage in accordance with the Central Bedfordshire Design Guide.

Reasons for Granting

The proposal to extend and alter the Bell Public House, relaying out of car park and erection of three number four bedroom dwelling houses would not have a negative impact on the visual amenity of the surrounding area, and would preserve the character and appearance of the Listed Building. It would not have 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 CS1, CS2, CS5, CS14, CS15, DM3, DM4, and DM13 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1, Planning Policy Statement 3, Planning Policy Statement 5. It is further in conformity with the technical guidance Design in Central

Bedfordshire, a Guide for Development, 2010, the Council's Planning Obligations Strategy.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation received subsequent to the despatch of the agenda which included two petitions in support of the development, 17 letters of support, one further letter of objection, letter from the Licensee.
- (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. 11**SCHEDULE B**

APPLICATION NUMBER	CB/11/04550/LB
LOCATION	The Bell, High Street, Westoning, Bedford, MK45 5JH
PROPOSAL	Listed Building: alterations and extensions to premises revised application to CB/11/03626/LB
PARISH	Westoning
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Annabel Gammell
DATE REGISTERED	09 January 2012
EXPIRY DATE	05 March 2012
APPLICANT	Oak Tree Management Service
AGENT	Paul Lambert Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	Cll Jamieson called to committee
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 any building works being first commenced, samples of materials to be used in the construction of the walls and roof of the extension and porch including a sample panel of brickwork, details of the face bond and details of the pointing mortar mix and finish profile. All new brickwork shall be painted to match the existing in terms of colour.**

Reason: To ensure that the special architectural & historic interest, character, appearance & integrity of the listed building is properly

maintained and preserved in accordance with PPS 5 & standard conservation good practise.

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

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

- 4 All rainwater goods shall be cast iron. As an alternative, cast aluminium may be acceptable, in certain circumstances, though this is to be specifically justified & agreed in writing by the Local Planning Authority if it is proposed to specify cast aluminium. Plastic or uPVC rainwater goods are not acceptable.**

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

- 5 This consent relates only to the details shown on plans CBC/001 (site location plan), 2527-01, 2527-04b, 2527-03, 2527-02g**

Reason: To identify the approved plan/s and to avoid doubt.

Reasons for Granting

The proposal is in conformity with Policies CS15 and DM13 of the Development Management Policies of the Core Strategy Adopted 2009, as it preserves the special interest of the Grade II Listed building. It is also in accordance with Planning Policy Statement 5: Planning for the Historic Environment and Adopted Technical Guidance, Design Supplement 5: The Historic Environment.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received subsequent to the agenda which included petitions, additional individual letters in support, 1 further letter of objection and 1 letter received from the Licensee.
- (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

APPLICATION NUMBER CB/11/04175/FULL
LOCATION The Winston Churchill, Church Street, Dunstable,
LU5 4RP
PROPOSAL Construction of a conservatory on the existing flat
roof of the building, part restaurant seating and
part storage.
PARISH Dunstable
WARD Dunstable Icknield
WARD COUNCILLORS Cllrs McVicar & Young
CASE OFFICER Annabel Gammell
DATE REGISTERED 09 January 2012
EXPIRY DATE 05 March 2012
APPLICANT Mr Tata Miah
AGENT Mr I Hussain
**REASON FOR
COMMITTEE TO
DETERMINE** Cllr McVicar called the application to the committee
on grounds of an overbearing impact

**RECOMMENDED
DECISION** Full Application - Granted

Delegated Decision – see Minute No. DM/12/130

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

The extension to the roof to create a second floor would result in an undesirable and unacceptable form of development such that it would have an adverse impact on the amenities, in terms of causing an overbearing impact and loss of outlook to the occupiers of nearby residential properties within Priory Heights; as such the proposal is contrary to Policy BE8 of the South Bedfordshire Local Plan (2004).

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Item No. 13

APPLICATION NUMBER	CB/11/03412/FULL
LOCATION	Land at Barford Road, Blunham
PROPOSAL	Construction of 36 no. residential dwellings of 2, 3 & 4 bedroom with garages, associated parking, landscaping and highway
PARISH	Blunham
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Lisa Newlands
DATE REGISTERED	29 September 2011
EXPIRY DATE	29 December 2011
APPLICANT	Sherwood Architects Ltd.
AGENT	Sherwood Architects Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Called in at the request of Councillor Aldis due to concerns regarding overdevelopment; lack of amenity space; inadequate mix of housing types Resolve to Grant Planning Permission subject to an acceptable S106 agreement securing the contributions set out in the report.

