

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Helen Bell
direct line 0300 300 4040
date 15 March 2012

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 28 March 2012 2.00 p.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs A Shadbolt (Chairman), P F Vickers (Vice-Chairman), P N Aldis, A R Bastable, R D Berry, D Bowater, A D Brown, Mrs C F Chapman MBE, Mrs S Clark, I Dalgarno, Mrs R J Drinkwater, Mrs R B Gammons, K Janes, D Jones, Ms C Maudlin, T Nicols, I Shingler and J N Young

[Named Substitutes:

L Birt, P A Duckett, C C Gomm, R W Johnstone, K C Matthews, J Murray,
B Saunders, B J Spurr, N Warren and P Williams]

All other Members of the Council - on request

**MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING**

****As there are no Strategic Planning or Minerals and Waste Matters to be considered
the meeting will start at 2.00p.m.***

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 29 February 2012 and 14 March 2012.

(previously circulated)

4. **Members' Interests**

To receive from Members declarations and the **nature** in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item
- (c) Membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

5. **Petitions**

To receive Petitions in accordance with the scheme of public participation set out in Annex 2 in Part 4 of the Constitution.

REPORT

Item	Subject	Page Nos.
6	Planning Enforcement Cases Where Formal Action Has Been Taken To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.	* 5 - 10

Planning and Related Applications

To consider the planning applications contained in the following schedules:

Schedule A - Applications recommended for Refusal
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Item	Subject	Page Nos.
7	Planning Application No. CB/11/04330/FULL Address : 34 The Mount, Aspley Guise, Milton Keynes, MK17 8EA 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. Applicant : Mr & Mrs Banks	* 15 - 24

Schedule B - Applications recommended for Approval

Item	Subject	Page Nos.
8	Planning Application No. CB/11/04051 Address : The Firs 85 High Street, Ridgmont, Bedford, MK43 0TY Change of use from shop to mixed A1 and café (A3) with hot and cold food to takeaway. Creation of outside dining area for café to west of private garden area and café dining area to front forecourt. Applicant : Mrs Woolard	* 25 - 40
9	Planning Application No. CB/11/03946/REN Address : Meat and Livestock Commission, Hitchin Road, Stotfold Renewal of planning permission 08/200/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).	* 41 - 52

Applicant : The Agricultural & Horticultural Development Board

10 **Planning Application No. CB/12/00570** * 53 - 62

Address : 1 Brook End, Hatch, Sandy SG19 1PP

Erection of detached outbuilding to include garage, games room and conservatory. Previously approved under 07/01253/FULL dated 31/08/07.

Applicant : Mr T Swift

11 **Site Inspection Appointment(s)** *

Members are advised that the Committees next meeting will not be held until 25 April 2012 following the Annual General Meeting.

As a result, 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 will determine arrangements to include appointing Members.

Meeting: Development Management Committee

Date: 28 March 2012

Subject: Planning Enforcement cases where formal action has been taken

Report of: Director of Sustainable Communities

Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Sustainable Communities

Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader
(Tel: 0300 300 4369)

Public/Exempt: Public

Wards Affected: All

Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

- 1. To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**

Background

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases please contact Sue Cawthra on 0300 300 4369.

Appendices:

Appendix A – Planning Enforcement Formal Action Spreadsheet – North & South

Planning Enforcement formal action (DM Committee 28th March 2012)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/09/1355	2 Blackbird Street, Potton	Enforcement Notice, extension & alteration to roof & wall	13-Sep-10	11-Oct-10	12-Dec-10			Not complied	Enforcement Notice to be re-served on 2 and 2a Blackbird Street
2	CB/ENC/10/0068	Land at The Haven, Castle Hill Road, Totternhoe, Dunstable	Enforcement Notice, use of land for the stationing of container and the storage of building materials	22-Jun-10	20-Jul-10	17-Aug-10	Appeal dismissed	3-May-11	Part complied , container removed, some materials remain	Site being monitored to assess for further action on unity site
3	CB/ENC/10/0189	Land adjacent to 17 The Causeway, Clophill Bedfordshire MK45 4RA	2 Enforcement Notices material change of use of the land to a caravan site and construction of hardstanding	10-Aug-11	08-Sep-11	07-Nov-11 and 08-Mar-12	1 appeal received - Hearing 13/3/12			Appeal linked with planning appeal
4	CB/ENC/11/0060	Land at Oak Barn, Little Park Farm, Station Road, Amphill, Bedford MK45 2RE	Enforcement Notice - construction of a detached building and an area of hardstanding	10-Mar-11	07-Apr-11		Appeal allowed 16/8/11		Enforcement Notice quashed.	Planning permission granted 12/12/11 for garage, CB/11/03468/full. To be built to approved plans by April 2012.
5	CB/ENC/11/0193 Case closed	Land at 52 Clifton Road, Henlow SG16 6BL	Section 215 Unity Land Notice	21-Jul-11	21-Jul-11	18-Aug-11			Complied	Complied case closed
6	CB/ENC/11/0343 Case closed	Church End Farm, Church Green, Totternhoe	Enforcement Notice, erection of agricultural building not in compliance with approved plans	23-Sep-11	28-Oct-11	28-Dec-11 and 28-Jan-12	Written reps appeal Site visit 25-Jan-2012		Enforcement Notice quashed.	Appeal allowed, planning permission granted for smaller barn
7	CB/ENC11/0411	Land at 35 Clay Furlong, Leighton Buzzard	3 Enforcement Notices 1 Erection of a front extension. 2. Erection of a fence exceeding 1m in height. 3. Erection of a canopy.	23-Jan-12	20-Feb-12	Various			Part complied	Check compliance after May 2012 1. Planning application for extension 2. fence complied 3. Awaiting application for canopy
8	CB/ENC/11/0418	Land to the rear of 65, Shefford Road, Clifton SG17 5RQ	Breach of condition Notice - condition 16 (turning space) and 8 (access road junction) CB/10/01446/FULL	1-Dec-11	1-Dec-11	31-Dec-11	N/A		Part complied (turning space)	Turning space being constructed. Access road junction outstanding

Planning Enforcement formal action (DM Committee 28th March 2012)

