

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 28 March 2012

PRESENT

Cllr (Chairman)

Cllr P F Vickers (Vice-Chairman)

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

Apologies for Absence: Cllrs I Dalgarno
A Shadbolt

Substitutes: Cllrs K C Matthews (In place of A Shadbolt)

Members in Attendance: Cllrs L Birt
B Wells,

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Mrs S Cawthra	Enforcement & Appeals Team Leader
	Mr A Davie	Head of Development Management
	Mr J Ellis	Planning Manager West
	Miss C Golden	Senior Planning Officer

DM/11/150 **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. The Minutes of 14 March 2012 would be signed and approved as a correct record at the meeting to be held on 25 April 2012.

DM/11/151 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Mrs C F Chapman	7	Involved at beginning of application	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr C Maudlin	10	Brother lives in close proximity to site	Absent

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

Member	Item	Parish/Town Council	Vote Cast
Cllr N Aldis	10	Sandy Town Council	Did not vote
Cllr C Maudlin	10	Sandy Town Council	Did not vote

DM/11/152 **Petitions**

The Chairman advised that no petitions had been received.

DM/11/153 **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/11/154 **Late Sheet**

In advance of the consideration of the 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/11/155 Planning Application No. CB/11/04330/FULL

RESOLVED

That Planning Application No CB/11/04330/FULL relating to 34 The Mount, Aspley Guise be refused as set out in the schedule appended to these minutes.

DM/11/156 Planning Application No. CB/11/04051

RESOLVED

That Planning Application No CB/11/04051 relating to The Firs 85 High Street, Ridgmont be deferred until the next scheduled meeting.

DM/11/157 Planning Application No. CB/11/03946/REN

RESOLVED

That Planning Application No CB/11/03946/REN relating to Meat and livestock Commission, Hitchin Road, Stotfold be approved as set out in the schedule appended to these minutes.

DM/11/158 Planning Application No. CB/12/00570

RESOLVED

That Planning Application No CB/12/00570 relating to Brook End, Hatch, Sandy be approved as set out in the schedule appended to these Minutes.

DM/11/159 Site Inspection Appointment(s)

RESOLVED

That in light of the next meeting not being held until 25 April 2012 following the Annual General meeting and in accordance with Appendix A of the Code of Practice for the Conduct of Site Inspections required prior to 25 April 2012, the Assistant Director of Planning Services and Monitoring Officer in consultation with the Chairman of the Committee determine arrangements to include appointing Members.

DM/11/160 **Planning Application No. CB/11/04291/FULL**

RESOLVED

That Planning Application No CB/11/04291/FULL relating to 177 Cemetery Road, Houghton Regis be approved as set out in the schedule appended to these Minutes.

DM/11/161 **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 7 and 12 of Part I of Schedule 12A of the Act.

DM/11/162 **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. The report set out five options for further course of action as set out at Appendix A now submitted to the report. Pursuant to Minute No DM/11/136 of the meeting held on 29 February 2012 the Committee were invited to consider indicative costings.

RESOLVED

That direct action to remove the unauthorised mobile home be authorised.

(Note: The meeting commenced at 2.00 p.m. and concluded at 3.40 p.m.)

Chairman

Dated

LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 28 MARCH 2012****SCHEDULE A*****Item 7 (Page 11-20) – CB/11/04330/FULL – 34 The Mount, Aspley Guise, Milton Keynes, MK17 8EA***

It is recommended that this application be deferred.

Additional Consultation/Publicity Responses

The highways officer has recommended various conditions to be attached in the event that the application is approved.

Additional Comments

The house is to be set back 16m (approx) from the back edge of the road (The Mount).

The two storey element of the house is to be at a distance of 2.75 metres (approx) from the trunk of the Oak tree to the north.

The proposed terraced area on the house is to be at a distance of 2.5 metres (approx) from the trunk of the TPO'd Lime tree to the north/north east.