Recommendation

That Planning Permission be resolved to be granted subject to acceptable S106 contributions being agreed in consultation with the Chairman, Vice Chairman of the Committee, Ward Representatives, Executive Member for Sustainable Communities Strategic Planning & Economic Development and 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 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.

- 3 **A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme**

before the buildings are occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

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

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, play equipment, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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 The scheme approved in Condition 4 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the building(s) hereby approved.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

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

6 Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

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

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

the public highway and 70m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

- 8 Visibility splays shall be provided at all road junctions (including private drives) within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

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

- 9 Development shall not begin until the detailed plans and sections of the proposed roads, 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 road works are constructed to an adequate standard.

- 10 No dwelling shall be occupied until all triangular vision splays are provided on each side of the all access on to the new road and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 11 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

- 12 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.

- 13 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.

- 14 The driveway length in front of the garages 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.

- 15 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 16 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 road works 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.

- 17 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

- 18 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: In the interest of amenity.
- 19 Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.
Reason: To ensure that the proposed highways are adequately lit.
- 20 Development shall not begin until a scheme to restrict the speed of traffic on the estate road has been approved by the Local Planning Authority and no building shall be occupied until that scheme has been implemented in accordance with the approved details.
Reason: In the interests of road safety.
- 21 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.
Reason: To ensure adequate off street parking during construction in the interests of road safety.
- 22 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
Reason: To protect the quality of controlled waters in accordance with Groundwater Protection, Policy and Practice (GP3) P9-6 and P4-12 and Planning Policy Statement (PPS23). The infiltration of surface water through land affected by contamination can result in the pollution of controlled waters.
- 23 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall be based upon the principles within the Flood Risk Assessment dated 13th October 2011, reference JKK6750 Rev A, compiled

by RPS, as well as the information submitted thereafter, and shall contain details of the following:

- Results of a full site ground condition and soil infiltration test, carried out in accordance with the principles as set out in BRE Digest 365, and giving definitive rates of infiltration for the site;
- Full details of the proposed surface water drainage system, using the infiltration rates as defined by the on-site testing. This shall include details of location and design of all infiltration drainage facilities;
- Full details of any above-ground flooding for storm events up to and including the 1% A.E.P (100 year) storm event, with an allowance of 30% in peak rainfall intensity to allow for future climate change. This shall include depths, locations and flow routes of floodwaters. This shall demonstrate that the development remains "safe" as required by PPS25, that floodwaters do not affect proposed and existing properties, and emergency access and egress remains possible;
- Full details of the maintenance programme of the proposed drainage system.

Reason: To prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system for the lifetime of the development.

Reasons for Granting

The proposed development is allocated for residential development, therefore the principle of development is considered acceptable. The design and layout of the proposed scheme is considered acceptable and would not have a detrimental impact on the character and appearance of the surrounding area, nor the residential amenities of any neighbouring properties.

The proposed development provides a good level of private amenity space for each dwelling and the required 35% affordable housing has been secured within the scheme. The housing mix is considered to be appropriate and contributions towards local infrastructure have been secured. As such the proposed scheme is in conformity with PPS1, PPS3, PPS5, PPS7, PPS23 and Policies CS1, CS2, CS3, CS4, CS5, CS7, CS14, CS15, CS16, CS17, CS18, DM3, DM4, DM10, DM13, DM14, DM15, DM16, and DM17 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). The proposal is further in conformity with the Planning Obligations Strategy SPD, Design in Central Bedfordshire - A guide for development SPD and Site Allocations DPD.

Notes to Applicant

1. 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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
2. The applicant is advised that if it is the intention to request the Central

Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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 in order to comply with the highway Conditions in this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN

4. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received outlining an email that was sent to all members from the Chair of Governors for John Donne Lower School In Blunham regarding the education contribution and how this is sought. A response from the Head of School Organisation & Capital Planning to this matter had been sought.

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

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Item No. 14

APPLICATION NUMBER	CB/11/04503/FULL
LOCATION	Land at former Fairholme, Fairfield Road, Biggleswade, Beds. SG18 0DP
PROPOSAL	Residential development comprising 19 No. units plus associated car parking and landscaping.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Samantha Boyd
DATE REGISTERED	21 December 2011
EXPIRY DATE	21 March 2012
APPLICANT	Grand Union Housing Group
AGENT	BRP Architects
REASON FOR COMMITTEE TO DETERMINE	Cllr call in – Cllr Jane Lawrence due to public attention
 RECOMMENDED DECISION	 Full Application – Granted, subject to completion of Section 106 Planning Obligation

Recommendation

That planning permission be granted subject to the completion of a Section 106 Planning Obligation restricting the occupation of the dwellings as affordable housing and subject to the following conditions:

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

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

- 2 **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. Such details shall include sections through both the site and the immediate adjoining properties. 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.