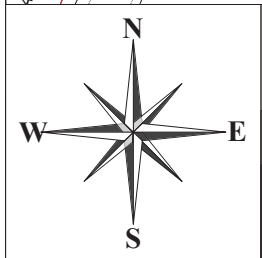
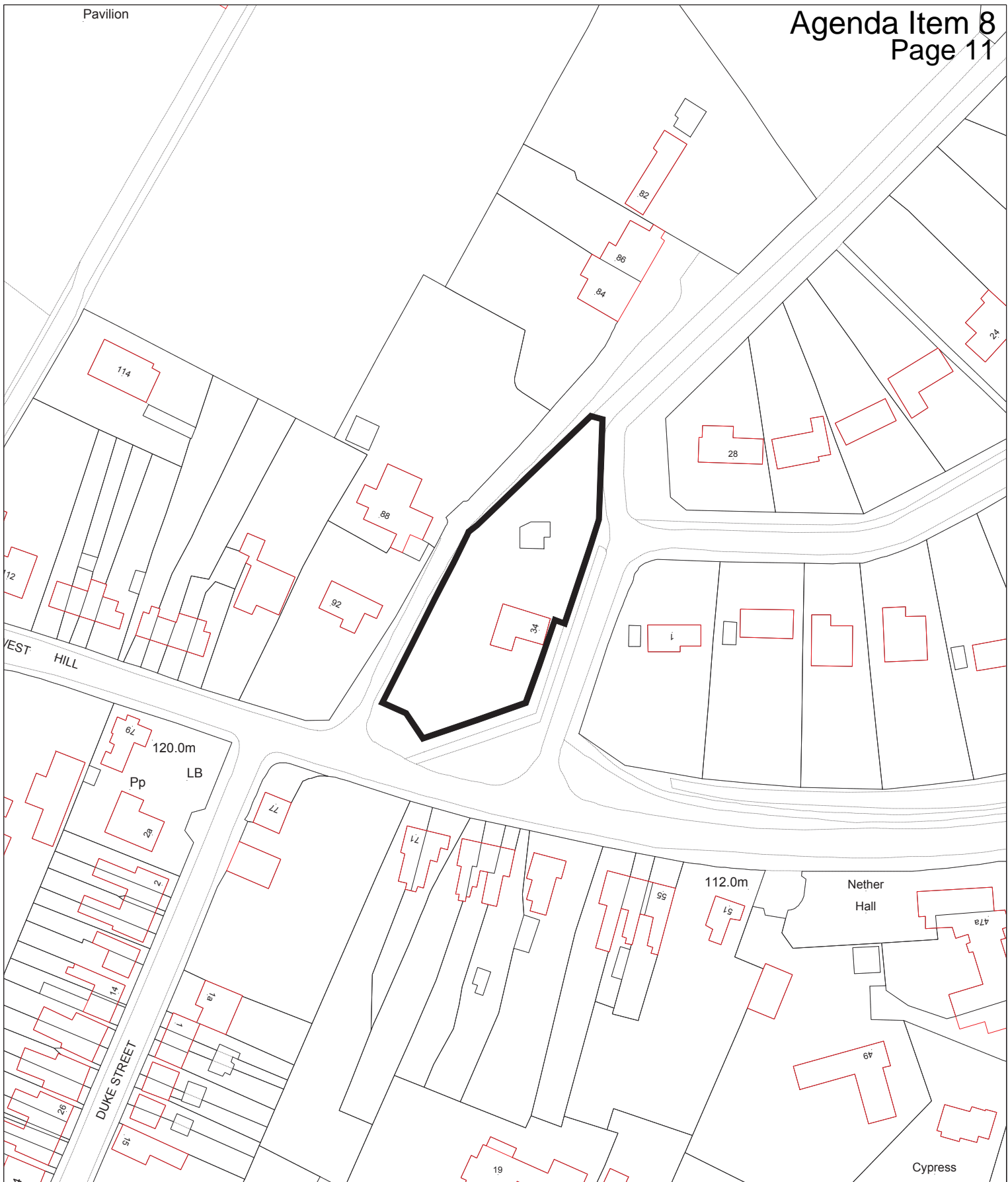
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
9	CB/ENC/11/0535	Land east of Miletrees Road Heath and Reach	Injunction - anticipated caravans/mobile homes	24-Oct-11	24-Oct-11	immediate				Monitor site
10	CB/ENC/11/0535	Land east of Miletrees Road Heath and Reach	Enforcement Notice - unauthorised hard standing and access way	01-Nov-11	30-Nov-11	14-Dec-11 & 28-Dec-11	Appeal - written reps site visit 28/2/12			Await outcome of appeal. Planning application CB/11/03821/full refused 6/1/12 for caravan site.
11	CB/ENC/11/0606	Land at 70-74 Common Road, Kensworth, Dunstable. LU6 3RG	Enforcement Notice - the use of an outbuilding as an independent dwelling	2-Dec-11	3-Jan-12	3-Jul-12				Appeal received against refusal of planning permission. Await outcome.
12	CB/ENC/11/0656	Land at 50 Redwood Glade, Leighton Buzzard	Without planning permission, the erection of a childrens play centre with raised platforms	23-Jan-12	20-Feb-12	20-Mar-12				Planning application received for revised scheme - CB/12/00447/full. Await outcome.
13	CB/ENC/12/0054	Woodside Caravan Park, Thorncote Road, Northill	Injunction - Change of use of land to gypsy site	3-Feb-12	3-Feb-12	3-Feb-12				Caravans removed. Permanent Injunction granted 10-Feb-12
14	CB/ENC/12/0069	Site B The Stables, Stanbridge Road, Gt Billington, Leighton Buzzard	Unauthorised siting of caravans							Papers served for application for Injunction. Court Hearing 29/3/12
15	MB/ENC/05/0178	Land at Maulden Garden Centre, Water End, Maulden	Enforcement Notice - change of use from nursery to garden centre, construction of 6 buildings, siting of mobile home.	9-Apr-09	9-May-09	9-Nov-09	Appeal part allowed			Enforcement Notice varied & part upheld on appeal and Planning permission granted. Site cleared, discussions with new owner to secure compliance with conditions.
16	MB/ENC/07/0085	Woodview Nurseries, Shefford Rd. Meppershall	Enforcement Notice - Mobile home & conservatory	21-Jan-08	19-Feb-08	19-Aug-08	Appeal dismissed, Notice upheld	3-May-10		Await Member decision on further action. Not completed. Court Hearing March 2011 - prosecution and fine
17	MB/ENC/09/0214	Land & Buildings at Lower Wood Farm, Sundon Rd, Harlington	Breach of conditions to Permissions 02/00553 & 06/00152. Enforcement Notice - outside storage & portacabins	15-Dec-08	12-Jan-09	12-Feb-09				Await outcome of application Part completed Planning application CB/11/04219/full received 14/12/11

Planning Enforcement formal action (DM Committee 28th March 2012)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
18	MB/ENC/08/0372 Case closed	Dingley Dell, Toddington Road, Westoning, Bedford	Enforcement Notice. Unauthorised restaurant building and farm shop building	16-Jul-10	13-Aug-10	8-Oct-10			Planning permission granted	No further action at present.
19	SB/ENC/07/0012 Case closed	Land rear of Packhorse Place, Watling Street, Kensworth	Change of use of land for the parking of vehicles	5-Nov-07	5-Dec-07	01 Jan 2008 & 26 Feb 2008	21-Jan-08	28 Jul 2009 & 28 Sep 2009	Appeal dismissed but compliance periods extended.	No further action
20	SB/ENF/05/0005	215 Common Road, Kensworth	Erection of a double garage and storeroom	16/03/05	18/04/05	18/07/05	6-May-05	6-Aug-05	Appeal dismissed & enforcement notice upheld. Not complied	Under new ownership, further action to be taken.
21	SB/ENF/07/0006 SB/ENF/07/0007 SB/ENF/07/0008	Dunedin, Harlington Road, Toddington	Change of use to bedsit accommodation, erection of building & extensions, non compliance with Condition 2 of SB/TP/98/0838	10-Aug-07	12-Sep-07	4-Dec-07	27-Sep-07	9-Jan-09	Appeal dismissed. Not complied	Prosecuted and fined September 2011. New Planning application invalid, further action to be taken.
22	CB/ENC/10/0449 Case closed	Land at Dunedin, Harlington Road, Toddington	Enforcement Notice, change of use of land to the stationing of mobile homes, touring caravans and trailer tent	7-Sep-10	5-Oct-10	2-Nov-10			Lawful Development Certificate granted	Revised LDC application CB/12/00065/LDC E granted for workers on motorway.
23	SB/ENF/08/0009	21 Emu Close, Heath & Reach	Construction of single storey front and side extensions and loft conversion	14-Apr-08	14-May-08	14-Aug-08	20-Jun-08	4-Sep-09	Appeal part dismissed. Not complied.	Court Hearing 11th October 2011, prosecuted and fined. LDC proposed development received, await decision

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Pavilion



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Date: 14:March:2012
Map Sheet No

Application No.
CB/11/04330/FULL

Scale: 1:1250

34 The Mount, Aspley Guise, Milton Keynes, MK17 8EA

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Item No. 7

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

Site Location:

The site lies on the west side of Mount Pleasant in the built up area of the village of Aspley Guise and comprises of a detached house built about 40/50 years ago. It has a large garden area to the front and rear and is generally surrounded by large properties set within large curtilages. There is a detached garage in the grounds of the house as well as some outbuildings. A group of trees within the frontage of the site are the subject of a Tree Preservation Order.

The Application:

This application is for the erection of a flat roofed, detached, eco friendly designed house. It is to be sited to the north of the existing dwelling - in a similar location to the existing garages. The existing access off The Mount is to be used to serve both the existing house and the proposed one.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PS1 Sustainable Development
- PPS3 Housing
- PPG2 Green Belt

**Regional Spatial Strategy
East of England Plan (May 2008)**

ENV7

**Core Strategy and Development Management Planning Documents dated
November 2009.**

DM2 Sustainable Construction of new buildings.
DM3 High Quality development
DM4 Development within and beyond Settlement Envelopes.
DM6 Development within Green Belt boundaries.
DM14 Landscape and Woodland
CS1 Development Strategy
CS2 Developer Contributions
CS5 Providing Homes
CS13 Climate Change
CS14 High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development

Planning History - relevant

07/00474	Front porch and replacement wall/fence Refused: 19/04/2007
81/00513	Extension to house and enclosure of existing swimming pool Granted: 30/07/1981
CB/11/03400	Erection of new dwelling Withdrawn: 21/11/2011
T.P.O.	T.P.O. No. 25 dated 2005.