The applicants have submitted a Tree Survey and proposed tree retention/removal report with illustrative layout (Forbes-Laird Arboricultural Consultancy) the notes on Tree Friendly Construction are attached as appendix.

Additional/Amended Conditions

None

SCHEDULE B

It is recommended that this application be deferred

Item 8 (Page 21-36) – CB/11/04051/FULL – The Firs 85 High Street, Ridgmont, Bedford, MK43 0TY**Additional Consultation/Publicity Responses**

The occupier of The Old Chapel has advised further in writing that since the application is retrospective then recommended condition 2 fails to protect her amenity as it does not require details of existing extraction at the site to be submitted

within a certain timescale. If the condition is not modified then she advises that she will give consideration to legal re-address.

Note: The Environmental Health Officer (E.H.O.) has advised that no new extract system be installed at the premises without the benefit of planning permission.

The E.H.O. has been requested to comment on the concerns raised above by the neighbour and any comments received are to be reported verbally to the planning Committee.

The planning agent has raised concerns in writing that condition 3 – which refers to the use of the cross hatched area as a private domestic garden with no tables or commercial paraphernalia placed upon it - needs to be made clearer and has suggested that a clause be added saying other than for a table for personal use by the permanent occupants of the family.

Note: Officers are of the view that condition 3 can be amended to include this request.

Additional Officer Comments

The applicant has, at the request of officers, submitted a revised site layout plan which shows the cross hatched café garden area coloured in green – plan No. SE2698/D

Additional/Amended Conditions

Condition numbers 1, 2, 3 and 7 shall be amended to refer to plan No. SE 2698/D and not SE 2698/C to accord with the above submitted revised plan showing the green cross hatched café garden area.

Condition 3

The area cross hatched – on drawing No. SE 2698/D – shall only be used as a private domestic garden area for the personal enjoyment of Mr and Mrs Woolard, Mrs Woolard senior and family and shall not be used for any commercial purposes except access to the bed and breakfast Accommodation. No tables or commercial paraphernalia shall be placed on the private garden area other than one table for personal use by persons named above and their family.

Reason: To define the permission hereby granted, for the avoidance of doubt and to safeguard the amenities of occupiers of the nearby residential properties.

Condition 4 to be amended to read as follows:

No outside area other than the area hatched green on Plan No. SE 2698/D shall be used as a café garden area for the customers of the café and the bed and breakfast accommodation. Before the outside café garden area hereby permitted is first brought into use a detailed scheme for the provision of signage to each garden area and a picket fence to the rear of the café garden area, as indicated on drawing No SE 2698/D, shall be submitted to the Local Planning Authority for its approval in

writing. The approved signage and fence shall be erected before the café garden area is first brought into use and thereafter retained.

Reason: To ensure that the various areas of the site are clearly indicated with signage so that the amenities of occupiers of nearby residential properties are safeguarded at all times.

Item 9 (Page 37-48) – CB/11/03946/REN – Meat And Livestock Commission, Hitchin Road, Stotfold

Additional Consultation/Publicity Responses

Revised Comments Stotfold Town Council – Having reviewed their response the Town Council now confirm that they have **no objection to the application**. They comment that their previous comments were only to reiterate their objections to the original application.

Additional Comments

None

Additional/Amended Conditions

None

Item 10 (Page 49-58) – CB/12/00570/FULL – 1 Brook End, Hatch, Sandy, SG19 1PP

Additional Consultation/Publicity Responses

1. The applicant has confirmed the description of development can be amended as referred to in the report under Section 4. Other issues
2. The IDB has responded to say it is not clear which method of storm water disposal is to be employed. A suitably worded condition should be attached. However as the site is just outside the floodplain and surface water drainage is covered by separate legislation it is not considered a condition is necessary in this instance. A note to applicant should be attached to inform the applicant of the IDB comments.