- 3 Prior to the commencement of the development 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 buildings, and

the boundary wall to the eastern boundary. 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.

- 4 Prior to the occupation of the buildings 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;
- minor structures (e.g. furniture, play equipment, signs, etc);
- 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.
- boundary treatments.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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 **Prior to the commencement of the development a scheme for protecting the proposed dwellings from noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. none of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.**

Reason: To protect occupants from externally generated traffic noise in accordance with PPG 24.

- 7 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought**

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

- 8 **Prior to the first occupation of Plots 05, 07, 08 and 19 the first floor window in the side elevation of the dwellings shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority.**

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

- 9 **Prior to the commencement of the development hereby approved details of a Site Waste Management Plan and Waste Audit shall be submitted to and approved in writing by the Local Planning Authority. The details shall include -**

- 1. anticipated nature and volume of waste that the development will generate.**
- 2. measures to maximise the re-use of waste arising from demolition, engineering and landscaping**
- 3. steps to be taken to ensure effective segregation of waste at source during demolition and subsequent construction of the development including, where appropriate, the provision of waste sorting, storage and recovery of recycling facilities.**
- 4. any other steps to be taken to minimise the generation of waste throughout the process of demolition and during construction of the development**
- 5. provision for monitoring the implementation of 1 -4 above.**

The development shall accord with the approved details.

Reason: To ensure the satisfactory disposal of waste at the site.

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

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

- 11 **Development shall not begin until the detailed plans and sections of the proposed road(s), 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.

- 12 The access shall have a minimum width of 4.8m, kerb radii of 6m, and shall be located in the position shown on approved drawing G73/003/Rev G.

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

- 13 No dwelling shall be occupied until visibility splays have been provided at the junction of the access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access 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 between the existing highway and the proposed

- 14 Before any of the individual accesses are 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 accesses and to make the accesses safe and convenient for the traffic that is likely to use them.

- 15 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

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

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

Reasons for Granting

The proposed residential development of 21 dwellings would not have a negative 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, is in conformity with Policies CS1, CS2, CS7, CS14, DM1, DM3, DM4 and DM10 of the Core Strategy

and Management Policies, November 2009; Government Planning Guidance PPS1, PPS3, PPG 13, PPS22, PPG24; 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 Supplementary Planning Guidance: Design in Central Bedfordshire, 2010.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the 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.

The applicant is advised that the closure of existing access(es) shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Bedfordshire Highways, Central Bedfordshire Council's Highways Helpdesk, Technology House, 239 Ampthill Road, Bedford MK42 9BD. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).

NOTE

In advance of the consideration the Committee were reminded that a Legal Agreement form the developer concerning affordable housing was awaited.

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Item No. 15

APPLICATION NUMBER	CB/11/04334/FULL
LOCATION	54 High Street, Sandy, SG19 1AJ
PROPOSAL	Change of use from office to day care nursery(non residential) for main building and annexed building to rear of site.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Clare Golden
DATE REGISTERED	07 December 2011
EXPIRY DATE	01 February 2012
APPLICANT	Mini Explorers
AGENT	Priory Heritage
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Councillor Aldis called the application to Committee on the grounds of concerns relating to pedestrian safety from increased vehicular movements
	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 **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 Green Travel Plan shall be implemented in full within 6 months of the development being occupied. In addition, the plan should be monitored and the results of this monitoring be reviewed on an annual basis and further recommendations for improvements shall be submitted to and be approved in writing by the Local Planning.**

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

- 3 The garden area shall not be used for external play except between the hours of 10:00 hours and 16:30 hours Monday to Friday and not at all on weekends, Bank or Public Holidays without the prior agreement in writing of the Local Planning Authority.

The car park area at the rear of the premises shall not be used at any time

for the purposes of external play.

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

- 4 The use shall only operate between the hours of 08:15 to 18:15 on Monday-Friday, and not at all on Saturdays, Sundays or Bank Holidays. The use shall not operate at any other time without the prior agreement in writing of the Local Planning Authority.

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

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 1104/4A; 1104/2A; 1104/2B' 1104/2; 1104/3; 1104/4; 1104/5; 1104/6.