**Representations:
(Parish & Neighbours)**

Aspley Guise Parish Council No Comment

Neighbours 1 Supports: The site is available for development, is far enough from other houses to provide no significant impact, in keeping with the diversity of dwellings in The Mount and consideration needs to be given to develop plans that accommodate existing trees on site ensuring the look and feel of the property is retained.

App Adv

Consultations/Publicity responses

Highways Officer	Comments to be reported.
Tree officer	Objects.
Preservation Society	No obs received.
Legal	The Unilateral Undertaking is acceptable

Determining Issues

The main considerations of the application are;

1. Background and Policy
2. Size, Siting and Design in relation to character of the site and the visual amenities of the area generally
3. Impact on amenities of neighbours
4. Tree, Access, Parking and Other Considerations

Considerations

1. Background and Policy

The site lies in the built up area of Aspley Guise and within the Green Belt Infill boundary where there are no objections to the principle of infill development as long as various criteria are satisfied. The Core Strategy and Development Management Planning Document dated November 2009 states that infill development can be defined as small scale development utilising a vacant plot which should continue to compliment the surrounding pattern of development. In these Green Belt Infill boundaries the quality of the landscape and existing development is very high and the principle of high quality and locally distinctive design will therefore be applied by this authority when considering proposals for any kind of development in these areas. There is mixed residential development all around the site.

The site does comprise of an undeveloped area of land situated in the built up area of the village in that it forms most of the front garden to the existing house - number 34 The Mount. The surrounding pattern of development in the vicinity is variable with very different shapes and sizes of dwellings and plots. The topography of the area is also very varied which leads to very differing types of residential plots. In view of this, it is felt that this site can be considered as one that broadly conforms to the definition of infill and is thus is potentially capable of being developed as long as various other criteria are satisfied.

2. Size, Siting and Design in relation to character of the site and the visual amenities of the area generally

The site for the new house is to have a frontage of about 35 metres and an average width of 20 metres (approx). The existing house will be left with an

irregular shaped plot having a frontage of 20 metres (approx) onto The Mount and one of about 27 metres onto West Hill - being a corner site.

The new house is to be sited set back into the site by about 25 metres from the highway and to the immediate north of the existing house. The garage is to be demolished. The existing access is to be used to serve both the existing and new house and there is to be parking for the existing house to the front of the new one and parking for the new house to the north of the site. The driveway is to be a shared area. There is to be a terraced area to the north of the house. The timber decking area to the south has been removed. In the event that planning consent is granted for this new house then a condition is recommended to be attached which requires details of fencing or brick walls along the south boundary of the garden of the new house shared with the west side garden of the existing house to protect the amenities of occupiers of the existing house from loss of amenity by way of overlooking.

The new house is to be built having two floors and finished in painted render and horizontal western red cedar boarding - with flat sedum green roof. There are to be three bedrooms at first floor level and a lounge, kitchen/dining room and lobby at ground floor level. There is to be a terraced area to the north side of the house. The windows are to be metal extrusions with dry powder coated paint with clear glazing. Other windows are glass block insulated. The balustrade is toughened glass with metal fixings. The entrance canopy consists of an extruded steel construction curved front with recessed illuminations to the underside.

Clearly this is a very modern designed house. Aspley Guise comprises of a variety of house styles and ages. The houses in The Mount are generally large, detached built about 40/50 years ago. Whilst the proposed dwelling will clearly be of a very different character and material finish to these existing properties it is felt that it would be difficult to resist such a modern flat roofed design on the basis that it does not conform to the general design of houses around it. It is to be set well back from the road and will largely be obscured from three views into the site - by existing trees so will not appear as being visually intrusive into the street scene.

The revised plans have relocated the new house further north on the site with the house positioned such that there is a gap of 7 metres (approx) between the closest part of the existing house and the nearest corner of the one that is being proposed. There is to be a tapering garden length of over 20 metres to the north of the new house and a front 'garden' area having a depth of about 10 metres. The existing house will have a good sized garden area to its south. Whilst most of the front garden area will be a drive and turning area for both houses it is felt that the revised plans will not appear as being a cramped form of overdevelopment of the site in that both properties will have adequate open amenity area about them. This pattern of development will generally appear as being in keeping with the character of the area and comply with planning policies for infill development and will protect the openness of the Green Belt.

3. Impact on amenities of neighbours

The site is closely surrounded by residential development. The properties which

are closest to the new house are those to the west - 88 and 92 West Hill. These are the other side of a private drive which serves some houses to the north of the application site. There are also mature trees along the boundary of the site.

One of the main areas for consideration is the potential impact of the new house on the amenities of the existing house by way of loss of outlook, light, overlooking and overbearing impact. The situation is exacerbated by the fact that the new house is to be built at a higher level than the existing one due to the slope of the land upwards in a northerly direction. The ground can not be lowered because of the tree roots which must be protected. The revised plans, however, indicate that the height of the building has been reduced by 200mm to accommodate the incline of moving the house further north.

The revised plans also indicate that the windows in the southern corner of the house have been removed and this will reduce the potential for overlooking into the existing house to the south.

There are to be two bedroom windows at first floor level facing westwards. These face towards number 88 to the west. The front elevation of this house is at a distance of 14 metres from the rear elevation of the proposed dwelling. In view of this close proximity it is recommended that if planning permission is granted then these first floor rear windows should be fitted with obscure glazing to protect the occupiers of this neighbouring house at 88 West Hill from overlooking and loss of amenity.

It is now felt that whilst there will be some loss of outlook and overlooking from the new house towards the existing one (both from the use of the house itself and from the use of the shared drive area to the front of the existing and proposed houses), the relationship between the proposed house with the existing one will be acceptable and any loss of amenity by way of overlooking and general disturbance to the occupiers of this house will not be sufficient as to sustain an objection.

4. Trees, Access, Parking and other Considerations

One of the main areas of consideration in this application is the impact of the development on the many trees on the site. There is a Lime and Sweet Chestnut tree and these are the subject of a Tree Preservation Order. The applicant advises that he is proposing to site the house so that these trees can be retained. There are also trees on adjacent sites which are covered by Tree Preservation Orders.

The tree officer has raised strong objection to the scheme. He is of the view that it will impose a continued conflict with the canopy of trees of the Protected trees namely trees 3012 and 3013 even after work is undertaken to comply with the management recommendations listed in the tree survey data schedule. This will lead to ongoing requests to prune these trees once the pressure of home occupancy comes to bear. Therefore, in order to alleviate nuisance, further pruning of trees will be required to alleviate conflict. This will result in works extending beyond that required on sound arboricultural grounds, leading to a reduction in the natural appearance and amenity value of the trees concerned. The tree officer also has concerns that there is no evidence provided that the development will have the necessary space to implement all construction

operations required without incurring damage to Protected Trees. This is in recognition of the extremely tight constraints of the site and the close juxtaposition with the adjacent trees when accommodating the need to site construction access, contractors parking, working space, access for equipment such as the rigs to sink piles, space for plant and material storage and the mixing of cement and concrete. These operations have not been evaluated in any arboricultural implication assessment and are considered to be unavoidable when attempting to prevent encroachment over the Root Protection Area and damaging the existing canopy spread of the protected trees. Also, there is no evidence provided, and it is considered to be unlikely, that a workable methodology is attainable for a suitable "no-dig" parking area under the crown of tree 3001. This 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".

The tree officer is of the view that the application fails to recognise the above and the constraints imposed by the close juxtaposition of the trees and the practicability of construction requirements, which are unlikely to avoid conflict with tree protection requirements given the lack of available space. Therefore, the development will be to the detriment of the health, stability, natural appearance and amenity value of protected trees on site. 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 in close proximity to building works. Tree Preservation Orders will be used to protect trees under threat from development.

The applicant is of the opinion that since the house is to be promoted as an eco home then any purchasers of the house will more likely be tree - friendly and therefore less inclined towards concerns over tree/dwelling proximity. Also, he advises that the roof has a green approach which not only reduces the height of a conventional pitched roof but is tailor made to miss the canopy of the trees.

The highways officer is of the view that the development is acceptable as long as conditions are attached to any planning consent. An update on the highway conditions required to be attached to any planning consent in respect of the revised layout will be reported to the Planning Committee.