Additional Comments

None

Additional/Amended Conditions

None

Item No. 7**SCHEDULE A**

APPLICATION NUMBER	CB/11/04330/FULL
LOCATION	34 The Mount, Aspley Guise, Milton Keynes, MK17 8EA
PROPOSAL	Proposed new dwelling to existing 3 sided development with access to Local Authority adopted road, in a cluster development arrangement adjacent to an existing dwelling.
PARISH	Aspley Guise
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Sarah Fortune
DATE REGISTERED	22 December 2011
EXPIRY DATE	16 February 2012
APPLICANT	Mr & Mrs Banks
AGENT	ADC PRACTICE LIMITED
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor B Wells. This application is an infill plot and the distance between the existing house is more than adequate
RECOMMENDED DECISION	Full Application - Refused

Recommendation

That Planning Permission be refused.

- 1 The erection of the proposed house will lead to conflict with the canopy of the Protected trees on the site. This will lead to ongoing requests to prune these trees by future occupiers of the house. In order to alleviate any nuisance further pruning of the trees will be required and this will result in works extending beyond that required on sound arboricultural grounds leading to a reduction the natural appearance and amenity value of these protected trees. This will be in conflict with Policy DM14 of the Core Strategy and Development Management Planning Document dated 2009 which states that trees, woodland and hedgerows in the district will be protected by requiring developers to retain and protect such features which are in close proximity to building works
- 2 The site has extremely tight constraints regarding the close proximity of the proposed house to trees. There is a need for construction access, contractors parking, working spaces and access for equipment such as the rigs to sink piles, space for plant and material storage and the mixing of cement and concrete. The application fails to provide evidence that the development will have the necessary space to implement all of the construction operations which are required in order to carry out the construction of the house without incurring damage to Protected Trees. It is also unlikely that a workable methodology is attainable for a suitable "no-dig" parking area under the crown of tree 3001 which is in recognition of the characteristic difference in surrounding ground levels and the need to

provide the necessary clearance from the trunk of this tree in order to comply with current good practice as set out in Arboricultural Practice Note APN 12 "Through the trees to Development". Consequently the proposal would likely result in the loss of trees protected by a Tree Preservation Order harmful to the character of the area and in conflict with Policy DM14 of the Core Strategy and Development Management Planning Document dated 2009 which states that trees, woodland and hedgerows in the district will be protected by requiring developers to retain and protect such features which are in close proximity to building works.

NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation/publicity responses from the Highways Officer who recommended various conditions to be attached.

In addition the committee were advised of additional comments from the Case Officer relating to the location of the house.

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

Item No. 8

APPLICATION NUMBER	CB/11/04051/FULL
LOCATION	The Firs 85 High Street, Ridgmont, Bedford, MK43 0TY
PROPOSAL	Change of use from shop to mixed A1 and cafe (A3) with hot and cold food to takeaway. Creation of outside dining area for cafe to west of private garden area and cafe dining area to front forecourt.
PARISH	Ridgmont
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Clark
CASE OFFICER	Sarah Fortune
DATE REGISTERED	16 November 2011
EXPIRY DATE	11 January 2012
APPLICANT	Mrs Woolard
AGENT	Mr S Everitt
REASON FOR COMMITTEE TO DETERMINE	Called in by councillor A Bastable and referred to committee by Head of Development Management given the complexity of issues
RECOMMENDED DECISION	Full Application - Granted

Recommendation**Note**

In advance of the consideration of the application the Committee were advised of additional consultation/publicity responses from the Occupier of The Old Chapel and the Planning Agent. Additional/amended conditions were subsequently suggested.