Reason: For the avoidance of doubt.

Reasons for Granting

The change of use of the existing office building into a children's nursery (D1 use) has a minimal impact on the residential amenities of nearby occupiers, does not detract from the visual amenity of the surrounding area or setting of the conservation area. The proposal would also have acceptable parking and access arrangements. The proposal is therefore in conformity with policies CS1, CS3, CS10, CS14, CS15, DM3, DM4, DM9 and DM13 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005), PPS1 (Delivering Sustainable Development), PPS4 (Planning for Sustainable Economic Development), PPS5 (Planning for the Historic Environment), PPS7: Sustainable Development in Rural Areas and PPG24: Planning and noise. The proposal is also in accordance with the Council's Adopted Design Guide - Design in Central Bedfordshire, 2010.

Informatives

1. Parents are to be advised not to park on the pavement or illegally when dropping off or collecting children from the premises.
2. Measures shall be put in place on the site to prevent children from gaining access to the highway.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of two additional informatives to be added to the permission. In addition the Committee were advised that the site plan in the agenda is incorrect and that the correct plan is attached to the late sheet.

Item No. 16

APPLICATION NUMBER	CB/11/03682/FULL
LOCATION	Land Adjacent To, Marshalls Avenue, Shillington
PROPOSAL	Erection of 8 no. Houses and 3 no. Bungalows providing self contained sustainable housing
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr MacKilligan
CASE OFFICER	Mark Spragg
DATE REGISTERED	21 December 2011
EXPIRY DATE	21 March 2012
APPLICANT	Grand Union Housing Group
AGENT	Kyle Smart Associates Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Unresolved objection relating to this application on a site owned by Central Bedfordshire Council
	Full Application – Granted, subject to completion of Section 106 Planning Obligation

Recommendation

That planning permission be granted subject to the completion of a Section 106 Planning Obligation restricting the occupation of the dwellings as affordable housing and subject to the following conditions:

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

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

- 2 **Prior to commencement of development a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roofs of all dwellings. 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 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. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall**

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

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

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

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

- 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 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

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

- 7 Development shall not begin until details of the junction between the proposed access road and Marshalls Avenue have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the existing access road and of the proposed access road.

- 8 No dwelling shall be occupied until visibility splays have been provided at the

junction of the access road with Marshalls Avenue. 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 Marshalls Avenue and 43m measured from the centre line of the proposed estate road along the line of the channel of Marshalls Avenue. 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 between the existing road and the proposed access and to make the access safe and convenient for the traffic which is likely to use it.

- 9 Development shall not begin until the detailed plans and sections of the proposed 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 thereto 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.

- 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 proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan No. 0773(2)wd2.003 and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 12 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 and in the interests of encouraging the use of sustainable modes of transport.

- 13 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.

- 14 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.

- 15 The bin collection area shown on drawing 0773(2)wd2.003P1 shall be provided in accordance with that drawing prior to the occupation of any dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of amenity.

- 16 The phasing of construction shall be such as to avoid any site clearance during the bird nesting season March to August.

Reason: To protect features of recognised nature conservation importance.

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 001, 0773(2)wd.003P1, 004, 005, 006, 007, 008, 009.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed residential development is considered acceptable in form, design and scale and would not cause harm to the amenities of neighbouring properties, to highway safety or to any ecological assets. The provision of 100% affordable housing would meet a housing need for the Parish, identified by a housing needs survey and as such is acceptable as an exception scheme. As such the proposal is in conformity with Policies CS1, CS2, CS7, CS8, CS14, DM2, DM3 and DM4 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; A Guide for Development - *Design Supplement 1: New Residential Development* (2009), and Planning Policy Statements 1, 3, 7 and 9. The proposal is therefore acceptable and planning permission should be granted subject to conditions.

Notes to Applicant

1. The applicant is advised of the following notes from the Environment Agency.

The proposal is situated over a Principal aquifer.

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

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 Authority. The maximum acceptable depth for soakaways is 2 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.

Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters.

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 Amphill 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 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.
5. 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.
6. 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.

7. The applicant is encouraged to include the provision of bid and bat boxes within the development, as recommended in the submitted Design and Access Statement.
8. In accordance with the recommendations of the submitted Badger Survey and Site Assessment the applicant is encouraged to ensure a short sward is maintained and any waste vegetation removed, to prevent the site becoming suitable to protected species such as reptiles.

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation received from Shillington Parish Council. Shillington Parish Council advised that in light of new information received relating to the application the Parish Council withdrew its support.