The applicant has submitted a completed Unilateral Undertaking in respect of off site financial contributions and this has been agreed by this authority.

In conclusion, we are of the view that the protected trees provide an important amenity feature and their loss would be harmful to the character of the area.

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

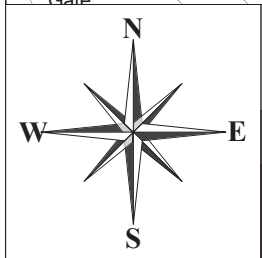
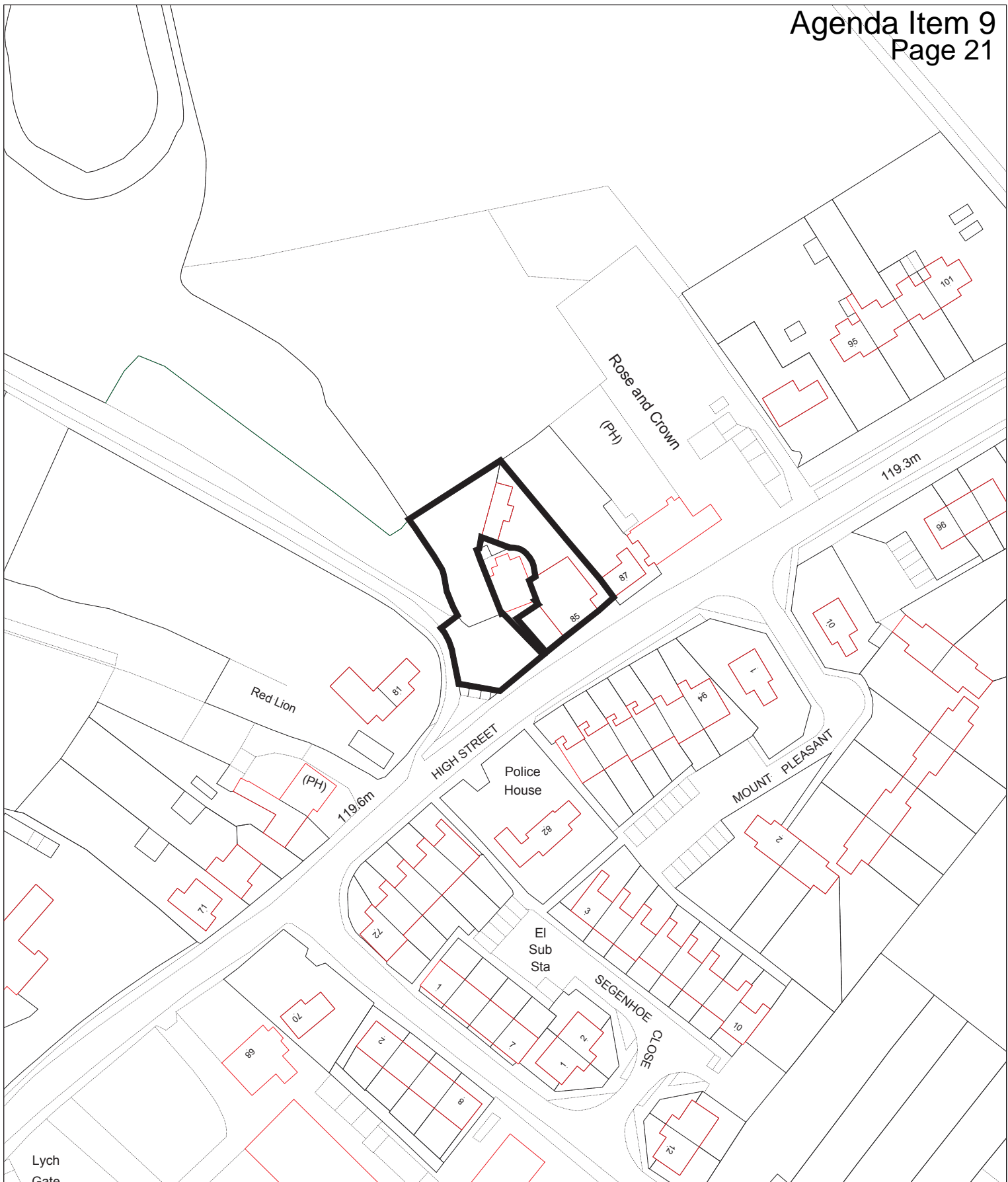
- 2 The site has extremely tight constraints regarding the close proximity of the proposed house to trees. There is a need for construction access, contractors parking, working spaces and access for equipment such as the rigs to sink piles, space for plant and material storage and the mixing of cement 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 to Applicant

DECISION

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Central Bedfordshire Council
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Date: 14:March:2012
Map Sheet No

Application No.
CB/11/04051/FULL

Scale: 1:1250

The Firs 85 High Street, Ridgmont, Beds, MK43 0TY

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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

Site Location:

The site is located on the northern side of the High Street in Ridgmont. The site lies in the infill boundary of the village and in the Conservation Area and Green Belt. Immediately to the west of No. 85 is The Old Chapel. This former chapel building has been converted into a dwelling.

The Application:

This application seeks full and partly retrospective consent for a change of use of the shop to mixed A1 (retail) and (A3) - hot and cold food cafe and takeaway. It includes the proposed provision of an outside cafe dining area - on the grass area to the west of the two private lawned garden areas - and also a cafe dining area to the immediate front of the building. The car parking area is to the rear of the site.

RELEVANT POLICIES:

National Policies (PPM & PPS)

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS4 Planning for Sustainable Economic Growth
- PPS5 Planning for the Historic Environment

ENV7

Core Strategy and Development Management Planning policies November.

CS14 High Quality Development
DM3 High Quality Development
DM4 Development within and Beyond Settlement Envelopes
DM6 Green Belt infill only boundaries.
DM8 Village Shops and Pubs

Supplementary Planning Guidance

Design Guide for Central Bedfordshire Adopted Jan 2010

Planning History of application site.

MB/02/0198/LDC Certificate of Lawful Use: Use of part of ground floor for A1 (Retail) and part ground floor/first floor for bed and breakfast accommodation.
Granted: 11/10/2002.

CB/11/02913/FULL Change of use from shop to cafe with hot and cold food takeaway. Cafe dining area to front forecourt and garden area on western side.
Withdrawn: 21/10/2011

**Planning history of
The Old Chapel.**

84/00512/EUC Commercial temporary storage ancillary to removals.
Granted: 3/10/1986

89/01803 Conversion of former chapel to use as residential dwelling.
Granted: 13/03/1990

**Representations:
(Parish & Neighbours)**

Ridgmont Parish
Council

Comments on original application before revisions:
The adjoining neighbour has suffered loss of amenity and distress as a result of the use of the garden area in front of her house by clients of the cafe and shop, the loss of the shop is contrary to Central Beds own planning policy, the owner of the cafe advises that the business survives as a result of the opening of the cafe, if granted consent could lead to the loss of the village shop, some concern in the area that there is substantial on-street parking which may

cause a hazard, it was agreed at the PC meeting that the application could be amended so that the area for tables is on the lower area of garden away from the neighbours front aspect (occupiers of The Old Chapel), recommend that the application is restricted to change of use to cafe and shop and that a condition be attached so that the shop element is maintained - and that the outdoor seating area be limited to the lower garden and front forecourt but not in the small grassed area to the front of The Old Chapel, 83 High Street and also that the fencing not be allowed as shown in this application.

Comments on Revised application: Support the revised application for shop and cafe, a condition must be attached that is strongly worded to ensure that the shop element is retained and the outdoor seating area for the cafe must also be limited to the lower garden area and the front forecourt and not in the small grassed area in front of 83 High Street and to the west of The Firs. Comments raised in respect of the original submission are also relevant.

Neighbours

5. e. mails in support: on grounds that lovely food, good meeting place especially for the elderly and infirmed to get hot food, sit and chat over tea and coffee without having to go to the pub. It is a main part of the village and would sorely miss it if it closes. It provides a valuable service to the community. The outdoor seating area is a vital ingredient as it is a wonderful relaxing area. It has been used as a seating area for more than 15 years, it was used with tables and chairs when the current resident purchased the adjacent property. It is only lightly used by cafe users during the hours the cafe is open and cafe users are generally quiet and well behaved. It would be different if it was for use as a licensed business with extended opening hours.