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Item No. 9**SCHEDULE B**

APPLICATION NUMBER	CB/11/03946/REN
LOCATION	Meat And Livestock Commission, Hitchin Road, Stotfold
PROPOSAL	Renewal of planning permission 08/02000/FULL (removal of condition 14) in respect of planning approval 08/01043/OUT (redevelopment to form a business park (B1,B2 and B8 uses) and erection of 5no. replacement dwellings (all matters reserved except access).
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Mark Spragg
DATE REGISTERED	24 November 2011
EXPIRY DATE	23 February 2012
APPLICANT	The Agricultural & Horticultural Development Board
AGENT	Hunter Page Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Objection from Stotfold Town Council to Major application.
RECOMMENDED DECISION	Rep PP - New Time Limit - Granted

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

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

- 2 **Approval of the details of:-**

- (a) the layout of the building(s);**
- (b) the scale of the building(s);**
- (c) the appearance of the building(s);**
- (d) the landscaping of the site;**

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

referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

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

- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- 4 **Development shall not begin until a noise impact assessment detailing the likely noise impact of the B1/B2/B8 employment area on the proposed C3 residential dwellings and existing residential dwellings on Hitchin Road has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be in accordance with PPG 24 and BS4142 and shall identify appropriate noise mitigation measures to protect the amenity of the proposed residential dwellings as appropriate. Any works which form part of the scheme shall be completed before any dwelling is occupied unless an alternative period for completion is agreed by the Local Planning Authority.**

Reason: In order to safeguard the amenity and interests of immediate surroundings.

- 5 Operations for which noise is audible at the nearest noise sensitive properties shall only be carried out between 08.00 hours and 18.00 hours Monday – Friday, 08.00 to 18.00hrs Saturday, and at no time on Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In order to safeguard the interest and amenity of the immediate surroundings.

- 6 Noise resulting from the use of the plant, machinery or equipment at each industrial unit shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured

according to BS4142:1997, at a point one metre external to the nearest noise sensitive building

Reason: In order to safeguard the interest and amenity of the immediate surroundings.

7

Development shall not begin until a scheme for protecting the proposed dwellings and existing dwellings on Hitchin Road from odour/fumes and light pollution from the B1/B2/B8 uses has been submitted to and approved by the local planning authority. Any works which form part of the approved scheme shall be completed before any permitted premises or dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.

Reason: In order to safeguard the interest and amenity of the immediate surroundings.

8

Prior to the commencement of any phase of development approved by this planning permission developer shall submit to the Planning Authority, in duplicate:

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils, gas and groundwater sampling.

c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report.

Any remediation scheme shall be agreed in writing by the local planning authority prior to the commencement of works.

Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.

Reason: To protect human health and the environment.

- 9 **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.

- 10 The scheme approved in Condition 2 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development. 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.

- 11 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 in accordance with a timescale agreed in writing with the Local Planning Authority.

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

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

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

- 13 There shall be no net increase in the number of bedrooms at the site within the new dwellings hereby permitted.

Reason: In order to comply with the Council's Planning Obligations Strategy

(SPD).

- 14 The development hereby permitted shall relate to the submitted unnumbered site plan given reference CBC01.

Reason: For the avoidance of doubt.

Reasons for Granting

The site is allocated in the Central Bedfordshire Site Allocations DPD (April 2011) for a mixed use development providing five replacement dwellings and buildings to accommodate B1,B2 and B8 uses. The proposal conforms with policies CS2, CS5, CS9, CS10, CS14, DM3 and DM4 of the Central Bedfordshire Core Strategy, Planning Policy Statement PPS1, PPS3 and PPS4 and Circular 11/95.

NOTES

In advance of the consideration of the application consultation/publicity responses received from Stotfold Town Council. Having reviewed their response the Town Council confirmed that they had no objections to the application and commented that their previous comments were only to reiterate their objections to the original application.

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Item No. 10

APPLICATION NUMBER CB/12/00570/FULL
LOCATION 1 Brook End, Hatch, Sandy, SG19 1PP
PROPOSAL Erection of detached outbuilding to include garage, games room and conservatory. Previously approved under 07/01253/Full dated 31/08/07.

PARISH Sandy
WARD Sandy
WARD COUNCILLORS Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER Nicola Stevens
DATE REGISTERED 15 February 2012
EXPIRY DATE 11 April 2012
APPLICANT Mr Tony Swift
AGENT
REASON FOR COMMITTEE TO DETERMINE Inappropriate size of development in the open countryside.