2. Letters in support: This has been part of the community for many years and recently it has had to adapt to the building of the new by pass. It should be allowed to continue to serve the village and other nearby villages. Have engaged the Firs on a number of occasions in role with the Marston Vale Community Rail partnership for the supply of refreshments for special themed trains and had afternoon tea at the Firs with groups from the Marston Vale line. Also used by Beds RCC.

Petition with over 250 signatures in support: on grounds that the cafe has been serving the community since the shop closed due to it being not financially viable.

1. Letter of objection from The Old Chapel: The use

started in 2008. The scale of the plans is inadequate - needs to be larger so that any consent could be readily conditioned. The parking will cause further concern due to its activity and impact on the openness of the Green Belt. No reference is made to the right of access by the owners of The Old Chapel. Parking should be identified in the description. It is not possible to attach a condition that requires people at the cafe to be considerate. The 1.8m high fence will detract from the view of The Old Chapel in the Conservation Area. It would spoil the public view of this historic/architectural gem in the Conservation Area. Car parking provision is excessive contrary to Green Belt policy and harmful to amenity. The small scale sale of bread and milk etc.. is ancillary to the cafe and can not be seen as being equivalent to a village shop. No details of Fire Escape. No details on access for disabled. Lack of extraction details. The existing system is not acceptable. Details of odour control should be submitted with the application. Loss of last shop in village is contrary to planning policy. Meals and coffee are already provided by the village pub. The imminent opening of the Ridgmont Railway tourist venue will have a cafe and other amenities etc.. No evidence has been submitted that there is no prospect of the shop use continuing. No accounts have been submitted of the business. Loss of amenity to the neighbours by way of customers eating, drinking and smoking in the garden area to the side of 85 and to the front of The Old Chapel - which has windows and doors adjacent to this activity area. Need to assess as to whether this proposal preserves or enhances the Conservation Area and consider that it fails to do either of these. Need to question that if this is used by locals why does it give rise to such an intensive car use - ie it is used by a wider car borne user. The operator of the cafe has offered to enter into a legal agreement to remove the tables from the two little lawns if objections raised by number 83 are removed. Any legal agreement would have to include the Duke of Bedford Estates as owners of The Firs but they have not responded to this matter. Any grant of planning permission which refers to the term guests is ambiguous as this would cover family friends and guests from far afield and also paying guests of the First Bed and Breakfast. It would be impossible to monitor. Number 83, The Old Chapel, has right of access for pedestrians and vehicles across The Firs and this may constitute a legal barrier to the development of the car park. If extraction details are required for the cafe then this could be a problem to provide as the neighbour has a Deed of Grant which encompasses any development of services within the 'Coffin Passage' to her house.

Comments on revised proposal:

3. e. mails in support: The previous comments are still relevant and also do not consider that the use of the outside facility will cause any noise problems to nearby neighbours. The cafe was there long before the most recent purchase of the property. The hours of use are not incompatible with the residential use of the adjoining property.

1. Letter objecting from The old Chapel: The plan is of inadequate scale to enable any consent to be enforced. Increase in activity on site and in use of car park. The patronage is very different to a shop - many customers are from far field. Increase in traffic generation. Activity and operation of the car park in the Green Belt is not acceptable. What right of access is there for pedestrians and/vehicles by owners of The old Chapel? There should be a new application fee as the description has changed and site has changed. Cannot control by way of planning conditions that customers are considerate in the use of the garden area. The A1 use is a secondary and small scale activity and can not be seen as equivalent to the village shop. The details on the plans are inadequate to justify the application being approved. A few shelves is not adequate to claim that the use is part A1 - need detailed information before a decision can be made. There is limited financial information which is not corroborated and lacks detail. No details of Fire Escape or Assembly point or details of access for disabled. Lack of details of extraction facility. Need EHO comments on this lack of adequate justification for the application. Loss of village shop should be resisted and is contrary to Policy EC13 of the Core Strategy. Local Plan policy states that The loss of shops in villages will be resisted. The applicants supporting figures relating to the shop are not supported by any credible evidence. The proposal is therefore contrary to policy DM8 of the Core Strategy and Development Management Planning Document dated November 2009. The plans do address in part the impact on the amenity of occupiers of The Old Chapel. Adverse impact on the character of the Conservation Area by way of parking on street. The creation of the car parking area and increased use of it will affect the openness of the Green Belt. The use at the site is designed not for the local community but for a wide car borne user. The material considerations do not justify a grant or outweigh the development plan. If refused it must be served with a stop notice. Suggested conditions if consent is granted are to be submitted.

1: Letter of objection: Noise and invasion of privacy as garden area looks directly into one of neighbours bedrooms and lounge. Extending the business into the

garden will increase the noise and invasion of privacy already experienced. Highway concerns when people park on the road and sometimes block the entrance to Lydds Hill. This results in loss of visibility. By including the larger area of garden then this will promote access for the cafe to this garden via the highways path or across the private chapel path. The public footpath to the front of the site is very narrow and the pedestrian access and the serving of hot food and drinks is a potential health and safety issue. Hope that the cafe garden area will be limited to the smaller section and that there are clear limits on times of opening as stated in the application, no camping, max number of people to be set, no music, no alcohol, clear fence boundaries and sympathetic fencing and seating such that there is no overlooking into neighbouring properties and not restriction on access on to the public highways pathway.

App Adv

Consultations/Publicity responses

Highways Officer Comments regarding the marking out of the rear parking area as well as provision of turning area and suitable lighting of the car park.

Revised plan: Comments are as previously forwarded.

Conservation Officer No objections to the change of use but seek minor amendments to the proposed boundary treatments.

Revised Plan: the revised plan has removed the intrusive fencing - and the cafe garden area has moved to the open grassed area to the west of the Old Chapel. Of the view that the proposal will not impact negatively on the locally important chapel and 85 High Street or the character and appearance of the Conservation Area.

E.H.O. Public Protection No objections as long as conditions are attached to any consent which control hours of opening and that no extract system be installed at the premises without the prior written consent of the Local Planning Authority.

Building Control Officer No comments

Legal Officer No obs received.

Determining Issues

The main considerations of the application are;

1. Background and Policy/Principle of Development
2. Visual Impact
3. Residential Amenity
4. Other Issues.

Considerations

1. Background and Principle of development

The site lies within the Green Belt 'Infill only' boundary for Ridgmont where there are no objections to the principle of new development that meets infill criteria.

The Firs - number 85 High Street - was originally the village shop but in 2002 was granted a Lawful Use Certificate for Bed and Breakfast with ground floor breakfast room and first floor bedrooms -under planning ref: MB/02/01498/LDC.

In easter 2006 the shop was re arranged and a door made into the guest house dining room so that people could sit and eat. In 2008, when the Ridgmont bypass was opened, the applicant advises that the shop became unviable and daily takings fell to about one fifth of what they had been previously.

The cafe element opened in 2008 and the applicant advises that it is an extension to the B and B business operating at the site. It is open between 8.00am and 3.30pm Monday to Friday and 9.00am to Noon on Saturdays, Sundays and Bank Holidays. It serves both local residents and passing traffic and provides for a lunch service for pensioners in the village with home delivery being available. A local pheasant shoot have used the premises for breakfast and the local school have used it for a field trip. There are two part time employees. The pedestrian access for the bed and breakfast accommodation is via the garden to the west side leading to the main door.

A recent application (CB11/02613/FULL) for the change of use of the shop to cafe and the use of the area to the front of 83 High Street as an outside dining area was withdrawn following a number of concerns raised.

The applicant then submitted a similar application to the one that was withdrawn and following a number concerns raised this has been revised. It is now in respect of regularisation of the change of use of the shop (A1) to a mixed use of shop (A1) and cafe (A3) - hot and cold food served in the premises and takeaway. This revised application includes the use of an outside area - for use by cafe patrons and customers of the bed and breakfast - in the westernmost lower garden area of the property and not in the garden area to the front of The Old Chapel. There is to be a gated entrance into this cafe garden area and the signage to the gate is to state that it is the 'Firs cafe/garden' with 'pedestrian access to car park'.

The small grassed area to the front of the former Chapel (83 High Street) would only be used for private garden use by the owners and family of 85 High Street. Signs are to be placed in this garden area indicating 'Private garden Only'.

The application is accompanied by a petition with over 250 signatures

supporting the application.

When determining planning applications which affect shops and services in villages PPS4 requires that local planning authorities should take account of the importance of the shop to the local community if the proposal would result in its loss or change. It requires that Local Planning Authorities should refuse planning applications which fail to protect existing facilities which provide for people's day to day needs.

Policy DM8 of the Core Strategy and Development Management Planning Document applies to this proposal and this recognises the importance of local shops especially in rural villages where there are no alternative facilities within walking distance. This policy seeks to prevent the loss of village shops in order to retain these important services. The loss of something as important as the last village shop can not be supported in policy terms unless there are very exceptional circumstances. It is the most vulnerable in the village, such as the elderly and those without a car, that mostly feel such a loss.

In this case, the application as revised makes it clear, both in writing and on the revised layout plan of the cafe/shop, that the premises does sell a limited number of A1 goods - such as milk, bread and biscuits, drinks and cards etc.. Whilst the A1 use is the minor part of the business it is felt that it will still provide the village with the basic goods which one would expect to be for sale in a village shop. Any planning consent will be subject to a condition which ensures that this A1 element is retained, unless planning permission is granted for another use.

There have also been some letters of support for the proposal on grounds that it is a meeting place with friendly people running it where people of all ages can get hot food and sit and chat over a tea or coffee and it is a life line of the old and infirmed. In this sense the facility would provide a service to the local community.

It is felt that the revised proposal is now in accordance with PPS4 and planning policy DM4 of the Core Strategy and development Management planning Document dated 2009 in that the village shop element is to be retained as part of the development and that the facility would provide a local service.

2. Visual Impact

The application site is a substantial sized building which is attached to an Old Chapel building which has been converted to residential use. There is a good sized garden area lying to the west which is split into two parts by the path access from the High Street to the Old Chapel building. There is also a small hardstanding area directly in front of the cafe which is used for outside seating by users of the cafe. No changes are proposed to the outside of the building and no works are required to be done to the premises in terms of internal alterations.

The main changes to the external appearance of the site is the proposed use of the westernmost grassed area as an outside cafe area (as well as by customers of the bed and breakfast accommodation) where there will be tables and chairs - mostly during the summer months. This area is to be denoted on the site by a

1m high picket fence. It is not felt that the siting of such temporary features will have an adverse impact on the locality and would preserve the character and appearance of the Conservation Area.

3. Residential Amenity

The site is surrounded by residential uses on each side and on the opposite side of the road. The pedestrian access for the B and B is to continue to be via the path which runs between the two small grassed areas on the western side of the property leading to the main door in the west elevation of the building. These two small areas of grass which lie to the front of The Old Chapel and to the west of the 85 High Street have recently been used as an outside seating and smoking area for users of the cafe and the Bed and Breakfast. However, the cafe use of these two grassed areas for such purposes is to cease and does not form part of this revised proposal. They are to continue to be used by the owners of 85 High Street and their family - but not by any of the commercial clients to the site.

The Old Chapel (83 High Street) - faces directly onto these grassed areas. The occupiers of 83 High Street have objected to the revised scheme on a number of grounds - a letter having been received from their planning agent. (Their comments are summarised above). It is now for part cafe (A3) use and part A1 (shop) which it is felt would not unduly harm the amenities of this neighbour in terms of noise and disturbance, privacy etc., now that the grassed areas to the front of The Old Chapel are not to be used as sitting out areas for the cafe users and the B and B users clients. There will be some noise from cars coming to and from the site parking on the road and within the rear car park but the additional use of these areas will not have a sufficiently adverse impact on the neighbours as to withhold planning permission on amenity grounds. A condition is recommended restricting the opening hours for the cafe.

It is recommended that a number of planning conditions be attached to any planning permission to ensure that the garden area immediately to the front of the old Chapel is not used by clients of the businesses at the site but are for private purposes only.

In assessing the proposal It needs to be noted that the change of use of the Old Chapel to residential was granted in 1989 prior to the LDC being granted for the use of the application site in part for B and B use. Also, The B and B has a Certificate of Lawful Development approval and there are no planning conditions attached to that use. The LDC description and application forms specified the use of the building although the majority of the garden areas were both included in the red line plan attached to the LDC. Whilst the land and gardens are not specifically referred to in the LDC it can be considered that they are included as they are within the certificated land. As such, the planning unit would be a mixed use of C1, (B and B), C3 (residential) and A1 for both the building and gardens

With regard to the larger grassed area to the west of the site, which is to be used as the cafe / B and B outside garden area, the nearest properties to this area are No. 83 (The Old Chapel) and No 81 High Street. Number 81 is separated from this area of garden by a track and is approximately 8m away. The west garden area would be approximately 11m deep, from back of pavement and would not extend along the side elevation of No. 83. Also, this garden is partly included in the LDC and therefore that part has mixed use. It is not felt that the use of the

area by the users of the cafe and B and B will result in undue loss of amenity by way of noise, loss of outlook etc.. as to withhold planning permission.

No.87 has a blank side elevation facing onto the existing vehicular access. Due to the distances and relationships involved it is not felt that the continued use of the access to serve the car park will result in undue loss of amenity to occupiers of number 87 High Street. Also, it is not considered that the proposed retrospective use of the small area of front forecourt as an outside seating area for the cafe will have a harmful impact on the residential amenities of this property. The environmental health officer is not raising any objections.

With regard to the impact on the amenities of the occupiers of number 81 High Street their concerns regarding the use of the proposed lower garden area by the cafe and the potential for noise and loss of privacy that this use is likely to lead to have been carefully taken into consideration. However, whilst the occupiers of number 81 will be able to see this garden area being used as an outside seating area by the cafe this garden area is at a distance of about 14 metres at its closest from the nearest part of this property itself albeit closer than this to the front and side garden areas of this house. There is also an access road known as Lydds Hill that runs between the proposed cafe garden area and the garden to number 81. Loss of amenity by way of noise and disturbance is therefore likely to be minimal and not sufficient as to support a reason for refusal.

4. Other issues

The access officer is not raising any objections to disabled access to the site.

The revised layout plan shows the parking area laid out and marked up with a turning area shown

The environmental health officer has advised that there are no objections to the proposal. The food preparation for the cafe takes place in the same kitchen as that used by the B and B business. No complaints have been received in respect of this. However, in order that future problems are avoided a condition is to be attached which states that no extract system be installed at the premises without the prior written consent of the Local Planning Authority in order to safeguard the amenities of neighbouring properties.

Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number SE 2698/C

Reason: For the avoidance of doubt.

- 2 No extract system shall be installed at the premises without the prior written consent of the Local Planning Authority.

Reason

To safeguard the amenities of occupiers of neighbouring properties.

- 3 The area cross hatched - on drawing No. SE 2698/C - 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

Reason

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

- 4 No outside area other than the area hatched on Plan No. SE 2698/C shall be used as a cafe garden area for the customers of the cafe and the bed and breakfast accommodation. Before the outside cafe garden area hereby permitted is first brought into use, a detailed scheme for the provision of signage to each garden area, as indicated on drawing No SE 2698/C, shall be submitted to the Local Planning Authority for its approval in writing. The approved signage shall be erected before the cafe 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 the nearby residential properties is safeguarded at all times.

- 5 The proposed signs shall be finished in non reflective materials and located outside of the public highways.

Reason

To avoid undue distraction to motorists and to avoid possible resemblance to and confusion with bone-fide road signs.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, gate or other means of enclosure shall be erected in the private garden area to the front of The Old Chapel unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

- 7 The uses hereby permitted are for part A1 (retail) use and Part A3 use (cafe/takeaway). The floor areas for A1 use defined on Plan number SE2698/C which accompanies this planning permission shall be retained for retail sales purposes.

Reason

To define this permission and to ensure that A1 use is retained as part of this permission.

- 8 The cafe shall only be open to the public between the hours of 08.00 - 15.30 Monday to Friday and 09.00 -12.00 Saturday and Sunday and at no time on Bank or Public Holidays.

Reason: To protect the amenities of the area.

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- 9 A triangular vision spay shall be provided on the west side of the access 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 access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason

To provided adequate visibility between the existing highway and the access, and to make the access safe and convenient for the traffic which is likely to use it.

- 10 Within a month of the dated of this permission being issued a scheme for short stay cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented within three months of the date of approval and thereafter retained for this purpose.