RECOMMENDED DECISION Full Application - Granted

Recommendation

That Planning Permission be Approved subject to the following:

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

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

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

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

- 3 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Brook End, Hatch, Beds and it shall not be occupied as a separate independent dwelling.

Reason: The ancillary accommodation created by the development is not suitable, because of the circumstances of the site, to be used as a separate, independent residential unit, and in order to comply with the Council's

Planning Obligation Strategy.

- 4 Before the building is 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.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [CBC/001, CBC/002, R.S.1.P001].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies CS14, DM3 and DM4 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (Delivering Sustainable Development) and Planning Policy Statement 3 (Housing), PPS7 (Sustainable Development in rural area). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, Adopted 2010.

Notes to Applicant

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

NOTE

In advance of the consideration of the application the Committee were advised of additional consultation/publicity responses. The Applicant had confirmed that the description could be amended as referred to under Section 4.

The Internal Drainage Board had responded to say that it was not clear with the method of Storm Water Disposal to be employed, they subsequently suggested that a suitably worded condition should be attached. However as the site was outside the floodplain and surface water drainage was covered by separate legislation it was not considered that a condition was necessary in this instance. A note to the Applicant should be attached to inform the applicant of the Internal Drainage Board comments.

Item No. 11a**SCHEDULE B**

APPLICATION NUMBER	CB/11/04291/FULL
LOCATION	177 Cemetery Road, Houghton Regis, Dunstable, LU5 5DF
PROPOSAL	Resubmission of CB/11/03337/FULL - Proposed boundary fencing repositioning
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Jones
CASE OFFICER	Donna Lavender
DATE REGISTERED	02 December 2011
EXPIRY DATE	27 January 2012
APPLICANT	Mr & Mrs Alexander
AGENT	J M Bygate Designs Ltd
REASON FOR COMMITTEE TO DETERMINE	Deferred application via previous Committee held on 14th March 2012, for the investigation of a Legal Agreement
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be GRANTED subject to the following:

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

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

- 2 Consent is only being granted in recognition that the Rowan tree, as marked for retention on the "Proposed Floor Plan, Elevation and Site Plans" (Drawing 203-PL-010 Rev.C), shall be successfully retained without incurring any damage due to abrasion, cutting, scraping, nailing or excavation of the trunk or buttress roots during the course of construction and installation of the fence and fence posts. Any pruning of the branches of this tree shall only be undertaken with the written approval of the Local Planning Authority, both during the course of development and for a period of 5 years after completion of development.

Reason: To ensure the successful retention of the Rowan tree, which was planted as part of the original landscape scheme provided for the benefit of the whole estate, in order to mitigate against the loss of open-plan landscaping caused by this development, by maintaining the health, stability, natural appearance and visual amenity of this tree, still being retained in the remaining area of open -plan landscaping.

- 3 The planting and landscaping scheme shown on approved Drawing No. 203-PL-010 Rev C shall be implemented by the end of the full planting season

immediately following the completion and first use of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

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

- 4 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, 203-SU-001 & 203-PL-010 Rev C.

Reason: For the avoidance of doubt.

Reasons for Granting

The enclosure of part of the amenity land would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies R12 & BE8 of the South Bedfordshire Local Plan Review 2004 and Policy ENV7 in the East of England Plan (May 2008) and Planning Policy Statement 1 (2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

Notes to Applicant

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £25.00 for householder applications and £85.00 for all other applications, per submission) can be found on our website www.centralbedfordshire.gov.uk or alternatively call Customer Services on 0300 300 8000 for hard copy forms.

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

East of England Plan (May 2008)
ENV7 (Quality of the Built Environment)
SS1 (Achieving Sustainable Development)

South Bedfordshire Local Plan Review

BE8 (Design Considerations)

R12 (Recreation Open Space)

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

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