Reason

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

Reasons for Granting

The retrospective change of use of this shop (A1) to mixed use for cafe (A3) and shop (A1) and the use of an outside area of land for dining is felt to be acceptable in relation to the character of the area, will not have an unduly adverse impact on the amenities of neighbours and there are no other concerns. The application complies with policies DM3, DM4, DM6, DM8 and CS14 in the Core Strategy and Development Management Planning Document dated 2009 as well as PPS1, PPG2, PPS4 and PPS5.

Notes to Applicant

1. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle parking Annexes - July 2010".

DECISION

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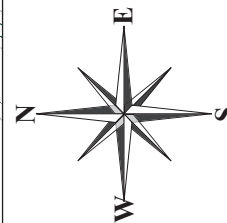
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Grid Reference: 520771, 235509

Application Number
CB/11/03946/REN

Meat and Livestock Commission, Hitchin Road, Stotfold



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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

Site Location:

The site to which this development relates measures 5.7 hectares and comprises the former Pig Development Unit (otherwise known as the Meat and Livestock Commission), Hitchin Road, Stotfold. The operations on this site have now ceased and it is understood that the site is surplus to the needs of the Agriculture and Horticulture Board.

The site is situated on the east side of Hitchin Road, within a short distance of Stotfold and Letchworth, with Fairfield Park located to the west. The application site is well placed for bus links to Stotfold, Letchworth and Arlesey, which has a main railway link to the East Coast Main Line, and London.

The site lies outside the settlement envelope of Stotfold and lies and partly within the floodplain.

There is a shared footway/cycleway, which lies adjacent to the west side of Hitchin Road and provides a link to Fairfield Park and Stotfold, via an undepass.

The Application:

This application seeks a renewal of planning permission 08/02000 which was for a removal of condition 14 of planning permission 08/01043/OUT being an outline application for a redevelopment of the site to form a new business park (B1, B2 and B8 uses), accounting for 18,000 square metres (gross) of employment space, and the erection of 5 no. replacement dwellings (All Matters Reserved, except access).

The removed Condition 14 had stated that the replacement dwellings should not exceed two storeys in height and no habitable accommodation to be provided within the roofspace.

PPS:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS4 Planning for Sustainable Economic Growth

Central Bedfordshire Core Strategy:

CS2, CS5, CS9,
CS10, CS14, DM3,
DM4

Relevant Planning History

- | | |
|---------------|--|
| 83/0745B/FA | Erection of 5 bay pig unit, 2no. dry sow houses, 2 no. pig finisher houses with 1no. control room, Dutch barn and construction of flat decking (Following demolition of existing agricultural buildings). Approved 17th February 1987. |
| 99/00515/FA | Erection of extension to form feed control building. Approved 7th June 1999. |
| 00/00409/FA | New building to provide Feed Control Centre. Approved 3rd May 2000. |
| 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). Approved 17 September 2008. |
| 08/01998/FULL | Removal of condition 13 (height of B1, B2, B8 units) pursuant to permission 08/01043/OUT. Approved 11 February 2009. |

08/01999/FULL Removal of condition 15 pursuant (no net increase in bedspaces) to permission 08/01043/OUT. Refused 10 February 2009.

08/02000/FULL Removal of condition 14 (height of dwellings) pursuant to permission 08/01043/OUT. Approved 11 February 2009.

**Representations:
(Parish & Neighbours)**

Stotfold Town Council Objection due to the relatively exposed nature of the sloping site in a rural setting with high visibility from several directions, buildings in excess of the limits already suggested would cause a detrimental visual effect to the amenity of the area. Sufficient screening would have to be of such a height as to be impractical. The majority of domestic dwellings in the main town of Stotfold are 20th Century construction with some older and some newer buildings interspersed. These are predominantly of two-storey in height; a minority with the roof space accommodation built originally or added at a later stage. The proposed relaxation of this condition would not conform with the predominant character of the main part of the town and would not conform with the predominant character of the main part of the town and would lead to higher occupancy rates of the dwellings with a proportional increase of traffic movements to/from the site and requirements for more off-road parking spaces would need to be provided. We do not believe this is a full application and is only a variation of the outline application 08/01043/OUT. If it were a full application, we should be in receipt of detailed plans.

Neighbours No comments received.

Consultations

Highways No objection.

Environment Agency No objections to the removal of condition 14.

Internal Drainage Board (IDB) No comments received.

Environmental Health No objection.

Campaign to Protect Rural England (CPRE) No comments received.

Tree Officer No objection.

Minerals and waste No objection.

Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Impact of Development on Character and Appearance of the Area
3. Impact of Development on Neighbouring Properties
4. Other Issues

Considerations

1. Principle of Development

Planning approval reference 08/01043/OUT established the principle of developing this site with five replacement dwellings, and for the associated commercial development. Furthermore the site has recently been allocated for mixed use development in the Site Allocations DPD (April 2011) based on the description of development permitted by the 2008 outline consent.

Planning permission 08/02000 subsequently agreed removal of condition 14 of the original outline consent which had sought to restrict the height of the replacement dwellings. Another application, 08/01998, was approved at the same time for the removal of condition 13 (building height of the B1,B2 and B8 uses to not exceed 8m in height).

Condition 2 of approval 08/01043 required the developer to obtain the Council's approval of the layout, scale, appearance and landscaping of the development. As such, it is considered as before that the Council would retain adequate control of the height of the dwellings and buildings and a renewal of the planning permission is acceptable.

Condition 15 of the original outline consent, which restricted any further bedspaces as part of the development was not included in either of the above decisions. However, an application (08/01999) submitted at the same time as the other two applications, seeking to remove condition 15 was refused. It is however necessary to ensure that any increase in bedspaces shown in any subsequent reserved matters application generates a requirement for contributions towards the additional impact on infrastructure, as was intended by the original consent.

A condition is attached to this consent stating that there shall be no net increase in the number of bedrooms.

2. Impact of Development on Character and Appearance of the Area

The site can be viewed in the landscape and as such careful consideration must be given to the impact of the development on the character of the area. However, as previously considered, the submission of a reserved matters application, with full details of the design layout and elevations would enable the Council to give due consideration to such matters.

3. Impact of Development on Neighbouring Properties

As previously considered to be the case, the Council would have the opportunity to consider the impact of the application on nearby dwellings in detail during the consideration of a reserved matters' application.

4. Other Issues

The Environment Agency have raised no objection to the application in respect of any impact on the floodplain. Further consultation with the Environment Agency would be done as part of any subsequent reserved matters application.

Planning approval 08/02000 was the subject of a deed of variation Section 106 agreement and in order to ensure that its requirements can be enforced, there is a need for the applicant to complete a further deed of variation in association with this application and this has already been drafted.

Conclusion

In conclusion, it is considered that planning permission should be granted for a renewal of planning permission 08/02000, subject to completion of a 'Deed of Variation' to ensure that the requirements of the legal agreement associated with the original outline approval are carried through to this permission.

- 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

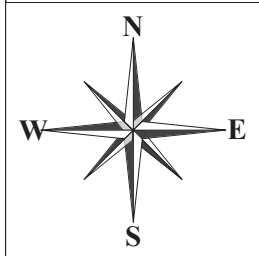
The site is allocated in the Central Bedfordshire Site Allocations DPD (April 2011) for a mixed use development providing five replacement dwellings and buildings to accommodate B1,B2 and B8 uses. The proposal conforms with policies CS2, CS5, CS9, CS10, CS14, DM3 and DM4 of the Central Bedfordshire Core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

Notes to Applicant

DECISION

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Central Bedfordshire Council
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Date: 13:March:2012

Grid Ref: 516043, 247835

Application No.
CB/12/00570/FULL

Scale: 1:1749

1 Brook End, Hatch, Sandy SG19 1PP

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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

Site Location:

The application site is located within the hamlet of Brook End on a large corner site at the junction of the lane to Beeston Village and the Upper Caldecote/Sandy Road.

No. 1 Brook End is an extended detached two storey dwelling. No 1A Brook End is a small detached bungalow which has a detached double garage to the side/rear which is positioned adjacent to No 1. The curtilage is undivided between these two dwellings and the buildings lie in large grounds. The area is rural in nature and falls outside any settlement envelope.

A boundary treatment comprising of a high timber fence and brick walling surrounds the site and access can only be gained to both properties via the electronic gates. Conifer trees have been planted on the roadside. There is also established landscaping on the eastern and southern boundaries.

The Application:

The application seeks permission for the erection of a detached outbuilding to include garage, games room and sunroom.

Planning Permission was granted in 1997 for the erection of a detached outbuilding to include double garage, games room and conservatory and in 1993 for the construction of a garden store, snooker/games room and sun lounge, both of which was of a similar size and design.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS7	Sustainable Development in rural area

Core Strategy and Development Management Policies Adopted November 2009

CS14	High Quality Development
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 Quality in the Built Environment

Supplementary Planning Guidance

Design Guide for Central Bedfordshire & DS4 Residential Alterations and Extensions Adopted Jan 2010

Planning History

11/4194	Full: Erection of side/rear extension. Approved 19.1.12
11/1405	Full: Erection of first story to existing one story dwelling, extension to join existing garage to new dwelling and conversion of garage into residential accommodation. Refused 5.7.01
10/03056	Lawful Development Certificate: Erection of a single dwellinghouse - approved
09/05865	Full: First floor extension over existing dwelling and garage, two storey rear and side extension and conversion of double garage - refused
08/00612	Full: Retention of existing wooden post and wire mesh boundary fence (retrospective) - approved
07/01969	Full: Retention of existing timber boundary fence, part brick wall and timber entrance gates - approved
07/01253	Full: Erection of detached outbuilding to include double garage, games room and conservatory - approved
93/00700	Full: Erection of garden store, snooker/games room & sun lounge – approved
93/00215	Reserved Matters: Erection of building to house two squash courts for personal and private use – refused - appeal allowed
92/00349	Reserved Matters: Erection of building to house two squash courts for personal and private use – refused - appeal dismissed
91/00009	Outline: Building to house two squash courts for personal and private use – approved
89/00530	Outline: erection of dwelling – refused
87/01756	OUT: One detached dwelling, garage and new vehicular access - refused

87/01621	Full: Erection of single storey extension and detached garage - approved
88/01337	Full: Change of use from agricultural land to domestic garden – approved
86/00913	Full: Change of use agricultural holding to caravan storage area - approved

**Representations:
(Parish & Neighbours)**

Northhill Parish Council	No comments received
Sandy Town Council	Object, it represents overdevelopment in open countryside and would spoil a pleasant area.

Neighbours/Site Notice No comments received

Consultations/Publicity responses

IDB No comments received

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Visual impact
3. Residential amenity
4. Other issues

Considerations

1. Principle of development

It is noted the relevant planning policies used in considering the previous proposal, have changed following the adoption of the Central Bedfordshire Core Strategy and Development Management Policies (November 2009). The new planning policies are designed to assess this renewed proposal in the same way as the previous planning policies in the former Mid-Bedfordshire Local Plan (2005). The submitted proposal therefore, will be assessed in accordance with Policies CS14; DM3 and DM4 of the Central Bedfordshire Development Management Policies (2009).

Policy CS14 requires development to be of the highest quality by respecting the local context, the varied character and local distinctiveness of the district.

Policy DM3 requires all proposals to be appropriate in scale and in design to their setting; making positive contribution to creating a sense of place and respecting local distinctiveness; respecting the amenity of surrounding properties through design, use of materials, efficient use of land and provision of adequate areas for parking and servicing.

Policy DM4 concerns development within Settlement Envelopes. Outside settlements, where the countryside needs to be protected from inappropriate

development, only particular types of new development will be permitted in accordance with PPS7. Paragraph 1 (vi) of PPS7 states that all development in rural areas should be well designed and inclusive, in keeping and scale with its location and sensitive to the character of the countryside and local distinctiveness.

The application site lies outside the settlement envelope of Sandy as defined in the Core Strategy and is located in open countryside. There is a policy constraint at both national and local planning policy for new residential development in the open countryside. However, this application seeks the erection of an ancillary outbuilding within the grounds of the existing residential property which may be acceptable in principle provided that other planning policies are met which will be discussed below.

The proposal is for the erection of a detached outbuilding to include garage, games room and sunroom, sited to the east of the existing main house (approx 23m away), and would front onto the road access.

There have been a number of applications seeking new development on this part of the site. In 1991 outline consent was granted for two squash courts. In 1993 a reserved matters appeal for the squash courts was refused and another appeal allowed. In 1993 permission was granted for a garden store, snooker/games room and sun lounge which was followed by the 2007 consent. Although those permissions have now lapsed it should be noted that an ancillary outbuilding on this part of the site has previously been granted and was considered acceptable in principle.

In view of the above, and taking into account the change in local plan policy, it is considered the proposed ancillary residential development is acceptable in principle.

2. Visual impact

The building is to be sited within the application site in a similar position of the schemes approved in 1993 and 2007 although each scheme is incrementally slightly larger.

The proposed building would still be of a single storey nature but would be slightly larger than the previously approved 2007 scheme. In comparison it would now measure approx 20.2m in width (2007 scheme was 18m), maximum of 7.5 metres in depth (same as the 2007 scheme), with a maximum height of 5 metres stepped down to 4.7m (maximum height on 2007 scheme was 4.7 metres to the ridgeline).

The 2007 scheme incorporated a double garage, games room and conservatory with the ridgeline stepped down slightly in three places. This current scheme retains the double garage and games room but now incorporates another garage and a sunroom, its ridgeline being stepped down once.

Therefore this revised scheme would be slightly larger in height, scale and massing and there has been a change in the design. However, the proposed increase in height is considered fairly minimal. Whilst the floorspace would be slightly bigger (as the building will be approx 2m longer) an extra garage space would still be an ancillary use and a sun room is considered comparable in use to a conservatory. Nor is it considered that overall this scheme is substantially different in design to the 2007 scheme.

The building would have a greater footprint than the existing house, but as it is single storey it would remain subordinate in appearance to the main dwelling. It will result in a substantial structure some distance from house, however, although the building is of some size and form, it will be set within an extensive plot and therefore over development is not considered an issue. Although it is slightly larger than the previously lapsed 2007 scheme it is still single storey and the design is considered acceptable. As noted previously in the 2007 approval, generally, it would be preferable to prevent the spread of buildings into the open countryside; however, this building is single storey and would have screening from the public realm by means of hedging, fencing and the host dwelling.

Overall, it is considered that the proposal would not adversely affect the character and appearance of the area.

3. Residential amenity

The nearest residential property from the proposed building is 1A Brook End which is a separate dwelling (Approved under CB/10/03056/LDEG) also within the curtilage of the application site. It would not be unduly harmed in terms of light, privacy or overbearing impact due to the distances involved. It should be noted that consent for an extension to that property was granted earlier this year, which if erected, would remove the existing garaged accommodation on the site. It would have a number of windows on serving main habitable rooms facing the proposed outbuilding the subject of this application. At the nearest point the buildings would be approx 17m away. However, as the proposal is for a single storey outbuilding and taking into account its position in relation to the extension not yet implemented it is not considered that any undue loss of light, overbearing impact or privacy will occur. The curtilage to No 1 and 1A is currently undivided, it is not considered necessary to condition the need for extra boundary treatment to separate the dwellings as they are in same ownership. It is also noted that the enlarged gravel area includes a small area of the land previously shown in the recent application for the extension to No 1A however as the curtilages are currently undivided there would be no undue harm caused.

Other dwellings within the hamlet are some 50 metres away and would be screened by the host dwelling and existing single storey bungalow. Due to the location of the proposal within the application site, it is considered that it would not adversely impact the residential amenity of any surrounding neighbouring properties.

4. Other issues

Since the previous approval the Council has adopted the Planning Obligations Strategy requiring financial contributions for new dwellings. Although a new dwelling has been created on this site this was granted by a certificate of lawful development existing. As this proposal is for ancillary accommodation a unilateral for financial contributions does not apply here. This proposal is for a large ancillary outbuilding sited some distance from the main dwelling and in some cases a unilateral can be attached instead of a condition to ensure it remains ancillary but none has been submitted with this application. However, given that no living accommodation such as bedrooms/kitchen is shown on the plans submitted with the application and ancillary conditions have been accepted previously for an outbuilding in this location; as in the previous 2007 application it is considered sufficient that the use of the building can be tied to ancillary accommodation for the main house by means of a condition.

The access to the site would remain unaffected. Sufficient on site parking and private amenity land would remain for both dwellings. As the existing driveway would need to be enlarged a surfacing condition could be attached.

It is considered the description of development will need to be amended to include sunroom instead of conservatory, confirmation of this is being sought from the applicant.

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.

DECISION

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